

HISTORIC PRESERVATION COMMISSION
Minutes for January 6, 2021 at 6:00 p.m.
City Council Chambers, Municipal Building
911 N. 7th Avenue, Pocatello, ID

The meeting began at 6:00 P.M.

AGENDA ITEM #1: ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST AND EX-PARTE CONTACT

Disclose who was talked to, the basic substance of the conversation, and whether the conversation had any influence. Disclose if there is anything personally or professionally that would not allow an impartial or unbiased decision. Disclose if a site visit was done, location(s) of the visit, and what was seen.

PRESENT: Jacquee Alvord (arrived at 6:04 PM), Donald Elston, Elizabeth Fore, Latecia Herzog, Nick Nielson, Jeremiah Stoddard, and Marty Vizcarra.

STAFF: Jim Anglesey, Councilwoman Leeuwrik, and Aceline McCulla.

Herzog noted the applicant approached her regarding the application in Agenda #3, due to the approved materials and design from the previously approved application and that she represented the applicant in that previous application. Herzog was not asked to represent at this meeting and she disclosed that she would abstain from any actions on agenda item #3.

AGENDA ITEM #2: APPROVAL OF MINUTES

The Commission may wish to approve the meeting minutes from December 2, 2020.

It was moved by **J. Stoddard** and seconded by **J. Alvord** to approve the meeting minutes, as written, from December 2 2020. Those in favor: Alvord, Elston, Fore, Herzog, Nielson, Stoddard, and Vizcarra. Unanimous. Motion carried.

AGENDA ITEM #3: CERTIFICATE OF APPROPRIATENESS

Dane Simmons Jr. requests a Certificate of Appropriateness (COA) for exterior alterations to the Sonnenkalb Building at 123 N. Main Street.

Chair Nielson asked staff if the HPC is being asked to approve something that has already been done. Essentially, the HPC is being asked to approved something that we never agreed to in the first place.

Jim Anglesey, Assistant Planner with the City of Pocatello stated this request came before the HPC on August 19, 2020, and the HPC approved the design presented by Simmons and his Architect, with the intention that the design presented would be completed as presented. During the remodel Simmons changed the design to remove the transom window and included stucco in place of wood. Because those changes were made, it incited a code enforcement case in violation of the COA.

Simmons is before the HPC now because the plans he presented and were approved by the HPC on August 19, 2020, were changed without coming back to the HPC to verify that the materials and façade changes of exterior building alterations would conform to the standards and guidelines as outlined in the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and the *Design Guidelines for Pocatello's Downtown Historic District*, which were noted on pages two of the COA. **(See Exhibit A for Staff Report, Transital Letter, and COA from the August 18, 2020, meeting clearly addressing the building façade alterations for reference and guidance).**

Code enforcement letters were sent to MOZ Studios regarding signage on August 21, 2020 and September 4, 2020, and a final Citation letter was sent on November 9, 2020. A citation letter was sent to Dane Simmons Jr. regarding the Pocatello Flooring store front design and materials and the Neon Sign on November 9, 2020.

Nielson asked Anglesey if staff had determined if the changes were conforming with the standards and guidelines. **Anglesey** stated the staff report identified the changes were not compliant due to the material changes and materials used, as outlined in the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and the *Design Guidelines for Pocatello's Downtown Historic District*. Additionally, the materials and removal of the transom window were not approved.

Dane Simmons, owner of the Sonnenkalb Building, stated he was here due to a citation received on November 9, 2020, in regards to the original submission on August 19, 2020, regarding some exterior changes at 123 N. Main Street. The description of the approval included the existing entry on the half of the building façade, he did not like the look of the original design and materials from the application that was approved on August 19, 2020, and he changed building materials, original door hardware and removed the transom window. Simmons asked the HPC to approve these changes that were made midstream during construction, from what the materials and design were approved as presented. Simmons stated he did not consider coming back to the HPC, he just changed the materials to what he wanted and removed the transom.

