



**BOISE CITY DESIGN REVIEW COMMITTEE  
HEARING MINUTES  
NOVEMBER 13, 2019**

I. CALL TO ORDER

PRESENT: Zabala, Rudeen, Semple, Zuckerman, D'Souza  
ABSENT: Marsh, Aguilar, Talboy

II. MINUTES

1. Design Review Committee Minutes / October 9, 2019

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED [4 TO 0]</b>                                |
| <b>MOVER:</b>    | Thomas Zabala   |
| <b>SECONDER:</b> | Ben Semple  |
| <b>AYES:</b>     | Thomas Zabala, David Rudeen, Ben Semple, Dana Zuckerman |
| <b>ABSTAIN:</b>  | Olivia D'Souza  |
| <b>ABSENT:</b>   | James Marsh, Jessica Aguilar, Robert W. Talboy          |

III. CONSENT

1. **DRH18-00101 / Jeff Stoddard**

Location: 700 N. Five Mile Road

Request for a one-year time extension to a previous approval to construct a new warehouse building and associated site improvements in a M-1D (Limited Industrial with Design Review) zone. (This item was approved at the April 11, 2018 hearing). Josh Wilson

3. **DRH19-00392 / Tri Ly - Pivot North Architecture**  
 Location: 116 S. 6th Street  
 Construct a seven-story mixed-use building with retail, office, and 60 residential units on property located in a C-5DD (Central Business with Downtown Design Review) zone. (This item was deferred at the October 9, 2019 Hearing.) Josh Wilson
  
4. **DRH19-00443 / Katherine Wood - b.hills architecture**  
 Location: 13 S. Latah Street  
 Construct three, single-story commercial buildings totaling approximately 5,200 square feet with related site improvements in a C-1D (Neighborhood Commercial with Design Review) zone. Katelyn Menuge
  
5. **DRH19-00444 / Damon Beard - Larson Architects**  
 Location: 7563 W. Fairview Avenue  
 Construct an approximately 8,000 square foot single-story car wash building with associated site improvements on property located in a pending C-2D/DA (General Commercial with Development Agreement and Design Review) zone. Katelyn Menuge

**Committee Member Semple recused on Item #5 DRH19-00444.**

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| <b>RESULT:</b>   | <b>APPROVED [4 TO 0]</b>                                |
| <b>MOVER:</b>    | Thomas Zabala   |
| <b>SECONDER:</b> | Dana Zuckerman, Commissioner                            |
| <b>AYES:</b>     | Thomas Zabala, David Rudeen, Ben Semple, Dana Zuckerman |
| <b>ABSTAIN:</b>  | Olivia D'Souza  |
| <b>ABSENT:</b>   | James Marsh, Jessica Aguilar, Robert W. Talbo           |

#### IV. NEW BUSINESS

2. **DRH19-00332 / Greg Ferney - Storage Development, LLC**  
 Location: 1250 S. Division Street  
 Construct a four-story multi-family residential building with 127 units and structured parking on property located in an L-OD (Limited Office with Design Review) zone. (This item was deferred at the September 11, 2019 hearing.) Josh Wilson

**Josh Wilson** (City of Boise): The site for the project is located on the block surrounded by Beacon on the north, Division Avenue on the west, Rossi on the South and Logger's Creek on the east. It is zoned L-OD for Limited Office and there is an existing vacant commercial

building on the site which has been unoccupied for a number of years.

The applicant has proposed a 124-unit multi-family project. It is a podium style building with a parking structure located on the ground floor and some future commercial space located at the corner of Beacon and Division with two vehicular entrances to the project. One off Division and one off of Rossi.

There is a required landscape setback along Logger's Creek for a riparian area and that has been met.

The project went through the Planning & Zoning Commission as a Planned Unit Development (PUD19-00026) and was approved at their October 14, 2019 Hearing.

During the course of those hearings, the applicant did make a number of changes to the project in response to some neighborhood concerns. The mass and height of the structure was reduced along Division Street to pull it back farther to the site and impact those residences to the west on Division Street less and also to the south on Rossi Street where there are also residences across that street.

