

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Held at 451 South State Street, Room 315
June 7, 2006**

A field trip preceded the meeting and was attended by Commission Members Paula Carl, Scott Christensen, Acting Chairperson; David Fitzsimmons, Noreen Hammond-Heid and Esther Hunter. Planning Staff present were Cheri Coffey, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor and Elizabeth Giraud, Senior Planner.

MINUTES FOR THE FIELD TRIP (3:00 p.m.)

Case 470-06-32

No comments.

On a matter not related to the meeting that day, Staff discussed the proposed process for the Capitol Place planned development including the proposal to hold an issues only public hearing with the Planning Commission and then holding a joint Historic Landmark Commission/Planning Commission subcommittee meeting prior to bringing the case back to the Historic Landmark Commission for review.

Case 470-06-22

No comments.

Case 470-06-30

Issues discussed were whether or not the neighbors would be impacted with the placement of the proposed garage on a deep lot, disappointment toward losing existing 1920s garages in historic districts, tight lots and how the HLC process relates to the new Compatibility Infill process.

Case 470-06-29

Items identified were that the proposed prairie style doors are not compatible with the Victorian style home and the development constraints because the home was constructed on the property line.

MINUTES OF THE MEETING (4:30 p.m.)

Historic Landmark Commission Members present at the meeting were Paula Carl, Scott Christensen, David Fitzsimmons, Noreen Hammond-Heid and Esther Hunter. Planning Staff present were Alexander Ikefuna, Planning Director; Cheri Coffey, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Elizabeth Giraud, Senior Planner and Deborah Martin, Secretary.

Chairperson Christensen called the meeting to order and welcomed Esther Hunter as a new Salt Lake City Historic Landmark Commission Member.

Comments to the Commission

No one from the public had comments to make to the Commission.

Report by the Planning Director

Mr. Ikefuna had nothing to report at this time.

Approval of the Minute for May 17, 2006

Chairperson Christensen asked for the following revisions:

- Correct spelling of names for Mr. Nephi Kemmethmueller and Ms. Minta Brandon.
- Change the word “Archetupos” to “Archivist” on page 17.

Mr. Fitzsimmons moved for the Historic Landmark Commission to approve the minutes with the aforementioned revisions. Ms. Carl seconded the motion, all voted aye; the motion passed.

PUBLIC HEARING

Case No. 470-06-32, by the Salt Lake City Engineering Division, represented by Dell Cook, Project Manager, requesting conceptual approval for several projects in Liberty Park, including the Amphitheatre, Concessions Area, Liberty Lake, Pedestrian Path and Tree Alley and Adventure Garden. Liberty Park is a Salt Lake City Landmark Site. (Staff – Janice Lew at 535-7625 or janice.lew@slcgov.com)

(This item was heard at 4:41 p.m.)

Dell Cook was present to represent the Salt Lake City Engineering Division.

Ms. Coffey, substituting for Ms. Lew, explained that Liberty Park is a Landmark Site and has been undergoing major renovation over the last several years. The overall proposed improvements are as follows and would take place in three phases:

- (Phase 1) Improvements around the plaza, including replacing the existing asphalt hard-surfacing with concrete pavers around the amusement rides and equipment area, and removal of the bollards and planters in the concession area to provide improved pedestrian circulation.
- Construction of a new information kiosk near the concession building.
- Extending and realigning the east/west path from the parking lot toward the concession area. Additional trees will also be planted along this area.
- Reshaping the northwest edge of Liberty Lake.
- Restoring the drainage channel to the west of Liberty Lake.
- Relocating the War Memorial to the south in line with the concession building.

- (Phase 2) Construction of the Adventure Garden, which would be the children's play area. Ms. Coffey explained that the current Children's Garden has been closed to the public for several years because of safety reasons. Most of the existing structures and the restrooms would be removed. New pedestrian furniture, pavilions and berms would be added. Some existing posts would remain to be integrated with the "pole forest." The small streambed in this area will also be improved.
- (Phase 3) Construction of the new amphitheatre. Ms. Coffey noted that the packet includes two options and future funding would determine which option would be chosen. Option 2 includes a gazebo at the knoll of the hill in line with the concession stand.
- Liberty Lake will be extended toward 600 East and the existing boat dock will be removed and a wider one will be installed to the southwest. The existing concrete curb around the Lake will be replaced with a new sidewalk.

