

**REGULAR MEETING OF THE WALLACE PLANNING, ZONING
AND HISTORIC PRESERVATION COMMISSION
Wallace City Hall-Council Chambers
May 3, 2023**

COMMISSIONERS PRESENT:

Emma Stayduhar, Chairman
Sarah Murphy, Vice-Chair
Courtney Frieh
Dave Kuns
Scott Lewis

STAFF MEMBERS PRESENT:

Ben Allen, City Attorney

COMMISSIONERS ABSENT:

None

CALL TO ORDER:

Chairman Stayduhar called the meeting to order at 6:00 pm at Wallace City Hall in the Council Chambers.

FLAG SALUTE:

APPROVAL OF MINUTES:

Motion by S. Murphy, seconded by C. Frieh to approve the April 5, 2023 minutes of the Regular Meeting Wallace Planning and Zoning Historic Preservation Commission as written. Motion approved.

COMMISSION COMMENTS:

Chairman Stayduhar addressed the commission and those present to inform them of the status of the buildings at 205 Fifth Street and 10 Front Street stating that the signs have been removed and that the owner was receptive and cooperative.

Also, Stayduhar wanted to inform the Commissioners that the regularly scheduled July P&Z meeting for July 5, 2023, will be rescheduled to July 11, 2023, at 6:00 pm to accommodate those who will be gone for the holiday.

PUBLIC HEARING:

- 1. Applicant: Siobhan Curet**
Location: 823 Residence Street, Wallace ID
Request: Remove and replace the existing cedar fence with wrought-iron

Siobhan Curet, the owner of 823 Residence Street, provided the following comments.

- Requesting a certificate of appropriateness to partially remove and replace the existing cedar fence and replace it with 4' black wrought-iron fencing. The fence will be replaced on the south

side of the parcel and the southwest half of the fence that runs north-south. The existing 6' privacy fence will remain intact on the north side of the yard as well as on the northwest end of the north-south fence.

Ms. Curet concluded her presentation.

Commission Comments:

Chairman Stayduhar stated the application is straight forward and this would likely have been a preapproved item had she seen the entire packet prior to her review of the agenda.

C. Frieh stated she preferred the wrought iron look to the wood plank.

Public Testimony Open:

No public comments were received

Commission Comments:

Public Testimony Closed:

C. Frieh motioned, seconded by S. Lewis to grant a certificate of appropriateness to Siobhan Curet, owner of 823 Residence Street, for the removal and replacement of an existing cedar fence and replace with a 4' black wrought-iron fence in the front and partially down the side.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

- 2. Applicant: Todd Starnes**
Location: 425 Pine Street, Wallace ID
Request: Black lettering sign on the exterior of the building

Todd Starnes, the owner of 425 Pine Street, provided the following comments.

- Requesting a certificate of appropriateness for the installation of a 16' x 2' sign on the exterior of the building on two locations facing Pine Street and Fifth Street.
- The sign will consist of the building construction date "1912" and the business name "The Adventure Hub"
- Lettering will consist of all black letters.

Mr. Starnes concluded his presentation.

Commission Comments:

C. Frieh wanted to confirm if there was going to be a white background as indicated in the picture provided or if there was no background and the letters would stand alone.

Mr. Starnes confirmed the letters would be stand-alone.

Chairman Stayduhar thought the sign was great and appreciated the completeness of the application packet and narrative provided.

Public Testimony Open:

No public comments were received

Commission Comments:

Public Testimony Closed:

S. Murphy motioned, seconded by C. Frieh to grant a certificate of appropriateness to Todd Starnes, owner of 425 Pine Street, for the installation of a sign with black lettering on the exterior of the building.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

- 3. Applicant: Ryder Gauteraux**
- Location: 515 Bank Street**
- Request: Replace the existing Gauteraux and Co. sign with a new sign**

Commission Comments:

The applicant was not present at the meeting to discuss.

Chairman Stayduhar asked the commission members if reviewing the application without the applicant present was sufficient.

S. Murphy indicated that she has questions.

Chairman Stayduhar stated that she will move this item to the end of the Public Hearing and wait to see if a representative appears before the Commission.

- 4. Applicant: Jamie Baker**
- Location: 207 Fifth Street**
- Request: Carport installation**

Jamie Baker, owner of 207 Fifth Street made the following comments.

