



Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701-0500

Phone: 208/384-3830
Fax: 208/384-3753
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

Historic Preservation Commission

Hearing Minutes of April 14, 2008

DRH08-00053

Commission Members Present Jennifer Stevens, Chair, Christopher Pooser, Scott Chandler, Cathy Sewell, Barbara Dawson, Betsy McFadden

Members Present Sarah Schafer, Julie Archambeault, Teresa Sobotka, Steve McRae, Nicki Heckenlively

DRH08-00053 / Duncan and Kari Filson / 1502 N. 27th Street

Request Historic Preservation approval to construct a second story addition on property located in an R-1CH (Single Family Residential with Historic Overlay) zone. (*This item was deferred at the March 24, 2008 hearing.*)

JULIE ARCHAMBEAULT: Because of the lack of information Staff was unable to complete a full staff report on this. I only received elevation drawings that did not include measurements and dimensions.

CHAIRMAN STEVENS: Could you point us to the things specifically missing.

JULIE ARCHAMBEAULT: The measures and dimensions of the elevations. The drawings were not finalized.

TERESA SOBOTKA: I want you to decide if you have enough information. This bothers me.

CHAIRMAN STEVENS: I don't think anything was given to us last minute unless you're anticipating something coming from the applicant. Is that what you mean?

TERESA SOBOTKA: She was saying wasn't she, that new drawings came in?

CHAIRMAN STEVENS: No. All she's gotten from the applicant is what we have in our packets. The day that the packets went out this is all she had and these are not complete drawings. We have everything.

TERESA SOBOTKA: I thought more came in after the packet.

CHAIRMAN STEVENS: No. We have only what's in front of us.

JULIE ARCHAMBEAULT: I had an application that was complete but we deferred that application as requested by the applicant. The applicant was to submit changes but I didn't have anything finalized on this except these drawings. Because these aren't to scale I couldn't tell if they were the same height as the original.

CHAIRMAN STEVENS: Did you communicate with the applicant or applicant's agent as you put this packet together last Monday?

JULIE ARCHAMBEAULT: I did. I sent this memorandum stating what I'm doing. I talked to her again after that.

CHAIRMAN STEVENS: When you say this memorandum...

JULIE ARCHAMBEAULT: The memorandum you have in your packet.

CHAIRMAN STEVENS: What page is that on?

JULIE ARCHAMBEAULT: Page 1 of your packet...it's before...Page 1.

CHAIRMAN STEVENS: The one right on the front. So she received this via e-mail.

JULIE ARCHAMBEAULT: Yes via e-mail.

TERESA SOBOTKA: You need to put on the record whether the Commission is considering what had been previously submitted or the new stuff that's coming in. If it's the new stuff that's coming in, has the Commission and the public had enough time...

CHAIRMAN STEVENS: To my knowledge we don't have any previous...any deferral that was done was done without drawings. Is that correct Julie?

JULIE ARCHAMBEAULT: That's correct.

CHAIRMAN STEVENS: We just received a piece of paper saying they were requesting deferral, but I the only drawings any of us have seen are the ones that are setting in front of us right now in today's packet.

TERESA SOBOTKA: Right. If she has other drawings that you haven't seen you'll need to go through that analysis.

CHAIRMAN STEVENS: We certainly will.

Site Visits

Commissioners Stevens, Chandler and Sewell visited the site prior to the hearing. Commissioners McFadden, Pooser and Dawson did not visit the site.

EVELYN GRIME (Applicant's Architect / Planner): I have no objections to the Commissioners visits. For clarity I would like to say that Julie and I have been working hand-in-glove at the table trying to resolve a couple of issues about this site and I appreciate her time and efforts on that. The only question I have for reports is that at one point she could have written a report based on the original drawings and then you'd have an analysis based on that report. The changes between that time and this time really have to do with this front elevation and how you address the front door at the side. In lies the crook of our problem and our massing. What I'd like to do is share the project with you and show you the differences between what we originally submitted and this. I wish that the original drawings submitted had been in the packet as well. I did not realize they would not be. I did bring some of that with me and I also brought photographs. I'd like to take you through the project because we either at a point where I'd ask you to approve based on modifications of the original. I don't know if we have to go back and make findings for that or potentially move forward to a worksession. I think Staff, in doing her job, is saying how do we meet congruity of District when we have a non-contributing house? I'm looking at it...how do I meet what I think does conform to the District because of the existing site and home and yet meet the client's objectives for our addition. I'd like to walk you through the project.

CHAIRMAN STEVENS: I'm not sure we're going to be able to do that because of due process for the public. That's going to be our main problem. The best thing to do might be for us...you can go ahead, but in order to save your time and the public's time and staff's...the thing that might be the smartest for us to do is...from what Julie said the designs we have in front us in this Staff packet versus what you turned in originally are significant enough in terms of their differences...you disagree with that?

