



**PLANNING DIVISION  
STAFF REPORT**

**City Council Meeting**

**August 21, 2023**

CASE No.: <b>ZON23-00384</b>	PROJECT NAME: <b>The Nile – Historic Landmark Designation</b>
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Owner’s Name:	CK Properties LLC
Applicant’s Name:	Michelle Donovan - The Nile
Location of Request:	Within the 100 block of West Main Street and the 100 block of South Macdonald. Located east of County Club Drive and south of Main Street
Parcel No(s):	138-42-046
Request:	Rezone from Downtown Core with a Downtown Events Overlay (DC-DE) to Downtown Core with a Downtown Events Overlay and Historic Landmark Overlay (DC-DE-HL)
Existing Zoning District:	Downtown Core with a Downtown Events Overlay (DC-DE)
Council District:	4
Site Size:	0.19± acres
Proposed Use(s):	Theater and Coffee Shop
Existing Use(s):	Theater and Coffee Shop
P&Z Hearing Date(s):	<b>July 26, 2023 / 4:00 p.m.</b>
Staff Planner:	Maura Jackson, Historic Preservation Advisor/ Planner; Michelle Dahlke, Principal Planner
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 7-0)
Proposition 207 Waiver Signed:	Yes

**HISTORY**

On **July 14, 1883**, the City Council approved the annexation of 631± acres of land, including the project site (Ordinance No. 1).

In **1924**, the Nile Theater was constructed and opened for business.

On **July 16, 1987**, the City Council approved the creation of new Town Center zoning districts for the downtown area, 800± acres, formerly referred to as the Town Center Area, including the project site, were rezoned from Single Residence-6 with a Bonus Intensity Zone overlay (R1-6 BIZ), Multiple Residence-2 with a Bonus Intensity Zone overlay (R-2-BIZ), Multiple Residence-2 with a High Rise Zone and Bonus Intensity Zone overlay (R-2-HRZ-BIZ), Multiple Residence-2 with a Planned Area Development and Bonus Intensity Zone overlay (R-2-PAD-BIZ), Multiple Residence-3 with a Bonus Intensity Zone overlay (R-3-BIZ), Multiple Residence-3 with a High Rise Zone and Bonus Intensity Zone overlay (R-3-HRZ-BIZ), Multiple Residence-3 with a Planned Area Development and Bonus Intensity Zone overlay (R-3-PAD-BIZ), Multiple Residence-4 with a Bonus Intensity Zone overlay (R-4-BIZ), Multiple Residence-4 with a High Rise Zone and Bonus Intensity Zone overlay (R-4-HRZ-BIZ) to Town Center Core (TCC), Town Center Residential-1 (TCR-1), Town Center Residential-2 (TCR-2), Town Center Residential-3 (TCR-3), Town Center Business-1 (TCB-1), Town Center Business-2 (TCB-2) (Case No. Z87-040, Ordinance No. 2254).

On **November 7, 2011**, the City Council approved the establishment of a Downtown Events Overlay along the Main Street Corridor, including the subject site (Case No. Z11-017, Ordinance No. 5065).

On **August 8, 2017**, the Design Review Board reviewed a request to remove a colonnade in front of the building and remove the 1960 stucco façade. The Planning Director subsequently approved the request on September 12, 2017 (Case No. DRB17-00121).

## PROJECT DESCRIPTION

### **Background:**

The applicant is requesting a rezone of the project site from Downtown Core with a Downtown Events Overlay (DC-DE) to Downtown Core with a Downtown Events Overlay and a Historic Landmark Overlay (DC-DE-HL) (Proposed Project). This request will designate the Nile Theater as a Historic Landmark.

### **History of the Nile Theater**

The Nile Theater was constructed in 1924 as one of the many Valley theaters owned and developed by Harry Nace. Nace, an acrobat, arrived in Phoenix in 1910 with a circus and remained in the Valley for his health and built a chain of theaters. Nace partnered with J.E. Rickards in 1915 and managed thirty-six theaters throughout the state. Their company was sold to Paramount in 1936 (Orpheum Theater Arizona State Historic Property Inventory form, 1985).



The Nile Theater was built with locally kilned Lehi brick, and the original decoration present on the Nile Theater was representative of the Art Deco style with Egyptian motifs, similar to common Period Revival styles of entertainment venues of the time. It was the first movie house in Mesa as well as the first “air cooled” building in Arizona. The construction of the Nile Theater inspired the construction of other theaters within the Valley, including the Orpheum Theater that was built four years later in Phoenix.



The distinctive Egyptian theme of the Nile Theater can be attributed to the discovery of the tombs of Tutankhamun which had occurred in 1922 just before construction of the theater. This discovery ignited a global interest in Egypt and was reflected in many architectural designs, such as Period Revival and Art Deco/Nouveau styles, which incorporated Egyptian elements in the United States through the early 20th century. During the 1920s, it was common for entertainment venues to be designed in an Exotic or Period Revival style evocative of far-away lands. Although the building itself does not present characteristics associated with Egyptian motifs, they were present in the original signage and entry marquee as well as in the theater name.



The Nile Theater currently operates as a music venue with a coffee shop. Although many of the original architectural features are no longer present, the building continues to contribute to the character of the downtown Mesa business core. The Nile Theater is a two-part commercial block building type located between two buildings in downtown Mesa. The two-part commercial block building type is expressed by the rectangular form split into two parts: a first story storefront level and an upper story. There is a well-defined separation between the two stories as well as a roofline detail.



The theater now consists of brick (Lehi brick) construction with three bays which are accentuated by the varied parapet. The lower level features a glazed storefront and the upper features nine windows, three per bay. All but the center window are 10-light casements. The windows are not original but are historic in age. Originally, there were three entries and a banding of glass block with vents that were later obscured by a larger marquee.