- Requesting a certificate of appropriateness for the installation of a carport on the north end of the building.
- Stated that the carport would be 15’x28’ and it will be extended out towards the alley.
- It will be constructed with steel poles with metal roofing.
- The carport will be very similar to the existing carports around the buildings and the roof will be only slightly sloped.

Mr. Baker concluded his presentation.

Commission Comments:

C. Frieh needed clarification on if the carport would be enclosed.

Mr. Baker stated that it would not.

S. Murphy asked what the current carport roofs were made out of.

Mr. Baker stated that it was made out of metal.

C. Frieh stated she doesn’t see any problem with this request and that basically it’s just putting a carport over a space that he owns and will not obstruct the alley in any way.

Chairman Stayduhar stated that a building permit would also be required.

Public Testimony Open:

No public comments were received

Commission Comments:

Public Testimony Closed:

C. Frieh motioned, seconded by S. Murphy to grant a certificate of appropriateness to Jamie Baker, owner of 207 Fifth Street, for the installation of a metal 15’ x 28’ carport on the north end of the building.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

- 5. Applicant: Kelly Penberthy**
Location: 512 Bank Street
Request: Approval of the already installed exterior windows

Commissioner D. Kuns disclosed before the commission and the public that he is a patient of one of the owners of the building.

Roni Kae Stephens, manager of 512 Bank Street made the following comments.

- Requesting a certificate of appropriateness for the installation of already replaced windows.
- Stated that the windows had black mold around the frame and that the prior installation didn't include proper framing.
- Apologized for not coming before the commission and was confused about the process of repairing and maintaining windows and why the installation needed a hearing.
- Windows A, 1, and 2 as indicated in the provided information have been replaced.
- On the third floor, the top of the window frame is a false ceiling and the availability of windows that fit that exact opening has been a challenge.
- Intend to balance out the look and uniformity of the windows on the front of the building.

Ms. Stephens concluded her presentation.

Commission Comments:

Chairman Stayduhar clarified to Roni Kae the requirements for exterior building changes and stated that even though some things may be preapproved, a certificate of appropriateness still needs to be filled out and brought before city hall.

Horizontal sliding windows are not preapproved and that's why the City has reached out to the owners pertaining to this issue.

D. Kuns asked if the windows that have been replaced were exactly the same in size and opening.

Roni Kae indicated that they were exact.

C. Frieh stated that even though the repair and maintenance of the building is replacing something that was exactly the same prior to the replacement, the Commission would like to see things replaced that bring the building back to more of a historic look, but in this instance, it is clear that there are circumstances that prevent that from happening reasonably considering the work has already been done.

Public Testimony Open:

Kelly Penberthy, owner of 512 Bank Street made the following comments.

- Trying to replace windows that function properly for the tenants as they move out.
- That the windows left unreplaced would have remained a safety hazard for the tenants.
- Safety and airflow were the main concern in the replacement of the windows.
- Intend to replace all the exterior windows in the future.

Commission Comments:

D. Kuns asked S. Lewis about the size of the third-story windows and asked if they can even purchase vertical sliding windows.

S. Lewis stated that any size or design of window can be ordered and made, it just costs more.

S. Murphy stated that from a design standpoint if vertical windows were that low and wide, they would not look good or meet the building code.

Chairman Stayduhar again stated that a vertical sliding window that fits inside an existing window does not require a hearing. Another good thing to consider with maintenance to the building is to find some existing historic pictures of the building. Barnard Stockbridge's collection is a great resource.

C. Friehe stated she is willing to look through the collection and find some if they exist for the owners.

S. Lewis stated that the fire department may have certain requirements pertaining to the windows and that to meet the code, you might have to change some things.

Roni Kae stated that she has considered that for the whole building.

Chairman Stayduhar also wanted to bring up in a prior application, the commission made the owners order the window with a grid pattern to appear as though it was all uniform and to conceal the horizontal sliding opening and that this may be something to consider for the applicants moving forward.

Public Testimony Closed:

C. Friehe motioned, seconded by S. Murphy to grant a certificate of appropriateness for the already completed replacement of windows A, 1, and 2 as indicated in the provided information.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Friehe	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

6. Applicant: Kelly Penberthy
Location: 512 Bank Street
Request: Replacement of remaining exterior windows

Roni Kae Stephens, manager of 512 Bank Street made the following comments.

