I. CALL TO ORDER

PRESENT: Valderrama-Echavarria, Montoto, Morris (Remote), Rupp, Koski, Moroney
ABSENT: Shallat, Richter, Weaver

II. MINUTES ACCEPTANCE

Historic Preservation Commission Minutes | February 25, 2019

RESULT: APPROVED [UNANIMOUS]
MOVER: Jillian Moroney, Commissioner
SECONDER: Carolina Valderrama, Commissioner
AYES: Valderrama-Echavarria, Montoto, Morris, Rupp, Koski, Moroney
ABSENT: Anthony Shallat, Noah Richter, Danielle Weaver

III. CREATION OF CONSENT AGENDA

RESULT: APPROVED [UNANIMOUS]
MOVER: Ericka Rupp, Commissioner
SECONDER: Jillian Moroney, Commissioner
AYES: Valderrama-Echavarria, Montoto, Morris, Rupp, Koski, Moroney
ABSENT: Anthony Shallat, Noah Richter, Danielle Weaver

IV. CONSENT AGENDA

4. DRH19-00069 | Mike Mussell
Location: 1118 W. Lemp Street
Certificate of Appropriateness request to construct a 1 ½-story single-family structure with associated site improvements, in an R-1MH (Town Lot Residential with Historic overlay) zone.
6. **DRH19-00103 | David and Lisa Andrews**  
Location: 1609 N. 9th Street  
Certificate of Appropriateness request to remove an existing 1-car garage and to construct a 1.5-car garage with accessory dwelling unit, in an R-1CH (Single-family Residential with Historic overlay) zone.

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V. **RETURN WITH FINDINGS FOR APPROVAL**

1. **DRH18-00567 | Dean Pape**  
Location: 505 W. Idaho Street  
Discussion and ratification of Findings for Approval (this item was approved at the February 25, 2019 hearing).

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2. **DRH19-00019 | Chad Vincent**  
Location: 1418 N. 18th Street  
Discussion and ratification of Finding for Approval (this item was approved at the February 25, 2019 hearing).

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VI. DEFERRALS

5. **DRH19-00070 | Dennis Taggart**
   Location: 132 W. Main Street
   Certificate of Appropriateness request to construct a 19,670-square foot, 5-story, 9-unit condominium building with parking located on the ground level. The project site is located in an R-OD/HD (Residential Office with Downtown and Historic Design Review overlay) zone.

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Next: 5/20/2019 6:00 PM

VII. REQUEST FOR RECONSIDERATION

1. **DRH19-00010 | Jeff Hatch**
   Location: 1411 W. Irene Street
   Requests reconsideration for further discussion of additional information developed to address Commission concerns with original proposal. (This item was denied at the February 25, 2019 hearing.)

   *Item approved at Work Session.*

VIII. NEW BUSINESS

3. **DRH19-00037 | Ashley Harker**
   Location: 742 E. State Street
   Certificate of Appropriateness request to place solar panels on the front and street side elevations of a non-contributing house, in an R-2H (Medium Density Residential with Historic overlay) zone.

   **TED VANEGAS:** The application we’re reviewing is a request to place solar panels on the front and street side elevations of a non-contributing house in the East End Historic District.

   The aerial you see on the screen is the house outlined in red. As you can see it has an interesting orientation with three street sides to this lot. Here is the frontage along State Street and Straughn is the side street elevation. The rear is also a street elevation.
Again, the property is in the East End Historic District. It is a modern home and was built around 2004 so the status is non-contributing due to the structure being outside of the period of significance in a historic district.

This is a plan provided by the applicant for the solar panels. This application was originally submitted to be reviewed at staff level. It was pretty much what you’re seeing here. Again, this is the front of the house, this is State Street. What you see here are panels on the porch roof area on the side and front and panels on the main front row section and the main street side row sections. As a staff level we don’t approve panels on the front elevation of a roof. The planner who reviewed this plan approved it, but with the condition that panels not be located on the front. That original staff approval said these panels on the main roofline needed to be removed and I believe it also said the panels on the front porch roof needed to be removed. At staff level is was determined to approve the street side roof panels.