An awning has been added where the original marquee sign was placed, and the box office centered on the original entry has been removed. This middle section was integral for the original front façade as it helped distinguish three bays on the lower level. The theater entry was in the middle bay flanked by retail spaces. The signs on the building evolved throughout time, with the flat electric sign above the upper level being replaced with a perpendicular neon sign. The marquee also underwent changes. It was enlarged by the 1940s, spanning over the entire width of the façade. Currently, painted signage has replaced both. A renovation of the façade was done between 2018 and 2019. With the exception of the marquee and the box office structure, the building today looks very much the way it did in 1924.

### **General Plan Character Area Designation and Goals:**

The General Plan Character Area designation on the property is Downtown within a Transit District character overlay, and a Station Area Sub-type. Per the General Plan, the focus of the Downtown Character Area is the creation of a pedestrian oriented, transit-rich environment activity center. The goal for the Character Area is to make it a people-friendly area that offers options for housing, employment, shopping, entertainment, and events.

The Transit District character type overlays the Downtown Character type with a focus of encouraging a mixed-use, pedestrian-oriented, urban environment, particularly within walking distance of transit stops. The Station Area Sub-Type applies to development within ¼ mile of a light rail station or 1/8 of a mile of a transit or major bus transfer station that will have more intense development than the associated corridor and are expected to transition into an urban building form.

Chapter 4 of the General Plan, “Creating and Maintaining a Variety of Great Neighborhoods,” incorporates general policies and strategies for historic preservation within Mesa in order to preserve historic structures and neighborhoods as physical vestiges of the past. The designation of the Nile Theater as a Historic Landmark meets the purpose of the goals of the General Plan by recognizing the significance of this historic structure within the community.

### **Zoning District Designations:**

The subject site is zoned Downtown Core with a Downtown Events Overlay (DC-DE). Per Section 11-23-5 of the Mesa Zoning Ordinance (MZO), the Historic Landmark Overlay district will be used in conjunction with the underlying zoning district of DC-DE.

Per Section 11-23-4 of the MZO, to be eligible for a Historic Landmark Overlay District, a building, structure, or object must display exceptional historic, visual, or architectural significance.

**The construction of the Nile Theater inspired the construction of other theaters within the Valley. The Nile Theater was one of the many Valley theaters owned and developed**

by Harry Nace who, partnered with J.E. Rickards, managed thirty-six theaters throughout the state. The Nile was the first movie house in Mesa as well as the first “air cooled” building in Arizona. The Nile Theater is a two-part commercial block building type located between two buildings in downtown Mesa. It consists of brick (Lehi brick) construction with three bays which are accentuated by the varied parapet. Although the building no longer exhibits original stylistic elements, the building continues to contribute to the character of the downtown Mesa business core through the building type. It is possible that the elements of the original style could be reconstructed.

**The proposal meets this criterion.**

Additionally, the resource must meet at least one of the three criteria also found in Section 11-23-4(B):

1. It meets the criteria for historic sites adopted by the State of Arizona through the State Historic Preservation Office; or

**The Proposed Project meets the criteria for the National Register of Historic Places adopted by the State of Arizona’s Historic Preservation Office for the Arizona Register of Historic Places.**

**The proposal meets this criterion.**

2. Any part of it is 50 or more years old; or

**The Nile building was built in 1924 and is 99 years old.**

**The proposal meets this criterion.**

3. It substantially meets the following criteria for individual listing in the National Register of Historic Places adopted by the Secretary of the Interior, copies of which shall be on file in the Office of Historic Preservation:

- a. Value as a significant reminder of the cultural, historical, architectural, or archaeological heritage of the city, state, or nation.

**The construction of the Nile Theater inspired the construction of other theaters within the Valley. The Nile Theater was one of the many Valley theaters owned and developed by Harry Nace who, partnered with J.E. Rickards, managed thirty-six theaters throughout the state.**

- b. Location is the site of a significant local, state or national event.

**The Nile was the first movie house in Mesa as well as the first “air cooled” building in Arizona.**

- c. Identified with a person or persons who significantly contributed to the development of the city, state, or nation.

**N/A**

- d. Identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the city, state, or nation.

**N/A**

- e. Value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance.

**The Nile Theater is a two-part commercial block building type located between two buildings in downtown Mesa. It consists of brick (Lehi brick) construction with three bays which are accentuated by the varied parapet. Although the building no longer exhibits original stylistic elements, the building continues to contribute to the character of the downtown Mesa business core through the building type. It is possible that the elements of the original style could be reconstructed.**

- f. Distinguishing characteristics of an architectural style valuable for the study of a period.

**N/A**

**The proposal meets this criterion.**

In summary, the proposal meets the criteria of Section 11-23-4 and 11-23-4(B) and is eligible for Historic Landmark designation.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process which included mailing letters to property owners within 1,000 feet of the site.

The applicant held a community meeting at 5 PM Tuesday, June 27<sup>th</sup> at the Nile Coffee Shop (105 W. Main St.) There were no attendees for the meeting. The applicant received two emails and one text message from neighbors. Questions included clarification that there would be no construction involved in the zoning overlay process and inquiry regarding potential tax benefits as a result of the overlay.

**Historic Preservation Board:**

On June 6, 2023, the Historic Preservation Board voted 5-0 to recommend approval to City Council.

**Staff Recommendation:**

Staff finds that the requested rezone is consistent with the Mesa 2040 General Plan and the Historic Landmark Overlay District criteria outlined in Section 11-23-4 of the MZO.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with all City development codes and regulations.

**Exhibits:**

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

- Exhibit 3 – Application Information
  - 3.1 Project Narrative
  - 3.2 Citizen Participation Plan
- Exhibit 4 – Citizen Participation Report