



## Planning & Development Services

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# 9

## Planning Division Staff Report

<b>File Number</b>	DRH08-00230
<b>Applicant</b>	Pat Bronken
<b>Property Address</b>	1601 North 21 <sup>st</sup> Street
<b>Public Hearing Date</b>	July 28, 2008
<b>Heard by</b>	Historic Preservation Commission
<b>Analyst</b>	Julie Archambeault
<b>Checked By</b>	Sarah Schafer

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### Public Notification

Radius notices mailed to adjacent properties: **July 10, 2008**  
Staff posted notice on site on: **July 14, 2008**

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## 1. Project Data and Facts

<b>Applicant/Status</b>	Pat Bronken / Owner
<b>Architect/Representative</b>	Greg Denmark / Chateau Designs
<b>Location of Property</b>	1601 North 21 <sup>st</sup> Street
<b>Size of Property</b>	6,710 sq. ft.
<b>Present Zoning and Land Use</b>	R-1CH (Single Family Residential)
<b>Historic District</b>	Expanded North End
<b>Date of Construction</b>	1936
<b>Style</b>	Tudor Revival
<b>Status</b>	Contributing
<b>Square Footage of Existing House</b>	1,039 sq. ft.

### Description of Applicant's Request

The applicant is seeking a Certificate of Appropriateness to remodel the structure including but not limited to converting the garage to living space, relocating the front door, add on to the front and rear of the main dwelling, construct a chimney, construct a basement, construct a single-story, single-car garage and remove a tree.

## 2. Land Use

### Description and Character of Surrounding Area

The area is a mix of sizes and eras. A large, modern structure sits directly across the street from the subject house, while most of the rest of the houses on the block are historic in various levels of historic integrity.

### Site Characteristics

The site is a corner parcel with a single family dwelling with attached garage. Landscaping includes trees, lawn, shrubs and vegetable garden.

### Special Considerations

None

### History of Previous Actions

1936-Construction of house

### 3. Project Proposal

#### Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	15%	20%
Percentage of the site devoted to paving:	12%	15%
Percentage of the site devoted to landscaping:	83%	65%
TOTAL	100%	100%

#### Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (southwest)	15' (bldg.) 20' (garage)	30'	110'
Side Street (southeast)	15' (bldg.) 25' (garage)	9'	25'
Side (northwest)	5' (bldg.) 3' (garage)	3' 6"	5'
Rear (northeast)	15' (bldg.) 0' (garage)	54'	1'

#### Fencing

A wood fence surrounds the rear yard.

#### Structure(s) Design

Number and Proposed Use of Buildings	One building exists-a 1 ½ story house with an attached garage.
Maximum Building Height	23'-existing and proposed
Number of Stories	1 ½ - existing and proposed

## 4. Ordinance / Standards

Section	
11-04-04.01	General Standards
2-18-09	Historic Preservation Ordinance
4.1	Guidelines for Residential Historic Districts
	Secretary of the Interior's Standards for the Treatment of Historic Structures

## 5. Analysis/Findings

### Section 2-18-9 (A) (1) (c) Confirmation of Classification

*As part of the application process for a Certificate of Appropriateness, the Planning Staff shall confirm the contributing or non-contributing classification of the property based on the criteria set forth in the definitions of Section 2-18-02.*

- A. A property is contributing if
  - 1. it was present during the period of significance, AND
  - 2. it possesses historic integrity reflecting its character at that time
    - i. Location
    - ii. Design
    - iii. Setting
    - iv. Materials
    - v. Workmanship
    - vi. Feeling-The property expresses of the aesthetic or historic sense of its time.
    - vii. Association-The property retains its direct link with
  - 3. it is capable of yielding important information about the period OR
  - 4. it individually meets the National Register eligibility criteria
- B. A property is noncontributing if
  - 1. it was not present during the period of significance,
  - 2. due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity reflecting its character at that time OR
  - 3. it is incapable of yielding important information about the period OR
  - 4. it does not individually meet the National Register eligibility criteria

The North End's era of significance runs from the early 20<sup>th</sup> century through the mid-1950s. This building was constructed in 1936.

