

SALT LAKE CITY  
HISTORIC LANDMARK COMMISSION  
Minutes of the Meeting  
Held at 451 South State Street  
April 5, 2006

A field trip preceded the meeting and was attended by Warren Lloyd, Scott Christensen, Dave Fitzsimmons, Paula Carl, Noreen Hammond Heid, Cheri Coffey, Joel Paterson, Janice Lew, Elizabeth Giraud and Lex Traughber.

Present from the Historic Landmark Commission were: Scott Christensen, Warren Lloyd, David Fitzsimmons, Paula Carl, Noreen Hammond Heid and Creed Haymond.

Present from the Planning Staff were Cheri Coffey, Deputy Planning Director, Joel Paterson, Planning Programs Supervisor; Elizabeth Giraud, Senior Planner; Janice Lew, Principal Planner; Lex Traughber, Principal Planner and Louise Harris, Senior Secretary.

The meeting was called to order by Acting Chair, Scott Christensen at 4:15 p.m.

Mr. Christensen asked that all cell phones be turned off and due to the number of items on the agenda that the public limit their comments when possible. At this time he asked the audience if anyone wanted to address the Commission on matters not on the agenda. Mr. Kirk Huffaker, Utah Heritage Foundation (UHF), came forward and talked about the Salt Lake City Council meeting for the Community Development Block Grant (CDBG) Program, a request for funding for the next fiscal year. The grants are federal funds that range from year to year in the amount of four and a half million dollars to be used for a variety of purposes. Utah Heritage has supported the CDBG applications that have been submitted for the preservation planning. Some of the projects are:

- Avenues Historic Resource Survey, an updated survey from the 1970's. The request is for \$10,000.00.
- Historic Preservation Plan, a citywide preservation plan. The City at this time does not have such a plan and this is a \$50,000.00 request.

These plans are crucial to preservation in Salt Lake City. Numerous historic buildings have been threatened with demolition or come into conflict with zoning and have needed quick, decisive advocacy from UHF, neighborhood preservation planners and from the Historic Landmark Commission in order to be saved. These problems arise because the proper planning tools are not in place. Unfortunately, Mayor Anderson's recommendations did not include any planning project funding. The UHF is requesting both Historic Landmark Commission's support and support from individuals representing different areas of the City to have CDBG funding be used for historic preservation planning purposes this year. Mr. Huffaker urged the support of the Planning Staff and Historic Landmark Commission to support these endeavors.

Some discussion followed and Mr. Christensen thanked Mr. Huffaker for bringing this to the attention of the Historic Landmark Commission. Mr. Christensen asked for a motion of support.

**Mr. Lloyd moved that the Historic Landmark Commission recommend that the Salt Lake City Council evaluate the use of CDBG money for the Avenues Historic Resource Plan and a citywide Historic Preservation Plan. Ms. Carl seconded. Ms. Heid, Mr. Lloyd, Mr. Fitzsimmons, Ms. Carl and Mr. Haymond voted "Aye". There were none opposed. The motion passed.**

Mr. Christensen then mentioned that at the last Historic Landmark Commission meeting Ms. Garcia, Executive Director of Neighborhood Housing Services, came and talked to the Commission about the New Hope Center; also known as the 29<sup>th</sup> Ward located at 1102 West 1100 North. He has found an old 1915 photograph of the structure and he passed it around to the Commission and Staff members.

The report of the Planning Director was moved to a later time as he was not available.

### **Approval of Minutes of March 1, 2006**

**Mr. Fitzsimmons moved to approve and Mr. Lloyd seconded. Ms. Heid asked that on page 13, Case No. 005-06, when Ms. Mickelsen voted to break the tie, the verbagae “There were none opposed” be stricken and read, “Ms. Mickelsen voted “Aye” breaking the tie. The motion passed”. Mr. Fitzsimmons then amended his motion to strike that sentence. Mr. Lloyd seconded the amended motion. Ms. Heid, Ms. Carl, Mr. Lloyd, Mr. Fitzsimmons and Mr. Haymond voted “Aye”. There were none opposed. The motion passed.**

### **Unfinished Business**

Case No. 032-05, at 415-417 North Center Street by Frank Bernard requesting to construct a basement level addition to accommodate a single car garage. The property is located in the Capitol Hill Historic District. This case was tabled at the February 1, 2006 Historic Landmark Commission meeting.

Ms. Lew presented the findings of fact and Staff’s recommendation as outlined in the Staff Report. This case was tabled at the February 1, 2006, meeting pending Planning Staff research regarding similar existing constructions in the district. In addition, the Commission requested that an accurate representation be shown on the drawings including all dimensions and further detail relating to the railings in relationship to the entrance. This was included in the packet.

Ms. Lew introduced the petition by explaining that the site has no off-street parking and the existing building extends the width of the property aligning diagonally with the street. A minimal front yard setback, is on the property and access is limited to the rear of the lot from the street. In addition there is no alley to provide access to a garage in the back of the house. The front yard is bound with a retaining wall because of the slope of the yard. The applicant is proposing to add a basement level garage below the front porch. The applicant has submitted a photo survey of properties that he considers important to the Commission’s discussion. Staff has provided an analysis of the examples of integrated house and garage construction that are similar in design to the proposed addition. This analysis is divided into two categories: those located on a primary elevation and those located on a secondary elevation.

The Planning Staff’s analysis has not uncovered any additional information that would support the request.

The overall impact of the proposed addition on the property and streetscape will be substantial given the proposed changes to the site, the size of the new opening, and visibility of the proposed improvements from the public way. Based on the comments, analysis and findings of fact presented at the February 1, 2006 Historic Landmark Commission meeting, Planning Staff does not recommend approval of the proposed design for a basement-level, single-car garage. Should the Commission decide to approve the request, reasonable justification and findings of fact should be stated by the Commission. If the addition is approved, it should be case specific and should not set a precedent for future decisions.

Mr. Lloyd asked if previous cases that had front yard lower-level garage proposals were denied.

Ms. Lew indicated from 2000 to 2005 she was not able to find similar requests that were presented to the Commission.