Ms. Coffey explained that Planning Staff recommends conceptual approval for the overall plan with the following considerations: A more suitable location for the proposed gazebo because that location is prominent and the gazebo is not a historic feature of the Park, the width of the dock to be re-evaluated, and more design details for the dry creek bed be provided.

Mr. Cook explained that they are leaning toward Option 1 for the amphitheatre, and the intent is to improve pedestrian circulation around the concession area and make the Park more functional. The Children's Garden has been closed for a long time because the equipment does not meet safety code, and the restrooms and ball crawl are dysfunctional. The building that houses the restrooms and ball crawl will be scaled back to half its current size by eliminating the restrooms. New restrooms were installed to the south of the new concession building when it was constructed. The ball crawl will be modified into a pavilion. The roof of the pavilion will have the same pitch and shingles as the new concession building. The Park has only one other pavilion, which is located in the northeast corner (the opposite side of the Park), and the proposed modification to the ball crawl would provide another spot for group dining and gathering. The design to revitalize the Children's Garden is a "pole forest". The columns will remain and shapes will be carved on the top of them to make them more interesting. Rock and boulders will be added for climbing and sitting areas which would tie into the existing drainage channel creek. The creek is a catch basin for surface drainage for the entire site and drains into the Lake and Aviary. The Aviary no longer wants storm water in their system, so the creek will be piped westward into the 500 South storm drain. The creek would be made more aesthetically pleasing and would provide a play facility for the children. The creek would have water in it for a very short period of time during storm events.

Trees will be planted to extend the alley and provide a dramatic entrance from the parking lot to the concession area and to tie the concession area with 600 East and beyond the new amphitheatre. The gazebo is proposed to be in line with the monument and concession stand to provide a dramatic entrance. The gazebo is only meant as a focal point and is an option.

The master plan for the Park has always called for an amphitheatre for small performances and concerts.

The War Memorial would be reconstructed because the corners have been damaged over the years. Relocating the War Memorial would provide a more formal pattern in line with the focal point, and improve ingress and egress of the concession building.

The proposed width of the boat dock was determined because it is currently inadequate. It is so narrow now that two people are unable to pass without the potential of someone falling into the water. The dock was also realigned with the concession area because the boats will be stored in the breezeway of the concession building during winter months and this alignment will allow concessionaire staff better access of the dock activity. As for the width, Mr. Cook said that they would reconsider it and continue discussions as the idea is being developed.

Liberty Lake serves as a storm drainage system and the curb around it is continually eroding away as the water over flows. The old curb will be replaced with a new curb and a five-foot wide sidewalk along with a retaining wall. The new curb system will serve as seating at the edge of the Lake as well as increasing the flood capacity.

The Historic Landmark Commission Members and Mr. Cook discussed the plans, and Mr. Cook further explained that the berm located in the north portion of the Park would be increased to accommodate the amphitheatre. The seating would consist of about six concrete/grass risers. The risers will be concrete about 18 inches high and the treads will be grass.

The original concrete walking bridge from the 1920s would remain and become a feature of the Children's Garden area.

As for the columns/bollards with planters on top, Mr. Cook said he is uncertain of their history and they serve no purpose. The intent is to remove them to improve circulation. The planters belong to the concessionaire and would be relocated to other appropriate areas or perhaps on the terraces of the amphitheatre. The Farris Wheel and Merry-Go-Round are owned by the concessionaire and will continue to operate. Mr. Cook said he is not certain whether or not the other rides will remain, but the paving around them will be redone. Mr. Cook concluded by saying that they are asking approval for the overall concept so that they may proceed with funding and they will come back to the Historic Landmark Commission for review as development progresses.

Melissa Barbanell, 1062 South 500 East, explained that she was involved in the master plan process for Liberty Park and is pleased with some of the changes. However, she is concerned about the visual impact the amphitheatre may have on the Park and other buildings becoming infill lessening the amount of open space in the park. The new concession stand is significantly larger than the old one and she is concerned that losing green space to buildings would diminish the historic value of Liberty Park. Green space and rolling hills are integral to the historical nature, and she agrees with Planning Staff that the gazebo would interfere with the appearance. Ms. Barbanell also asked for clarification of elements behind the seating of the amphitheatre. The hill is used for sledding and she questioned whether or not whatever elements behind the seating would alter the view or use. Ms. Barbanell said that she is also concerned about the noise emitted from the amphitheatre and noted that the Ordinance does not allow loud music after 9:00 p.m.