Panels that are viewable from the street on a street side or on the front of a house is generally something we’ve been hesitant to do at staff level. However, we have worked with applicants in the recent past to allow staff level panels, on a case-by-case basis, to be located on a street side elevation. However, in this case with the proposed front roof elevation we certainly were not able to do that at staff level. The applicant then applied to come to the Commission to get an approval for this plan.

This is a shot of the front of the home. This is State Street, and this is the street side along Straughn. Essentially the panels will be located on:
- The front hip side of the home.
- The front section of this porch cover.
- The side roof elevation.
- This section to the porch roof.
- The guideline language that we typically reference is seen on the screen.

In the historic districts, panels should be located in a way that is secondary or not quite as visible and we usually require them to be stepped up a couple of feet from the roofline, down from the ridge and setback from the front. We do have some language that restricts those. However, recently we have gotten a little more lenient with these, and as I said before we have, on a case-by-case
basis, been approving street side elevations, but we haven't been approving them on the front at staff level.

With that these are the conditions we have recommended to the Commission. Like I said, in the historic districts we generally don’t approve these on the front roof elevation of a home. We do have a condition that the front main roof section be free of panels. Potentially, the panels could go on the porch roof since it is slanted in way that they may be less visible. Our one condition here is the panels be allowed in all proposed locations except for that front facing roof facing State Street.

APPLICANT TESTIMONY

RUSS TODD (Owner): We had submitted another proposal and the panels are not laid out as presented there. The system is designed that if you take panels away then it doesn’t meet the electrical needs of my home. The panels on the porch are not visible from the street at all and we’ve got some pictures here that show that much of the panel was visible on the slanted part of the roof. We’ve seen several installations in the historic district that have significantly more street side panels facing the street than what I am proposing. I would have three on the Straughn side and three on the State Street side. That is only six panels which is a lot less than several of the other installations that have been previously approved in the historic district. Unfortunately, I don’t have any visuals to put up, but if you’d like to look at them?

CHAIRMAN MONTOTO: Yes, we can submit those to the record. I will take those. (Entered as Exhibits A, B, C).

RUSS TODD: You approved the panels on the one section of the flat roof part instead of spreading them out along the Straughn Street side. This is the third time we redesigned the panel layout based on the back and forth with the historic district. I’ve also upgraded the panels at another $2,500 in cost to have the most aesthetic or the best panels I could buy. This isn’t a DIY project. I’ve hired Auric Solar who engineered and designed it. It will be professionally installed, or I’d be up there trying to do it myself. I’m seeking approval for the design as it is laid out there. Otherwise the system would not produce enough energy for me to put out that kind of money to make it worth my while.
COMMISSIONER RUPP: In the proposed outline in the staff presentation it is listed here that there are three along the front and to me it looks like five on the side and on top of the roof there are five or six. You are proposing six total?

RUSS TODD: All of the panels on the flat part...none of them are visible from the street. My understanding is that the concern is with the six panels that are up on the second story. Is that true or not true?

TED VANEGAS: I think the applicant, when he is talking about the six panels, the six panels of most concern would be these on the main roofline. The three on the front and the three on the side roof. The contention is that the panels located on the porch roof would create visibility issues.

RUSS TODD: In the pictures that I passed around (Exhibits B and C) the ones on the flat part which is the majority of them won’t be visible at all.

COMMISSIONER VALDERAMA: So that I understand there are 17 panels and you need all 17 to run in order to have your return on your investment? Is that correct?

RUSS TODD: Yes. The other thing about the panels on the top...when Auric did their solar survey of the house those six panels, because of their orientation, I don’t want to say are more productive, but they are higher output than the other 11 so they are very important to the system because they are higher up in their orientation. That is why it is important and if we can’t do it all then we end up doing nothing. I think there was meeting last week about Boise and its support of solar energy. It is clean, renewable and the way to go, but I need your support.

COMMISSIONER KOSKI: I haven’t seen the handouts, but are those revised from what we have in our packets?

