



## HISTORIC PRESERVATION BOARD MEMBERS

**Chair:** Barry Binder

**Vice-Chair:** Carol Lopez,  
Len Kendall, Brett Lobello, Darryl Smith



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**5.D** FILE NO.  
**AR R 20-00418-HPB**

PRESENTER  
**Gaby Serrano,**  
**Planner II**

**Request for approval from the Historic Preservation Board for the construction of a 1,291 square feet single family detached residence and a covered deck. The site is located at 15 W Del Norte Street. (Quasi-Judicial)**

**Planner Presentation:**

Gaby Serrano, Planner II gave a PowerPoint presentation describing the intent and scope of the project.

**Applicant Presentation:**

The applicants and property owner Ashley and Adam Ackerman and Applicant, Lindsey Tysland gave a presentation describing the intent and scope of the project.

The design of the home will be a Tudor Style home. The materials for the exterior of the home will be stucco with timber trim at the top of the gables, the windows will be a combination of casement and double hung windows, a combination of colonial pane and diamond paned windows consistent with the Tudor style. The fireplace will be done in stucco, and a solid wood arched front door. They will not have a front porch since that is not in keeping with the design standards of a Tudor style home. They chose gravel for the driveway and parking area instead of concrete to help with run off.

**Questions:**

A Board member clarified what the colors of the house would be? Ms. Tysland stated green and white. A board member asked if the colors would match. Ms. Tysland said, "Yes."

**Public Comment:**

Mike Andersen has questions about how the item was posted and described in the agenda. Mr. Anderson stated the description of the project within the posting is not correct and misleading. The size of the home is over 3,032 sq. ft and not 1291 sq. ft. home with a garage on a very small lot. A 3,000 sq. ft. home on a 3700 sq. ft. lot would be too much for a house on that size of lot. Due to the way the project is described you won't get comments or feedback because the public think it's a 1291 sq. ft home but in actuality it's not. So the posting and what's in the agenda are misleading or correct to what is being proposed at the site. The mass and scale of what's being proposed on a very small lot is an issue for consideration. He recommended the item be

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postponed and reposted with an accurate description of the proposed project and reheard at a future date.

Nils Venheim, 1624 N. Cascade Ave, owner of the adjacent property on Cascade Avenue was glad someone wants to build something on this empty lot. He thought the footprint of the home is 1258 sq. ft. with a proposed front yard setback of 18' from Del Norte. That setback is well within the norms. 1624 and 1632 have garages that are side-by-side with six-feet between the two garages and their proposed garage would be well within what could be called the norms of the Old North End. There is diversity with both large mansions and other size homes. He would share a property line with this home and would like to see that empty lot developed.

Ms. Serrano reminded the Board their purview was the design of the structure and not the nonuse variances. Those non-use variances are reviewed and can be approved by staff. The citizens would have the right to appeal the staff's decision of those variances.

Mr. Walter Sargent, property owner at 1632 N. Cascade Ave, stated he reviewed the plans but wasn't qualified to judge the design. His concerns were the size of the house, particularly the height of the house over 30' on a previous vacant lot. But agrees with Mr. Venheim it would be great if this lot had some real estate on it but doesn't know if it's the right place for that size of structure.

Pat Doyle stated she also felt that information about what was proposed was misleading. There needs to be more of a public process and time to discuss this further. The determination of the variances is important because this is a very small lot. The footprint of the home is small but it goes up and wondered if it will loom over the bungalow facing Cascade because that is against the design standards that you can see a structure from the back towards the front of another structure. The houses along this area of Del Norte have front porches made of wood and single brick so in her opinion stucco is inappropriate. Looking at the design standards in multiple areas raised questions in her mind. For example, the type of construction materials that are listed but include the word similar and that is undetermined. As an example, Ms. Doyle referenced the windows. Were they divided panes, multi-paned, were they divided by wood, or pasted on divisions because that would be an unacceptable substitute. Under area wide standards regarding spacing between buildings, this is someone's back yard that was sold off years ago



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just because it's there doesn't mean it's a good place to construct a building. That's why if the variances aren't reviewed ahead of time makes her nervous because some do not comply with their design codes at all. This is a postage stamp lot so you have to build up to get the size of house they want. This home would be a different style than surrounding homes and could loom over those homes which again is against the design standards. She agrees with Mr. Anderson to have this item tabled and the variances reviewed and other questions answered before the Board votes on this.

Tim Boddington had a question regard the process of presenting info. The context for understanding the discussion isn't able to be effectively communicated when you don't have an elevation of the street or how big the lot is in comparison to what's next to it, and adjacent to it or behind it. There's no photographs detailing the neighbors and how tall their homes are in comparison to entire street. From just what is shown as part of the application pictures you don't have an understanding of the size of what's proposed from a street level and in comparison to the homes around it. He felt the Board should include having some type of street elevations so there is a better understand and context of what the comments are referencing in order to have a better understanding of what is being asked to be approved.