Addressing Ms. Barbanell concerns, Ms. Hammond-Heid noted that the stage would be surrounded by flowering trees (Staff Report - Page 10). Mr. Cook added that the berm would be enlarged to accommodate a back-drop for the amphitheatre and the flowering trees would be planted on the edge of the hillside and wrap around the back side of the amphitheatre to accent the back drop. They do not intend to place any boulders in that area, but will maintain the grass so that it will appear to be similar to what is already there. The use of the amphitheatre would be covered in the management plan for all parks. Events and times are documented and they require approval.

Paul Wharton submitted a letter from Ethel C. Hale, 436 East 800 South, and read it into the record. In part, the letter states opposition to any proposal that would destroy established green space to accommodate structures or replace the sledding hill with an amphitheatre. Ms. Hale wrote that she believes society needs exercise, not sitting being entertained and eating; and restoration of the still-extant bowling green would be a historic touch. She post-scripted the letter stating that historically, a park is primarily trees, grass, flowers with quiet and minimal structures. An amusement park is structures, excitement, noise and commerce of various kinds.

Seeing no one else requesting to address the Commission, the meeting was closed to public comment and the Historic Landmark Commission discussed the proposal. Acknowledging that the amphitheatre leans toward landscaping features, the consensus of the Commission was that the existing topography must be maintained including relocating the gazebo. Ms. Hunter voiced concerns about eliminating the concrete columns without a better understanding of their history.

Regarding Case No. 470-06-32, based on the comments, analysis and findings of fact, Ms. Carl moved that the Historic Landmark Commission grant approval for the requested circulation changes and conceptual approval on the Option 1 Site Plan as presented in the Staff Report provided:

1. Efforts are made to maintain the existing topography of the sledding hill.
2. The proposed gazebo is moved to a more acceptable location.
3. Information is provided for the concrete columns that are proposed to be removed.

Ms. Hammond-Heid seconded the motion, all voted aye; the motion passed.

Case No. 470-06-22, a request by Howa Capitol to construct a new mixed-use development between 500 North and 600 North and Artic Court and 300 West, consisting of two five-story buildings with retail uses on the main story and dwelling units above, a single-story grocery store and eleven townhouses units. This property is located in the Capitol Hill Historic District. (Staff – Elizabeth Giraud at 535-7128 or Elizabeth.giraud@slcgov.com)

(This item was heard at 5:20:51 p.m.)

Prescott Muir and Dru Damico were present to represent Howa Capitol.

Historic Landmark Commissioner Fitzsimmons disclosed that he has been recently employed by Prescott Muir Architects who is the designer for the project. Mr. Fitzsimmons said that he has not specifically worked on the project and he believes he

could be impartial hearing the case. The consensus of the Historic Landmark Commission was that Mr. Fitzsimmons could hear the case finding no conflict of interest being a new employee and not working directly on the project.

Mr. Ikefuna explained that the project has gone before the Planning Commission and is now before the Historic Landmark Commission for design review. Recent changes have been made to the plans resulting from environmental conditions. The underground parking structure could not be achieved because of the high water table and instability of soils below the surface ground on the site. The Planning Staff found that the changes were an improvement and recommended approval.

Mr. Damico introduced the proposal to the Historic Landmark Commission explaining that they have been working on the project for one year with the intent to create a modern urban destination and provide a mixed use market driven project in one of Utah's oldest neighborhood while maintaining its historical context. It is also their intent to achieve higher environmental excellence through LEED Certification.

Referring to artist drawings of the elevations and the amended site plans, Mr. Muir oriented the buildings explaining that the project is located between 500 and 600 North and between 300 West and Artic Court to the east. The parking structure on the south portion of the site was raised from sub-terranean to above grade level. By doing so, it provided a landscaped plaza on top of the parking structure for the second level residences in Building D. Building D has an L-shaped footprint in that it wraps around the parking structure along the 300 West and 500 North facades. Retail space will be located on the main level with residences on the upper levels. The wrapping of the parking structure also created a plaza between Building D and the grocery store/retail building to the north.

The proposed grocery store would be located in the center of the block with a footprint of 11,000 square feet. The building would be 25 feet high or less and it may contain a second level. Mr. Muir said that research shows a grocery store would be ideal, but they have not found a grocery vendor as of yet. Should the building not be used as a grocery store, it would be constructed with a second level for office space and a single retailer on the main level.