- Requesting a certificate of appropriateness for the replacement of existing exterior windows 3, 4, and 5 as indicated in the provided information.
- Windows 4 and 5 would be horizontal sliding but would be uniform with windows 1 and 2.
- Window 3 would be single-hung.
- Potentially 7, 8, and 9 in a few months would be replaced if the apartment becomes available for work to be done.

Ms. Stephens concluded her presentation.

Commission Comments:

Chairman Stayduhar wanted precise windows for this hearing. Are all these windows to be replaced or just a few? Roni Kae stated for sure 3, 4, and 5.

C. Friehe stated that window 3 does not need a hearing, it's preapproved.

S. Murphy commented that windows 3 and A do not look the same size. Roni Kae assured her they were.

C. Frieh stated that as already discussed, vertical sliding windows are preferred, but not reasonable for this application.

Public Testimony Open:

No public comments were received

Commission Comments:

Public Testimony Closed:

C. Frieh motioned, seconded by S. Murphy to grant a certificate of appropriateness to the owners of 512 Bank Street for the replacement of existing exterior windows 3, 4, and 5.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

- 7. Applicant: Kelly Penberthy**
Location: 512 Bank Street
Request: Installation of mailbox

Roni Kae Stephens, manager of 512 Bank Street made the following comments.

- Requesting a certificate of appropriateness for the installation of a mailbox required by the US Postal Service.
- Roni Kae Stephens presented two additional pictures not included in the packet and have been labeled as exhibits A and B.

Ms. Stephens concluded her presentation.

Commission Comments:

Chairman Stayduhar stated she doesn't see how the commission can make any other choice but to grant approval regarding this application with the US Postal Service requiring this mailbox for mail to be delivered.

Public Testimony Open:

No public comments were received

Commission Comments:

Public Testimony Closed:

C. Frieh motioned, seconded by S. Murphy to grant a certificate of appropriateness for the installation of a mailbox required by the US Postal Service.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

Applicant: Ryder Gauteraux
Location: 515 Bank Street
Request: Replace the existing Gauteraux and Co. sign with a new sign

Commission Comments:

The applicant was not present at the meeting to discuss.

D. Kuns motioned, seconded by S. Lewis to table 515 Bank Street application.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

CLOSE OF PUBLIC HEARING

ADMINISTRATIVE:

- 1. Workshop to consider, discuss and plan suggestions in the Historic Preservation Plan 3.3.1 to update the Comprehensive Plan**

Chairman Stayduhar addressed the commission and stated that she hoped that at this meeting, the commission will take action and agree on updating the Comprehensive Plan History section from the suggested changes within the Historic Preservation Plan.

Will also discuss some of the bids that have come in regarding the potential of updating the Comprehensive plan.

- According to the suggestions laid out in the HPP, we would be replacing pages 3, 4, and 5 in the History section of the current Comp Plan and inserting pages 12-24 of the History section in the Historic Preservation Plan.

Ryder Gauteraux, the owner of 512 Bank Street, addressed the commission and requested that the commission re-open the Public Hearing to hear his application because he arrived after the Public Hearing was closed.

Chairman Stayduhar stated that the Public Hearing is closed, and he was not present during the time the Public Hearing was open, coming in almost an hour late to the meeting. The commission waited till the end and heard everyone else's application on the agenda. The Commission motioned and tabled the application.

Mr. Gauteraux then requested that the Commission have a special meeting to hear his application prior to the June Meeting.

Stayduhar stated that he needed to get in contact with City Hall and make that request to the clerks.

- Stayduhar stated that the population is essential in the Plan and needs to remain.
- Past, present, and future trends of the population need to be included but can be scattered within the Plan itself.

C. Frieh stated that for clarification, could Chairman Stayduhar state again what she is proposing to change in the Comp Plan.

- Remove pages 3, 4 and the first two paragraphs of page 5 of Section 2-History of the Current Comp Plan
- Replace with pages 12-24 of the Historic Preservation Plan.
- If an agreement with the Commission is made, deputy clerk Trogden would draft the revision with uniform editing and have it ready for the next meeting.
- Commission would then review and schedule to have a public hearing.
- After the public hearing, if there are no changes, we would then draft a formal request to City Council for that revision.

