

SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Held at 451 South State Street
May 03, 2006

A field trip preceded the meeting and was attended by Warren Lloyd, Scott Christensen, Dave Fitzsimmons, Paula Carl, Creed Haymond, Cheri Coffey, Janice Lew, and Elizabeth Giraud.

Minutes of the field trip:

1206 East 100 South

Issues clarification with Staff on various aspects of project. The configuration of parking and how far toward 1200 East the parking will go and how much of the landscaping would be removed to accommodate the new owners.

754 East South Temple

Statement of what State Division of History was thinking in terms of the potential for it to be a National Registered Site. It will be an advantage to neighborhood and that it will be renovated.

265 East Fifth Avenue

Clarification of various aspect of project. Information of what would be considered as historical. How to justify removal of front entry. No documentation of what was there. If what is proposed is compatible with architect or in keeping of style of structure than meets standards.

270 North Main Street

Has staff received a lot of comments in support of structure. Clarification of age relating to its contributing status. What requirements does it go through if it is a contributing or non-contributing status. Is there a way to notify property owners in historic districts when their buildings meet the 50 year old mark. Through survey work, will identify those properties and can then send out a notice.

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 Alex Ikefuna, Planning Director, Cheri Coffey, Deputy Planning Director, Elizabeth Giraud, Senior Planner; Janice Lew, 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 or pagers be turned off. At this time he asked the audience if anyone wanted to address the Commission on matters not on the agenda.

The report of the Planning Director:

Mr. Alex Ikefuna welcomed Mr. Haymond to the Historic Landmark Commission. He was very glad to have him on the board and to be working with him. Mr. Ikefuna also mentioned that on November 17, 2005, staff submitted an application to the Preserve America Initiative Program in Washington D.C. He has received notice that Salt Lake was designated as a Preserve America Community. This means Salt Lake will be receiving a Certificate of Recognition from Laura Bush. The logo will be used on street signs and on the Web page to support the certification. Salt Lake City was also selected as a meeting venue for the Advisory Council for Historic Preservation the Council will be meeting in Salt Lake on

May 18-19, 2006. At that meeting, the Certificate will be awarded to the Mayor. The Historic Landmark Commission is invited to attend. Elizabeth Giraud will be contacting the Commission with further information.

Ms. Giraud indicated the presentation is on May 19, 2006, at 8:30 A.M. in the Marriott Hotel across from the Salt Palace.

Mr. Ikefuna also talked about the Historic Landmark Commission 2005 Annual Report and he indicated that the number of cases heard by this Commission has increased about 15 percent this year because of the Infill Ordinance that the City Council adopted last December. The Infill issues will be addressed at the next City Council Meeting, May 4, 2006, specifically the Greater Avenues Community. The Council will adopt these issues and then a presentation will be given to the Historic Landmark Commission on their approvals.

Ms. Coffey included that the City Council has allocated some Community Development Block Grant (CDBG) money for a preservation plan and also to survey the Liberty Wells Neighborhood for preservation. She indicated that it is hoped that they would get additional funding through the general fund for the preservation plan as well, but notification won't be known until July 1, 2006.

Also, the Historic Landmark Commission meeting in July is on the 5th. Ms. Coffey ask if the Commission would be available for that meeting or if they would like to change the date. Most of the Commissioners indicated it should be okay to have the meeting then.

Approval of Minutes of April 5, 2006

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

Public Hearings

Case No. 017-06 at approximately 754 East South Temple by Bee Lufkin, to solicit comments for listing "The Franklin Motor Car Company Building" on the National Register of Historic Places (Staff, Elizabeth Giraud at 535-7128 or Elizabeth.giraud@slcgov.com)

Ms Giraud presented the findings of fact and Staff recommendation as outlined in the Staff Report. Ms. Giraud indicated that Ms. Bee Lufkin, consultant was present and would be presenting a slide program while giving the details of the building. Ms. Giraud also explained to the Commission that their role was to forward a recommendation to the State Review Board and then it would be forwarded to the National Park Service where it is listed on the National Register. The Franklin Motor Car Company Building is in the South Temple Historic District and was built in 1915. In 1950, it received the Streamline Moderne front. In 1978, changes to the building were not 50 years old and thus the building was considered "non-contributing" and would not be eligible for federal tax credits.