Building A, located on the southeast corner of 600 North and 300 West, previously faced 600 North and it has been turned to now face 300 West. The Planning Commission had concerns about the visual and literal impact on the small residence to the east. Building A would also have commercial use on the main level and four stories of residential.

Along the southeast portion of the site on the west side of Artic Court, the Applicants are proposing 9 townhouse units that would be two stories high. The number of units was reduced from 18 units to 9 units. Their desire was to create as much as possible private courtyard open space for the townhouses. This was achieved by reducing the number of units and separating them with alleyways leading to the attached garages. Mr. Muir noted that the Staff Report calls for porches and providing them has been a challenge. The townhouses are currently designed with small porches measuring 5 feet by 8 feet. The structures were placed right to the property line in order to maximize the amount of courtyard space behind them. Mr. Muir would be willing to increase the size if they could obtain concession to build over the property line. He added that they strived to continue the existing historic nature and spacing of the streetscape. Mr. Muir then reviewed

streetscapes showing the proposed buildings with adjacent buildings. The streetscape along 500 North eastward would consist of Building D, the townhouses and adjacent structures. The streetscape along 600 North eastward would consist of Building A, an existing housing project and the small home. Mr. Muir noted that they held their buildings to a height of between 44 and 45 feet on the east side as the hill ascends. The residential portions of both buildings were also stepped back 8 feet from the retail portion to mitigate impact on the streetscape and the surrounding residences.

The exterior of the buildings would be brick that matches West High School on 300 West. They are also proposing vertical windows to continue the historic flavor of the structure.

Another change has been the access between Artic Court and the retail portion of the project. Mr. Muir explained that vehicular access was precluded by the master plan, so it was changed to be pedestrian accessible. All accesses will be landscaped and the required 15-foot buffer for the small residence to the east will be maintained which will be heavily landscaped to mitigate any impact.

Mr. Damico then presented a slide presentation of various existing landscaping scenarios explaining that they hired Historian Gary McDonna to provide a written history of the Marmalade Hill area from Ensign Peak to North Temple. The presentation depicted the proposed landscaping design options for the plaza and green spaces that they are considering which they call the "diagonal concept". Their intent is to pull the historic layout of streets in the Marmalade neighborhood into the project. They envision lush trees, raised planters, water features, green screens and a substantial trellis on a 45 degree angle in the main plaza.

Mr. Muir added that the challenge was to include modern touches with the historical context along with creating a competitive product with the downtown market. They also used landscaping and spacing to provide privacy for the residence. Lining the street with trees is to provide protection for the townhouse as well as a visual line through the entrance into the plaza. He noted that the second-story residences were provided space between each unit in the common area on the roof of the parking structure and the only access to the residences is through the building.

The Applicants and Commissioners further discussed the proposal. All residential units are for sale and consist of 60 percent two-bedroom units, 10 percent three-bedroom units and the remainder one-bedroom units. Mr. Muir noted that their market feedback indicated a predominate interest in two or more bedrooms.

It was noted that the brick exterior on West High has a purple hue. Chairperson Christensen voiced concerns about a dark purple on a large building having an overbearing effect. He explained that red brick, similar to Washington Elementary, is historically more prevalent. Mr. Muir said that he believes a darker color tends to down-scale structures, but they are open to ideas. He noted that they entertained at one time a multi-color pallet. They have also considered median landscaping along 300 West, but that became problematic because 300 West is a State road. They are trying to create a considerable presence to announce a new and different zone and also a sense of place through commonality and consistency of buildings.

Addressing concerns relating to hard-scaping and the park strips, Mr. Muir explained that their intent along 500 and 600 North is to maintain the park strips except for the diagonal entries into the buildings. He explained that it is important to maintain the residential streetscape along those exposures to induce activity. However, a sod park strip would not be appropriate with heavy pedestrian traffic. They would plant as many trees as they could get approved along those frontages.

The proposed number of parking spaces has been balanced between Ordinance requirements and mitigating parking impact, and they are actually short on commercial parking. They had 3 per 1,000 square feet of building, which is the requirement, but they are providing slightly below 3 per 1,000 square feet. They are working with Staff to eliminate parking on the back side of the plaza and adjacent to the small residence on 600 North. They envision a more walkable environment and clientele, but are receiving considerable push from retailers for more parking. So they intend to use the combination of both on- and off-site parking to make the project work. They will request approval for diagonal parking along 500 and 600 North because they feel off-street parking is much needed. The sidewalks by the diagonal parking will be minimized and landscaping up to the buildings will be provided. It was noted that the width of the park strips is a historic feature in the neighborhood.