The building retains its original design, workmanship and most of its original materials. Its setting and location are also mainly uncompromised. It retains the feeling of a 1930s residential structure and its association with Tudor architecture. It has retained its historic integrity. The structure is contributing.

#### **Section 11-04-14.03 Development Standards for Substandard Original Lots of Record**

##### **A. Setbacks**

1. Front Setbacks: The front yard setback for livable space and porches shall be within five (5) feet of the average of the front yard setbacks of adjoining properties. However, in no case shall the front setback be less than 10 feet or more than 20 feet. The front setback for parking is 20 feet. Maximum setbacks are required in order to provide a visual and physical relationship to the street and retain room for an open back yard area. If the applicant has multiple contiguous lots, the front setbacks should provide modulation in order to avoid a uniform line of dwellings with identical front setbacks.
2. Side Setbacks: Interior side setbacks shall be in accordance with the applicable zone; street side yard setbacks shall be 15 feet for livable space and porches and 20 feet for parking, unless one of the following is applied:
  - a. Common Lot Line Attached Units – Up to three (3) units may be attached at the common lot line, provided that the exterior setbacks (unattached side setbacks) adhere to those required by the zone.
  - b. Detached Units on Contiguous Lots – When two (2) or more single family units are proposed on contiguous lots, the interior side yard setbacks may be reduced to three (3) feet provided that the exterior setbacks to the development adhere to the setbacks that are required by the zone.
3. Rear Setbacks: Rear yard setbacks shall be as required by the zoning district in which the substandard lot is located.
4. Garage: A single story detached garage accessed off of an alley may have a three (3) foot interior side setback.
5. The first story of a two story attached building shall be setback a minimum of five (5) feet from the side property line. The second story of a two story attached building shall be setback a minimum of eight (8) feet from the side property line; provided, bay windows, pop-outs or other architectural appurtenances may be allowed at the five (5) foot setback line in the R-1C zone. All other zones must meet their side yard setback requirements. (See also Section 11-05-05 Boise Municipal Code)

The proposed setbacks for this project are 9' 4" for the street side and 3'6" for the interior side. Both side setbacks will require a variance whether or not this finding of the substandard zoning ordinance is waived.

The front and rear setbacks

Comment [SMS1]: Didn't finish the sentence.

- B. Building height shall not exceed the width of the lot or the maximum height allowed by the zone, whichever is most restrictive.

The lot is 55' wide and the zone allows buildings to be 35' tall. The addition will not exceed either height.

This finding has been met.

- C. Building Size: Residential floor area shall not exceed 55% of the effective lot area on lots with less than 5,000 square feet. "Effective Lot Area" is the gross horizontal area of a lot minus any portion of the lot encumbered by a recorded driveway or road easement. "Residential Floor Area" is the amount of all livable space including basements and bonus rooms.

The lot is over 5,000 sq. ft.

This finding is not applicable.

- D. Private Open Space: All substandard lots must provide a minimum of 375 square feet of private open space in the rear yard. This open space must be configured as a 15 foot by 25 foot rectangle and must have a minimum rectangular dimension of 10 feet by 15 feet that is open to the sky. Covered rear porches are allowed to be calculated as part of the private open space area.

The lot provides a space in the rear yard that is open to the sky and measures 50' x 55'.

This finding has been met.

- E. Landscaping: A landscape plan shall be required. All areas that are not developed with structures, driveways, parking lots, streets, pathways, patios and similar useable areas shall be landscaped. The landscaping shall accomplish the following objectives:
- shading of parking areas and walkways;
  - ground cover consisting of predominantly live planted materials shall be used;
  - erosion control;
  - and attractive streetscapes and common areas.

Some useable hard scape features (such as pavers, planters, stonework, decks, etc) may be allowed up to 25% of the entire landscaped areas. Plastic or other artificial materials are not allowed. The landscape plan shall include an irrigation system. Xeriscape plans that are consistent with Public Works standards shall be considered acceptable.