### **Board Discussion and Comments:**

Chair Barry Binder had questions for staff. He stated he felt the item should be tabled because he also had concerns about the posting. City staff indicated that City Legal Staff indicated that proper notification was given and since it wasn't determined to table the item, they have to give a decision today. Ms. Serrano stated that was correct. Chair Binder clarified regarding the comments about the different variances are not the purview of the Board the purview of the Board was the structure itself. Ms. Serrano confirmed that was correct. Principle Planner for the Central Team, Mr. Daniel Sexton, expanded on Ms. Serrano's statements that while Ms. Serrano was correct, there could be a third option which was if through the Board's deliberations and discussion there were significant issues and you want to give the applicant the opportunity to consider those aspects and come back to you with further information, while earlier in the meeting a consideration to postponed based on the public notice was not motioned or approved the Board does that that third option with discussions with the application to postpone for further consideration until the next meeting.

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Chair Binder stated if the application was approved by the Board, was he correct in stating the public could also oppose any of the variances. Ms. Serrano stated that was correct.

Board Member Lopez stated new construction in a Historic Preservation zone be considered carefully. She isn't objecting to anything on the proposal she thought it was fair for the public and the Board to request further specification on materials and photographs Mr. Boddington brought up from a street level aspect. Also because this is new construction we should have more information to consider. She recommends tabling or resubmitting it so there is more clarity for the Board to consider and hear the item in August with these specifications rather than forcing the Board to make a decision with incomplete information. Ms. Lopez tried to let Chair Binder know at the beginning of the meeting that there were people who felt this item wasn't posted correctly but she wasn't able to be heard.

Chair Binder asked staff that since we're under unusual circumstances some of the Board Members are visible and could be heard, and some could not what protocols are in place to revisit the request brought up in the meeting to table the item until August or take a vote to push it to August so proper an accurate information can be done for the posting.

Mr. Sexton, stated the Board has the ability to discuss with the applicant whether this should be considered or not or if they would consider a postponement. If a postponement is considered the Board needs to be clear about what they are asking the applicant to provide. For example, a comment from the public was about statement for material and similar products discussed in the proposal but when looking at the elevation plans, there is not statement like that. To have a continued discussion with the applicant will help to understand the full intent and scope of the project, if there are outstanding questions or concerns they could be part of those continued conversations. However, it doesn't change the fact that the accompanied nonuse variances are considered administratively and based on the fact that some design changes could impact those variances staff has determined to wait to give a determination on those variance until the exterior of the structure is approved. We do not want to be in the situation where one of your design requirements is to blend this style of home with the surrounding neighborhood and have a porch, that porch impacts the relief for front yard setback. Staff will need to balance those application processes but Mr. Sexton would have the Board

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have a considerable dialogue with the applicant what concerns you have and if that information can be provided at the meeting here.

Chair Binder asked to re-clarify that at the beginning of the meeting staff gave the Board the choice because of the improper posting to determine whether or not the Board wanted to push the item to the meeting next month so that proper notification could be made. Chair Binder said that when it was asked that we do that Board Member Lopez tried to let him know she agreed to push it to the next month but her microphone would not unmute. Had the Board at that time decided to hear the item next month the item would then be re-posted.

Mr. Sexton said it depends. In most cases we do not but they could due to the questions that have been raised about this application. If it was set out to a date certain in August staff could re-notice and re-post the site with the change of correct information. It could be something as simple as "New Single-Family Home" with no further clarification about the project and no mention of the variances. The Board needs to be careful about how you're framing the reason for postponement. You would only be considering the design of the home, not the variances for relief.

Chair Binder stated his concern was the posting are done so the neighbors understand the size and scope of the project that would be around their homes and although their comments may not have an impact on their decision it's important to give the public the correct information about the project.

Chair Binder stated they needed to decide if they should postpone this item to the next Board Meeting and have staff repost the project and provide correct dimension of the home.

Ben Bolinger, City Attorney, stated there were 2 options. If you just want more information or something your concerned about you can postpone to a date certain and that is to continue this hearing that has already begun to the next meeting. It would be the same hearing but be the opportunity to gather more information. But if you very concern about the notice and you think you may be hearing an invalid item because of not having given correct and proper notice then this hearing is actually void and you need to stop having the hearing and direct the staff to re-notice for a new hearing that would start at the next meeting and all of the information would have to be presented again. Mr. Bolinger stated he'd spoken with Mr. Sexton earlier in the day. The purpose of the notice is to let the public know there is a project and they have

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the opportunity to participate. It does not matter how many square feet the house is and yes it would have been great if it had been completed accurate and he doesn't know if it was or wasn't. But that's not the purpose of the notice as I stated earlier and the fact there are people hear about the project shows they got sufficient notice about the project and to come and offer comments and participate. You can make an independent decision and you don't have to take my advice on it but he is not concerned that this meeting wasn't properly noticed but if they are, then the Board needs to make the decision to stop and completely start over in August.

