

Staff Summary Report



City Council Date: 1/27/11

Agenda Item Number: 5D1

SUBJECT: Second and final public hearing to adopt an ordinance for the Historic Designation of the SANDRA DAY O'CONNOR HOUSE, located at 1230 North College Avenue.

DOCUMENT NAME: 20110127cdkko01 **PLANNED DEVELOPMENT (0406) Ordinance No. 2010.45**

COMMENTS: Request for **SANDRA DAY O'CONNOR HOUSE (PL100333)** (City of Tempe, property owner; Tempe Historic Preservation Office, applicant) consisting of the Historic Designation and Listing of the Sandra Day O'Connor House, originally constructed in Paradise Valley and relocated to Tempe Papago Park, on one (1) lot of approximately 0.763 acres and located at 1230 North College Avenue in the R1-6, Single Family Residential District and the RSOD, Rio Salado Overlay District. The request includes the following:

HPO10001 – (Ordinance No. 2010.45) – Historic Designation and Listing in the Tempe Historic Property Register for the house located on 0.763 acres.

PREPARED BY: Kevin O'Melia, Senior Planner (480-350-8432)

REVIEWED BY: Lisa Collins, Community Development Deputy Director (480-350-8989)

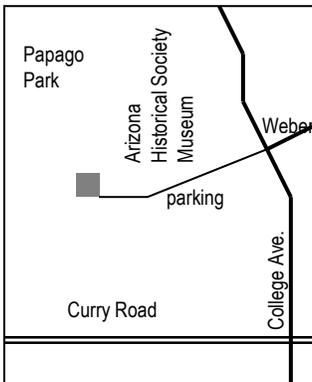
LEGAL REVIEW BY: Teresa Voss, Assistant City Attorney (480-350-8814)

DEPARTMENT REVIEW BY: Chris Anaradian, Community Development Manager (480-858-2204)

FISCAL NOTE: There is no fiscal impact on City funds.

RECOMMENDATION: **Staff – Approval**
Historic Preservation Office -- Approval
Historic Preservation Commission – Approval (5 - 0 vote)
Development Review Commission – Approval (7 - 0 vote)

ADDITIONAL INFO:



Gross/Net site area	0.763 acres
Total Building area	+/-1,700 s.f.
Zoning	R1-6, Single Family Residential District and RSOD, Rio Salado Overlay District
Total Units	One (a separate public restroom and caterer's kitchen accessory building is also within the perimeter).

A neighborhood meeting was held on November 4, 2010 for consideration of this application. The Historic Preservation Commission recommended approval on December 9, 2010. The Development Review Commission recommended approval on December 14, 2010.

PAGES:

1. List of Attachments
- 2-4. Comments
4. Reasons for Approval / Condition of Approval
- 5-7. History & Facts
7. Zoning and Development Code Reference / City Code Reference

ATTACHMENTS:

- 1-2. Ordinance No. 2010.45
3. Location Map
4. Aerial Photo
- 5-6. Letter of Explanation
7. Site Plan (Aerial Photo of Lease Area)
- 8-9. Staff Site Photos
10. Tempe Historic Preservation Commission Neighborhood Meeting Summary, dated 11/4/10
11. Tempe Historic Preservation Commission Public Meeting Summary, dated 12/9/10

COMMENTS:

In 2009 the Sandra Day O'Connor House, originally constructed at 3651 East Denton Lane in Paradise Valley, was relocated to Papago Park in northern Tempe as part of a public/private preservation effort. The house is historically significant for these reasons 1) as the residence of U.S. Supreme Court Justice Sandra Day O'Connor from its construction in 1959 to 1981. 2) as the setting for numerous meetings and reconciliations of Arizona State legislators conducting the business of the State wrapped in dinner gatherings during Sandra Day O'Connor's tenure as Arizona State Senate majority leader. As an aside to its historic significance, the residence is also architecturally significant in its own right—skillfully incorporating modern elements and indigenous building materials.