**Comment [SMS2]:** There was no analysis for the landscape portion.

F. Parking

1. Each dwelling shall be provided with two (2) off street parking spaces.
2. Vehicular access and parking shall be provided according to the following standards:
  - a. Access to an alley:
    1. All access shall be taken from the alley. Two spaces shall be provided with 22 feet of backup space in accordance with Section 11-10-04.04, Table 12, Boise City Code.
  - b. No access to an alley:
    1. Interior lots with no alley access shall be required to provide a two (2) car attached garage. The applicant shall include design elements that will provide varied rooflines, dormers within the roofline or other architectural treatments that will avoid the appearance of garage domination. The setback of the garage face shall be 20 feet. Driveways for a two car attached garage may not exceed 20 feet in width.
    2. The use of a 10 foot wide shared driveway providing access to rear yard garages that are attached with a common wall on the property line is allowed.

The current house has a single-car garage that does not meet the requirements for a single-car garage. This condition is grandfathered in. The proposal will add a single car garage at the rear of the property that will meet the requirements for a single-car garage. A single car garage at this location, rather than a two-car garage, is grandfathered in for this property.

Whether or the proposal is approved or denied, this finding has been met.

G. Right-of-Way Improvement

1. All developments shall provide curb, gutter and sidewalk on the adjacent roadway(s) and, if applicable, the applicant shall provide a paved driveway apron that extends to the edge of the pavement. Waivers or variations to some or this requirement may be granted by the Planning Director based upon local conditions such as the lack of adjacent improvements and/or documented drainage problems that may result from the improvement of the roadway. Any alternative granted through a waiver shall include a curb line or physical barrier to prevent parking

adjacent to the right-of-way. If a waiver is granted, the value of the improvements, as estimated by the City of Boise, shall be placed in a Public Rights-of-Way Road Trust deposit for up to ten (10) years to be held by the City of Boise for later improvement of the curb, gutter and sidewalk abutting the site.

2. Dirt or gravel strips in the front yard or undeveloped street right-of-way shall not be permitted. Irrigated landscaping shall be provided in these areas through license agreements with the ACHD. Bonding for landscape improvements may be allowed based on weather related constraints. If ACHD denies the necessary license agreement, the requirement for landscaping shall be waived.
3. If full right-of-way improvement is not feasible and ACHD determines that there is insufficient pavement width for travel lanes with on-street parking, a non-landscaped ACHD-approved shoulder shall be installed that is the minimum width necessary to accommodate parallel parking. Landscaping shall still be required to the edge of the parking shoulder.
4. All right-of-way improvements, license agreements and bonding shall be completed prior to issuance of a Residential Certificate of Occupancy permit for the structure.

Both Hazel Street and 21<sup>st</sup> Street are improved with curb, sidewalk and gutter.

This finding has been met.

#### H. Alternative Building Arrangements

1. Attaching single family units in multiples of two (2) or three (3) on common lot lines is encouraged as a means of creating more substantial structures that will be imitative of standard width single-family homes. Such units remain subject to the general design criteria stated in this Chapter and do not require a planned unit development application.
2. Additional requirements for attached buildings:
  - a. Attached buildings shall be constructed to comply with townhouse construction standards in accordance with the Boise City Building Code.
  - b. The Office of the City Attorney shall review and approve all easement agreements an applicant or builder seeks to obtain for the use and maintenance of common facilities such as driveways, parking sites and common party walls. All such easements shall be recorded in the records of Ada County prior to an applicant or builder seeking a building permit under this ordinance.



- c. Adjustments to lot lines and reduction in the number of lots within the same parcel are subject to review and approval pursuant to all applicable Boise City subdivision and zoning regulations. The applicant shall obtain approval from Boise City and record any lot line adjustments or reduction in lots with the Ada County Recorder prior to submission for a building permit.

The proposal does not include alternative building arrangements.

This finding is not applicable.

