CAC Meeting January 10, 2018 – Development Review and Areas of Adjacency, Take 2

Attending: Brian Cooke, James MacDowell, Janelle Kechter, Jennifer Carpenter, Meg Dunn, Sarah Payne, Sherry Albertson-Clark. Staff: Karen McWilliams, Maren Bzdek, Cassie Bumgarner, Tom Leeson, Brad Yatabe, Anna Simpson, Spenser Branson

Re: next meeting: Want to discuss at the end if we'd like to continue this topic further or move on to demolition/alteration and dangerous buildings, as scheduled, and return to development review later.

This is a continuation of last month's topic. We felt that it is such an important topic that we need further discussion. I have received some comments via email. Explain handouts: radius for typical Old Town commercial block and typical Old Town residential block. Also matrix showing Clarion's recommendations for evaluating character; note that a couple revisions were made based upon last month's discussion.

Tom: This is the same group (essentially) that was here last time—do you all feel it's worthwhile to continue this discussion?
The group agreed that they would like to go through the presentation for background and refresher. James has questions that he would like to ask throughout the presentation.

PowerPoint.
Definitions slide:
Area of Adjacency a combination of Radius, Height, and Designation Status
Radius:
        Abutting (touching)
        Adjacent within 200 feet
        Adjacent between 200 and 500 feet
Height: 3 or more stories – under 3 not reviewed unless abutting
Status: Designated vs Individually eligible

Slide about radius in OT neighborhoods:
Typical residential neighborhood blocks are 580 x 400 or 400 x 400, about split evenly. This graphic is to show how far that would be and what we could capture in 500 feet, 400, 300, etc. 50-foot-wide lots are typical. There is an average of nine parcels per city block, but this can vary considerably. Whitcomb Street a typical neighborhood residential street; Mountain Ave. wider.

Slide about radius in OT commercial:
Two types of typical blocks, 580 x 400 and 400 x 400. There are more 400 x 400. Streets count as part of the distance, and streets included in examples. This example is the new Union Restaurant at Linden and Jefferson. The area of adjacency that was used for the development review of that project was 200 feet. We did not determine by this metric, but this where it landed in our current process.

James: What are the two goals?
Karen: Goal number one want to protect the eligibility and viability of the historic property. Goal number two is to protect the character of the neighborhood.

Slide on Goal 1: Protecting Historic Integrity/Eligibility: Reviewed using the Secretary of the Interior's (SOI's) 7 aspects of integrity. Discussed each aspect: location, design, setting, materials, workmanship,

feeling, and association.

James: Assume we have a designated residential property. Option A: two story homes around it. Option B: 20-story towers surrounding it. How do these two options change its eligibility?

Karen: As abutting, those towers have the ability to affect the historic building's design, materials, workmanship, setting, and feeling. Clarion feels if it isn't abutting, but within 500 feet, only setting and feeling would be impacted. Clarion's recommendation for integrity do not make a distinction between individually eligible and designated when abutting.

James: the visibility of the materials, to me, is different than the actual materials

Sarah: It could create environmental changes to the materials. It could trap moisture and cause conservation issues.

Karen: The SOI Standards also looks at if materials, design and workmanship have been obscured.

James: Terms could be more clear. Environment and visibility seem much more clear than design and material. Janelle agrees with that.

Jennifer: These are the National Register terms so we cannot change those.

Janelle: We could change how we apply those to the local review projects.

Karen: We can add onto the SOI definition to make idea of environment and visibility more understandable.

Spencer: I wonder if there is some distinction to be made between new additions and new buildings. Example: Forest Service Building. There are codes that already talk about making sure that new buildings don't overshadow abutting buildings.

Karen: When we are looking at the code, we are discussing all new construction. If its a designated building, it is reviewed under the Design Review codes, which were Topic 2. If individually eligible, and they are adding an addition, that falls under Demolition/Alteration Review, which is Topic 4. These codes are geared toward new development.