That frontage was also redesigned as well. The applicant included some additional transparency on the ground floor. We'll get to some renderings in a moment, but to address some concerns about lack of activation on that street frontage and to provide some further design interest.

Because of the nature of that parking structure on the first floor...as you're aware building code has significant requirements for ventilation. The applicant has used a metal screen to cover those required openings in the façade along Division. We do have some public comment that express some concern. There are some in your packet and one on the podium about the effect of vehicles parking in that garage and shining headlights through the screen and the potential impacts on those residences across the street.

Due to the shape of the parcel which is a rather unusual triangular shape the building has taken on a triangular form as well. There is a second-story amenity deck located to the interior of the project again, with units surrounding it on all sides.

The renderings will depict what is going on the best because it is a rather complicated structure. At the corner of Division of Beacon,

you can see the ground floor commercial space that has been provided. Again, you can see those ventilation screens along that street for that parking structure and the potential for some impacts from vehicles within that parking garage.

Again, the structure has been pulled back and the fourth story has been pulled back along Division to address some of those massing concerns along the street and focus the height and density to the rear of the site. Those fourth-floor apartments that only cover a portion of that fourth floor do only look down into the amenity area and then also at the other four-story apartments across to the other side. Again, to minimize those impacts on the street and the homes across the street.

You will see some conditions of approval in the project report. Those are intended to help minimize some of the impacts on the adjacent neighborhood. One item I would point out and goes directly to those previous concerns about the vehicular impacts from that parking structure.

The applicant has not submitted a detailed planting plan with the application. There is a landscape plan in the packet that shows some general locations and sizes of plant materials. We have conditioned that the applicant submit a plan which further details those with specific species, sizes and quantities at planting. I believe those can be used to address those concerns about the vehicle headlights shining through those screens. Kind of some beefed up foundation plantings in those locations would be appropriate and would certainly specifically address some of the public comments we've received on the project to date and how to minimize those.

With that I will stand for questions.

#### Applicant Testimony

**Greg Ferney** (Applicant / 4549 McKenzie Lane): As the committee can see we did make some substantial changes based upon a collaboration with the homeowner's association (SENA) as well as the neighbors along Division and based upon that collaboration we came up with a design that met everybody's needs and met with approval from the neighbors and hence when we were at Planning & Zoning we did get unanimous approval based upon that collaborative effort.

I would point out one item. I thought this had been addressed in terms of our architect and whatnot with the City. I'm not sure if it did or not, but at that hearing with Planning & Zoning, we had done a further concession based on these plans for the neighbors on Division. On Division and Beacon there is an additional unit that we agreed to relocate to Rossi. So, instead of having 124 units this has always been 125. I don't have a pointer (referring to slide), but again you can see up here, this unit right here on the corner is going back over to Rossi (*inaudible*) where that will be...we agreed to relocated that. I don't want to have any miscommunication. This drawing is not reflective of how that will actually be.

Are there any other questions or concerns that the committee has for myself?

**Committee Member Semple:** I do want to talk about some of the site-specific conditions of approval. I didn't see on the design the width of the planter strip between the sidewalk and the curb. Do you happen to know what that is?

**Greg Ferney:** I can get that information. I personally don't know.

**Committee Member Semple:** Because the condition is for Class III trees, I believe ACHD requires a 10-foot planter strip width instead of the standard 8-foot in order to plant Class III trees so I would just recommend that you ensure you have that 10-foot width there, so it does meet that condition of approval. The detailed planting plan...this building does offer the opportunity to provide some really nice foundation plantings that will complement the architecture and protect the neighbors from lights coming out as well as some of that commercial space that is on the corner of Division and Beacon. It seems like a natural area to activate some space to encourage pedestrian use. I don't know if the commercial will be office or retail.

**Greg Ferney:** It will be office there. That was the intent.

**Committee Member Semple:** It is just something that offers an opportunity for the neighborhood to create a space that is useable for everyone. I think it would help. You've got eyes on the project and you get people using that space...it seems like a great opportunity. Then with Logger's Creek on the east side of the project really looking at your plant choices to make sure they are in talking with that area so that you're not introducing some species that wouldn't typically exist there.