Ms. Giraud asked that the Commission focus their comments and review on whether the consultant has made a viable argument for the significance of the building. The input is provided to the Board of State History, which votes on the nomination.

Ms. Lufkin is the consultant for the South Temple Historic District and completion of the survey she will present her findings to the Commission. She is also doing a reconnaissance survey of South Temple and preparing an intensive sight level forms for buildings like this one that were not studied in depth when the study was first done in the late 1970s.

At this time, Mr. Christensen invited Ms. Lufkin to come forward and present her slide show of the building. Ms. Lufkin indicated another reason that this building is a non-contributing building is because of the context that establishes the significance for the South Temple Historic District only runs until 1940. Buildings, whose significance comes after 1940, can't be included in the nomination at this point in time. She would like to change the name of the building from The Franklin Motor Car Company to The Franklin Motor Car Company/Farr Ice Cream Company Building. The Farr Ice Cream Company owned the building for more than 50 years and the changes that give it the significance for the nomination happened under the name of the Farr Ice Cream Company. It was built for the Franklin Motor Car Company in 1915 but in the late 1920s it became the Farr Ice Cream Company and in 1935 was bought by the Farr Brothers who owned it until 2004. In 1950 the renovation was done to the building.

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

Mr. Christensen asked of anyone in the audience wanted to speak on this case. Hearing none, the public hearing was closed and he opened the Executive Session. He then asked for additional discussion or a motion of support.

Ms. Giraud explained that the old survey on the old National Registry nomination focused heavily on the residential part of South Temple. It's association with corporate wealth and was a very small portion of the street. As time moved forward, these types of commercial buildings and other types of residential structures were built taking on a new type of history.

Ms. Carl moved that the Historic Landmark Commission forward a favorable recommendation of support to the State Historic Preservation Office (SHPO). Ms. Hammond Heid seconded. Mr. Fitzsimmons, Mr. Lloyd, Mr. Haymond, Ms. Carl and Ms. Hammond Heid voted "Aye". There were none opposed. The motion passed.

Case No. 016-06-06 at approximately 265 E. Fifth Avenue by Christine Morr requesting approval to remove a second-story enclosed porch and replace it with a balcony, and replace the rear and side additions with new additions. The property is located in the Avenue Historic District (Staff, Elizabeth Giraud at 535-7128 or Elizabeth.giraud@slcgov.com)

Ms. Giraud presented the findings of fact and Staff recommendation as outlined in the Staff Report. The house was built in 1904 for James W. Saville, the manager of the Crockery Department in the old ZCMI. It became a multi-unit family building after his death and the house was sold again. The current owner, Ms. Morr, intends to convert the house into a single-family dwelling. On the west side of the house, the railing will be replaced to match the railings of the proposed changes to the front porch. In an SR-1 District the maximum building height is 23 feet with the proposed addition measuring 26 feet 10 inches. The proposed exterior wall of the proposed addition measures 22 feet at the highest point, and is 4 feet within the minimum required interior side yard, thus the proposed addition, on the east elevation, is 2 feet higher than the Temporary Zoning Regulations for Compatible Residential Infill Development. The project does not meet this requirement.

The minimum depth of the front yard for all principal buildings is equal to the average of the front yards of the buildings within the block face. The average front yard setback in this instance is 25 feet 3 inches. The proposed stairs encroach into the front yard by 4 feet. Table 21A.36.020 (B) allows steps 4 feet or less above grade which are necessary for access to a permitted building to encroach into the lot line. Because the stairs are lower than 4 feet and project into the required front yard setback, it has been determined that the project meets this requirement.

There are many design guidelines that offer guidance on the sitting, massing, size, and scale of the addition and it has been determined that the following standards apply to this property. The straight

character of the property shall be maintained and preserved. The applicant proposes to remove the existing second-story porch. There is no proof that this was built more than 50 years ago but it was not an original part of the house. The awning over the entrance of the basement level is very unsightly and not in keeping with the style of this house and the owner wants to install French doors. In the rear addition the applicant is removing the appendages that are the original construction of the house.