Mr. Christensen asked if there were other questions for staff. Hearing none, he invited Mr. Bernard, the property owner to come forward. Mr. Bernard indicated that he has owned the property for 30 years and lived there for 28 years. He also introduced Justin Daniels, the designer working with Mr. Bernard. Mr. Bernard presented a slide show illustrating many homes in the community that have garages under the house.

Mr. Christensen then invited the public to speak on this case. Ms. Minta Brandon, Trustee of the Capitol Hill Community Council; 113 West Capitol Street, came forward and expressed that the Commission should stick to the rules of the word "preservation". She indicated that too many changes will result in a lack of preservation.

Mr. Christensen asked if there were any others wishing to speak. Mr. Bernard indicated he was not destroying the home but making it adaptable to a growing need.

Mr. Christensen closed the public hearing and opened the Executive Session.

Mr. Lloyd asked Ms. Lew about her research of 460 North Center Street and whether it pertained to frontages on Quince and Center Streets.

Ms. Lew indicated that in 1990, the case was approved by different standards of the Historic Landmark Committee. The Staff Report was different than the extensive analysis required at this time. It was difficult to ascertain exactly why the approval was issued for the case on 460 North Center Street.

**Ms. Carl moved that in Case No. 032-05, because of the applicant's lack of available parking that the Commission give conceptual approval to the applicant to return to the Commission reserving the final design approval for the doorway. Mr. Fitzsimmons seconded.**

Mr. Fitzsimmons indicated he is sympathetic to the need for parking in the neighborhood is certainly sympathetic.

Mr. Christensen agreed and indicated that from the research presented, that there have been no cases since the Historic Landmark Commission has been in place that the Commission has approved or allowed the addition of a garage being placed under an existing structure on a main front elevation. All of the cases presented in today's meeting were 1930s, 1940s and 1950s cases.

Ms. Lew requested that the Commission address specific findings that are responsive to the standards as outlined in the original Staff Report.

Mr. Fitzsimmons asked what is the history of denying cases like this.

Ms. Lew indicated that from 2000 to 2005 there hasn't been any requests for additions such as this.

Mr. Christensen asked the Commission to state findings as to why this is or is not a precedent setting case.

**Ms. Carl clarified the motion that referenced Zoning Ordinance Section 21A.34.020 G. and Design Guidelines Standard 8.14 finding that the applicant has attempted to make the garage subordinate to the main façade of the building by including garage doors that will maintain a height of 6' -8". The garage door will be compatible with the house and not be overly large. The garage should not alter the front façade to destroy the character of the house. She went on to find that the street is already compromised enough that the addition of a driveway will not impact the neighborhood and the fact that the duplex is already off-set, the garage will be set back from**

**the street and should not affect the streetscape. Mr. Fitzsimons seconded. Ms. Carl, Mr. Lloyd, Mr. Fitzsimmons and Mr. Haymond voted “Aye”. Ms. Heid opposed. The motion passed.**

At this time, Mr. Christensen went back to Item 3 and officially introduced Mr. Creed Haymond, a new member to the Commission. Mr. Haymond will represent the University Historic District.

Ms. Coffey gave the report of the Planning Director referencing the Redevelopment Agency’s request to demolish a structure at 242 West 500 North known as “The Store”. Ms. Coffey asked the Commission for any additional information that should be submitted to the Economic Review Panel. She stated the Historic Landmark Commission is required to select someone to be on the panel. Rob Fetzer represented the Commission at the last Economic Hardship meeting and is willing to again participate in that capacity. Mr. Mack McDonald of the Redevelopment Agency (RDA) was present to help with any questions the Commission may have.

Mr. Christensen asked about the process of marketing the property.

Mr. McDonald indicated that “The Store” itself had been marketed three times and each time there was only a small amount of interest. Dan Bethel showed the most interest and he hired a contractor and engineer to access the property. It was determined that the property is sinking and would be costly to stabilize after this information was discovered. Mr. Bethel submitted a letter to the RDA to withdraw his proposal. Howa Construction also reviewed the site and came to the same conclusion. At that time the RDA brought the case back to the Commission.

Mr. Christensen reminded the Commission the need to recommend someone to be a representative on the panel and it could be anyone, if not Rob Fetzer.

**Ms. Heid moved that the Historic Landmark Commission appoint Rob Fetzer to serve as the representative on the Economic Panel relative to the structure at 242 West 500 North also known as “The Store”. Mr. Lloyd seconded. Mr. Fitzsimmons, Ms. Carl, Ms. Heid, Mr. Lloyd and Mr. Haymond voted “Aye”. There were none opposed. Motion carried.**

## Public Hearings

Case No. 009-06, at 622 East Second Avenue by David and Lorraine Januzelli, requesting approval to construct a new detached garage. The property is located in the Avenues Historic District. (Staff, Janice Lew at 535-7625 or [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com))

Ms. Lew presented the findings of fact and Staff recommendation as outlined in the Staff Report. Ms. Lew stated that the property is a two-story, Victorian style home with a hip roof and projecting front bay that is probably a pattern book design built in 1895. The applicant wants to build a detached garage that is 676 square feet and located at the rear of the property. The garage faces north and is accessed through an alley west of the property. The roof will have five, flat skylights that are flush with the roof plane. The proposed primary wall material will be horizontal cedar siding. The two single-car, wood garage doors will have panels with a divided-light panel on the top. A window on the east elevation will be a double-hung, wood window. Staff recommends that the Historic Landmark Commission approve the request based on the analysis given subject to the following conditions:

1. Review of the final details of the design of the proposed project including any concerns or suggestion expressed by the Commission, shall be delegated to Planning Staff.
2. The project must meet all other applicable City requirements.

Mr. Christensen asked if the Commission had any questions for Ms. Lew. Seeing none he invited the applicant to come forward.

Lorraine Janazelli at 622 East Second Avenue, owner of the property, indicated she did not have any additional comments but was willing to answer any questions that the Commission may have. She indicated that Mr. Paul Pulley is the contractor and is a Heritage Foundation Award Winner.

Mr. Christensen asked if anyone else wanted to speak on this case.