**Greg Ferney:** One of the things we're trying to do is and the reason why we're still making sure that we have the plant design and everything like that is there are preexisting, very mature trees in particular on Division. We're doing what we can right now to be able to save as many as we possibly can because that was another request that the neighbors had. We're just trying to incorporate that, and we will have that shortly.

#### Public Testimony

**Randie Nelson** (1259 S. Division Avenue): I sit directly across the street from the proposed development. We've been working well together, and we appreciate all the help of the Committee Members.

The one thing I've observed over the last 13 years that I've had this property is the lack of street parking now. I know that with 125 units that they are going to build, and they have I think 150 parking spots. Some will be, of course, for the commercial use, but we're still going to have an excess of cars looking for spots to park.

One of my concerns as a homeowner is to make sure...we are married to each other in a sense. The walkability of the neighborhood and the street safeness. I'm reaching out tonight to make sure...there again I went to the Ada County Highway Department yesterday and I was informed that they had 90 projects for 2019 and they are facing another 90 for 2020. So, in other words I'm not sure who is going to help us out with making sure the street is as safe as it can be because Division is a connector street between Boise and Beacon. I'm trying to make sure we have a safe environment.

Our alleyway is really bad between Colorado and Division and we have a lot of people who don't park in their garages because they don't like to go down the crummy alley. I'm trying to work out with ACHD to help us out with that. I think I'm bucking a few things there, but I think I can overcome them with nice perseverance. I would sure appreciate any good feedback or if you could help me out if you have any connections with them. I'm still not done, but it should alleviate at least some of the parking dilemma that we may be facing.

Other than that, we're very happy.

Public Portion Closed / Committee Deliberations

**Committee Member Semple:** With the design review level drawings this is something that is this substantial for this area of the City. There are the planting plans that we discussed, some of the streetscape stuff and the final construction documents. We, a lot of times, require projects ( we had one at the public work session before this hearing today) to come back with 50-percent level of design documents that provide a little more detail. I think that would be important and probably appropriate with this project knowing the size. Does the rest of the committee feel that way too? It's my opinion that it is and I'm throwing it out there for discussion.

**Vice-Chairman Rudeen:** I don't disagree with you. Particularly because of the lack of landscaping depicted. We haven't got a full vetting of that and normally we'd have a bit more complete view of that at this point, wouldn't we Josh?

**Josh Wilson:** Correct.

**Committee Member Semple:** Just a work session not back for another hearing.

**Committee Member Semple moved to approve DRH19-00332 as recommended in the findings of fact, conclusions of law and recommended conditions of approval noted in the project report with the added condition that the applicant return to a work session with 50-percent construction documents.**

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|------------------|---|
| <b>RESULT:</b>   | <b>APPROVED [4 TO 0]</b>                                |
| <b>MOVER:</b>    | Ben Semple, Commissioner                                |
| <b>SECONDER:</b> | Dana Zuckerman, Commissioner                            |
| <b>AYES:</b>     | Thomas Zabala, David Rudeen, Ben Semple, Dana Zuckerman |
| <b>ABSTAIN:</b>  | Olivia D'Souza  |
| <b>ABSENT:</b>   | James Marsh, Jessica Aguilar, Robert W. Talboy          |

**5. DRH19-00455 / Jeanette Elledge**

Location: 8109 W. King Street  
Construct a single-family residence with a front-loading garage on a substandard lot of record without alley access on property in a R-1C (Single Family Residential) zone. KayCee Babb

**KayCee Babb** (City of Boise): This proposal is for the construction of a new substandard lot approximately 1,800 square feet. It does have an attached front-loaded garage and because this property doesn't have alley access it automatically goes before you.

However, the applicant is also requesting a waiver to the substandard lot height standards and is wanting to construct a full two-story structure instead of the typical one and a half that we would see here.

This image is showing some context of the property (*referring to slide presentation*). The property is the one with the orange sign. You can see the surrounding properties in the full picture. The proposed site plan shows the attached front-loaded garage taking access off King Street which staff finds appropriate due to the surrounding development as it is consistent with the area. One of our issues with the site plan, and is a condition of approval, is that the garage setback in the R-1C Zone is 20 feet away from the street side property line. So, that would be from Regal Drive. The condition is that you either meet the setback or you get a variance. After talking with the applicant, it sounds like a potential solution will be to redesign. Essentially flip the design putting the garage closer toward the interior property line. That would get rid of the setback issue.