EVELYN GRIME: On that point I do. I'm saying that perhaps based on looking at that you might determine that we'd move towards a worksession. I'm not sure that we're going to be able to get past the conformity to the District without help based on a non-contributing structure...but then what does it mean to be conforming within the District? Again, Julie and I aren't butting heads on this. We're at an impasse. It is how do we move forward? Additional input, in this case, is needed because I'm a little bit vague on what it means...conformity with the District. At that point are we coming back and saying no this house has to look like something that is already in the District when it's non-contributing or can it evolve into something of its own like it should and maintain the site and the trees and the lot parameters that do add to the District and anchor the block. I think without your input in that discussion Julie and I remain at an impasse and we're not going to move forward.

CHAIRMAN STEVENS: My suggestion would be if what we have in front of us or the design that you want to move forward with the thing to do would be to provide Staff with what we still need which are dimensions and height and materials for that rear face or the left face and then allow us to come back and have that deliberation on the record with a full set of drawings that have that information rather than going to a worksession when we don't even really know what we're, as a Commission, are dealing with.

EVELYN GRIME: Understood. Okay.

CHAIRMAN STEVENS: Staff has Staff's opinion, but the Commission, as you know, doesn't always follow. During that deliberation we would be able to provide you with the kind of feedback that perhaps you're looking for without having to do a worksession. Right now we operating in a vacuum because all we have in front of us are (*inaudible*) drawings without any sort of dimensions. I want the other Commissioners to weigh in on this.

EVELYN GRIME: We just want to keep working. Again, I think we're at an impasse given the context of what we're trying to do here. I don't what kind of information helps now or what's best to move forward with. With the drawings that have been done and the analysis that has been done to reschedule...we'd certainly be a candidate for the next available hearing date...the next most certain date. Again, I'm trying to help Julie out too. We're both at an impasse.

CHAIRMAN STEVENS: What we have in front of us is in fact the design you want to move forward with? Correct?

EVELYN GRIME: That is not correct in that it was a study done to see what would happen if we pulled this side porch completely forward. The original drawings submitted are what we want to go forward with.

CHAIRMAN STEVENS: The Commission needs to know what it is you want to move forward with. We need to know precisely what the design is, precisely what the dimensions are etc...so Staff can write a staff report and then we can have that deliberation. If at that point we are either moving to denial or if there are subtle changes that you want to make that make sense to defer again so that you can make changes based on the comments the Commission has then that make sense at that point. I think what we need is to defer, have you turn in a very specific set of "This is the design we want to move forward with", with dimensions and everything we need. Then allow the Commission to do its job, analyze that staff report, analyze the design and then have that conversation on the record so we can move forward from there.

EVELYN GRIME: The other thing I'd like to add to that is to include an analysis of conforming with the District. I still feel like there's vagueness and ambiguity of what's my target there. That's where again; I think Julie and I are at an impasse. I'm welcoming any comments there.

COMMISSIONER CHANDLER: There may be some value to a worksession simply because what the applicant has just said they can come back with something specific, but I'm not sure the applicant fully understands where they're moving toward and essentially what we're asking them to do with this is to put together a design, we'll comment on that and that may or may not work where as a worksession we'd be possibly in a position to have a little more informal discussion with the applicant regarding some of their concerns as it relates to what the Commission does and doesn't look for. I'm not sure if the easy

way to handle this with regard to accomplishing what the applicant wants in the most expeditious manner. I would not want them to move forward with a full application on something they're really not sure is what they want, but they're doing it possibly because they think it might be what we want. I think it's the ambiguity that's been put forth by the applicant that we would hopefully be able to help because its been indicated that at this point they and staff have not necessarily come to an agreement on which direction to head.

CHAIRMAN STEVENS: That has been the case in the past that Staff and the applicant hasn't agreed and the Commission has gone a totally different direction. That's why I think at this point it's premature to do a worksession when we haven't even seen a final design that we've been able to have any discussion on. Until we have that a worksession may at some point make sense...that's my opinion but I think right now it's premature.

TERESA SOBOTKA: You have to have a design before you can have a worksession. What I'm wondering is if the Commission can give general discussion as to what a non-contributing...what they believe is required for a non-contributing to fit in with the District or not. You can do that now...the way you want to do it is very clean too. I see what Commissioner Chandler is saying, but I think you have to have one design to look at and we should start with a hearing first and then move to a worksession if we need to. All I can offer is if again, you can offer some general comments as to what it means for a non-contributing (*inaudible*).

COMMISSIONER DAWSON: Without any dimensions, material lists, I don't feel competent enough to make any kind of an assessment.

COMMISSIONER POOSER: I agree. At this stage the burdens on the applicant to make sure that all the materials are put before Staff so the Commission can review them. We don't have that situation here. It would be premature to go into a worksession at this point without really having anything before us. Deferral makes sense to me and perhaps a worksession would be forth coming, but I think that's premature.

EVELYN GRIME: I certainly understand the comments and this is not a personal frustration...again, I'm disappointed that the original drawings and that information weren't in this packet. Again, I thought you'd have that in front of you. If you had seen that then this wouldn't be an incomplete situation. I had the understanding that during a worksession...because you would be reviewing that packet sometime prior to the worksession then if we went through the worksession and it was approved or denied that would be in fact at the next public hearing and that's where public testimony could happen...I thought it would be an ideal solution because Julie and I are at an impasse and it gives us a chance to finalize and say okay...this is what my client wants, we're going back to the original submitted drawings and here's the analysis of why we think this is contributing to the District even though it's a non-contributing home now and the design proposed is not something you would find somewhere else in the neighborhood specifically. My understanding was that in a worksession we might be able to handle

both tasks rather than just a worksession...I thought it could also serve as a public hearing and decision time.