This site of the relocation is a hill in Papago Park to the north of Curry Road and west of College Avenue. The hill overlooks Curry and has a glimpse of Tempe and the Town Lake to the south and southwest. Beneath the surface of the hill is a water transmission line from the J. G. Martinez Water Treatment Plant. The surroundings are characterized by the natural Sonoran Desert foliage—including principally creosote--of Papago Park. The disturbed area in the vicinity of the transmission line installation is naturally re-vegetating. Within the lease area the grounds are landscaped with a Sonoran themed-garden palette. A prominent, contrasting site feature is the "green line" to the east and northeast. The lush riparian foliage of the green line is arrayed on each side of a low open water course that extends from the Martinez Water Plant to the north and runs along the western edge of the ball fields to the southeast. The front door of the house faces southwest to Curry while the garden plaza on the opposite side of the house faces northeast to the green line. To the northwest of the house is an accessory building including public restrooms, storage and a caterer's kitchen.

The site is immediately to the southwest of the Arizona Historical Society Museum. The site has pedestrian access to the museum entrance courtyard via a footpath and has a vehicular connection to College Avenue through the museum parking lot, through a gateway on the green line and onto a stabilized rock driveway that ends with a turnaround to the southwest of the house. The perimeter of the site is fenced and gated. The boundary described by this perimeter fence is also the lease area which is the proposed extent of the Historic Designation. The site, as is the park, is within the R1-6, Single Family Residential District and is within the RSOD, Rio Salado Overlay District. The park is identified as Public Open Space in the Tempe General Plan 2030.

Existing entitlements for this property that remain in effect are a Development Plan Review for the grounds including the accessory building (DPR08167) and an administrative review that clarifies this is an allowed use within the R1-6 District (DSM08041). The house and grounds are intended to be a setting for meetings and discourse—this recalls the O'Connor dinner meetings for members of the Arizona State Senate.

The applicant is requesting the City Council approve the request for Historic Designation and Listing in the Tempe Historic Property Register for the Sandra Day O'Connor House and Center for Civic Discourse including the 0.763 acre lease area contained within the fence and gate.

PUBLIC INPUT

On April 22, 2008, the Rio Salado Advisory Commission reviewed the Development Plan Review submittal documents for the grounds at the time the house was to be relocated to Papago Park and recommended approval of the site and landscape design. At that time the Historic Designation and Listing of the house was not under consideration so the Commission made no recommendation on this aspect of the project.

On November 04, 2010, the Tempe Historic Preservation Commission held a neighborhood meeting to notify residential and other property owners within 300 ft and registered neighborhood association and homeowner association representatives within 600 ft to discuss the request on behalf of the O'Connor House for historic designation and listing in the Tempe Historic Property Register. The Tempe Historic Preservation Officer, Community Development staff and interested members of the public attended this meeting. The Historic Preservation Officer's notes of this meeting are included in the attachments to the report. It was resolved to submit the property for consideration of historic designation under National Register Criterion B (association with a significant person). Public comment concerning the O'Connor House historic designation at this meeting was that "it was a good idea." Consensus was reached by the Commission to hold a public hearing for the historic designation on December 9, 2010.

On December 9, 2010 the Tempe Historic Preservation Commission voted unanimously to recommend to the Development Review Commission that the landmark Sandra Day O'Connor House be designated historic and listed in the Tempe Historic Property

Register. Public comment concerning the O'Connor House historic designation at this meeting included "this is a gift to the community", "this is a landmark the community can use with pride" and "property exemplifies how relocation should work." On December 14, 2010 the Development Review Commission, as part of the consent agenda, voted unanimously to recommend to City Council that the landmark Sandra Day O'Connor House be designated historic and listed in the Tempe Historic Property Register.

PROJECT ANALYSIS (Historic Preservation Office)

Significance:

The Sandra Day O'Connor House and Center for Civic Discourse is significant under National Park Service Criterion B as the surviving property most importantly associated with the civic leadership, bipartisan consensus building, and personification of the limitless Western landscape emblematic of the "Daughter of Arizona" – United States Supreme Court Justice Sandra Day O'Connor.