C. Frieh asked if an additional chapter would be included in the Comp Plan for Historic Preservation. Chairman Stayduhar stated that if that were to be agreed upon, that would probably happen with a completely new revision.

Ryder Gauteraux again addressed the Commission and asked if they would reconsider hearing his application.

Stayduhar again stated that the application was tabled.

C. Frieh stated that she was willing to make a motion to un-table the application after the workshop to hear his application.

S. Lewis stated he's all in favor of simplifying our documents, but is concerned about the length of the HPP.

Chairman Stayduhar stated that in comparison to modern comp plans, they are significantly longer than our current one and if the City of Wallace pursues an update on our Comp Plan, it will probably grow as well.

S. Murphy motioned, seconded by C. Frieh to replace 15 paragraphs in the Chapter 2 History section of the current Comp Plan and replace with HPP dated 2020 pages 12-24.

ROLL CALL:

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes
Commissioner Kuns	Voted	Yes
Chairman Stayduhar	Voted	Yes
Commissioner Lewis	Voted	Yes

Motion to approve carried by a 5 to 0 vote.

C. Frieh stated that she would like to be included in Comp Plan discussions with potential engineers in the future.

Chairman Stayduhar stated that she would try to accommodate that request within reason.

Stayduhar wanted to address the bids received by J-U-B.

Chairman Stayduhar also spoke about updating the Comprehensive Plan completely.

- J-U-B, an engineering firm with which Chairman Stayduhar and Attorney Ben Allen have been communicating, can, and have written comp plans.
- Talked to them about cost and what they could do for Wallace.
- Ben Allen, City Attorney, spoke about the bidding process per ID Code § 67-2320.
- PlaceEconomics, the other firm Ben Allen and Chairman reached out to, did not provide a bid.
- Chairman Stayduhar also stated that the other entity that she reached out to was Eastern Washington University. Something maybe to consider.
- Commission agreed to make a request to City Council in the future regarding updating the Comp Plan as a whole or phased approach based on grant money, with the estimation that was provided, as a guide only, to move forward with potential budgeting for the next year.

Ben Allen, City Attorney, suggested to the Commission to send a request to City Council to initiate the RFQ process to seek out a firm that could do this work and within that request to City Council, ask that they assign that task to this Commission to begin the process for revision of the Comp Plan.

C. Frieh motioned, seconded by D. Kuns to make a request to City Council to initiate the RFQ process to seek out a firm for the Comp Plan revision.

Commissioner Murphy	Voted	Yes
Commissioner Frieh	Voted	Yes

Commissioner Kuns Voted Yes
Chairman Stayduhar Voted Yes
Commissioner Lewis Voted Yes

Motion to approve carried by a 5 to 0 vote.

Chairman Stayduhar addressed the Commission and Ben Allen, City Attorney, and asked if the Commission chooses to un-table the motion to hear the application provided by Ryder Gauteraux, would they be denying the public a chance to respond if they had any concerns?

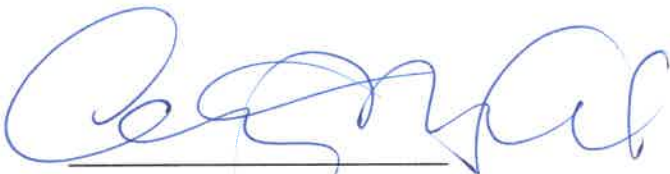
Ben Allen, City Attorney, stated that it is definitely a consideration because the motion to table was made on the record and subsequently a number of the public left. So, it is uncertain whether any members of the public would have anything to say regarding the application. It is a valid concern for the Commission for due process for the public regarding certificate of appropriateness applications.

Chairman Stayduhar stated that with that response from legal, she asked the Commission to adjourn the meeting.

The applicant can get with the city clerks and try and schedule a special meeting or put it on the next month's agenda.

There being no further business to come before the Commission, C. Frieh motioned, seconded by S. Lewis to adjourn.

Motion approved. The meeting adjourned at 7:58 pm.



Emma Stayduhar, Chairman of the Commission

Attest:



Amanda Trogden, Deputy City Clerk

