



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

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Planning Division Staff Report

File Number	DRH08-00261
Applicant	Jim Valentine
Property Address	1001 West Hays
Public Hearing Date	August 25, 2008
Heard by	Historic Preservation Commission
Analyst	Julie Archambeault
Checked By	Sarah Schafer

Public Notification

Radius notices mailed to adjacent properties: **August 8, 2008**
Staff posted notice on site on: **August 11, 2008**

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1. Project Data and Facts

Applicant/Status	Jim Valentine / Purchaser
Architect/Representative	Stacy Bahrenfuss
Location of Property	1001 West Hays
Size of Property	6,098 sq. ft.
Present Zoning and Land Use	R-3HD/CD
Historic District	Hays Street Historical District
Date of Construction	1911
Style	Colonial Revival
Status	Contributing
Square Footage of Existing House	5,008

Description of Applicant's Request
The applicant is seeking a Certificate of Appropriateness to provide an off street parking space in front of the main structure.

2. Land Use

Description and Character of Surrounding Area
Hays Street is a mix of house sizes, styles and uses. The houses front onto a wide, busy street. Landscaping includes grass lawns, trees and smaller plantings.

Site Characteristics
The site is almost square and sits at the corner of 10 th and Hays. The large house sits close to the interior and rear property lines. The rest of the site is taken up by large trees and grass.
Special Considerations
The site is a substandard lot. It has no access to an alley.
History of Previous Actions
1909-Construction of house

3. Project Proposal

Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	No change	No change
Percentage of the site devoted to paving:	No change	No change
Percentage of the site devoted to landscaping:	No change	No change
TOTAL	No change	No change

Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (southwest)	15' (bldg.) 20' (garage)	No change	No change
Side Street (southeast)	15' (bldg.) 15' (garage)	No change	No change
Side (northwest)	5' (bldg.) 5' (garage)	No change	No change
Rear (northeast)	15' (bldg.) 9' (garage)	No change	No change

Fencing

None

Structure(s) Design

Number and Proposed Use of Buildings	There is currently one building-the large house.
Maximum Building Height	Existing to remain
Number of Stories	3

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 property was constructed by the prominent architectural firm Tourtellotte and Hummel and retains all aspects of its integrity. It is contributing.

Discussion

The project proposes to install one off-street parking space in the rear setbacks of the property. Although the legal states that the parking will be at the front of the house, the new parking space will actually be placed to the rear of the property. This parking space will be composed of non-mortared brick in order to allow the grass to grow up between the bricks. The parking space will be 49' x 18' and will be 8' away from the house. Changing the grass to brick at this spot will not adversely affect the property. It is a small change that is easily reversible.

6. Conclusion and Recommended Conditions

Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the request to provide an off street parking space in front of the main structure is 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)
 - a. 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.
 - b. BCC Section 2-18-11.01 B states the request shall be consistent with the Boise City Design Guidelines for Residential Historic Districts. This application complies with the following guidelines.
 - i. It is not recommended 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 new parking space will not overpower, cover, obscure or eliminate any historically significant features.
 - c. 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.) This application is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties. This application complies with the following guidelines.

- i. “Designing required new parking so that it is as unobtrusive as possible, thus minimizing the effect on the historic character of the setting. (pg. 108) The new parking will be unmortared bricks in the rear setbacks.
 - ii. “Removing or radically changing buildings and their features or site features which are important in defining the overall historic character of the property so that, as a result, the character is diminished. (pg. 102) The site features will not be changed so that the character of the property is diminished.
 - iii. “Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features.” (pg. 105) The brick paving will not damage or destroy important landscape features.
 - d. 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 application is in compliance with the following goals and objectives of the Comprehensive Plan.
 - e. 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 project is congruous with the historical, architectural, archaeological, education or cultural aspects of the district because it complies with the Secretary of the Interior’s Standards for Rehabilitation, the Design Guidelines for Residential Historic Districts.
 - f. 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 complies with all of the dimensional requirements of the underlying zone as laid out in Title XI without the request for any variances.
2. For projects within an “HD” overlay zone, the following objectives and findings, in addition to those cited under Section 2-18-11.01, shall be considered where applicable to the proposal.
- a. BCC Section 2-18-11.04 A states that the site design shall minimize impact of the traffic on adjacent streets and that the pedestrian and bicyclist have been provided for by requiring sidewalks, landscaping and safe parking lot design as appropriate. The project will minimize impact of traffic on adjacent streets by providing one off-street parking space.

- b. BCC Section 2-18-11.04 B states that the proposed landscaping shall enhance the historic district and neighborhood with attributes that include, but are not limited to, protection of desirable existing trees, provision of street trees and adequate screening methods where needed to buffer adjacent uses and unsightly areas or features. No landscaping is proposed.
- c. BCC Section 2-18-11.04 C states that on-site grading and drainage shall be designed so as to minimize off-site impact and provide for erosion control as required by the Boise City Public Works Department, Ada County Highway District and/or other jurisdictional agencies. No on-site grading or drainage is proposed.
- d. BCC Section 2-18-11.04 D states that the utility service systems and equipment shall not detract from the building design or adjacent buildings, and the size and location of all service systems are appropriate and maintainable. No utility service systems or equipment are proposed.
- e. BCC Section 2-18-11.04 A (Structure Design) states the mass of the building shall be reviewed for its relationship to other buildings within the historic district and area, and with the use proposed by the applicant. No additions or new buildings are proposed.
- f. BCC Section 2-18-11.04 B (Structure Design) states the height to width relationship shall be compatible and consistent with the predominant architecture character of the historic district. No additions or new buildings are proposed.
- g. BCC Section 2-18-11.04 C (Structure Design) states the exterior of the building shall provide shadow relief and design interest compatible with the architecturally character of the area. No additions or new buildings are proposed.
- h. BCC Section 2-18-11.04 D (Structure Design) states the appropriateness of materials and colors (paint colors are not reviewed for single-family residential structures) shall be reviewed as they relate to building mass, shadow relief and compatibility with other buildings within the historic district and area. No additions or new buildings are proposed.
- i. BCC Section 2-18-11.04 E (Structure Design) states multiple-family building must be designed to include features which add to the visual and aesthetic appearance of the structure and help prevent a sterile, box-like appearance. Such features may include the use of brick or stone, roof or façade modulation, planter boxes, bay windows, balconies, porches, etc. The Commission must make a finding that specific design features have been added to enhance the physical appearance of such multiple-family residential structures. No additions or new buildings are proposed.

- j. BCC Section 2-18-11.04 F (Structure Design) states commercial/industrial buildings adjacent to residential uses shall be designed to minimize impacts on adjoining (including across a street or alley) residential uses and/or residential zones. No additions or new buildings are proposed.
 - k. BCC Section 2-18-11.04 states that the design shall be consistent with the plans and guidelines listed in Section 2-18-11. No additions or new buildings are proposed.
3. 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 property has retained all of its historic integrity. It is contributing.

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 July 31, 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.