Mr. Muir then explained that the project would occur in three phases. Building D and the townhouses are planned for the first phase, Building A is planned for the second phase, and then the grocery store. The grocery store site will be used to mobilize and stage construction. They intend to first market the residences and push for the grocery store because it has been an overwhelming desire of the community and has been suggested in the master plan for the area.

Elements and design features were further discussed and it was noted that certain elevations were unclear. Mr. Muir explained that the site is in the re-zoning process as part of the planned development. The site is currently zoned CS which allows heights of buildings 45 feet or three stories whichever is less. They are proposing the zone be changed to RMU which allows 75 feet. The maximum height proposed is 60 feet. Height impact on surrounding residential uses has been mitigated by stepping back the buildings, maintaining buffers and providing substantial landscaping. It was noted that also 500 North provides buffering in that it is four lanes wide.

Nephi Kemmethmueller, 328 West 600 North, said that the Community Council and he personally are in favor of the project. He explained that he has lived in the area since 1973, and has seen a lot of "nothing" changes, but the proposed project would be a tremendous resource in both residential and positive activity for the area. The area also serves as the north concourse into Salt Lake City and he believes the project would be very conducive and an improvement not only for the neighborhood, but also for the City as well.

Phil Carroll, representing Community Housing Services who owns the Capitol Villa Apartments, said that they too are in favor of the project and appreciated the Applicants' efforts. He explained that the Capitol Villa is a senior/disabled facility with 108 residential units and he anticipates that their tenants would create a substantial amount of pedestrian activity from their property to the proposed commercial development. He would like to see a handicapped accessible pedestrian walkway from the corner of the property at Artic Court to their parking. Mr. Carroll then explained that the re-orientation

of Building A has concerned them in that it would block the view corridor through the property. As originally configured, the view corridor was the middle of the project and now the building would limit westward views. He is also concerned that the ground level commercial spaces may be difficult to lease. A similar project on the other side of the viaduct on North Temple has no commercial spaces currently filled. He would rather see more on-site parking than commercial development.

Polly Hart, Vice Chairperson for the Capitol Hill Community Council and a member of the Redevelopment Agency Advisory Committee, said that they are thrilled with the design and the use, and are looking forward to getting the project off the ground.

Noting Mr. Carroll's comment regarding the pedestrian access from the Howa project to the Capitol Villa Apartments, Mr. Mueller added that a number of elderly and physically restricted people living in the Villa attend the LDS Church located on 500 North directly in front of Artic Court. He feels that the community needs more residential walkways and pedestrian lanes; especially a pedestrian lane with a restricted speed zone on 500 North. He asked that perhaps something could be implemented during the development and construction phases of the Howa project.

Kirk Huffaker, on behalf of the Utah Heritage Foundation, explained that they are in favor of the proposal and believe that the project would have a positive impact on the neighborhood as well as the City. Mr. Huffaker encouraged the Historic Landmark Commission to at least grant the Applicants conceptual approval. The Applicants have been forthcoming and the project has substantial community support.

Hearing no further comment, the meeting was closed to public comment and the Commission went into Executive Session.

Addressing the comments made by the public, Ms. Coffey explained that the stairway from the Villa to the Howa project and the walkways on 500 North are not within the purview of the Historic Landmark Commission. As for the re-orientation of Building A affecting the view corridor, Ms. Coffey explained that the Commission must consider the preservation standard of streetscape rather than view corridor protection. Ms. Coffey said that Staff too encourages conceptual approval of the project and issues relating to details could be delegated to Staff.

The Historic Landmark Commission acknowledged the tremendous support for the project, but still had concerns relating to elevations and details.

Regarding Case No. 470-06-22, Ms. Carl moved for the Historic Landmark Commission to accept the Planning Staff recommendation for conceptual approval on the entire project. The Applicant must work with the Planning Staff in finalizing material selections and details, the elevations of the townhouses on 500 North and landscaping along the 500 North and 600 North streetscapes. The final design for each phase of the project must be presented to the Historic Landmark Commission for approval. David Fitzsimmons seconded the motion, all voted aye; the motion passed.

Case No. 470-06-30, at 227 "K" Street, a request by George Robison to construct a new garage that exceeds the base zoning standards for height and footprint size. This property is located in the Avenues Historic District.

(This item was heard at 6:30 p.m.)

