



Planning & Development Services

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Planning Division Staff Report

File Number	DRH08-00301
Applicant	Jim Valentine
Property Address	1001 West Hays Street
Public Hearing Date	22 September 2008
Heard by	Historic Preservation Commission
Analyst	Matt Halitsky, AICP
Checked By	Sarah Schafer, Historic Preservation Planner

Public Notification

Radius notices mailed to adjacent properties:	5 September 2008
Staff posted notice on site on:	5 September 2008

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1. Project Data and Facts

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

Description of Applicant's Request

The applicant is proposing to provide a single off-street parking space in the form of wheel strips at the southeast corner of the property.

2. Land Use

Description and Character of Surrounding Area

Hays Street is comprised of a variety of housing styles, sizes and uses. The homes front onto a wide, busy street with on-street parking. Landscaping includes grass lawns, mature trees and landscaping beds.

Site Characteristics

The subject property is located on the southwest corner of Hays and 10th Streets. On-site parking currently does not exist and alley access is unavailable. The home is situated near the interior and rear property lines. The site is landscaped with mature trees and shrubs.

Special Considerations

The parcel is considered a substandard original lot of record, with no alley access.

History of Previous Actions

DRH08-00261 Addition of an on-site parking space. *Denied*

3. Project Proposal

Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	25%	No Change
Percentage of the site devoted to paving:	3%	5%
Percentage of the site devoted to landscaping:	72%	70%
TOTAL	100%	100%

Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (south)	15' (bldg.) 20' (garage)	No Change	N/A
Side Street (north)	15' (bldg.) 15' (garage)	No Change	N/A
Side (south)	5' (bldg.) 5' (garage)	No Change	N/A
Rear (west)	15' (bldg.) 0' (garage)	No Change	N/A

Parking areas require a 5' minimum setback from interior property lines.

Fencing

A portion of the existing wrought iron fence will be removed to accommodate the new parking space.

Structure(s) Design

Number and Proposed Use of Buildings	One existing single-family dwelling
Maximum Building Height	No changes to existing
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

Contributing Analysis

B.C.C Section 2-18-09 (A) (1) (c) states: *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.*

The subject home was constructed in 1911 and designed by the prominent architectural firm, Tourtellotte and Hummel. The home retains all aspects of its historic integrity, and remains contributing.

Design Guidelines for Residential Historic Districts, Secretary of the Interior's Standards for the Treatment of Historic Structures

The applicant is proposing to provide a single on-site parking space at the southeast corner of the property. The space will be comprised of two concrete wheel strips, approximately 2-2 ½ feet in width each to minimize the amount of hardened material, consistent with the residential design guidelines (2.2.13). Guideline 2.5.6 advises to “maintain the traditional character of the streetscape when installing new sidewalks or driveways”. Per the narrative pertaining to the Hays Street Historic District, this streetscape is most pronounced by preserving setbacks and landscaping, both of which shall be maintained as the parking strips will have a very limited impact to the site, and none whatsoever to the historic home (page 18). One smaller tree will be impacted by the paved approach for the new curb cut. Staff recommends as a condition of approval this small tree be relocated elsewhere on site, possibly within the 10th Street right-of-way north of the area of impact.

Among the design goals of the Hays Street Historic District is the retention of the residential character of the neighborhood while accommodating adaptive reuse (page 19). Furthermore, the policy statement for this area states:

Preserve the character of its streetscape and integrity of individual historic structures. In particular, encourage the preservation of the streetscape through adaptive re-use, including the variety of uses that range from single- to multi-family, commercial, and offices. There should be a net decrease in surface parking areas in time as redevelopment encourages new building throughout the district.

Again, adaptive re-use is emphasized as the preferable way of retaining the residential character of the area while providing a transition between the commercial downtown and residential North End by allowing uses such as multi-family residential and offices. By definition adaptive re-use allows some changes to a property while maintaining the historic character of the structure. As mentioned above, no changes to the structure are proposed under this application. Only a curb cut and space for a single vehicle on-site are proposed. The residential character of the neighborhood and streetscape will not be compromised as a result of the proposal. Scale, massing and setbacks will all be preserved under the current proposal.

Even though the policy statement maintains that there should be a net decrease in surface parking areas, it is staff's assertion that the intent of this statement was to deter the further demolition of historic structures for use as parking lots as described in the narrative for the Hays Street Historic District contained within the residential design guidelines (page 18). The applicant's proposal does not include any demolition, simply the relocation of a small tree that is a relatively recent addition to the right-of-way. The character of the streetscape and the historic integrity of the structure shall be preserved under the applicant's proposal, consistent with the residential design guidelines and policy statement above.

The following are considered *generally appropriate* pursuant to the residential design guidelines:

- 2.5.1 Locate additional parking spaces to the rear of the property and provide a landscaping buffer from the public right-of-way, front elevation, and side elevation on corner lots.
- 2.5.5 Adhere to the parking allowances and regulations of the Near North End Conservation District.
- 2.5.6 Maintain the traditional character of the streetscape when installing new sidewalks or driveways.
- 2.5.9 Replace and replant trees of a species similar to the species planted during the period of significance.

The applicant has complied with the above guidelines to the extent possible on the subject property. As the site does not have alley access to provide parking at the rear of the structure, the applicant has chosen a location and method for providing a single off-street

parking space in the most unobtrusive manor. Moreover the curb cut and wheel strips are easily reversible and do not impact the historic structure, consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. Staff recommends approval of the applicant's proposal as conditioned below.

6. Conclusion and Recommended Conditions

Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the proposed development 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. *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 within one of the Commercial Districts therefore this finding does not apply to this application.
2. *BCC Section 2-18-11.01 B* states the request shall be consistent with the Boise City Design Guidelines for Residential Historic Districts. The application will comply with the requirements of this finding.
3. *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. The proposal neither creates a false sense of history, nor detracts from the historic neighborhood as a whole.
4. *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 goals, objectives and policies of the Boise City Comprehensive Plan. The proposal promotes redevelopment while retaining the historic integrity of the property and character of the neighborhood.
5. *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. As conditioned, this application is congruous with the historical, architectural, archaeological, education and cultural aspects of the district.

6. *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. As conditioned, this application complies with all of the dimensional requirements of the underlying zone as laid out in Title XI.

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 27 August 2008, except as expressly modified by the following conditions:
 - a. The applicant must seek and be granted a variance to allow parking within the front setback.
 - b. The small street tree located within the new approach indicated on the submitted site plan shall be relocated elsewhere on site.

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.