SARAH SCHAFER: When an applicant replaces a design with new drawings we don't include the original drawings that came into us. Because the applicant's representative had provided us with a new design we were not going to give you the old design. We were not told that was the design we were going back to so we would not include that paper trail for you to wade through and try to figure out which design was going to go forward. That's why that information was not there previously. If you would like I can step in on the discussions between Staff and the applicant to see if we can get the applicant's representative understanding what we'd be looking for, but I do believe putting together a full packet for your review and with an analysis it would be most beneficial to you and the public.

CHAIRMAN STEVENS: I think you've made your argument.

EVELYN GRIME: It's my opinion. We're happy to defer if we could go to the next certain date. I could have a complete packet to Staff tomorrow.

CHAIRMAN STEVENS: I appreciate that. That's what I was going to ask you. Thank you.

COMMISSIONER CHANDLER: One final comment. When you prepare your final packet...something that I always find helpful...if you would not only put dimensions and things of that nature on here, but please identify any before drawings versus after drawings, what floors things are...whether its main floor, second floor. They're obvious to you...sometimes not obvious to us and takes us a while to figure out what's what when looking at the drawings.

EVELYN GRIME: Certainly. I think you'd find that in the original too. No problem, I will do it.

CHAIRMAN STEVENS: If you look back at your original handwritten application there's a space that gives...and this is just one example of many things throughout that application where it says, existing height and the proposed height, to build to eave and to peak and that sort of thing. As designs change that changes so just make sure whatever the drawings are has that information on there so we can use that as the final best.

EVELYN GRIME: I can say those things actually haven't changed. Thank you.

PUBLIC TESTIMONY

JOHN FRASIER (Remodeling Contractor): I was advised by Evelyn not to cause waves on the way up here. I want to apologize for where we are right now and help you understand what we've got here and either look for some advice or apprise you of what happened. It's very important to me that these issues be resolved before be come before

the Commission so we did a feasibility study with the homeowner and submitted it to Staff in order for them to give us their guidance. Not that they're in a position to pre-approve it, but their guidance. We did that and then we tried to adjust to that and then it was a moving target for us. I don't know what the solution is...more direct guidance from you to Staff or do we not do that? I'm trying to avoid this being a "we make the presentation and then have an adversarial slug-it-out over who's going to win over this design. We want to negotiate our way into a design that works for everyone. I wanted you to know that we've worked really hard to...that's why the final changes were made rather than the final changes that were driven by anything other than we want to be where you want us to be when we show up so it can be taken care of and not be adversarial.

CHAIRMAN STEVENS: I understand your desire. If we did that with every applicant that came before us and made sure that they had an opportunity to discuss with us before they came before us we would all have to quit our jobs. With that being said you need to follow the same process as every other applicant which is have a design before us that we can deliberate on. If it's minor stuff...you've been here enough times that you know we're happy to defer to allow those changes to take place. We would certainly appreciate it. We're going to close the public portion of the hearing and talk about what we're going to do. It looks like we're headed toward a deferral so we can get those designs in so we can have that discussion you want us to have and know what the Commission...

JOHN FRASIER: My only plea would be to expedite that somehow. They've been at this a year now and we're really trying to get them onto the next step.

SARAH SCHAFFER: The reports for the evening of the 28th are actually due this Thursday so we would not be able to get any application on for the 28th. We would have to go to the next noon meeting at the earliest. We've got to be able to print by Friday so they can go out in the mail on Monday.

CHAIRMAN STEVENS: So if they got this to you by tomorrow...

SARAH SCHAFFER: We would still have to write an entire staff report in two days and we have other ones to write as well which we've had as full applications.

CHAIRMAN STEVENS: The next day hearing is May 12th.

EVELYN GRIME: I certainly understand the time crunch for getting reports done and that type of thing and I understand there are other reports to do. I just would have hoped that if the application...if we went back and did findings based on the original one would hope there would be time to do that. I understand if there isn't.

PUBLIC PORTION CLOSED

COMMISSIONER CHANDLER MOVED TO DEFER DRH08-00053 TO THE MAY 12, 2008 HEARING TO ALLOW THE APPLICANT TIME TO SUBMIT MORE DETAILED DRAWINGS TO STAFF AND STAFF ADEQUATE TIME TO PREPARE A STAFF REPORT.

COMMISSIONER DAWSON SECONDED THE MOTION.

CHAIRMAN STEVENS: Julie, for the May 12 hearing what is the drop-dead final deadline for final drawings and dimensions and all the other information that we need?

JULIE ARCHAMBEAULT: April 28th.

CHAIRMAN STEVENS: Does that work for you? (*Applicant's representative indicated yes.*)

ROLL CALL VOTE 6:0. MOTION CARRIES.