#### Section 11-04-14.04 Design Guidelines for Substandard Lots

- A. In addition to the development standards described in Section 11-04-14.03 of Boise City Code, the following general design guidelines shall apply to substandard lots. The Design Review Committee and Design Review staff shall take into account the location and design of adjacent buildings, landscaping and right-of-way improvements, and shall apply the following criteria as appropriate:

1. Full-length two story structures are not allowed;
2. One and a half story structures are the preferred form of development on substandard lots. One and a half story structures will be required when the existing structures adjacent to the proposed development are one story in height.

A one and a half story structure can be defined as:

- a. A structure that has a maximum building height of 18 feet (to the midline of the roof) and includes a daylight basement that is sunk into the ground a minimum of four (4) feet.
- b. A structure that has a maximum building height of 18 feet (to the midline of the roof) and contains the second story within the pitched roofline.
3. Partial two story structures may be allowed when the surrounding properties will not be adversely impacted by such height. The circumstances to be considered shall include: the size and height of the adjacent dwelling units; privacy impacts on adjacent properties; the height, mass, window placement and roofline pitch of the proposed structure; and the overall design of the upper story of the proposed structure. Upper story limitations or setbacks on the new building may be an acceptable means of ensuring compatibility with adjacent structures of smaller size.

4. Front Façade Design Requirements.

- a. Homes shall have a front door that faces the street. When a unit is built on a corner lot, the door shall face the dominant street.
  - b. In lieu of a street facing front door, the applicant may construct a prominent front porch that is a minimum of six (6) feet in depth and the dwelling shall have a minimum of 25% of the front facade comprised of windows and/or door openings. For homes with front-loaded garages, a garage door shall not count toward the window opening requirements. The garage door shall include design elements such as: panels, windows, trim features, cross members, or other architectural features as determined by the Design Review Committee or Design Review staff.
  - c. Detached dwelling units shall provide a façade that substantially differs from the façade of adjacent structures. Variations in materials alone will not be considered sufficient. The unique façade may be obtained through the use of structural changes or through the use of substantial design elements. In addition to complying with the preceding design guidelines, the front façade shall include multiple design elements such as: multi-paned windows, varied roof lines, dormers, bay windows, wainscoting, a covered front door, a usable front porch or other elements as approved by the Design Review Committee or staff that create a unique façade. Articulated designs may repeat on non-contiguous lots.
  - d. Attached units shall provide modulation and architectural design features to prevent flat façade wall planes.
  - e. Building design shall incorporate quality materials such as brick, stone, stucco, tile, and wood for a significant (35% or more) portion of the façade and second story elements. The presence of such materials on nearby homes shall be reviewed as a guide for appropriate materials to be used on the new dwelling.
5. All buildings shall be oriented toward a public street. When buildings cannot be oriented toward a public street due to inadequate street frontage or similar circumstances, the buildings shall be oriented toward a private street or lane that conforms to City standards.
6. Where front yard driveways are permitted for access, the driveway may be designed with concrete wheel strips or grass pavers that are separated by vegetation.

As the subject parcel is located within a recognized historic district, the Design Guidelines for Residential Historic Districts supersede §11-04-14.04 of the Boise City Code, outlined below.

### **Discussion**

The portions of the proposal that will affect the front façade are not congruous. These actions include removal of the garage door and a small addition to the front of the garage, changing this wall into a portion of the house with a window. The secondary gabled roofline on the front façade that is currently covered with ivy is a small feature that does not reach the edge of the wall. The proposal would widen this feature to bring it even with the corner of the house and bring it forward 3'. The proposal will also enlarge the porch, bringing the roofline of the porch across to meet the lengthened secondary gable. Finally, the front door will be moved to face the street. The effect of these changes is to radically alter the appearance of the front façade. The garage doors, marking this house as an early example of one with an attached garage and a historic component of the history of the automobile in the North End, will be gone. The porch and entrance will be altered from the simple porch cover and side entry to a covered porch and front entry. The small, secondary gable will become large enough to compete with the primary, entrance gable. These changes to the front façade are not congruous. They will render the house non-contributing by altering most of the character defining features of the primary elevation.