Another condition with the site plan is sidewalks. The applicant is providing 5-foot wide attached sidewalks along King and Regal Drive which meet our substandard lot requirements. The site plan does show a 5-foot wide sidewalk along Ace Street. However, ACHD has that sidewalk recorded at 4 feet wide so we are conditioning that sidewalk be replaced with the appropriate 5-foot wide sidewalk. By requiring that we also get the pedestrian ramp at the corner of Regal and Ace updated to meet ADA standards.

One thing that is not on the site plan is an existing structure on the site. It is toward the rear and is a wellhouse structure. You were provided with a memo. We had some concerns from neighbors that the wellhouse is meant to serve the community so getting rid of the wellhouse was concerning. I believe the applicant has some more information that she'll be presenting tonight. On the City's end we couldn't find any documentation that the wellhouse is meant to serve the community. The subdivision plat doesn't have an easement or any sort of note that this is served for the community. If there is an agreement it looks like that is more of a civil agreement rather than the City getting involved in that situation. Because it was a point of contention, we wanted to make sure you were aware of where the wellhouse is and what information we have.

The north and south elevations show that the project proposes some good design elements meeting the design standards for the



substandard lot by adding some different siding and different elements that we find appropriate. The east and west elevations on the other hand show how the living space is distributed on that second floor. Most of the second story living space is condensed towards the front and that is what the applicant is requesting a waiver from. Based on the context of the area, again, we would prefer a one and a half story. That is what the substandard lot ordinance requests. Because this structure doesn't meet our definition of a one and a half story it is technically a two-story.

We also have a condition in place for the windows on the right elevation. Those windows include four different styles with different sight lines. The condition is to modify those to make them more consistent. The reason is that is the street facing elevation and we want to try to get a more consistent window pattern that reflects the window patterns in the area. Because of the potential flipping of the design with the garage on the other side this may be a moot point and may be resolved through a redesign.

Again, these elevations and renderings show that the structure presents as a full two-story structure on the front of the home. That is what the applicant is requesting a waiver from. The substandard lot ordinance allows for a one and a half story structures pretty much anywhere, but we prefer one and a half. Two-story structures are really reserved for when you're surrounded by two-story structures. In this area it is surrounded by single-story homes so a two-story structure wouldn't be the standard, but the applicant is able to request a waiver. The Design Review Committee is given the authority to grant a waiver based on these following criteria:

- A waiver can be granted if it will not conflict with the intent of the ordinance and doesn't have a negative impact on the neighborhood.
- There is an exceptional circumstance that makes the waiver a unique situation rather than just a disagreement with the ordinance.
- Granting the waiver would not be materially detrimental to the public health, safety or welfare.

The applicant's reasonings for the waiver are as follows:

- It will negatively impact the design and look of the home since it is a narrower lot.

- It will not provide enough square footage to be a viable project worth building.
- There are two large existing trees on the lot that will screen a good portion of the home.

Both staff and the Committee have seen projects for substandard lots on even narrower lots. We allow corner lots to be a minimum of 35 square feet and we've seen homes proposed on those 35-foot lots and they meet our design and height standards. There is no evidence that not granting this waiver would result in a bad design. We've seen them and we've had our guidelines shaped around these one and a half story structures while also adding those positive design elements so we don't see there is a real justification that it will negatively impact the design. In fact, we feel that granting the waiver will negatively impact the neighborhood. Again, this property is surrounded by low roofed, single-story homes.

The intent of the height standards with the substandard lot ordinance is to allow for appropriate integration in established neighborhoods working with the established heights and not becoming an obvious different structure in the neighborhood. The one and a half story structures allow for better integration, allows for some higher structures while also not drastically changing the height. Approving this waiver would impact how the property integrates with the neighborhood which staff recommends against approving.