Stoddard wanted Simmons to clarify that he understood the process and specific requirements that were approved by the HPC before altering a historic building, and after receiving the COA with specific design and materials approved if Simmons had any thought or consideration to get approval by the HPC before changing the design and materials that met the criteria that required approval in the first place. **Simmons** stated that was correct. Simmons stated he should have come back and got approval before starting the construction, but he did not, he plays Picasso, it did not seem right so he changed the design and materials, it was his fault. He did not think removing the original wood transom would be a concern, he was wrong.

Stoddard asked Simmons to give a brief history of the original application request in August 2020, for the Commission of why you did not request what you are asking for approval now the first time. **Simmons** stated he hired an architecture firm to design what we set out to do and in the middle of it, I did not like the way it was looking in the present. **Nielson** asked for clarification, if he hired Myers Anderson Architects. **Simmons** stated yes.

Elston asked staff if the MOZ Studios signage was compliant and just needs to be approved and issued a COA by the HPC to get a sign permit, and then it would be legal conforming sign. **Anglesey** stated that was correct.

Vizcarra asked if the signs, transom, and materials was considered one item on this request?

Anglesey clarified that the Pocatello Flooring window signage was approved by the HPC earlier in 2020, but the Neon sign was not approved. The HPC may approve the neon sign as a separate component from the façade materials component, if they choose, and issue a COA to allow a sign permit to be issued for the neon sign, and then the HPC may approve or deny the façade materials and transom removal separately, whatever the Commission sees fit.

Nielson asked if the Commission had any more questions, if not he would entertain a motion.

It was moved by **L. Herzog** and seconded by **M. Vizcarra** to approve the request by Dane Simmons Jr. for a Certificate of Appropriateness for MOZ Studios signage as installed at 123 N. Main Street, and have Chair

Nielson sign the certificate of appropriateness. Those in favor: Alvord, Elston, Fore, Herzog, Nielson, Stoddard, and Vizcarra. Unanimous. Motion carried.

It was motioned by **J. Stoddard** and seconded by **D. Elston** to approve the request by Dane Simmons Jr. for a Certificate of Appropriateness for the stucco alterations as installed at 123 N. Main Street, and authorize Chair Nielson to sign the Certificate of Appropriateness. Those in favor: Elston, Nielson, and Stoddard. Those Abstained: Herzog. Those Against: Alvord, Fore, and Vizcarra. Motion failed. **Chair Nielsen** stated Simmons could appeal to City Council for the unapproved alterations.

The Commission ensued in discussion. **Simmons** stated he would abide by the HPC consent and get permission and avoid nonconformance on future projects.

Nielson commented that the neon sign was not approved by the HPC, and the fact the transom was removed and this sign put in that location is another issue. Nielson asked staff if the neon sign, in its current location, was conforming with regard to the standards and guidelines. **Anglesey** stated that, without regard to the store front materials, the neon sign would be conforming.

It was moved by **M. Vizcarra** and seconded by **J. Alvord** to approve the request by Dane Simmons Jr. for a Certificate of Appropriateness for the Pocatello Flooring neon signage as installed at 123 N. Main Street, and authorize Chair Nielson to sign the Certificate of Appropriateness. Those in favor: Alvord, Elston, Fore, Nielson, and Vizcarra. and Those Abstained: Herzog. Those Against: Stoddard. Motion carried.

AGENDA ITEM 4: BRADY CHAPEL CENTENNIAL CAMPAIGN

The Commission may wish to discuss & finalize the campaign plan document and consider assigning a commission member to help coordinate the campaign plan.

Anglesey asked for final approval on the plan as written. **Fore** stated she could assist with the refining the plan and would co-assist with coordinating the plan. **Elston** and **Vizcarra** will co-coordinate the plan.