Retired Supreme Court Justice Sandra Day O'Connor is one of Arizona's most recognizable and influential public figures. In 1969 she was appointed to the Arizona Senate where she would be re-elected twice afterward, becoming majority leader in 1972, and the first woman to hold that title in the country. In 1981, she became the first female justice to serve on the United States Supreme Court. At the time of her Federal appointment she was the first person to have held office in all three branches of Arizona's state government. Sandra Day O'Connor enjoys widespread recognition, having served for twenty-four years as the first female justice on the Supreme Court. On August 12, 2009, she received the Presidential Medal of Freedom, America's highest civilian honor. Today it is difficult to imagine a better personification of the spirit of Arizona and the Desert Southwest than the "Daughter of Arizona", Justice Sandra Day O'Connor.

The present owner acquired the Paradise Valley property planning to demolish the house and build a larger dwelling. Impending demolition was the impetus for moving the house. A moved property significant under Criterion B must be the surviving property most importantly associated with a particular historic event or an important aspect of an historic person's life. The phrase "most importantly associated" means that it must be the single surviving property that is most closely associated with the event or with the part of a person's life for which he or she is historically significant. In the early 1970s and through 1981, when Justice O'Connor served in the Arizona legislature and as Senate majority leader, her home provided a forum for many heated discussions and amicable resolutions. Throughout this time the house provided the setting for significant bipartisan growth and development during some of Arizona's most formative years. Today, as the Center for Civic Discourse, the house is positioned to once again provide a forum to explore problems in areas such as health care, women's justice, civic education, and the preservation of the Western landscape and its fragile resources.

Age

Although Justice O'Connor lived in this home with her husband and three children from 1958-1981, the 2009 relocation of the building to Tempe Papago Park effectively resets the clock. Today the landmark Sandra Day O'Connor House and Center for Civic Discourse is proposed for designation under the landmark provision of the Tempe Historic Preservation Ordinance as a property which has achieved significance within the past fifty (50) years.

Condition

Beginning late in 2007, the landmark Sandra Day O'Connor House was carefully moved, with each adobe block numbered, stacked on pallets, and covered with tarps. Roof sections and structural framing were transported in large assemblies and reinstalled using heavy equipment. The total relocation process required more than \$2 million in private funding. This community-based activity preserved the historic building to provide meeting space and pay tribute to Justice O'Connor and her family. In 2009, the landmark Sandra Day O'Connor House and Center for Civic Discourse was reconstructed within the boundaries of the Carl Hayden Campus for Sustainability at Tempe Papago Park. In its present setting, the house is within a skillfully appointed, access controlled desert garden. With assistance from the private nonprofit Rio Salado Foundation, this property now provides a first-class meeting facility in one of the most unique desert settings in the Valley metro area.

Special Consideration for Relocated Buildings

The National Park Service (NPS) advises that certain properties, including moved properties, are usually not considered for listing in the National Register. NPS notes, however, that these properties can be eligible if they meet certain requirements, called 'Criteria Considerations,' in addition to meeting standard eligibility requirements. NPS provides guidelines for determining which properties must meet these special requirements and for applying Criteria Considerations.

The landmark Sandra Day O'Connor House and Center for Civic Discourse is a property removed from its original location that remains eligible for historic designation under NPS Criteria Consideration B (moved properties). The property is significant primarily as the singular surviving property most importantly associated with an historic person – retired United States Supreme Court Justice Sandra Day O'Connor. Throughout the 1970s, when Justice O'Connor served in the Arizona legislature and as Senate majority leader, her home provided a forum for many amicable resolutions to heated political discussions. "I remember sessions in the living room area," Justice O'Connor recalled, "talking about provisions for Arizona that would keep us out of debt but [encourage] progress." Now, as the 'Center for Civic Discourse,' the house will once again serve as a forum for exploring problems in such areas as healthcare, women's justice, civic education, and the preservation of the Western landscape and its fragile cultural and natural resources.

Integrity

Historic integrity is the ability of a property to convey its significance. To be designated historic a property must not only have historic significance; it must also maintain sufficient integrity to communicate that significance to persons unfamiliar with the property or with the community in general. For the case at hand, the landmark Sandra Day O'Connor House and Center for Civic Discourse is significant as a building property type under NPS Criterion B, based on its association with the life of person significant in the history of the community; it is also representative of a great community ideal; bipartisan consensus building for social progress. Under this eligibility scenario, the property maintains significance at the regional (Arizona) level because it continues to maintain integrity of Setting, Materials, Feeling, and Association and thereby can continue to effectively communicate its significance in a new location.