Chairperson Christensen recognized Elizabeth Giraud as Staff representative.

Ms. Giraud provided a brief background of the petition. She stated that the location of the garage is in the rear of the property and it would be larger in square feet and height than the adopted Compatible Infill Standards allow. Ms. Giraud stated that her findings were positive, due to the garage meeting scale and form, materials, composition of principal facades, and the relationship to the street. She noted that the proposed garage was also compatible with the design guidelines. Staff recommends approval of the proposed garage.

Ms. Giraud also stated that the Applicant had submitted photographs of other garages in the area that had been previously approved. She stated that the roof profile differs slightly from the existing design guidelines, but reinforced the fact that the garage is compatible with the surrounding area.

It was noted that the property has a substantial grade change, minimizing the street frontage and mitigating the impact the garage could have. Ms. Giraud stated that the Applicant has addressed his reasoning for building the garage is to block the noise and disruption by his neighbor through the block and this would shield his property.

The Commissioners discussed the site plans and design of the garage. It was noted that the location of the garage is in the southwest corner of the property and that the siding would be wood in nature.

Chairperson Christensen recognized the representative for the Applicant, Mr. Chip Lyons.

Mr. Chip Lyons, 987 Wilson Avenue, represented George Robison as he was not able to attend. He stated that Mr. Robison extended appreciation to Planning Staff for their considerable effort and offered to answer any questions the Commissioners might have.

Mr. Lyons reiterated the thoughts that Ms. Giraud shared in relation to reasoning for the garage, location, and compatible infill standards.

Chairperson Christensen requested more information regarding the siding material; wood plat board vs. concrete siding. He also requested more information regarding the windows and garage doors.

Ms. Giraud responded by stating that the design will use wood clapboard or hardiboard, which has been allowed by the Commission previously, as long as it is laid horizontally.

Mr. Lyons stated that he was unable to provide explicit details regarding the materials, but that Mr. Robison had indicated that he would not be thoughtless with the materials selected. He concluded that if the Commission requires additional information, Mr. Robison would be willingly to work with Staff on the selection of materials.

Mr. Paterson stated that the Compatible Infill Ordinance recently adopted by the City Council for the SR-1 zoned areas does effect the project because it is vested under the temporary regulations that allow for an accessory structure a height up to 17 feet to the ridge; however, the Commission has the authority to modify those standards.

Chairperson Christensen opened the public hearing and requested comments from the public. Seeing or hearing no indication for comment, Chairperson Christensen closed the public hearing.

Chairperson Christensen stated that the design is pleasing, but would like to know more about the type of garage door and dormer windows that would be used. He requested that Staff review the type of materials to be used be discussed with the Applicant, as wood windows covered in vinyl or metal material can be used in new construction but remain functional as windows.

Ms. Giraud stated that the Commission has allowed vinyl garage windows. She clarified that the east elevation of the proposed garage is the area in which Chairperson Christensen seemed concerned and stated that generally, double doors have been the preference of the Commission and that the Applicant seems amiable to discussion of the materials.

Regarding Case 470-06-30, Commissioner Fitzsimmons made a motion to approve the application including exceeding base zoning height to 22 feet and delegate approval of details, including all exterior finishing materials, windows and doors to Staff. If difficulty arises with the details, the case could return to the Commission if there is an inability to agree with Staff in regards to those items and any other details. The motion was seconded by Commissioner Carl.

Commissioner Hunter requested discussion regarding the motion. She requested clarification from Staff regarding the reasoning of the height of the proposed garage and whether or not enforcement of the noise had already been pursued. She also requested clarification regarding the Infill Ordinance and the new height requirements and whether the Ordinance is to limit the height of structures in the area, or if it is to strictly require consideration of the surrounding area when considering a proposed construction.

Commissioner Fitzsimmons stated that the reasoning the applicant wants a higher garage has not been considered in the purview of the proposal. Secondly, he stated that in regards to scale and design guidelines and the compatible infill ordinance, the Commission has shown flexibility in the construction of garages in the past and is the basis of the decision.

Commissioner Hunter raised the point that the Ordinance is new and should be considered by the Commission during the public hearings. She noted that informing and educating the Commission on how they should review the CRI Standards might be a potential item at another meeting for discussion and further understanding.

Chairperson Christensen stated that the noise and disturbance issue does not have bearing on the discussion for this case, and an argument could be made regarding the relation of the garage height to the low-bungalow home. He continued that the location of the proposed garage places it adjacent to some tall structures and is not of great

concern. He stated that although the Commission does not consider the reasoning for the building there are instances when it may be appropriate to consider.