RUSS TODD: Yes. When you get that drawing you’ll see how the panels are grouped. We’ve moved them back this way and got rid of these and then grouped them all right in here. They will be virtually not visible from the street. You’ll be able to see about that much. If you look at the cant of the roof of the side of the panel...none of these panels would be visible at all. Just those up there.
COMMISSIONER KOSKI: Ted, if they come in with a revised proposal that was not in our packet does that affect what we’re trying to do here, but as far as approval goes?

TED VANEGAS: If you’re going to approve the plan that was submitted to you tonight by the applicant then you’d make it clear in your motion that you are approving the plan submitted to you by the applicant. You can do it that way.

COMMISSIONER KOSKI: Okay.

COMMISSIONER RUPP: Ted, I would like to look at your approval with conditions slide. Mr. Todd, have you had an opportunity to look at the conditions of approval and are those what you are not comfortable with? Can you explain to me a little bit about what components of the conditions bring you angst?

RUSS TODD: If I understood them correctly I would have to take the panels off the upper part of the roof. Like I said, because of the orientation of the six panels on the top and the way that they are not lying flat and not pointing directly to the sun, those six panels produce more of the electricity I need per panel than the ones lying flat. It is a matter of the way the system was engineered and the solar study that Auric did to design the whole system.

No Public Testimony

No Staff or Applicant Rebuttal

Public Portion Closed

COMMISSIONER KOSKI MOVED TO DENY DRH19-00037.

COMMISSIONER RUPP SECONDED THE MOTION.

COMMISSIONER KOSKI: It is clear the solar panels are on the street side and front of the house and visible. While there is a very slightly sloped roof in the front it is very clear there are a lot of solar panels on the front of the house. That is not approved in our guidelines and my second concern is that non-front of the house is still a street side visible application. While I appreciate and understand the need for things like this and for solar items based on the guidelines that is why I moved to deny.
CHAIRMAN MONTOTO: I would like to say that this is an interesting situation. Not only is it interesting because moving forward with new technology and advances it is important especially in the context of historic preservation. We do have guidelines that we are required to uphold and that being said, if this were any other configuration on any other home it could potentially work, but given that your home is basically in an island on the street you have streetscapes from every single angle of your home so it makes it a bit difficult when we’re talking about having solar panels that are visible from the front main roofline when it would be visible essentially anywhere. We are here to uphold guidelines and based on our guidelines this isn’t something I would be comfortable moving forward with. I’m curious to see what my other Commissioners have to say.

COMMISSIONER RUPP: As I was reviewing this and looking and wanting to follow-up in questions I felt that I would have been supportive with the approval with conditions such as staff recommendation. I understand from the applicant that approval with conditions are such that it is making it unrealistic for a cost breakdown which I can understand where you’re coming from as a homeowner and understanding that you have the largest investment and you get your return on that, but I was not moving forward with approving unless it was with the recommended conditions. This is why I seconded with my motion and will be denying.

COMMISSIONER VALDERAMA: If the 17 panels were somehow not on the top parts, but on that flat roof it would probably be a little bit better. This is a tough thing for me because I’m very much a proponent of solar energy and reusable energy and it is something that we all need to think about going forward with these. We have to go back to these guidelines and they are there for a reason. As far as the other solar panels in other homes, like what we talked about earlier, there are so many different areas and districts that were formed at later and different times so those solar panels could have been placed there at other times prior. Rethinking if they were reconfigured I could see this going forward in the future if we had something like this. I imagine that we’re going to have more of these coming up.

CHAIRMAN MONTOTO: I would like to think so.
COMMISSIONER VALDERAMA: We’ve got to follow the rules.

COMMISSIONER MORONEY: I’m going to go against the grain. I would approve it. Looking at this house, it is a non-contributing structure and it is already very modern, and I don’t think there would be any illusion to the fact that these were historically placed on this house. Given the context of these solar panels I would approve it.

CHAIRMAN MONTOTO: Thank you, I appreciate that.

RESULT: DENIED [4 TO 2]
MOVER: Devin Koski, Commissioner
SECONDER: Ericka Rupp, Commissioner
AYES: Carolina Valderrama-Echavarria, Isaac Morris, Ericka Rupp, Devin Koski
NAYS: Cindy Montoto, Jillian Moroney
ABSENT: Anthony Shallat, Noah Richter, Danielle Weaver

IX. ADJOURNMENT