Kristen DeTienne of 66 "I" Street, owns an apartment building behind this home. She indicated she represents nine people that are strongly opposed to this garage as currently proposed. Due to the size and height of the garage at 21 feet tall, it would block all the windows on the first and second floor apartments. The garage will cut down the little light that they have causing mold and mildew from more shade. This would require the elimination of the wood windows. They believe the garage will pose significant fire and safety hazards for the tenants. She gave many reasons why the garage should not be built including the size, placement and size of the lot. Ms. DeTienne strongly recommended that the Commission deny or table this application so that perhaps they can work together peacefully with the owners for a better solution.

Mr. Lloyd asked about the setbacks and easements.

Ms. DeTienne indicated that her apartment building has no setback. There is an easement and their building is very close to the property line. If a telephone company was required to drive a truck behind the apartment building to work on equipment it would be impossible if the new garage is built in the proposed location. She felt the area wasn't wider than 10 feet but was not sure. The tenants park on the front side of the building.

Mr. Paterson said that this is in an RMF-35 zoning district. The accessory structure has to be four feet away from the principal structure. It can be within one foot of the side or rear property lines if behind a house. It also must be at least 10 feet away from a principal structure or an abutting lot.

Ms. Janazelli indicated that they had checked with the title company when they bought the home and were aware of the fact there were no easements. She indicated they are using wood, not vinyl on the garage as wood is a much more pleasing material. They do meet the zoning standards of the RMF-35 district and she felt the Historic Landmark Commissions purview was for design standards. Ms. Janazelli wanted the Commission to address the garage design on those merits and indicated that Transportation requires the owner to have a long driveway in order to pull out and be able to pull the vehicle forward before going into the alley. The garage is going to be very compatible to the neighborhood with the cedar wood design and it does fit with the design guidelines of the RMF35 zone. At this point Ms. Janazelli asked to be excused as she had another commitment.

Mr. Huffaker of the Utah Heritage Foundation came forward and indicated that they were working with the Compatible Infill Ordinance in several neighborhoods. He asked that the Compatible Infill Ordinance be part of the design criteria. The Utah Heritage Foundation would like to see the Commission make a decision with the design presented and what the proposed Avenues specific Compatible Infill Ordinance for permits standards would be. For example, allowing a maximum 13 foot ridge height and 480 square foot for garages.

Mr. Paterson responded that the proposal of Compatible Infill Standards was being presented by the Avenues Community Council and hoped to be adopted by the Salt Lake City Council. The Council adopted temporary zoning standards for the Avenues and Capitol Hill that will expire on June 13, 2006. The Avenues and Capitol Hill Community Councils have presented a proposal for modifications on the SR-1 Zone. Part of that proposal relates to accessory structures such as detached garages. The proposal recommended a maximum building height of 14 feet and a maximum wall height of 9 feet with a flat roof height. The Planning Staff is recommending to the Planning Commission the height be raised to

15 feet for pitched roofs and flat roof have a maximum wall height for accessory structures be 10 feet. This will be considered at the April 12 Planning Commission meeting. The City Council has the final approval authority.

A copy of the Staff Report is attached with these minutes.

Mr. Christensen closed the public hearings and opened the Executive Session. He asked for additional discussion and/or a motion from the Commission.

Motion:

**Mr. Lloyd moved to approve Case No. 009-06 at 622 E. Second Avenue for the construction of a new detached garage subject to reviewing final plans with Planning Staff. He further recommend to the owner that they consider an additional separation, given the unique character of a zero lot line structure to the south, by placing the garage closer to their own house in the rear yard. Mr. Haymond seconded. Ms. Heid, Ms. Carl, Mr. Lloyd and Mr. Haymond voted "Aye". Mr. Fitzsimmons was opposed. The motion passed.**

Case No. 007-06, at 951-953 East Second Avenue by Jim Levy, represented by Architect Lynn Morgan, requesting approval to construct a one-and-a-half-story addition that includes an attached garage. The property is located in the Avenues Historic District. (Staff, Janice Lew at 535-7625 or [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com))

Ms. Lew presented the findings of fact and Staff recommendation as outlined in the Staff Report. She indicated that this case is being brought to the Historic Landmark Commission because it is visible from the street and the footprint is 50 percent larger than the primary house. The requirements for the Compatible Infill Ordinance are not an issue for this case because the project complies with those standards. This house was constructed in about 1890 along with a workshop structure, a small simple one-story gable roof structure. The property is located on the northeast corner of "P" Street and Second Avenue. The applicant is suggesting constructing a rear addition to the principal building which faces Second Avenue to the south. The addition would be one-and-one-half stories with dormers on three sides of the upper level, providing space for an attached, two-car garage with a master suite above. The garage will be accessible from "P" Street where there is an existing curb cut and a single width driveway. The primary material is wood shiplap siding to match the existing material and the roof material will match the existing asphalt shingle roofing material. Wood windows and a carriage style garage door are also proposed. The maximum building height in an SR-1 Zoning District is 23 feet. The proposed addition measures 21feet 8 inches to the ridge of the roof. The maximum exterior wall height is 16 feet for walls placed at the building setback. The proposed exterior wall height at the north setback line measures approximately 13 feet. This house exhibits the simple details typical of a vernacular type of house of this period, including a gabled roof, front porch and mostly double-hung windows. These details will remain intact; it will be the massing of the principal building on the site that would be altered. The new work is differentiated from the old by jogs in the foundation wall of the addition from the side wall plane of the principal building. This massing and the contemporary construction of the rear addition that include a two-car garage provide a clear differentiation from the historic portions of the property.

Based upon the comments, analysis and findings of fact noted, Planning Staff recommends the Historic Landmark Commission approve the application to construct a one-and-a-half-story addition that includes an attached garage.

A copy of the Staff Report is attached with these minutes.

Mr. Christensen invited the architect Mr. Lynn Morgan to come forward. He presented a model showing how the addition will look and attach to the house. They will be using the same type windows and siding

as on the house. The room over the garage will be the master suite. The garage door is 18 feet wide. The east elevation will have a 7 foot wide overhead door and that will be used for accessing yard items.

