



Planning & Development Services

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Historic Preservation Commission

Hearing Minutes of May 19, 2008

Commission Members Present Christopher Pooser, Chair, Cathy Sewell, Betsy McFadden, Bonnie Burry, Stephen Smith

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

DRH08-00067 / Susan Graham & North End Neighborhood Association, Inc. (NENA)

Location: 1102 W. Hays Street

Discussion and ratification of Findings for approval. (*The appeal was upheld at the May 12, 2008 hearing.*)

SARAH SCHAFFER: Today were here to adopt the Findings for DRH08-00067 which is the Susan Graham and the North End Neighborhood Association appeal of the YMCA's application for a temporary offsite parking lot at 1102 West Hays Street. The information was sent out yesterday and again today because evidently not everything got attached. The minutes were sent out last Friday as well so you have those to refer to. If you'll take a minute or two to read through everything and make sure it is as you would like it and how you'd like it to go out to the applicant and possibly City Council if there is an appeal on the application.

COMMISSIONER SMITH: I was the only descender and I intend to continue to be the descender. Would it be procedurally appropriate at this point to vote against this particular Finding?

SARAH SCHAFFER: You could do that. The other way that we've sometimes had members go is to say, "Yes, these Findings accurately reflect the discussion that was had". Sometimes it goes either way, but you can vote against the Findings if that's what you'd like to do.

ACTING CHAIRMAN POOSER: It's just a approval of the minutes so you're not necessarily saying, "I would have voted different during the hearing". It's just that these accurately reflect...I wasn't at the hearing but I have read the minutes and I believe I can at least vote on the Findings and that they accurately reflect the discussion we had.

SARAH SCHAFFER: That's correct.

ACTING CHAIRMAN POOSER: I found a couple of typos in the minutes. On Page 2, objective 1, is that right, "The identities have been identified"?

SARAH SCHAFFER: No.

ACTING CHAIRMAN POOSER: There are more typos on Page 4, four sentences down in the middle, "I have gone through and sited the section", but should read "cited".

SARAH SCHAFFER: On Page 8, Commissioner Chandler stated, "there would be some physical restraint put in place", change the spelling of "physical". Also I found on Page 3, seven lines down, it states, "the wheel strips as well as the removal of the on-site lining for the parking area", that should read "on-site lighting".

COMMISSIONER SEWELL MOVED TO APPROVE THE MINUTES OF MAY 12, 2008 FOR DRH08-00067 AS AMENDED.

COMMISSIONER SMITH SECONDED THE MOTION.

ALL IN FAVOR. MOTION CARRIES.

FINDINGS

ACTING CHAIRMAN POOSER: I have one question of Page 6 of 7. At that very top it talks about Finding 1 and whether or not the Comprehensive Plan supports the application and then, still on Page 6 of 7, the last phrases I can't find for that (*inaudible*). It just doesn't seem to be correct.

SARAH SCHAFFER: (*Inaudible*) I believe. The part in Staff's report is a quote so that needs to be dropped down. On Page 25 of 28 in Staff's report they get into the special exceptions. We don't have any special exceptions or any criteria to evaluate just from strictly using the Comp Plan 5.4 I can't find where that supports that. If you're alright with the paraphrasing and the information we could just say that the Commission couldn't find where the information presented by the applicant was supported by Comp Plan 5.4.

ACTING CHAIRMAN POOSER: Would the applicant to the application be the appellant.

SARAH SCHAFFER: It would be the applicant because we are looking at whether or not the initial application which is the temporary offsite lot is supported by the chapter or maybe we just need to provide more of the text from Commissioner Sewell, which is the other way we could do it.

ACTING CHAIRMAN POOSER: I thought that was supposed to be a summary of what the Commission found versus an actual quotation from the discussion.

SARAH SCHAFFER: It's just that last sentence. That's a direct quote.

COMMISSIONER SEWELL: It seems like, in reading the minutes, that a few things in the proposed application that supports the objectives in the Comp Plan 5.4 that's at least what I would say. Especially with the special exception. That was something that was in the P&Z Ordinance which we don't have any special exceptions in our Ordinance whatsoever.

SARAH SCHAFER: So just delete that last sentence in Staff's report that get into the special exceptions and leave it at looking at the Finding on the whole the Commission found nothing in the plan or anything within the proposed application that supports the objectives?

ACTING CHAIRMAN POOSER: As outlined in the Comp Plan.

SARAH SCHAFER: As outlined in the Comp Plan?

ACTING CHAIRMAN POOSER: Yes. Then delete that last sentence.

SARAH SCHAFER: At that bottom of Page 5 of 7 it says, "Looking at Finding 1 as a whole the Commission found nothing within in the plan or anything within the proposed application that supports the objectives outlined in the Comp Plan. Then get rid of the rest.

COMMISSIONER MCFADDEN MOVED TO APPROVE THE FINDINGS FOR DRH08-00067 WITH FINAL CHANGES 1. PART D, AT THE BOTTOM OF THE PAGE LOOKING AT FINDING 1 AS WHOLE THE COMMISSION FOUND NOTHING WITHIN THE PLAN OR ANYTHING WITHIN THE PROPOSED APPLICATION THAT SUPPORTS THE OBJECTIVES OUTLINED IN THE COMPREHENSIVE PLAN STRIKING THE LAST TWO SENTENCES.

COMMISSIONER BURRY SECONDED THE MOTION.

MOTION CARRIES 4:1 WITH COMMISSIONER SMITH VOTING AGAINST.