The applicant also states that there is not enough square footage on the property if they are not able to get this two-story design. As I've discussed you can see with the floor plans most of the living space on the second floor is pushed toward the front. It is not evenly distributed. If we did a one and a half story design the living space on the second floor would be within the pitch of the roof as well as some dormers distributing the living space which does allow for square footage on the second story and we don't anticipate a drastic cut in square footage though that would depend on the design. The property proposal is also only at 36-percent of residential floor area. The substandard lot ordinance allows for 55-percent of residential floor area so there is more room to actually add square footage. That square footage would just have to be integrated through the basement rather than going up to a second story.

The final reason for the waiver is that there are existing trees on the property. Trees have a natural lifespan. We try to preserve them,

but we don't really base our decisions on the presence of trees if the future removal of trees would have a negative impact on how the building integrates with the neighborhood. Additionally, these trees are located more towards the rear of the structure which is already at a lower height. Most of the impact of the second story is towards the front and the trees don't screen that area. We don't see trees as a justification for a waiver.

Again, the criteria for the Committee to approve a waiver are these three:

Granting a waiver will not be in conflict with the intent of the ordinance and will not negatively impact the neighborhood. Because designs have come through and shown you can do a positive, beautiful, one and a half story structure and that a two-story structure would not integrate in with the single-story homes.  
**Not met.**

Second criteria, there is exceptional circumstance. The property is unique because it is abutted by three streets. However, it doesn't impact the available square footage on the property because the setbacks are the same with the three streets as the setbacks would be if it was a traditional corner lot with no alley access. While the property is unique it is not unique in the sense that it would impact what is available on the site. We still get enough square footage.  
**Not met.**

Staff doesn't have any concerns as to the safety or welfare of the project, but in order to grant a waiver we are supposed to meet all three of these criteria and we see that two of them are not being met.

Because of that staff is recommending the approval of the construction of a single-family home on this property. However, we also recommend denial of the waiver and instead follow the condition that the property be redesigned to comply with the one and a half story standards. If the property is redesigned and you approve a structure without an alley access, then the redesign could be reviewed by staff if you would prefer. With that I'm open with any questions.

**Committee Member Zuckerman:** I'm trying to understand what you mean when you are speaking about flipping the design with the garage. Would that then have a garage along the street side so there wouldn't be any windows along the street?

**KayCee Babb:** Essentially if we're looking at this side elevation, the side with the garage is on your right which shows some windows. The side that is currently proposed toward the interior does have one window. The idea was simply to flip the garage toward the interior side. Theoretically they would mirror that. However, we also have transparency conditions so we wouldn't let them just mirror the project so we would get more windows on that street side elevation through the design standards.

**Committee Member Zuckerman:** If that does indeed happen, are you then concerned about the fenestration on that other side since it will not be viewed from the street, but it still has four windows that are of different styles?

**KayCee Babb:** If the Committee prefers that we keep the condition that the windows have a more consistent window style we can definitely do that. We tend to have less strict standards if something is not as visible. If we were to flip this that side would be facing another garage so it would be essentially garage, garage. There is typically less concern for the window designs, but we can also make sure they are more consistent and still comply with that condition.

#### Applicant Testimony

**Jeanette Elledge** (Applicant / 1013 W. Water Vista): My intent with this project was to create as visibly pleasing of a home as possible. I wanted to do a two-story in the front which is only about 40-percent of the top floor so I'm not doing a two-story that goes all the way back. I wanted to have that mass in the front to offset the look of the garage and also to provide square footage upstairs. That was my intent. I understand why the City would like to have one and a half story homes because they don't want to have the tall, skinny, full-on two-story homes which this is not. I would ask you to approve my variance to preserve the look of the home. I think it has a lot of curb appeal and could fit very nicely in this neighborhood.

The only reason this is considered a substandard size lot is because it is on a corner. It is still 50 feet wide by 100 feet deep so kind of by a technicality I'm here presenting a substandard lot that in reality it's just because it's on a corner so I'm subject to these additional regulations. I guess that's all I can say.

## Public Testimony

**Jody Hull** (7916 Queen Street): I live about a block away from this project. I have been there for 24 years, so I've been driving by this empty lot for a long time. It has been a nice lot and it looks like a little mini park. When the property owner was actually watering it had grass. They haven't watered it for two years, so I don't know if those trees are going to actually make it.