Mr. Lloyd asked about the grade change along "P" Street.

Mr. Morgan indicated it is about 18 inches from the driveway. He said there is a 3 foot retaining wall along Second Avenue and it levels out to a finish floor.

Mr. Christensen asked if there were any more questions from the audience. Seeing none he closed the public hearing, opened the Executive Session and entertained a motion.

Motion:

**Ms. Carl moved in Case No. 007-06 that they accept Staff's recommendation subject to the following conditions:**

- 1. Approval of the final details of the design of the proposed project shall be delegated to the Planning Staff based upon direction given during the hearing from the Historic Landmark Commission.**
- 2. The project must meet all other applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission.**

**Mr. Lloyd seconded. Ms. Carl, Ms. Heid, Mr. Lloyd, Mr. Fitzsimmons and Mr. Haymond voted "Aye". There were none opposed. The motion passed.**

Mr. Christensen suggested a ten minute recess to reconvene at 6:35.

Mr. Christensen called the meeting back to order at 6:35. He opened the meeting with the next case on the agenda.

Case No. 012-06, at 70 "L" Street, by Jessica and Peter Lindgren, requesting approval for a 32.5 foot high addition, matching the existing ridge of the roof, at the rear of the property, represented by architect Sandra Hatch. This property is located in the Avenues Historic District. (Elizabeth Giraud at 535-7128 or [elizabeth.giraud@slcgov.com](mailto:elizabeth.giraud@slcgov.com))

Ms. Giraud presented the findings of fact and Staff recommendation as outlined in the Staff Report. Ms. Giraud indicated the home has an unusually large lot in the Avenues, almost a quarter of an acre. The home was built in 1897. The home is Victorian Eclectic in style and is constructed of brick. The applicants are proposing to build a second-story above the existing one-story brick ell and continue the second story toward the rear of the lot by 10 feet. The new, rear addition would be clad with cedar shingles and would contain a new family room, mud room and half-bath on the first floor, with new master bedroom, bath and laundry space on the upper floor. The rear yard would be 98 ½ feet. The proposal is to build over the brick ell and out, to retain only a portion of the ell. The addition meets all the requirements of the new Infill Compatibility Overlay except the height which is 31 feet 10 inches. The maximum SR-1 zone district height is 23 feet under the temporary ordinance. The architect has designed the roof to meet the ridge line of the existing roof. Therefore, Staff recommends approval of the project as proposed and further recommends that final approval be delegated to Staff if any minor revisions or additional details are required by the Commission. Ms. Giraud read a letter she received from a neighbor at 773 First Avenue who is very much in favor of this project.

A copy of the Staff Report is attached with these minutes.

Mr. Christensen invited questions to Staff from the Commission and seeing none he invited the applicant to come forward.

Sandra Hatch, Architect, and Peter Lindgren, owner, came forward. Ms. Hatch did not have much to add and asked that the Commission address her if they had any questions.

Mr. Christensen asked the reasoning behind an arched porch in the back of the house.

Ms. Hatch indicated there was no real reason she just thought it looked good with a flagstone patio.

Mr. Christensen felt that the ell may not be structurally capable of handling the addition.

Ms. Hatch felt confident that it could be done and mentioned she has done these before. The brick is in excellent shape and there shouldn't be any structural concerns.

Mr. Lloyd asked if there was a full basement in the house.

Ms. Hatch confirmed there is a full basement in the home, and added that the foundation wall is in excellent condition.

Mr. Christensen asked if anyone else wanted to speak to the case, seeing none he closed the public hearing, opened the Executive Session and entertained a motion.

Motion:

**Mr. Fitzsimmons moved that in Case No. 012-06 at 70 "L" Street, that the Commission approve the request including approval of the roof height as proposed because it is proportionate to the size of the house and meets the standards for historic preservation. He further moved that the final detail approval be delegated to Staff. Mr. Lloyd seconded. Ms. Heid, Ms. Carl, Mr. Lloyd, Mr. Fitzsimmons and Mr. Haymond voted "Aye". There were none opposed. The motion passed.**

Mr. Warren Lloyd asked to be excused. Mr. Christensen excused him as they still had a quorum.

Case No. 014-06, at 749 S. 500 E., by Dennis Broderick, contractor, requesting legalization of a two-car carport at the rear of a duplex. This property is located in the Central City Historic District. (Elizabeth Giraud at 535-7128 or [elizabeth.giraud@slcgov.com](mailto:elizabeth.giraud@slcgov.com))

Ms. Giraud presented the findings of fact and Staff recommendation as outlined in the Staff Report. Ms. Giraud indicated that Mr. Broderick is not the contractor but the property manager. The house was built in 1940 and has a pitched roof and steel-sash windows. The applicant works for a property management company and the contractor they hired has left the area and failed to take out the proper building permits prior to constructing the carport. The work was stopped in mid-December. The carport is almost completed and is 24 feet x 20 feet and is 11 feet 3 inches high. The carport is 10 feet from the principal structure, 13 feet from the rear yard and 9 feet from the side yard. The zoning is RMF-30. Therefore the Infill Compatibility regulations do not apply. The applicable regulations are those for new construction but it is always a challenge when comparing a carport with the existing ordinance because the carport does not have windows and porches. The carport is in line with scale and form. The proposed location of the carport is behind the primary structure and has no visibility from 500 East. Several carports are located in the vicinity of the subject property. Like those previously approved by the Historic Landmark Commission, they abut the rear property lines of the properties and also have shed roofs. The applicant meets the standard in terms of height and roof shape. The width of the carport is proportionately larger than other examples approved in the past and contributes to the box quality of the carport.



Staff recommends that the Historic Landmark Commission approve this application, based upon Staff's findings that the project substantially complies with the applicable standards of the ordinance and adopted design guidelines and subject to the following conditions:

1. That the applicant provides a horizontal member across the top of the carport, and side walls to the openings of the carport, as finished details. Staff recommends the Historic Landmark Commission delegate the approval of the final details to Staff.
2. The approval would be for design only; all other City requirements must be met prior to obtaining a building permit. If any substantial changes are required as a result of other City requirements, Staff shall refer the proposal back to the full commission for final review.