With no other business, it was moved by **J. Alvord** and seconded by **D. Elston** to adjourn the meeting at 7:10 P.M. Those in favor: Alvord, Elston, Fore, Herzog, Nielson, Stoddard, and Vizcarra. Unanimous. Motion carried.

Submitted by:  Approved on: 
Aceline McCulla, Secretary

EXHIBIT A



Planning & Development Services

PLANNING SERVICES
911 NORTH 7TH AVENUE | P.O. Box 4169

NEIGHBORHOOD & COMMUNITY SERVICES
POCATELLO, IDAHO 83205-4169 208.234.6184 WEB <https://www.pocatello.us>

AGENDA ITEM NO. _____

TO: Historic Preservation Commission

FROM: Jim Anglesey, Assistant Planner

MEETING DATE: August 19, 2020

RE: Certificate of Appropriateness for exterior building alterations at 123 N. Main Street.

REQUEST:

Dane Simmons Jr., represented by Latecia Herzog of Myers Anderson Architects, has submitted an application for a certificate of appropriateness for exterior building alterations at 123 N. Main Street.

BACKGROUND:

This building was built in 1914-15. The Inventory-Nomination Form for the Pocatello Historic District listing on the National Register of Historic Places in 1972 states, "Designed by Pocatello architect Marcus Grundfer, the two-story cream-colored brick Sonnenkalb Building retains its bracketed tin cornice as well as a stamped-tin ceiling.... The first floor of this building originally housed the People's Store, a retail dry goods and clothing establishment founded by George F. Gasser and Walter H. Cleare. The second floor was occupied by professional offices, including those of the building's owner, Oscar Sonnenkalb. Sonnenkalb was a German-born civil engineer who was very prominent in the early development of southwestern Idaho."

ANALYSIS:

A Certificate of Appropriateness is required per Municipal Code Section 17.04.210.G. Per Municipal Code Section 17.04.210.H, the Historic Preservation Commission may issue a certificate of appropriateness either with or without conditions to further the purposes of this section or decline to issue one. The Historic Preservation Commission shall state, for inclusion in the minutes as well as in the findings, the reasons for its decision.

Pocatello Municipal Code Section 17.04.210.I Criteria for Review:

- 1. Adverse impacts to the historical integrity of the property or structure shall be minimized.**
 - a. Changes to the defining characteristics of the building or site shall be minimized.**

Staff Analysis: The proposed exterior alterations will have a positive effect on the defining characteristics of the site.

- b. Removal of historic materials and features of the building or site shall be avoided.**

Staff Analysis: There are no historic materials or features of the site that will be removed. The addition of an original exterior door will add to the historic features of the building.

- c. Historic materials shall be retained where possible. Where not feasible, compatible materials shall be encouraged.**

Staff Analysis: An original exterior door will be added back to the building frontage and new material will be compatible with historic materials. New materials include wood, tile, and glazing materials.

AN EQUAL OPPORTUNITY EMPLOYER | VETERAN'S PREFERENCE

2. The proposed work shall be compatible with the property or structure itself, as well as the surrounding neighborhood or district. Consideration shall be given to exterior design, site layout, proportion, detail, scale, color, texture, and materials.

Staff Analysis: The proposed work includes the addition of an original exterior door and compatible new materials including wood, tile and glazing. Tile work will match existing materials at entry area.

3. Landscaping shall be compatible with the historic character of the property itself, as well as with the surrounding neighborhood or district.

Staff Analysis: No landscaping is included in this project.

4. The style, materials, size and location of signs shall be compatible with the historic character and scale of the property or structure as well as to the surrounding neighborhood or district.

Staff Analysis: The proposed work does not include additional signage.

5. The historic preservation commission must consider the property's suitability for preservation or restoration; educational value; cost for preservation or restoration; cost of acquisition, restoration, maintenance, operation, or repairs; possibilities for adaptive or alternative use of the property; appraised value and administrative and financial responsibility of any person or organization willing to underwrite all or a portion of such costs.