My main concern today is the one that staff addressed. There is a pump house on the property and that pump house, from what I understand, actually provides drinking water to several of the homes in the old subdivision. I talked to a resident and she didn't know...her brother was renting the house, so she didn't know the name of the water company, but she said that is where they get their municipal water. I was always told that this lot was empty because it had a well on it and because of the wellhouse...maybe it was even a drain field. I think it was actually owned by the property owner next door and he watered it. When that was all sold this lot was sold separately. I don't quite understand how this is relating to the water house and I would be concerned with the neighbors if this is actually their water supply. She's trying to dig a basement and the construction could ruin this water house. If there is no access agreement, she could fence it, she could tear it down, and it doesn't sound right to me. I haven't had time to research it and staff hasn't either. Who owns this thing? What's the access? I think she should have it on her site plan because this is not just a little shed as the staff report initially stated. This is the wellhouse (referring to slide presentation). You saw some pictures. It does have a dedicated powerline to it, so someone is running it. The lady said...there is a pump house and it has got a lock on it. It's not just a shed. I don't think this should be approved until this is worked out and we know that the property owners in the area will have their water protected because right now it is apparently not dedicated by the water company. I'm really concerned about this water. It's not a shed, it is a stucco/brick building that has been there for 70 years...since the subdivision was initiated.

My other concern is about the house design. She said the intent is to provide quality new construction and an affordable price that fits the neighborhood. Well, this neighborhood is completely, 100-percent Mid-Century homes or homes that are compatible with Mid-Century that were built later. There are no Craftsman Style homes anywhere in this neighborhood, anywhere within a couple of square miles so her design doesn't even fit the neighborhood let alone her asking for a two-story exemption.

I do have some documentation on Mid-Century. It is low design, it is clean lines and unadorned. This Craftsman style home will not fit at all. I went around the neighborhood and I put the dates of all the homes on there and the Mid-Century homes are squarely...there are 23 of them and there are five other homes that were built later, but they are all built very similar to the Mid-Century and are all one-story and they are fine.

Then the height waiver. These are seven homes in the neighborhood (referring to slide) that are all one-story on substandard lots. The same size lot she has, but they are all one-story. Some of them have garages and two of them were built in the 50's and the rest were built in the 70's and 80's and they all fit in the neighborhood. They are all one-story and they have two-car garages. You can see the square footage of one is up to 1,300 square feet. I don't see how she can't sell her square footage because there is plenty of square footage here.

**Committee Member Zabala:** Which corner does that pump house sit on...which street does it abut?

**Jody Hull:** It is at Ace and Regal. It is right where the sidewalk is, so the 4-foot sidewalk is 1-foot from that building. If that building has to stay, I don't know how they're going to put a 5-foot sidewalk without impacting that building.

#### Applicant Rebuttal

**Jeanette Elledge:** I appreciate the concern regarding the pump house. I've done the thorough research on the item. I have three documents. One is from the seller of the property. Basically, they state that in 2017 their well failed. They started having leaks around the neighborhood among the 17 homes, so they made the decision to shut their well down and each home had to pay...I believe it was between \$3,000 and \$4,000 to hook into City water. That was provided by Suez Water. I have a letter from Suez Water stating that all the homes in the neighborhood are provided water by Suez Water. I have a map showing where the water lines go in the neighborhood. I have a letter from the seller of the property stating what I just told you. The pump house is not an issue. I realize it is good as a neighbor to have these things researched because we wouldn't want to cut anyone's water off. That's been resolved.

As far as the design of my house I can't put a one-story Mid-Century Modern home on that lot. I can't sell a 1,300 square foot home when I've had to pay \$85,000 for the lot. That is not going to appraise from an appraiser. I can't dig a basement either and make it a viable project. I tried to make it as nice of a two-story as I could. Like I say, it is not a full-on two-story that goes all the way back. That is about all I can tell you.