Ms. Giraud stated that the standards are reviewed by Staff very carefully in determining the findings for the Staff Report. She noted that consistency is of great consideration for Staff. Ms. Giraud continued by stating the information is obtained from applicants to help fully understand the situation and the request, but should not necessarily be a part of what the Commission bases its decision on.

Ms. Giraud provided examples of some of the decisions the Commission has been required to make and recommended that the Compatible Infill Ordinance be broadened (in thought) to help encourage new accessory structures or new additions that will reinforce the historic character of the property.

Ms. Coffey also noted that the Commission has been consistent with many of their decisions regarding rear lot accessory structures.

Ms. Hunter stated that Staff's recommendation should be recognized, but agreed that the Ordinance is new and requested a separate meeting or training discussion on how it will affect their decisions.

Ms. Coffey clarified that the Historic Landmark Commission is reviewing the petition, in part to gain public input because of the compatible infill ordinance, when prior to the adoption of this CRI Standards the petition would have been reviewed administratively. The reason for presenting the petition at the Commission meeting is to allow the public the opportunity to speak in regards to the proposed construction.

Chairperson Christensen concluded the discussion and brought the motion back to the table for a vote.

All voted Aye. The motion passed.

Case 470-06-29, at 209 "A" Street, a request by Bonnie Athas to construct a new front porch, and replace an existing rear addition with a new addition. This property is located in the Avenues Historic District.

(This item was heard at 6:56 p.m.)

Chairperson Christensen recognized Elizabeth Giraud as Staff representative. Ms. Giraud gave a brief background of the request. She included that the home was constructed in 1909, with an early conversion into apartments. Ms. Giraud stated that a tax photo from the 1930s illustrates a house with a steeply pitched front gable, with a full-length porch with a pediment in the center of it. She stated that Ms. Athas is requesting somewhat of a compromise due to property line conflicts, as her existing porch extends into the public right of way. Ms. Athas will be required to obtain a revocable permit upon approval of the proposed porch in order to expand the structure by adding the proposed roof and the railing. Ms. Giraud raised concern regarding the allowance of the railing on the second story. She noted that the home had completed numerous alterations throughout the years, and the applicant is requesting a railing on the second story in order to allow the covered porch and French doors from the second story and to abide with City regulations. Ms. Giraud reinforced her positive

recommendation because the proposed alteration will re-create the historical design of the home. Ms. Giraud noted that although the addition is higher than the allowed infill height, it is compatible with the home and would still be compatible with the surrounding area.

Ms. Giraud stated that the fenestration of the rear part of the house, with the new "L" shape does differ slightly but is not visible from the street. She addressed a question from the field trip regarding the proposed replacement of the doors and stated that the prairie style doors that are being proposed are out of character with the Victorian ambiance and style of the house, but the Applicant has been willing to work with Staff to accommodate the style of the house. Ms. Giraud distributed a color board with the intended paint colors of the home, although the Commission does not regulate color. Staff's recommendation is for approval of the proposed design changes.

Chairperson Christensen recognized the Applicant, Bonnie Athas. Ms. Athas, 209 "A" Street, stated that the application for a permit to complete the house was submitted in June of 2005, and has been a project reviewed and proposed by many different individuals in their respective fields. She stated that her goal in requesting the change is to make the home safe, structurally sound, and seismically safe. She invited any questions from the Commissioners.

Chairperson Christensen extended appreciation for the efforts of Ms. Athas to creating the new design. He requested additional information relating to the second story existing French doors and sidelight windows and the proposed changes, as the existing window is not reflected in the drawings. He also noted that the early photographs illustrated a triangular vent on the front gable, and the drawings do not.

Ms. Athas stated that the French doors and sidelight windows have been changed to enhance the historic vitality of the home, and to also place a pediment in the center. She stated that the triangular vent is going to remain on the home.

Staff and Commission Members noted that the existing building in the rear does not meet the current setback requirements, but has been grandfathered in, allowing Ms. Athas to replace the structure completely. An exception to the height will be allowed upon approval.

Ms. Giraud confirmed with the Applicant that the south elevation on the bottom floor was going to use EIFS (External Insulated Finish System) per the architect's direction. Ms. Athas stated that the bottom part should be stucco per the original photo of the home. Ms. Giraud clarified that the new addition would be shingled to provide distinction.