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, and subject to the following conditions.

- 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 result of other City requirements Staff shall refer the proposal back to the Architectural Subcommittee or full commission for final review.

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

Mr. Christensen invited the applicant Ms. Morr to come forward. As she did not have anymore specific items to add she asked if the Commission had any question.

Mr. Christensen asked about the power washing of the eaves and trim and if the applicant was planning to expose the natural sandstone or to replace some of the sashes.

Ms. Morr indicated that some windows will need to be replaced including those on the stair tower. She stated that the replacements made will match the existing windows and will be made of wood.

Mr. Christensen asked about the brick replacement.

Ms. Morr indicated she will use as much original brick as possible.

Mr. Lloyd stated that the presentation made the request t easier to understand, as it looks like a very unusually complex project.

Mr. Christensen asked if there were any more public questions for the applicant or staff. Hearing none, he closed the public hearing and opened the Executive Session.

Mr. Fitzsimmons moved that in Case No. 016-06, the Commission recommend the project be approved and in keeping with the Staffs' Findings that if minor revisions or details are required they be delegated to Staff. This approval is for design only and the additional two feet be approved in keeping in character with the streetscape and surrounding buildings. The proposed height is acceptable in the zoning ordinance. Mr. Haymond seconded. Ms. Carl, Ms. Hammond Heid, Mr. Lloyd, Mr. Haymond, and Mr. Fitzsimmons voted "Aye". There were none opposed. Motion passed.

Case No. 010-06 at approximately 1206 East 100 South Street by Herald Egan and John Gogo, represented by Solim Gasparik, Architect, requesting approval to alter a multi-family dwelling as well as constructing an attached three-car carport and a detached six-car carport. The property is located in the University Historic District (Staff, Janice Lew at 535-7625 or janice.lew@slcgov.com).

Ms. Lew presented the findings of fact and Staff recommendation as outlined in the Staff Report. This house was built in 1909 and is zoned R-2, Single and Two-family Residential District. The home was designed by Fredric A. Hale. Mr. Hale is well-known as the architect of three of the City's grandest mansions, the McIntyre house, the Salisbury House and the Keith Mansion.

The home is an example of Colonial Revival architecture, character-defining features of the building include: stucco exterior, symmetrical façade covered by a hipped roof, centered entrance distinguished by a projecting arched hood, ornamented treatment of the eaves with brackets and rock-faced foundation.

Salt Lake City Building Services recognizes the property as a legal nonconforming ten (10) unit apartment complex. Multi-family dwellings are not permitted in an R-2 Zoning District; therefore, the use is considered legal nonconforming.

The applicant proposes to reduce the number of dwelling units from ten to eight and intends to convert the apartment complex to condominium ownership. The proposed work includes the following:

- An addition to the east end of the building with two new levels above a porte-cochere.
- Remodeling of the west end of the building that includes an attached three-car carport.
- Introducing a new rear entrance.
- Construction of new dormers and
- Construction of a six-car detached carport.

Although the proposed project exceeded the underlying zoning regulations, as adopted by the Compatible Residential Infill Development Ordinance, relating to height and wall height, the alterations would be lower in height than the existing historic building and fit within the context of the neighborhood. Planning Staff recommended the Historic Landmark Commission approve the application requesting approval to alter a multi-family building and construct an attached three-car carport and a detached six-car carport subject to the following conditions:

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

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

Mr. Haymond asked about the material used for the lower west wall.

Ms. Lew indicated sandstone.

Mr. Lloyd asked about the side yard setback on the east side.

Ms. Lew indicated four feet and the new proposed is also four feet and it meets code.

Mr. Christensen asked if there were any more questions for Staff. Hearing none he invited the representative, Mr. Solim Gasparik, Project Architect to come forward.

Mr. Gasparik felt that Ms. Lew had represented the property well. He did have a small scale model of the property and it was passed around so each Commissioner could see it.

Mr. Christensen talked about the belt-line (as shown in the drawings); going across the house and that it wasn't shown in the picture.