#### Public Portion Closed / Committee Deliberation

**Committee Member Semple:** It sounds like the pump house isn't an issue anymore. If the well failed I would recommend that the applicant contact the Idaho Department of Water Resources to make sure that the well has been abandoned appropriately. Other than that, we see a lot of substandard lot applications come through here. We've seen and approved a lot of really nice one and a half story homes that are built in very similar situations like this. The lots were created, but they are now substandard for current zoning. All of these design guidelines kick in. For those reasons I'm going to support staff's motion and the denial of the waiver request.

**Committee Member Zuckerman:** I have no issue with granting a variance for two-stories here. I think that as we look into the future an area like this is going to fill in further and I imagine as homes turn over more and more people are going to want to add second stories to their homes or demolish homes and build larger homes. That is what we see all over the City. I don't see any problem with that.

My issue which is not the issue before us is that this design does not fit the neighborhood at all. It is not about the height. It is just the design. I wouldn't call this a Craftsman, I just wouldn't call it a Ranch style house that fits in with the rest of the neighborhood. The rest of the neighborhood is not Mid-Century Modern it is just simple Ranch homes with clean lines and understated. I get the idea here of front loading the massing because we don't want to see all garage. I think that would be the worst way to do it. It is not the two stories that I think is the issue at all. It is the fact that having columns and varying facades doesn't suit the neighborhood at all. I have no problem with two stories.

**Vice-Chairman Rudeen:** I would make a note. We, and I think the applicant, have interchanged the word variance. We're talking about a waiver and not a variance. Is that correct staff?

**KayCee Babb:** Correct. This would be a waiver for the substandard lot ordinance.

**Vice-Chairman Rudeen:** Just to be sure we're not discussing variances.

**Committee Member Semple:** In response to that. I particularly remember an application that came through that was in an area that will eventually redevelop but has current single-story homes and those applicants were required to still meet the one- and a half story because there is no guarantee as to when these lots will redevelop and the impact on current residents could be felt. The market might change thereby making the redevelopment of the other lots not viable and then there could be a disjointedness to the design of the overall area and the subdivision or neighborhood. I worry about setting a precedent. If the neighbors were all saying, "We're going to redevelop soon"...I know that one of those requests on that specific application was that if the neighbor decided to come in and redevelop their lot also then the current applicant could have requested a modification to get to a two-story. I think this is really to protect the neighbor from having a structure that dominates over theirs by being a full-story above.

In reading through the staff report it looks like there are some good recommendations for extending the one and a half story further towards the rear of the home. Some dormers in there, which I think would break up the plane of the roof, specifically on the back half. I do agree that flipping the garage to the other side will do a lot for the design as well as it puts garages next to each other so you're not driveway, yard, driveway. It gets the vehicular circulation closer together.

I worry about approving a waiver in situations where we've denied waivers before. I know it is a case-by-case basis, but...there are a lot of areas in Boise that are going to eventually redevelop with taller buildings, but this looks like potentially the only vacant lot in that entire neighborhood right now. I had some friends that lived on Queen for a while and they are all single-story around there.

**Committee Member Zabala:** I would agree with Committee Member Semple's comments on that subject. I also agree that staff has put together a really strong report for denying the waiver. As I look at the context of the existing homes, what I see there is not necessarily an opportunity for them to go away, but for them to transition in place where we need housing stock of Mid-Century homes that can be remodeled and upgraded for a particular



population that needs housing in these types of areas. I think the viability of that existing neighborhood as it goes down the road is still pretty strong and be improved with upgrades to the existing housing stock with younger demographics moving in. I would not be in favor of granting a waiver on this.

**Committee Member Semple moved to approve DRH19-00455 as recommended in the findings of fact, conclusions of law and the recommended conditions of approval adding a condition that the home shall be redesigned with the garage on the east side of the lot, and denial of the waiver to construct a full two-story structure.**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | Ben Semple, Commissioner                       |
| <b>SECONDER:</b> | Dana Zuckerman, Commissioner                   |
| <b>AYES:</b>     | Zabala, Rudeen, Semple, Zuckerman, D'Souza     |
| <b>ABSENT:</b>   | James Marsh, Jessica Aguilar, Robert W. Talboy |

V. ADJOURNMENT