Commissioner Hunter commended the Applicant for the manner in which she has pursued the re-design of the home.

Commissioner Hunter noted concern regarding the windows to be used in the rear of the building and their difference from those in the front.

Ms. Athas stated that the windows on the main floor of the home will remain while the new windows on the rear may reflect individual taste. She also stated that all of the windows are wood-clad.

Chairperson Christensen noted that in the new addition, the three windows on the basement floor differ by the way in which they open and requested if it was due to the fact that one is an egress window.

Ms. Athas confirmed that one of the windows is an egress window and is a bedroom window. She also stated that she could turn the windows the other direction if the Commission advised.

Chairperson Christensen requested information from Ms. Giraud regarding the requirements of egress and the historical configuration of windows.

Ms. Giraud stated that meeting egress is essential, but hardwiring with smoke detectors is also a consideration to provide more latitude in egress requirements. She also stated that the windows will not be highly visible to the public.

Chairperson Christensen requested comments from the Community Council and public.

Christian Fannesbeck, 215 "A" Street, approached the Commission and expressed appreciation for their efforts. He stated that the proposed project has been of interest to him and appreciates the efforts of Ms. Athas. He also noted that a retaining wall was required for his home, near the driveway, and that consideration was being made to make the walk way which has to be re-built on the north side of the subject property more accessible and placing a fence on top of the wall and extending the wall to the walk way; although this is not shown in the drawings. Mr. Fannesbeck requested that the fence not in-close the driveway space and to use a rod iron configuration.

Chairperson Christensen requested additional information from Planning Staff regarding the fencing questions.

Ms. Giraud clarified the information presented by Mr. Fannesbeck by stating that the potential fence on the north side could replace the railing that extends to the small door. She stated that she had discussed the issue with Ms. Athas, but determined that the fence might be hard to maintain and perhaps a metal railing relating to the historic character of the home would be acceptable.

Ms. Athas stated that a structural engineer is currently addressing the concern.

Mr. Fannesbeck stated that he would work with Ms. Athas regarding the gap and the potential railing.

Chairperson Christensen noted that Staff would work with Ms. Athas regarding the request. Seeing no other public to speak, he then closed the public hearing.

Chairperson Christensen stated that he was pleased with the Applicant's changes and that the improvements will increase the visual appeal of the home for the neighborhood. He stated that he has concern with the east street elevation on the second story, and although the art glass is well-designed, historically the French doors and sidelight windows better relate more to the 1920s design. He also complimented the front porch design, the fenestration, and the door treatment for the east elevation on the main floor.

Chairperson Christensen stated that if the French doors are removed, the design of the historical period would be altered.

Commissioner Fitzsimmons agreed with the comments of the Chair and stated that since the doors are still there, they should be preserved.

Ms. Giraud requested clarification regarding the French doors, as Ms. Athas may request the replacement of them due to functionality.

Regarding Case 470-06-29, Commissioner Fitzsimmons made a motion to approve the project as proposed with the following conditions:

- 1. Allow a modification to height of the underlying zoning, based on the findings that the increased height is compatible with the structure and the historic district and the previous addition which has been replaced.**
- 2. On the second story elevation, that the architecture surrounding the French doors including the piece of roof be preserved and that the doors selected be as appropriate to the Victorian house as possible.**
- 3. Final approval is delegated to Staff if any minor revisions or additional details come to question.**

Commissioner Carl seconded the motion. All voted "Aye". The motion passed.

UNFINISHED BUSINESS

Mr. Paterson stated that the Commission may hold a discussion on the effects of the Infill Ordinance with the Commission's decisions. He stated that for additional principal building height the standards do consider the surrounding block face area; while for accessory structures, the overall compatibility standards consider the special exception standards which have some general standards for compatibility and might have an impact on the design guidelines. The City Council, when adopting the standards, had faith in the Historic Landmark Commission because of the present standards of the Commission and the general direction of compatibility and integrity of the historic district.

Chairperson Christensen requested a short tutorial regarding the Compatible Infill Ordinance to be presented at a future meeting.

Ms. Coffey requested confirmation that a quorum would be in attendance at the next meeting scheduled for July 5, 2006.

The Commissioners stated that they are available and plan to be in attendance.

There being no further business, the meeting adjourned at 7:28 p.m.

Deborah Martin, Transcribing Secretary

Cindy Rockwood, Transcribing Secretary

Scott Christensen, Acting Chairperson