Mr. Christensen asked "When does a carport become a garage?" He stated that if you hang a door on this, it is a garage. Most carports are open on three sides. He then opened the discussion for Staff.

Ms. Coffey read the definition of a carport from the ordinance: "Carport means a garage not completely enclosed by walls or doors." She also indicated that according to the zoning ordinance "all driveways providing access to parking areas or lots shall be improved and maintained as hard surfacing."

A copy of the Staff Report is attached with these minutes.

Mr. Christensen invited the applicant to come forward. Mr. Broderick came forward representing the owner. He lives next door to the subject property at 745 South 500 East. He didn't have anything to add since the structure was already built. Mr. Christensen asked him about the hard surface in the driveway.

Mr. Broderick said he spoke with zoning and was told paving wouldn't be required but couldn't remember why. As for the other items recommended, Mr. Broderick felt that they could be completed.

Mr. Christensen asked if there were any other questions for the applicant. He then asked if anyone in the audience wished to comment on the case. Seeing none, he closed the public hearing and opened the Executive Session.

Motion:

**Mr. Fitzsimmons moved that in Case No. 014-06 at 749-51 South 500 East that they approve the recommendation of Staff because the project complies with the applicable standards subject to the following conditions:**

1. That the applicant provides a horizontal member across the top of the carport and side walls to the openings of the carport as a finish detail and that the final approval be delegated to Staff.
2. The approval would be for design only; all other City requirements must be met prior to obtaining a building permit. If any substantial changes are required as a result of other City requirements, Staff shall refer the proposal back to the full commission for final review.

**Ms. Heid seconded. Ms. Carl, Ms. Heid, Mr. Fitzsimmons and Mr. Haymond voted "Aye". There were none opposed. The motion passed.**

Case No. 013-06, at 280 N. "G" Street, by Christine Ward Morr, for construction of a one-car carport at the rear of the property. This property is located in the Avenues Historic District. (Elizabeth Giraud at 535-7128 or [elizabeth.giraud@slcgov.com](mailto:elizabeth.giraud@slcgov.com))

Ms. Giraud presented the findings of fact and Staff recommendation as outlined in the Staff Report. This home was built in 1890, a large Victorian Eclectic style home. The property is zoned SR-1, Special Pattern Residential District, and is located in the Avenues Historic District.

The project meets the Compatible Residential Infill Development Ordinance, regulations including those for lot coverage and height. The carport is behind the home and has limited visibility from the street and is only meant to accommodate a single car. The carport has a front gable rather than side-gabled or shed roof. The carport's height and width proportions and scale are dwarfed by the primary structure. There are no windows and the bay of the proposed carport would face west, toward the back of the primary structure and toward "G" Street. The proposed building is set back from the street and is consistent with the traditional placement of accessory structures at the rear of the lots in the Avenues Historic District. The proposed building meets this standard.

Staff recommends that the Historic Landmark Commission approve this application, based upon the Staff's findings that the project substantially complies with the applicable standards of the ordinance and adopted design guidelines, and subject to the conditions outlined on the Staff Report.

Ms. Giraud indicated she would administratively approve the lattice gable on the porch as it is not part of this proposal.

A copy of the Staff Report is attached with these minutes.

Mr. Christensen invited the applicant to come forward. Christine Moor of 180 North "G" Street, owner, came forward and explained that the original owner had torn down a garage that was there. The home is very large and the lot is small. To make the yard more useable and still have parking space she decided to have the carport.

Mr. Christensen asked if anyone else in the audience wished to speak on this case. Hearing none Mr. Christensen closed the public hearing and opened the Executive Session and asked for discussion from the Commissioners. Hearing none he asked for a motion.

Motion:

**Mr. Haymond moved that in Case No. 013-06 that the Commission approve the request subject to the following condition:**

**This approval is for design only; all other city requirements must be met prior to obtaining a building permit. If any substantial changes are required as a result of other city requirements, staff shall refer the proposal back to the full commission for final review.**

**Ms. Carl seconded. Ms. Carl, Ms. Heid, Mr. Fitzsimmons and Mr. Haymond all voted "Aye". There were none opposed. The motion passed.**

Case No 008-06, at 1159 Second Avenue, by Roger Durst, requesting approval for the new construction of a single family home. This property is located in the Avenues Historic District. (Staff Joel Paterson at 535-6141 or [joel.paterson@slcgov.com](mailto:joel.paterson@slcgov.com))

Mr. Paterson presented the findings of fact and Staff recommendation as outlined in the Staff Report. The house is located in the Avenues Historic District, which was locally designated as a historic district in March 1978. The base zoning of the property is SR-1, Special Development Pattern Residential. The SR-1 zone allows single-family and two-family homes as permitted uses. The lot is approximately thirty-seven feet (37') wide and 115 feet deep (4,269 square feet). The house will have two floors; the main floor running the length of the building with an east/west orientation and a second floor above the eastern third of the building. There will be two separate attached one-car garages; one each on the north and west facades of the house. The garage fronts "T" Street and is located below the main floor of the home, while the second garage fronting Second Avenue, is located on the main level.

The exterior will be constructed of cement plaster as the primary material with a stone base on the north and west facades. The south façade will be predominantly cement plaster with a concrete stem wall along the western end of the building. The windows are vertically oriented with floor to ceiling height. Historically the front door is located on the narrow façade of the home, facing the front yard. In this case, the main entrance faces the corner side yard and is recessed behind the plan of the exterior wall. The front door of the home is uncharacteristically located on the long axis of the house, facing Second Avenue.

The proposed plan appears to meet the zoning requirements for building height, lot coverage, and interior side yard. The front yard setback must be verified. The proposed plan does not meet the standards for rear yard and corner sideyard setbacks.

Based upon the analysis and findings in this report, the Planning Staff recommends that the Commission table consideration to allow the architect to modify the proposed design to:

1. Incorporate a traditional façade facing "T" Street which incorporates an entry porch.
2. Meet the required corner side and rear yard setbacks or seek relief through the Board of Adjustment.
3. Refine other design details as expressed by the Historic Landmark Commission.