Questions: Goal #1 - Protecting historic building's integrity:
Should designated and individually eligible properties be treated differently?
    Nearly all agree that individually eligible and designated should be treated the same.
What's the appropriate radius for reviewing retention of integrity?
    Tom's clarification: there's abutting and then what you're reviewing within that radius. When you think about what the appropriate radius is, make sure you're looking at what they feel you should be reviewing (setting and feeling from Clarion's recommendation)

James: Why have a second level? What's the point of the area of adjacency? There are conflicting intents. There's protection of historic resources and predictable development review. What are we saving or the benefit of having the differentiated standards? I'm suggesting you only have one standard, but still unsure what that is.

Jennifer: So the question is, are we clarifying or complicating the standards?

Meg: I feel like its clarifying to break it out. The example I think of is Oak and Mathews. For the further out buildings, we shouldn't have had to look materials. We would not want to look at those further away ones for the same thing as those abutting.

Jennifer: Two goals: clarity and predictability of properties for development review, and protecting historic properties. I think if I was a developer, I would want to know upfront these are the possible things that could happen rather than potentially having the surprise of other buildings.

James: There should be one standard and then show examples of exceptions. There are only extreme things that will happen.

Sarah: I'm agreeing with James. You should have the opportunity to review all seven aspects of integrity within all 500 feet, and then guidance that it will likely be say setting and feeling further away.

Tom: I appreciate your comments, but the development community wants predictability. Don't leave a door open.

Sarah: I see what you're saying, but the door should be open. You should qualify that we can review all of them, but that for most of the time, this won't be an issue.

Karen: Could this be solved with an exception clause or modification clause in the code?

Jennifer: I look at this as a commission member and we already struggle with those kind of exemption clauses. Who would make that decision?

Karen: Staff would make initial decision and the commission would note in their findings. We would have to figure out the triggers.

Janelle: We don't need any more processes. We need the intent spelled out in the code. Our firm is hired to figure out the intent of the code.

Sarah: I think 500 feet is too much.

Jennifer: I have a problem with all seven aspects only applying to abutting because I believe all of those can be affected further than just abutting parcels. Looking for a compromise like within 200 feet all seven apply.

James: I feel like abutting plus one would be the best, especially in residential neighborhoods. I think all aspects of integrity should be applied because it is more predictable. Instead of complicating it and have say 8 properties and this set of aspect of integrity and 10 of another set of aspect of integrity, it would be more efficient to have all aspects included. I feel that a differentiated process doesn't really make things more predictable and makes it more complicated.

Meg: What about block faces?

Janelle: Don't we already have that in the code? This is LUC 3.4.7. We have that in place already if we aren't willing to go back to a general standard area.

Karen: When we're looking at 3.4.7, we don't think the code is serving us well right now. There are many examples on the ground where there aren't street faces, such as farm properties or if a development is on the alley, etc. There are a lot of questions and issues. Also have trouble with city's definition of streets: Walnut, although very narrow, is considered an arterial like College and Mulberry. We are looking to define it differently.

Janelle: The way this is code reads and the way other new construction codes reads are different and not always defined.

Jennifer: This would replace the loose language.

Meg: I like having a radius and feet and all of that—even if we had 100 feet. Would we still have the ability to ignore some of the historic properties if they are not effected? Can we subtract some buildings from this broad area?

Karen: Yes, the radius would the maximum area. You might only identify two or three properties that would apply, out of five or six that are individually eligible/designated. You can subtract.

Meg: Likes 100 feet rather than abutting.

Spencer: 100 feet would be catching two or three in Old Town.

Sarah: We should think beyond Old Town, like South College Heights.

Jennifer: I would be more comfortable with saying 200 feet with all seven aspects of integrity and that would help with the south part of town.

James: I feel like that since the residential neighborhoods change throughout town and have different lot sizes, I think this would support a parcel argument. I think it should be parcel plus two.