Staff Analysis: The property is listed on the National Register of Historic Places as a contributing structure to the Historic District. The proposed work will add to the historic character of the building.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES:

Staff finds the following standards identified in the Secretary of the Interior's Standards for the Treatment of Historic Properties to be applicable to this application:

"Restoration is the treatment that should be followed when the expressed goal of the project is to make the building appear as it did at a particular – and at its most significant – time in its history."

Standards for Restoration:

1. A property will be used as it was historically or be given a new use that interprets the property and its restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.
4. Materials, features, spaces and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical

Certificate of Appropriateness – 123 N. Main St.
City of Pocatello Planning & Development Services

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evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

10. Designs that were never executed historically will not be constructed.

DESIGN GUIDELINES FOR POCATELLO'S DOWNTOWN HISTORIC DISTRICT:

Staff finds the following goals identified in the design guidelines for the historic district to be applicable to this application:

1. Exterior alterations and changes should be kept to a minimum.
2. The building should conform to surrounding buildings and other street features.
3. Every effort should be made to maintain and preserve the building's original materials and colors.
4. Original and distinctive architectural details should be retained or restored.

SUMMARY & CONDITIONS:

In consideration of the application, staff concludes that the application for a certificate of appropriateness is compliant with Pocatello Municipal Code Section 17.04.210. Should the Historic Preservation Commission approve the request, staff recommends the following condition:

1. The proposed exterior building alterations shall adhere to the standards and guidelines as outlined in the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and the *Design Guidelines for Pocatello's Downtown Historic District*.

ATTACHMENTS:

- A. Application & Supporting Materials



Planning & Development Services

PLANNING SERVICES NEIGHBORHOOD & COMMUNITY SERVICES
911 NORTH 7th AVENUE | PO BOX 4169 | POCATELLO, IDAHO 83205-4169 | 208.234.6184 | <https://www.pocatello.us>

August 21, 2020

Dane Simmons Jr.
123 N. Main Street, Ste. 4
Pocatello, ID 83204

Regarding: Certificate of Appropriateness
Address: 123 N. Main Street

Dear Mr. Simmons:

Enclosed is a copy of the signed Certificate of Appropriateness from the Historic Preservation Commission's August 19, 2020 meeting approving your request for building alterations at 123 N. Main Street as proposed.

If you have any questions or concerns regarding this document or the HPC's decision, please feel free to call me at 208.234.6500 or email me at janglesey@pocatello.us.

Sincerely,

JIM ANGLESEY | CITY OF POCATELLO
Assistant Planner | Planning & Development Services
911 N 7th Avenue | PO Box 4169 | Pocatello ID 83205-4169
Office 208-234-6500 | janglesey@pocatello.us

C: Myers Anderson Architects

Enclosure

CERTIFICATE OF APPROPRIATENESS
HISTORIC PRESERVATION COMMISSION
FINDINGS OF FACT & CONCLUSIONS
DOWNTOWN HISTORIC DISTRICT

PROJECT: Building Alterations for the Sonnenkalb Building

LOCATION: 123 N. Main Street

APPLICANT: Dane Simmons Jr.

REPRESENTATIVE: Latecia Herzog of Myers Anderson Architects

REQUEST: A Certificate of Appropriateness for building alterations at 123 N. Main St.

I. BACKGROUND: This building was built in 1914-15. The Inventory-Nomination Form for the Pocatello Historic District listing on the National Register of Historic Places in 1972 states, "Designed by Pocatello architect Marcus Grundfer, the two-story cream-colored brick Sonnenkalb Building retains its bracketed tin cornice as well as a stamped-tin ceiling.... The first floor of this building originally housed the People's Store, a retail dry goods and clothing establishment founded by George F. Gasser and Walter H. Cleare. The second floor was occupied by professional offices, including those of the building's owner, Oscar Sonnenkalb. Sonnenkalb was a German-born civil engineer who was very prominent in the early development of southwestern Idaho."