Detailed analysis of the aspects of integrity was documented in the research report prepared for the Historic Preservation Commission Neighborhood Meeting held on November 4, 2010, and is available online at www.tempe.gov/historicpres.

Conclusion

The landmark Sandra Day O'Connor House and Center for Civic Discourse at the Carl Hayden Campus for Sustainability in Tempe Papago Park is recommended for historic designation and listing in the Tempe Historic Property Register because of its significance under National Park Service Criterion B as the surviving property most importantly associated with the civic leadership, bipartisan consensus building, and personification of the limitless Western landscape emblematic of the Daughter of Arizona – United States Supreme Court Justice Sandra Day O'Connor.

REASONS FOR APPROVAL:

1. The Sandra Day O'Connor House and Center for Civic Discourse at the Carl Hayden Campus for Sustainability in Tempe Papago Park meets the criteria established in Section 14a-4(a)(1), the property is eligible for listing on the National Register of Historic Places.
2. The location is designated as a "Public Open Space" by the General Plan 2030 Projected Land Use Map, with the intent to make accessible a rich array of cultural, historic, natural and recreational resources for public education and enjoyment by the community.
3. Historic Preservation Office has recommended approval for this request with the support of the current property owner.
4. Historic Preservation Commission has recommended approval for this request.
5. Development Review Commission has recommended approval for this request.

CONDITION OF APPROVAL:

THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THIS CONDITION.

1. The accessory building within the lease area is a non-contributing feature of the property. The accessory building is not subject to future design review by Tempe Historic Preservation.

HISTORY & FACTS:

- January 31, 1914 President Woodrow Wilson signed Proclamation No. 1262 declaring the area as the Papago Saguaro National Monument.
- May 14, 1926 President Calvin Coolidge confers patent to 40 acres of land in what would subsequently become the Town of Paradise Valley to Susannah Patton, assignee of Lyman B. Gould.
- March 26, 1930 Sandra Day is born in El Paso, Texas to Harry Alfred Day and Ada Mae Wilkey.
- April 07, 1930 Act of Congress abolishes the Papago Saguaro National Monument.
- c. 1950 Stanford University issues Sandra Day a bachelor's degree in economics. She subsequently applies and is accepted to Stanford Law School. During her time there she briefly dated future Supreme Court Chief Justice William Rehnquist.
- May 25, 1953 Phoenix Title and Trust records plat for Terraza Verde Subdivision.
- October 17, 1957 Sandra Day and her husband John O'Connor purchase Lot #8, Terraza Verde subdivision, Maricopa County.
- January 21, 1958 Scottsdale architect D. K. Taylor completes plans for a House For Mr. & Ms. John J O'Connor III at 3651 East Denton Lane in that part of Maricopa County which would become the Town of Paradise Valley.
- c. 1958 John Jay and Sandra Day O'Connor build their new home in near 32nd Street and Stanford Drive in Paradise Valley, where they would live until 1981 when she was appointed to the Supreme Court. The home incorporated design styles of architects Frank Lloyd Wright and Cliff May.
- May 24, 1961 Town of Paradise Valley established.
- 1965-1969 Sandra Day O'Connor begins what would become a continuous career of public service by taking an appointment as Assistant Attorney General of Arizona.
- 1969-1975 Sandra Day O'Connor is appointed to the Arizona State Senate by Republican Governor Jack Williams. She is re-elected as a Republican to two two-year terms. In 1973, she was elected majority leader.
- 1975-1979 Sandra Day O'Connor is elected judge of the Maricopa County Superior Court (Arizona).
- 1979-1981 Sandra Day O'Connor is appointed to the Arizona Court of Appeals by Democratic Arizona Governor Bruce Babbitt. During her time in the Arizona state government, she served in all three of its branches.
- July 07, 1981 Sandra Day O'Connor is nominated by President Reagan to become Associate United States Supreme Court Justice and is confirmed 99-0 by United States Senate on September 21, 1981. Sandra Day O'Connor becomes first woman ever appointed to the United States Supreme Court, on September 25, 1981.
- July 08, 1983 John Jay O'Connor III, and Sandra Day O'Connor, husband and wife, sell the property at 3651 East Denton Lane to John D. and Patricia L. Wilt.
- November 30, 2000 New Federal Courthouse in downtown Phoenix is renamed in honor of Justice O'Connor.
- May 27, 2005 Thomas and Caroline Ryan, husband and wife, sell property to Robert Robson who planned to demolish the house and build a larger house. The impending demolition was the impetus for moving the house.