A copy of the Staff Report is attached with these minutes.

Mr. Christensen asked about the concrete pad on this property on Second Avenue. The owner is planning to leave it there, as it looks like it might be grandfathered in.

Mr. Paterson indicated the pad was being left as it is from the commercial building that was demolished in the 1970's.

Mr. Christensen asked about the front entrance being on "T" Street and whether there was a process of changing the address so it really fronts on Second Avenue.

Mr. Paterson indicated the principal entrance can be located on either street frontage as the address is 1158 Second Avenue.

Mr. Christensen invited the applicant to come forward. Roger Durst, architect representing Ms. N. Cutrubs, applicant, came forward and thanked Staff for giving him direction in trying to put a new piece of construction on a difficult site. He talked about the entry on "T" Street and he indicated there was no pattern along that street as to which side the entry should be on. He said it was his choice to put

the entry there because the alternative would suggest that when entering the home you would have a problem like in a Pullman car, long lengthy hallways. The Second Avenue part of the house is the 80 foot length of the house and deserves the articulation of the house entrance. The patio provided for on "T" Street is complimentary to the front porches of other houses on the street and presents a neighborliness, he would hope that the patio would give. He said that there is about 2 ½ to 3 feet that exceeds the average setback along the property line from the porch to the south. The 24 feet dimension that is set for the width of the house is about a minimum to set for circulation through the house and still provide for habitable spaces along a central circulation area. He has a certified survey of the property south of this property and there is a part of the parcel that extends from the property to the south to access along Second Avenue. The lot is 8 feet 9 inches wide which is less than a permitted access. The driveway immediately to the east of that piece of land is a hard surface concrete 12 feet wide. When calculating all these figures it comes up to nearly a 50 foot cavity along the street frontage on Second Avenue. That is the reason for this design. He was hoping for a 20 feet setback so the house could be moved back 2 ½ feet from "T" Street and to parallel the other houses on the street.

The garages were a unique solution and will have a carriage type door with wood windows. He felt that the home owner could get by with only one garage but if you provide a parking space not enclosed it would make the parking visible from the street. The cut back parking is on the City property and the neighbors use it for diagonal parking. This property is 15 percent smaller than the lot size for which these setbacks have been established and it seems to be reasonable for this property plan to reach the full intent, if not the full dimensions required by the zoning code.

Mr. Christensen asked if anyone else wanted to comment on this case. Hearing none he closed the public hearings and opened the Executive Session for discussion. Hearing none Mr. Christensen asked for a motion.

Mr. Christensen thought the two garages looked awkward and would like to see the one on "T" Street taken off the plans. It looks like an interesting design but more of a Nouveau Prairie style.

Motion:

**Mr. Fitzsimmons moved that Case No. 008-06 at 1158 Second Avenue be approved with the design presented. With the following conditions:**

**That the project meet all zoning ordinances and building code requirements and that other details be reviewed and approved by staff unless there are major changes to be brought back to Historic Landmark Commission for approval. Ms. Carl seconded. Ms. Heid, Ms. Carl, Mr. Fitzsimmons and Mr. Haymond voted "Aye". There were none opposed. Motion passed.**

Mr. Christensen indicated the final case was a issues only and no motion would be needed.

Case No. 006-06, An Issues Only Hearing regarding the proposed Capitol Place Planned Development at 690 N. West Capitol Street. The applicant, Jeremy Jones and Rob Reinhold, represented by Cooper Roberts Simonsen Architects, are requesting approval for new construction of 19 new, single family residential units located in the Capitol Hill Historic District. As an issues only hearing, no final decision will be made by the Historic Landmark Commission at this meeting. (Staff: Lex Traughber at 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com))

Mr. Traughber presented the finding of fact and Staff recommendation as outlined in the Staff Report. Jeremy Jones, represented by Rob Reinhold of Cooper Roberts Simonsen Architects, is requesting approval of new construction in the Capitol Hill Historic District consisting of nineteen new single-family residential dwelling units. The property is zoned SR-1 Special Development Pattern Residential District. The proposed development is subject to the Salt Lake City Compatible Infill Ordinance Regulation and

the Design Guidelines for Residential Historic Districts in Salt Lake City, and will also require Planned Development and Subdivision approval by the Planning Commission.

This proposal will be considered and analyzed in a three step process. The first step in the process is consideration of the project of the Historic Landmark Commission. The items that fall under the purview of the Historic Landmark Commission include Zoning Ordinance standards for the H Historic Preservation Overlay District for new construction, as well as compliance with the adopted Design Guidelines for Residential Historic Districts in Salt Lake City. This review will include a study of the materials used for residential construction, the proposed massing, scale, height and design of the residential units, and subdivision layout.

This proposal differs from proposals in the past seen by the Historic Landmark Commission in that it is located in an area that is subject to Ordinance 91 of 2005, Compatible Infill Regulations for Council District 3. Ordinance 91 was adopted by the City Council on December 13, 2005, and will remain in effect for six months. Under the temporary Ordinance that will expire June 13, 2006, the issue of building height in the H Historic Preservation Overlay District falls under the purview of the Historic Landmark Commission. The applicant is requesting a building height that exceeds the height allowed under the temporary ordinance.

The second and third steps in the overall process require the consideration of the Planning Commission. If the applicant's proposal receives an approval from the Historic Landmark Commission, the applicant then will be required to file applications for a Planned Development and a Subdivision. The final step in the process is the consideration and approval of a Preliminary Subdivision request.

The subject property is a vacant, 2.81 acre parcel located between Victory Road and West Capitol Street. The parcel slopes away from Victory Road to the west down to West Capitol Street. The nineteen, single-family residential units are comprised of four different housing designs; Units A through D. They will extend to Darwin Street and connect to north West Capitol Street. The applicant proposes to widen West Capitol Street from Clinton heading north to the northern end of the project. The increased street width will accommodate an additional travel lane, sidewalk, as well as curb and gutter. A six to eight foot retaining wall will be built along this section of West Capitol Street and will be constructed to resemble natural stone.