II. REVIEW STANDARDS: A Certificate of Appropriateness was required per Municipal Code Section 17.04.210.G. Per Municipal Code Section 17.04.210.H, the Historic Preservation Commission may issue a certificate of appropriateness either with or without conditions to further the purposes of this section or decline to issue one. The Historic Preservation Commission shall state, for inclusion in the minutes as well as in the findings, the reasons for its decision.

III. POCATELLO MUNICIPAL CODE SECTION 17.04.210.I CRITERIA FOR REVIEW: The Historic Preservation Commission reviewed the facts and circumstances of this proposal in terms of the following standards:

1. **Adverse impacts to the historical integrity of the property or structure shall be minimized.**
 - a. **Changes to the defining characteristics of the building or site shall be minimized.**

FINDING: The proposed exterior alterations will have a positive effect on the defining characteristics of the site.

- b. **Removal of historic materials and features of the building or site shall be avoided.**

FINDING: There are no historic materials or features of the site that will be removed. The addition of an original exterior door will add to the historic features of the building.

- c. **Historic materials shall be retained where possible. Where not feasible, compatible materials shall be encouraged.**

FINDING: An original exterior door will be added back to the building frontage and new material will be compatible with historic materials. New materials include wood, tile, and glazing materials.

2. **The proposed work shall be compatible with the property or structure itself, as well as the surrounding neighborhood or district. Consideration shall be given to exterior design, site layout, proportion, detail, scale, color, texture, and materials.**

FINDING: The proposed work included the addition of an original exterior door and compatible new materials including wood, tile and glazing. Tile work will match existing materials at entry area.

3. **Landscaping shall be compatible with the historic character of the property itself, as well as with the surrounding neighborhood or district.**

FINDING: No landscaping was proposed in this project.

4. **The style, materials, size and location of signs shall be compatible with the historic character and scale of the property or structure as well as to the surrounding neighborhood or district.**

FINDING: The proposed work did not include additional signage.

5. **The historic preservation commission must consider the property's suitability for preservation or restoration; educational value; cost for preservation or restoration; cost of acquisition, restoration, maintenance, operation, or repairs; possibilities for adaptive or alternative use of the property; appraised value and administrative and financial responsibility of any person or organization willing to underwrite all or a portion of such costs.**

FINDING: The property is listed on the National Register of Historic Places as a contributing structure to the Historic District. The proposed work will add to the historic character of the building.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES:

The Commission found that the following standards identified in the Secretary of the Interior's Standards for the Treatment of Historic Properties are applicable to this application:

"Restoration is the treatment that should be followed when the expressed goal of the project is to make the building appear as it did at a particular – and at its most significant – time in its history."

Standards for Restoration:

1. A property will be used as it was historically or be given a new use that interprets the property and its restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.
4. Materials, features, spaces and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments

Certificate of Appropriateness, Findings of Fact & Conclusions – 123 N. Main St.
City of Pocatello Planning & Development Services

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that cause damage to historic materials will not be used.

9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

10. Designs that were never executed historically will not be constructed.

DESIGN GUIDELINES FOR POCATELLO'S DOWNTOWN HISTORIC DISTRICT:

The Commission found that the following goals identified in the design guidelines for the historic district are applicable to this application:

1. Exterior alterations and changes should be kept to a minimum.
2. The building should conform to surrounding buildings and other street features.
3. Every effort should be made to maintain and preserve the building's original materials and colors.
4. Original and distinctive architectural details should be retained or restored.

IV. SUMMARY & CONDITIONS: In consideration of the application, the Historic Preservation Commission finds that the proposed building alterations are compliant with Municipal Code Section 17.04.210.

The Commission unanimously approves the issuance of the Certificate of Appropriateness.



Nick Nielson, Chair
Historic Preservation Commission

8-21-20
Date