The other features of the proposal are congruous. The garage in the rear yard will be shorter than the primary structure, it will use the same exterior materials as the house and it will have a similar roof form as the house. The chimney on the street side of the house is also congruous. It will not alter any character defining features or adversely affect the character of the house. The addition to the rear roofline is also congruous. It will not be seen from the street and will accommodate the staircase to the basement. Finally, the basement itself is congruous. It will add to the square footage of the house without affecting its appearance.

Staff has received no information regarding the tree to be removed.

Staff recommends approval of the chimney, the detached garage, the rear addition and the basement.

Staff recommends denial of the removal of the tree, the changes to the front elevation including the additions to the garage, the porch, and the small gable and the relocation of the door.

## **6. Conclusion and Recommended Conditions**

**Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the request to add the chimney, the detached garage, the rear feature and the basement is congruous with the historical, architectural, archeological, educational or cultural aspects of the historic district, but the request to change the front door, front porch, garage, remove the tree and add to the front façade is not congruous with the historical, architectural, archeological, educational or cultural aspects of the Historic District because:**

The Secretary of the Interior's Standards for the Treatment of Historic Properties (1995 Edition), the Boise City Design Guidelines for Residential Districts, the North End Plan and the Boise City Comprehensive Plan are references often utilized by the Historic Preservation Commission to determine whether a change is congruous with the historic and architectural qualities of the Historic District.

1. The Commission's decision in regard to Certificates of Appropriateness for alterations, as described in 2-18-09 (A), shall be based on six findings as applicable to that property. (2-18-11 01)
2. BCC Section 2-18-11.01 A states that the request shall be consistent with the Design Guidelines for Boise City's Historic Districts. This application is not in a commercial district. This finding is not applicable.
3. BCC Section 2-18-11.01 B states the request shall be consistent with the Boise City Design Guidelines for Residential Historic Districts.

The changes to the front facade do not comply with the Boise City Guidelines.

- a. "Set back a new addition from the primary façade of the original building to maintain original proportion, massing, size, and scale." (4.1.2) The front additions are not set back from the primary façade of the house and change the original massing, proportion, size and scale.
- b. "Construct a new addition that creates an appearance inconsistent with the historic character of the building." (4.1.11) The new additions eliminate the garage, relocate the front door and enlarge the porch and small gable, creating an appearance inconsistent with the historic character of the building.
- c. It is generally not appropriate to "overpower, cover, obscure, or eliminate historically significant architectural, stylistic, or character defining features such as windows, doors, porches, roof lines." (4.1.12) The alterations eliminate the historically significant architectural, stylistic and character defining features such as the original porch, the existing small gable and the garage.

The addition of the chimney, the detached garage, the rear feature and the basement comply with the Boise City Guidelines.

- a. "Design a new addition to preserve the established massing and orientation of the building and character of the block." (4.1.1) The chimney, basement, detached garage and rear addition preserve the established massing and orientation of the building and the character of the block.
- b. "Use similar materials as found on the original building." (4.1.6) The chimney, the rear addition will use materials similar to those found on the original building including brick, stucco and wood trim.

- c. "Consider ground or basement additions before the addition of dormer(s). Under unique circumstances driven by site constraints, dormer(s) additions should be designed in proportional scale to the original roof and should not visually compete." (4.1.8) The rear addition and the basement are a ground and a basement addition.
  - d. "Maintain a proportional mass, size, and height to ensure the accessory building or dwelling unit is not taller than the primary building on the lot or does not occupy the entire backyard." (6.1.2) The garage will be shorter than the house and will not occupy the entire backyard.
  - e. "Subordinate the accessory dwelling unit, accessory building, or garage to the primary residential building on the site by placing the structure to the rear of the lot. Otherwise, consider locating the accessory building, dwelling unit, or garage to the side as long as it is set back substantially." (6.1.3) The garage will be placed at the rear of the lot.
  - f. "Use similar materials used on the primary existing building." (6.1.5) The garage will use materials similar to those found on the original building including stucco and wood trim.
  - g. "Design garages so they are alley loaded." (6.1.7) The garage will be alley loaded.
4. BCC Section 2-18-11.01 C states the request shall be consistent with The Secretary of the Interior's Standards for Rehabilitation, or other standards as applicable (preservation, restoration or reconstruction.)