Mr. Sexton asked Mr. Bolinger for a point of clarification. If the Board chooses to make a motion to stop the hearing, and it fails, the Board would have to continue the hearing and make a decision, correct?

Mr. Bolinger state if the Board does not determine the hearing was not properly noticed then we need to move forward.

Chair Binder stated based on Board Member Lopez comments and other Board member who may have had the same problem with technical issues does anyone want to make a motion stop the hearing and push it to August. Board Member Kendall stated he didn't think that was necessary but they could asked the applicant if they wanted them to do that and would they be willing to do that.

Ms. Tysland, the contractor for the Ackerman's, the applicants, stated listening to both sides and knowing all the planning that is behind the project she felt they had presented what was necessary for the Board. What they are looking at is replicating as close as possible the house on North Cascade that was shown as a picture in the packet. With all of the different designs they plan on using, the City needs to dictate as far as variances and what they are proposing as far as the aesthetics. Regarding the discrepancy for square footage on the posting wasn't correct but the purpose of the posting was to have the neighbors have an opportunity to participate in the hearing. However, looking at what we are proposing as far as materials and what we're looking to do is blend into the neighborhood. The Ackerman's know it's important to maintain the history of the neighborhood. They have lived in the Old North End before and want to live there again and that's why they purchased this lot. Board Member Kendall if everyone was concerned about noticing with the correct square footage, technically square footage isn't in their purview but mass and scale is. He did not think adding the square footage would really

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affect the decision they need to make. He understands there are material questions that need to be asked but as far as the posting, as the city attorney stated, we've met that.

Chair Kendall stated they would proceed and consider this project was that what he understood. Because even though we couldn't hear Board Member Lopez and she participate in all the other votes, she couldn't get her microphone to unmute, correct?

Board Member Lopez stated that was correct but after hearing the arguments, she was ready to go ahead with the meeting.

Chair Binder stated he didn't have a problem with the aesthetics and design of the home. The comps they provided were very helpful. He concerns with Board Member Lopez's statements about the materials and if enough overview of what the materials look like. It's not the same as replacing something, it the construction of a new home so material are vital as to whether it meets the design standards.

Vice-Chair Lopez asked the applicant about a covered deck but there's no picture or diagram to see where the deck would be located. Ms. Tysland stated it's on Ms. Serrano's Power Point and it's listed as a porch. It will be the west elevation that shows the five windows and it's a covered porch on the side of the house which is actually on the east side and on the plans it would be the direction you'd face. So the way the house faces it wouldn't have an aesthetic view anyone nor for anyone walking by. Vice-Chair Lopez stated where the plans say porch that should read "deck" is that correct? Ms. Tysland stated, "Yes"; Vice-Chair affirmed if it was covered, Ms. Tysland stated it was covered.

Vice-Chair Lopez asked about the steel railings for solar, what is meant by "or similar" what would be the other choices would the family consider. Ms. Tysland stated what they showed is what they want, but added the "or similar" just in case they couldn't get that specific product. Vice-chair Lopez asked if it would be metal, Ms. Tysland stated it would be like wrought iron.

Vice-Chair Lopez asked about the windows and stated in the photographs of the windows they provided which are three vertical windows, are they going to be divided into lights. Ms. Ackerman stated they are choosing a combination of the divided light windows and diamond windows which are based on the

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elevation and have a composite exterior with a Tudor pattern. Vice-Chair Lopez stated in summary the architectural drawings that's been provided, you are stating if it says there will be a diamond window there, you'll actually have a diamond window, or a rounded door, or timber that's what you'll have, correct? Ms. Ackerman stated, "Yes."

Board Member Lobello stated he appreciated their attention to style, texture and material and is looking forward to the craftsmanship that will go into the construction.

Board Member Kendall stated he didn't have really any questions but wanted to say the public comments that were received were a lot that was not within their purview. He understands people have stated the lot is small and it's a large house but again it's not their purview. The property owners can't change to have the house located somewhere else in the Old North End, so he thinks this is great.

Ms. Serrano asked if there were further questions from the Board, there were none.

Ms. Serrano asked for a motion from the Board.

**Motion:**

Chair Binder asked for a motion to either approve or deny the project.

Vice-Chair Lopez motioned, and seconded by Board Member Lobello to approve a Report of Acceptability for 15 W. Del Norte Street single-family residents project based on the findings the request meets the review criteria for granting a Report of Acceptability as set forth in City Code in Section 7.5.1605.C or other City Code Review criteria as applicable.

**Vote:**

**Yay:**

Chair Binder, Vice-Chair Lopez, Board Member Lobello, Board Member Kendall

**Nay:**

**None**

**Pass:**

**4-0**





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