- Robson agreed to delay his construction plans for the property until the home could be moved.
- July 01, 2005 Justice Sandra Day O'Connor announces that she will retire after 24 years on the Supreme Court.
- January 30, 2006 Sandra Day O'Connor leaves office as Associate Justice on the United States Supreme Court after 24 years, 4 months, 6 days of service. President George W. Bush appoints Samuel Alito to replace O'Connor on the Supreme Court, January 31, 2006.
- April 05, 2006 Arizona State University renamed its law school the Sandra Day O'Connor College of Law.
- c. 2007 Efforts begin to relocate the Sandra Day O'Connor House from Paradise Valley to Papago Park.
- April 22, 2008 The Tempe Rio Salado Advisory Commission recommended approval of the relocation of the O'Connor house to Tempe Papago Park. In their vote the Commission indicated the proposal is appropriate for the Rio Salado Overlay District and the Commissioners agree the proposal is consistent with the vision for the Rio Salado Overlay District.
- May 01, 2008 Tempe City Council voted unanimously to allow the O'Connor House to be moved to city-owned land adjacent to the Arizona Historical Society Museum in Papago Park.
- August 5, 2008 The Tempe Zoning Administrator issued an opinion regarding the O'Connor House installation in Tempe Papago Park, in the R1-6, Single Family Residential District. The opinion indicated that the proposed use is consistent with "open space, parks and similar uses" as found in Zoning and Development Code Section 3-102 and does not require a Use Permit.
- August 14, 2008 The Tempe Development Services Department staff approved the Development Plan Review for site plan, building elevations and landscape plan for the O'Connor House including principally the grounds, the accessory building, the enclosure fence and the site lighting. The proposal is located at 1230 North College Avenue and is in the R1-6 (RSOD) Single Family Residential District and Rio Salado Overlay District.
- August 12, 2009 President Barack Obama awarded Sandra Day O'Connor the Presidential Medal of Freedom, America's highest civilian honor.
- October 22, 2009 Relocation and adaptive reuse of the O'Connor House in Papago Park is completed. The house becomes a part of Tempe's Carl Hayden Campus for Sustainability.
- November 11, 2009 John Jay O'Connor III, husband of retired Supreme Court Justice Sandra Day O'Connor, dies in Phoenix of complications from Alzheimer's disease at age 79.
- November 04, 2010 Honorable Hugh Hallman, Mayor of the City of Tempe, requested the Tempe Historic Preservation Commission consider historic designation for the landmark Sandra Day O'Connor House and Center for Civic Discourse at the Carl Hayden Campus for Sustainability in Tempe Papago Park and listing in the Tempe Historic Property Register.
- November 04, 2010 A neighborhood meeting was held by the Historic Preservation Commission for discussion of historic designation and listing in the Tempe Historic Property Register for the landmark Sandra Day O'Connor House and Center for Civic Discourse within the Carl Hayden Campus for Sustainability in Tempe Papago Park.
- December 9, 2010 The Historic Preservation Commission held a public hearing and recommended Historic Designation and Listing in the Tempe Historic Property Register for the Sandra Day O'Connor House located on 0.763 acres in the R1-6 (RSOD) Single Family Residential District and Rio Salado Overlay District.

December 14, 2010 The Development Review Commission recommended Historic Designation and Listing in the Tempe Historic Property Register for the Sandra Day O'Connor House located on 0.763 acres in the R1-6 (RSOD) Single Family Residential District and Rio Salado Overlay District.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Zoning Map Amendment

CITY CODE REFERENCE:

Chapter 14a, Historic Preservation