The changes to the front façade are not consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties. This application complies with the following guidelines.

- a. "Placing a new addition on a non-character-defining elevation and limiting the size and scale in relationship to the historic building." (pg. 113) The front additions will be placed on a character defining elevation-the primary elevation.
- b. "Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved." (pg. 62) The distinctive features of the garage and the small side oriented front entry will not be preserved. They will be eliminated.
- c. "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment." (pg. 62) The new work will not be differentiated from the old. There will be no way to tell where the old house stops and the new additions begin.
- d. "Attaching a new addition so that character-defining features of the historic building are obscured, damaged, or destroyed. Designing and constructing new additions that result in the diminution or loss of the historic character of the

resource, including its design, materials, workmanship, location, or setting.” (pg. 113) The character defining features of the garage, the side oriented front entrance and the small gable will be obscured or lost.

- e. “Removing or radically changing entrances and porches which are important in defining the overall historic character of the building so that, as a result, the character is diminished. (pg. 85) The entrance and the porch, both of which are unique and important in defining the overall historic character of the building, will be radically changed so that the character of the whole is diminished.

The addition of the chimney, the detached garage, the rear feature and the basement are consistent with the Secretary of Interior’s Standards for the Treatment of Historic Properties.

- a. “Designing a new addition in a manner that makes clear what is historic and what is new. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color.” (pg. 113) The rear addition makes clear what is historic and what is new through the use of broken wall planes and roof planes.
- b. “Placing a new addition on a non-character-defining elevation and limiting the size and scale in relationship to the historic building.” (pg. 113) The rear addition will be placed on the rear elevation and will be shorter and narrower than the historic building.

- 5. BCC Section 2-18-11.01 D states the request shall support the goals, objectives and policies of the Boise City Comprehensive Plan and the plans referenced therein.

The changes to the front façade are not in compliance with the following goals and objectives of the Comprehensive Plan and the North End Plan.

- a. The unique character of the neighborhood should be maintained, including architectural style, sitting on the lots, orientation of the units and landscaping characteristics. (p. 18) The front changes will not maintain the unique character of the neighborhood. The historic façade is part of this unique character-such radical alterations will alter the character of the neighborhood.
- b. Protect historically and culturally significant resources that contribute to community identity and history. Goal, page 5-12 The changes to the front will not protect this historically and culturally significant resource that contributes to community identity and history.

The addition of the chimney, the detached garage, the rear feature and the basement are in compliance with the following goals and objectives of the Comprehensive Plan and the North End Plan.

- a. The unique character of the neighborhood should be maintained, including architectural style, sitting on the lots, orientation of the units and landscaping characteristics. (p. 18) The changes to the chimney, the detached garage, the rear addition and the basement will have no effect to the unique character of the neighborhood because they will be minimally visible.
  - b. Protect historically and culturally significant resources that contribute to community identity and history. Goal, page 5-12 The changes to the chimney, the detached garage, the rear addition and the basement will protect this significant resource through their sympathetic design and adherence to the Boise City Guidelines and Secretary of the Interior's Standards.
6. BCC Section 2-18-11.01 E states that based on the adopted design guidelines the request will not be incongruous with the historical, architectural, archaeological, educational or cultural aspects of the district. The changes to the front façade are not congruous with the historical, architectural, archaeological, education or cultural aspects of the district because they do not comply with the Secretary of the Interior's Standards for Rehabilitation, the Design Guidelines for Residential Historic Districts and the North End Plan. However, the other actions are congruous with the historical, architectural, archaeological, education or cultural aspects of the district because they comply with the Secretary of the Interior's Standards for Rehabilitation, the Design Guidelines for Residential Historic Districts and the North End Plan.
7. BCC Section 2-18-11.01 F states that the request must comply with the dimensional standards and other applicable requirements of Title XI (Zoning Ordinance) including, but not limited to setbacks, height restricts and parking requirements unless the Commission finds that modifying the standards is necessary to protect the overall characteristics of the district and to comply with the adopted design guidelines. **This application does not comply with all of the dimensional requirements of the underlying zone as laid out in Title XI without the request for any variances.**

