

Motion Sheet for Appeal of Administrative Special Exception for Replacement of a Noncomplying Garage and Additional Height and Certificate of Appropriateness

Petition Number: PLNAPP2018-00811

Motion to approve (Staff Recommendation):

Based on the findings listed in the staff report, the information presented, and the input received during the public hearing, I move that the Historic Landmark Commission approve the special exception request for replacement of a noncomplying accessory structure and additional height and the Certificate of Appropriateness request for 55 N Virginia Street. The Commission finds that the project complies with the review standards as demonstrated in the Staff report.

Motion to approve with conditions modified by the Commission:

Based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Historic Landmark Commission approve the special exception request for replacement of a noncomplying accessory structure and additional height and the Certificate of Appropriateness request, with the following modifications:

1. List the conditions that are to be modified, added or removed

Motion to deny:

Based on the information presented, and the input received during the public hearing, I move that the Historic Landmark Commission deny the special exception request for replacement of a noncomplying accessory structure and additional height and the request for a Certificate of Appropriateness. The Commission finds that the project does not comply with the review standards for special exceptions in 21A.52.060 and 21A.52.030. The Commission also finds that the project does not comply with the applicable review standards for historic properties in 21A.34.020.G.

1. The Historic Landmark Commission shall make findings on the standards, specifically stating which standard or standards are not being met)

21A.52.060: General Standards and Considerations for Special Exceptions

No application for a special exception shall be approved unless the planning commission, historic landmark commission, or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

- A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.*
- B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.*
- C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.*
- D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.*

- E. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.*
- F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.*
- G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.*

21A.52.030: Special Exceptions Authorized

A. In addition to any other special exceptions authorized elsewhere in this title, the following special exceptions are authorized under the provisions of this title:

- 1. Accessory building height, including wall height, in excess of the permitted height provided:*
 - a. The extra height is for architectural purposes only, such as a steep roof to match existing primary structure or neighborhood character.*
 - b. The extra height is to be used for storage of household goods or truss webbing and not to create a second level.*
 - c. No windows are located in the roof or on the second level unless it is a design feature only.*
 - d. No commercial use is made of the structure or residential use unless it complies with the accessory dwelling unit regulations in this title.*
- 19. Replacement or reconstruction of any existing noncomplying segment of a residential or commercial structure or full replacement of a noncomplying accessory structure provided:*
 - a. The owner documents that the new construction does not encroach farther into any required rear yard than the structure being replaced.*
 - b. The addition or replacement is compatible in design, size and architectural style with the remaining or previous structure.*

21A.34.020: Historic Preservation Overlay

G. Standards For Certificate Of Appropriateness For Alteration Of A Landmark Site Or Contributing Structure Including New Construction Of An Accessory Structure: In considering an application for a certificate of appropriateness for alteration of a landmark site or contributing structure, the Historic Landmark Commission, or the Planning Director, for administrative decisions, shall find that the project substantially complies with all of the following general standards that pertain to the application and that the decision is in the best interest of the City:

- 1. A property shall be used for its historic purpose or be used for a purpose that requires minimal change to the defining characteristics of the building and its site and environment;*
- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;*
- 3. All sites, structures and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create a false sense of history or architecture are not allowed;*
- 4. Alterations or additions that have acquired historic significance in their own right shall be retained and preserved;*
- 5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved;*
- 6. Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of*

missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects;

- 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;*
- 8. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment;*
- 9. Additions or alterations to structures and objects shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiated from the old and shall be compatible in massing, size, scale and architectural features to protect the historic integrity of the property and its environment;*
- 10. Certain building materials are prohibited including the following:
 - a. Aluminum, asbestos, or vinyl cladding when applied directly to an original or historic material.**
- 11. Any new sign and any change in the appearance of any existing sign located on a landmark site or within the H Historic Preservation Overlay District, which is visible from any public way or open space shall be consistent with the historic character of the landmark site or H Historic Preservation Overlay District and shall comply with the standards outlined in chapter 21A.46 of this title.*