Jennifer: I think the radius is much more precise/predictable.

Karen: I see where James is coming from, but I hesitate to differentiate between commercial and residential. For predictability, I would prefer to have one system that goes across the board.

Janelle: I would be in favor of a smaller radius. Designated buildings stand on their own. Building something across the street doesn't change that designated building at all. What about Uncommon changes that historic stone church? How do you change the workmanship of the church?

Meg: the National Register would look at if the workmanship has been obscured.

Karen: Do we want to try to reach a consensus on this issue?

Sarah: I'd be fine with abutting or Meg's solution for abutting and then 200 feet for the setting and feeling. I agree with the exact Clarion recommendation, but change 500 feet to 200 feet.

Karen: So does the group agree with this?

Jennifer: If I were Queen, I'd make it one standard for 100 feet as abutting and use all seven aspects of integrity.

James: Looking at these two examples, I would see 200 for residential and 300 for commercial.

Sherri: I would go to west side of College or something—Old Town is a little too funky for college.

Spencer: We need it to work in Canyon.

Sherri: I like one standard for both and I would support 150 feet. It seems reasonable. South College Heights are about 50-60 feet wide. There are tons of 60 x 100 lots in town that are about to turn 50.

Karen: So what I'm hearing from most people: one category, that includes both commercial and residential and designated and individually eligible; and one standard (within x feet). Meg disagrees, most of group agrees.

Sherri: I just like having the one standard. I like the one, consistent standard. I think it's reasonable to have 150 foot radius and keep it straight forward.

Sarah: I think it would be really nice to see this mapped in several neighborhoods.

Karen: We will get these mapped.

Goal #2: Compatible infill development: respect historic character/be a good neighbor:
We would review for compliance using context-sensitive zoning standards. These would be developed for each of the different character areas.

Meg: So this still doesn't apply to Midtown or South College Avenue?

Karen: No, those would be reviewed using general standards. The design character areas are only in the Downtown zone area.

Meg: There needs to be something when outside character areas in the code.

Karen: Anna created a chart of Clarion's recommendation for reviewing character.
Slide showing chart:

Should designated and individually eligible be reviewed differently? What's the appropriate radius for compatibility? Are the heights (less than 3/3+ stories) best? Are the criteria correct?

Tom: Clarification - so this would be in addition to the general compatibility standards, and is this necessary?

Karen: Most criteria added to the general compatibility standards and then perhaps have only one or two additional standards that are specific to historic preservation. We want to put everything possible in the general standards.

Janelle: So much of this would be in 3.5.1, but then some additional specific historic requirements?

Karen: Yes. Example: stepbacks at a certain height relative to the abutting historic building.

James: Why have eligibility and compatibility separated?

Janelle: Are these two goals ours or Clarion's?

Karen: Clarion articulated those goals, but this is key to historic preservation. We are tasked with keeping eligible buildings eligible and then separately the codes are tasked by Council with retaining compatibility and sense and place.

Jennifer: Historic buildings have different criteria for effects on eligibility and integrity rather than compatibility. Integrity and compatibility are alike, but different.

Maren: What we are looking at is what are the additive pieces for historic resource preservation? Once we get outside the downtown, the code has to stand alone.

Jennifer: We need to know what the compatibility standards are that we are refining. Article 4 or 3?

Janelle: So 3.5.1 applies to all and what would we want to add for historic resources?

Spencer: If you have specific considerations for downtown, we could incorporate that.

Janelle: Can you map our options? Show us what our options are?

Karen: we'll have a matrix and bring our options.

Sarah: This is overly complicated—I'm a little confused.

Maren: Overlap in the code isn't as problematic as conflict. There can be repetition for clarity, but not have everything carry over.

Karen: Desire to continue this topic, or move on to demolition/alteration and return to this later?

Agreement to continue with this topic.

End: 1:11 pm