The substandard lot ordinance states that the interior side setbacks shall be in accordance with the applicable zone; street side yard setbacks shall be 15 feet for livable space and porches and 20 feet for parking. The setbacks for a standard sized lot in this zone are 20' for the street side and 5' for the interior side. The proposed setbacks for this project are 9' 4" for the street side and 3' 6" for the interior side. Both side setbacks will require a variance whether or not this finding of the substandard zoning ordinance is waived.

8. A contributing building, site, structure or object adds to the historic architectural qualities, historic associations, or archeological values for which a property is significant because (a) it was present during the period of significance, and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period, or (b) it individually meets the National Register eligibility criteria. The structure was constructed during the period of significance and retains its historic integrity.

### **Site Specific Conditions of Approval**

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received June 30, 2008.

### **Standard Conditions of Approval**

2. The applicant shall comply with the Boise City Fire Code.
3. Prior to a Building Permit and prior to any construction on the site, an Erosion and Sediment Control Permit must be obtained from the Building Division of the Planning and Development Services Department.
4. No change in the planned use of the property by the applicant shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of the City of Boise. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon the City of Boise.
5. Any change in the planned use of the property by the applicant shall require the applicant to comply with all rules, regulations, ordinances, plans or other regulatory and legal restrictions in force at the time the applicant or successors in interest advise the City of intent to change the planned use of the property described herein unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
6. If the applicant does not act on the Certificate of Appropriateness through the commencement of construction, or extended pursuant to the Boise City Code, within eighteen months, it will become null and void without further notification from this department.
7. The applicant shall be required to obtain a Building Permit prior to the start of construction.

### **Construction Site Requirements**

8. The practices required below are intended to mitigate the impact and disturbance of residential property owners during the construction of adjacent buildings or structures. The following conditions apply to all construction-related activities ranging from grading and demolition activities to final occupancy on any land or parcel falling under the proprietary ownership of the permit applicant.
  - a) Prior to the issuance of a building permit and prior to the commencement of any construction on-site, an Erosion and Sediment Control (ESC) permit must be obtained from the Planning and Development Services Department. No grading, demolition or earth disturbing activities may start until an approved ESC permit and the associated site work or grading permits have been issued.



- b) Measures shall be taken to manage construction debris and trash on the construction site and efforts shall also be made to provide reasonable controls to minimize fugitive dust on the construction site. Such measures shall include, but are not limited to:
  - Provide suitable containers for solid waste generated by construction activity;
  - Wet demolition of existing buildings;
  - Watering of driving surfaces and earth moving activities;
  - Installation of wind screening around property and each open floor above grade; and
  - Daily broom cleaning of above grade floors, adjacent streets and sidewalks.
- c) To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.
- d) A minimum height of six foot (6') rigid security fencing, either wood or metal, shall be installed around the construction site within 30 days of the date when the first city permit is issued on projects where construction activity shall exceed 90 days.
- e) Exterior lighting and other illuminating equipment or materials shall be positioned, shielded, directed and located to not reflect or impact adjacent residential property and streets.
- f) Applicant shall comply with Boise City Fire Department requirements for water, access, and/or other requirements as determined by the Fire Marshal.
- g) Any conditions to be enforced during construction shall remain posted at each street abutting the construction site for the duration of the project. In addition to the posted conditions the permit holder shall also post an 11"x 17" laminated sign containing a project contact phone number, name of project contact and the Boise City contact number, 384-3845, to address issues as they arise. Failure to abide by any conditions set forth shall be grounds for revocation of Conditional Use Permit and/or Building Permits and may be subject the owner or owner's agents to fines and criminal citations.