Section 21A.24.080(H) of the Zoning Ordinance addresses standards for attached garages, specifically the width of an attached garage, and reads, "*The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front façade of the house*". All proposed units have garages that exceed this width limit. Ordinance 91 addresses height and states that the maximum building height shall be twenty-three feet (23') to the ridge of the roof, or the average height of other principal buildings on the block face. The applicant is requesting a building height that exceeds the height of 23 feet. Proposed maximum building heights for the units range from 28 feet to 30 feet. Section 6 of ordinance 91 states that, "*Request for additional building height for properties located in the H Historic Preservation Overlay District shall be reviewed only by the Historic Landmark Commission which may grant such requests subject to the provisions of Chapter 21A.34.020*".

Nearby buildings are residential structures and are generally characterized by a mix of styles, forms and materials. A discussion of the compatibility of the composition of the principal facades of the proposed homes is difficult due to the fact that the existing residences on West Capitol Street are so varied. There is no one particular housing style, type, design predominating.

Planning Staff recommends that the Historic Landmark Commission continue a discussion of this proposal at its next regularly scheduled meeting. Prior to this meeting, Planning Staff recommends that the "Issues" identified in the Staff report as well as any issues raised during the meeting on April 5, 2006,

be specifically addressed by the applicants such that the Historic Landmark Commission will be in a better position to make a decision regarding the proposed development.

A copy of the Staff Report is attached with these minutes.

Mr. Christensen invited the applicant or his representative to come forward. Jeremy Jones, Developer and owner and Casey McDonald of Cooper Roberts Simonsen Architect, approached for comments from the Commission.

Mr. Fitzsimmons asked if they have considered a way to reduce the impact of the heights on the structures on West Capitol Street. The wall and back side of the houses seems extremely height.

Mr. Jones indicated that they have not considered height reduction. But they have had some discussion on Unit D including perhaps removing the cover from the upper deck and/or changing the roof to a hip end. Looking at the homes from the street they wouldn't look so tall. The roof could also be dropped down to decrease the massing. He stated the grade is the problem.

Mr. Christensen indicated that he had seen these plans at another meeting where the concern was the height. He asked if there was much interest in reducing the height and scale of the buildings.

Mr. Jones indicated that the plans haven't changed in scale or mass. Units A and C are on the east side of the street, and due to the grade, the garage entrance is on the lower level. Some residence would enter from the second level and some from the third. The real difficulty is the grade and not digging into the hill to much to accommodate the grade. Not to far down the grade is the caliche, a rock material, a natural concrete. The D Unit goes down into a valley and again because of the grade, the only reasonable way to accommodate the grade and meet the requirements of the development for the structure of homes. He also indicated that the homes were not massive in size averaging 2600 to 2700 square feet on average. They don't want to disturb the grade but with all the restrictions it does make it difficult to create a unit that is 1 ½ stories high.

Mr. Jones indicated changing the square footage would eliminate some of the economic feasibility of the project. They have considered proposing underground parking and maximizing the density to allow for more units by possibility developing condominiums or apartment type units. The only way that would make since was to have the underground parking. The City doesn't need that and he felt the neighbors wouldn't want it. In order to fit in more nicely, this is the best solution. They decided to build a public right-of-way that connects both the streets and allows access for the Fire Department from different locations. Between the upper and lower portions of the site there is a two forty inch water line that is also dictating some grading in the road where there has to be a certain amount of depth to cover the pipes. They have made some conclusions with the City Public Utilities Department on that issue. The Fire Department requires some grading issues for their apparatus and access. The one large wall has been changed to two shorter ones so it doesn't seem so massive.

Mr. Traughber indicated that any increased density on the site will require some sort of zone change and would involve a master plan change. While town houses may be a good solution, it is important to realize that there is a different density in a townhouse configuration.

Ms. Coffey indicated that the houses can be clustered through the Planned Development approach, to allow more open space but can't be attached.

Mr. Jones indicated that there will still be plenty of open space because of the Salt Lake City Public Utilities property that goes through this area. They are proposing to keep it open and natural. He also talked about the garages in that they do not face West Capitol Street, but face each other on the new road.

Mr. Christensen opened the discussion to the public that wished to express their concerns.

The following people stepped forward to speak on the issue:

Marty Steinberg	Susan Veatch	Mark Milligan	Margaret Chandler
Clark Chesley	Shirley McLaughlan	Chris House	
Mary Lamb	Lewis Downey	Steven Boyington	
Minta Brandon	Donna Deyhle	Maureen Mooney	

The issues of concern that were brought to the table were: density and impact; turning the area into subdivisions like in West Valley or Sandy; increased traffic; sewer problems (new pipes); looking at a brick wall from windows of homes on West Capitol Street; lot configuration typical in the Capitol Hill Historic District; are, drilling and digging of the ground damaging the homes that are 100 plus or so years old. The master plan for that area took a long time to put together and height and density were a concern.

The question of cul-de-sacs came up and Mr. Christensen asked if they can be in a historic district.

Ms. Giraud replied and said they can but there is nothing that says they are not allowed. Usually in the Capitol Hill area the lots are not square and are of different grids. Cul-de-sacs are more of a suburban street pattern. New subdivision of lots is one of the criteria that the Commission should look at and that is where the cul-de-sacs issues can be addressed.

The applicant returned to the table and said that there will only be five houses that will be directly on West Capitol Street. The homes start to angle back, adding to the diversity of design how the houses are placed on the street. They will not use the same materials and the same houses on West Capitol Street and they will break up the look. The sewer issue is a problem and Mr. Jones indicated that they have been in contact with Salt Lake Public Utilities Department and if there is any problem or issue they have with the tie-in of the existing sewer line, they will be made aware of it. The Public Utilities Department has seen the plans and has not indicated any problems. The area that will be left open is not his choice but is by the City Public Utilities Department. There is a portion of open space on the south of lot 13C where a trail is being considered. There is a small amount of open space on the north side. The other area is about a quarter of an acre or more and is the location of the utility.

Mr. Christensen asked about the density, and the flexibility.

Mr. Jones does understand and stated that changes are possible in order to address the neighbors concern. Initially, developers considered twin homes because the area zoning allows for five to fifteen units per acre. As a developer, they feel they have tried to work with what would go well as far as the density and what is allowed. Nineteen units may seem like a lot but there has been a lot of good thought into this development and density has been a strong consideration.

Mr. Jones asked the audience if they would be willing to attend an open house and do more talking at the next community council meeting. They did agree that they would be receptive to that idea.

Mr. Fitzsimmons asked about the historic character of the Marmalade District in general, and West Capitol Hill, in particular.

Mr. Jones indicated that it is very hard to define what the historic character of this area is. He then talked about the Quonset hut home and wondered how that fit into the character of the neighborhood. Their units will be designed architecturally to fit into the area. There are homes built from the 1800's to just a few years ago, and the eclectic nature of the neighborhood makes it hard to identify any one specific. He

further indicated that the development project complies with all the guidelines and criteria that Mr. Traughber read in his Staff Report.

Mr. Fitzsimmons asked about how the height measurement was done.

Mr. Paterson said it was measured from grade. He clarified the height of the 28 feet that is being proposed. Twenty eight feet (28') was adopted for the citywide and single family residential districts. The City Council adopted temporary zoning standards for Wasatch Hollow and Capitol Hill and Avenues areas that are zoned SR-1. The proposal that is going to the Planning Commission for this area includes a maximum height of 23 feet. The tiered review process could allow additional height under the purview of the Historic Landmark Commission. When asked how to measure the building height, Mr. Paterson said it is an envelope system, meaning it is measured from any point on the roof straight down to the existing grade.

Mr. Christensen asked if the applicant had any more comments. Since he did not, he again asked the audience to come forward.

Ms. Maureen Mooney spoke regarding the Quonset Hut, to say it was only one house whereas the development will have 19 houses.

Margaret Chandler also spoke on the height. She mentioned the house would be on top of an 8 foot retaining wall on West Capitol Street. Driving down West Capitol Street all you would see is a wall.

Mr. Christensen closed the public hearing and opened the Executive Session. He then invited Mr. Traughber to return to the table.

Mr. Traughber asked that the Commission provide some direction to Staff in terms of the height, materials and appropriateness of garage design. Discussion followed on the retaining walls in the area some being 4 feet and some 6 feet.

Ms. Heid asked for clarification on the regulations of the Capitol Hill Master Plan and if they are binding.

Mr. Paterson responded that Salt Lake City does have in ordinance form some restrictions on slopes. The zoning ordinance in the Foothill Residential Zone FR-1-2 & 3 and FP zoning districts limit new subdivisions to grades with less than a 30 percent slope. Those standards do not apply to this area. The Capitol Hill Master Plan may include a policy to not allow development on slope of grade less than 30 percent but it has not been formalized by ordinance at this point. A standard of this nature is considered a recommendation since it is not in the zoning ordinance.

Mr. Fitzsimmons asked if the present zoning was in conformance with the Capitol Hill Master Plan.

Mr. Traughber wasn't sure but indicated that it probably is.

Ms. Coffey said it was something Mr. Traughber would look at before going to the Planning Commission. Master Plan Compliance is one of the criteria the Planning Staff looks at in analyzing the appropriateness planned development request. The SR-1 zone is a lower density zone and most of Capitol Hill is a low density area.

Ms. Carl asked what the process is if the neighborhood wanted to pursue buying the property for open space buyout what would they have do.

Ms. Coffey replied that the City, through a bond of several years ago, was able to obtain funds for open space. The Open Space Lands Advisory Board has guidelines and criteria for allocating money and will



start taking applications in May. They are still working with the City Council on criteria before they actually accept applications.

Ms. Carl asked if the Community Council could pursue applying for money for this property.

Ms. Coffey stated yes.

Mr. Paterson said there have been comments on the subdivision and how it is laid out. One standard that the Historic Landmark Commission is able to consider is the subdivision of lots. Comments can be provided on the layout based on the compatibility of the historic district.

Mr. Traughber has included a map with the Staff Report showing the parcels and their acreage in that area. A 5,000 foot lot is about 0.11 acres.

Ms. Giraud indicated that subdivisions aren't in the historic districts except maybe the Harvard Yale area and they were built in the 1920s or earlier. Federal Heights is also a big subdivision. Historically, financing for large pieces of land was difficult to obtain. The pattern, especially in the Avenues and probably Capitol Hill, has been that a builder would construct four or five similarly designed homes.

Mr. Traughber asked the Commission to give some direction on the garages all facing the interior of the proposed extension of Darwin Street.

Mr. Christensen indicated that it would seem like driving through an alley even though it would be a dedicated City street. He requested a way be researched to change how they are placing the garages, possibly located on the side of the home.

Mr. Christensen asked if there were any more questions or discussion. Hearing none he closed the Executive Session and moved into other business.

### **Other Business**

Ms. Coffey said that there are many items for the May meeting. She wants to know if the Commission would like to have two meetings in May or one. The conscience of the Commission is to have two short meetings. Ms. Coffey then indicated that the meeting would be the first and third Wednesdays, May 3 and 17.

She then indicated that last December or January a solar committee was set up with Paula, Scott and Warren. The City has expanded the focus of the group to look at all the Sustainability Development Issues. Therefore only one representative is needed from this Commission. Mr. Christensen indicated he would withdraw his name because his term expires in July. Ms. Coffey will talk with the other two members to determine who would like to serve.

Her last item of concern was the chairmanship of the Commission. Ms. Mickelsen has asked to resign as chair and Mr. Ashdown may miss meetings because of his campaign for the Senate. In the past, the chair has been the most senior member and that is now Mr. Christensen. The Commission asked to have Mr. Christensen continue to be chair as needed.

Mr. Christensen then asked if there was no other business he would ask for a motion to adjourn. Mr. Fitzsimmons moved that they adjourn. Meeting closed at 9:47 p.m.

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Louise Harris, Secretary

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Scott Christensen, Acting Chair