Mr. Gasparik indicated that the drawings they were showing of the addition just probably had it left off but could be put back on. A lot of the changes that will be made will need to be approved and then they can go back and work on the details.

Mr. Lloyd stated that it was not necessary because of the stateliness of the house, but it does add character on the new additions.

Ms. Carl asked how much parking was required.

Mr. Gasparik said it is a nonconforming use but they were trying to have nine spaces, eight for the residents and one extra for the top condominium. Parking in the back is tight and so they are trying to have a porte corche that would make parking much more parking friendly.

Ms. Carl asked about the 24 foot wide curb cut and asked if it was a Fire Department requirement.

Mr. Gasparik indicated the curb cut is right along the property line allowing everyone to park up against the building. He tried to make it so the cars aren't up against the building. He felt if this is an issue, he would work with Berry Welsh of Transportation to see if he would allow the curb cut to be less then he could change it. The 24 foot curb cut access is to accommodate parking along the rear.

Mr. Lloyd thought it provided an ease of usability and was not as noticeable as the extension of the carport. The grade change is the most problematic and is more dramatic than shown on the elevation on the side of the carport.

Mr. Gasparik said that grade change is accurate and they are doing a formal survey for the condominium plat.

Mr. Christensen talked about a well designed carport with two bays to the west that read like a porte corche from a century ago.

Mr. Fitzsimmons indicated what impressed him most was the addition over the porte corche, it is very large and has a significant impact on the massing of the front of the house. He indicated stepping it back a little and dropping the roof down to differentiate it more like another 1 to 2 feet would make a significant difference.

Mr. Christensen invited the owner to come to the table. Mr. John GoGo of 7349 Camino Bay, Salt Lake came forward. He has been cleaning the rough areas around the house like trees, shrubs overgrown plants and he has spent \$60,000 dollars. They sand blasted the foundation. It was painted with four layers of dark brown paint that covered up the sandstone and probably preserved it for many years. They repainted the entire structure. Each time a new tenant moved out they would remodel the apartment. They know how elegant this property is and the home is just beautiful.

Mr. Christensen talked about the number of units and requested perhaps maybe 7 units instead of 8.

Mr. GoGo said there are seven units on the main level and one in the basement. The basement unit will take up about 60 percent of the area and the remaining portion will be storage. He indicated that they now have students renting and they don't seem to care much about respecting the place. He stated that owners will be more conscience about taking care of their property.

Mr. Lloyd asked about the square footage of each unit.

Mr. GoGo said it would range from 1,304 to 540 square feet. The luxury suite is the top suite and has two levels. The dormers on the east and west side are existing and there are two bedrooms and bathrooms.

Mr. Christensen asked about the replacement of the windows stating that the windows are wonderful and asked if they need to be replaced. They should match the existing windows.

Mr. GoGo indicated they were looking at a company out of Canada to purchase the windows.

Mr. Christensen asked if there were any other questions for Mr. GoGo or the architect. Hearing none, he closed the public hearing and opened the Executive Session.

Mr. Haymond indicated he lives in the area and is very impressed with the home and all the work that has been put in to cleaning it up.

Mr. Christensen indicated the carport was a nice design. The one on the west is very large and hard to read as a historic part of the front elevation structure. He really liked the model as it shows a great deal of the home and was very nicely done.

Ms. Carl indicated the carport needed to be one bay smaller and the pitch of the roof just doesn't match.

Mr. Lloyd stated some concerns addressing some concerns that Staff could address; namely, the third bay and the impacts to the grade.

Mr. Christensen wondered if the owner would be willing to make changes on the west carport if a motion was made to approve it with one less stall. The other option would be to deny this case on the stated concerns and require the applicant to redesign the property and return to the Commission.

Mr. Haymond talked about the lack of parking in the area. There are many apartments and parking is a real premium.

Ms. Coffey said that parking or off-street parking is not what the Commission has to decide on, but to ensure the compatibility of the historic structures. She also indicated that if the Commission chooses to invite the applicant back to the table and to request their consideration to reduce the size of the west carport, it would probably be preferred to denial.

Mr. Christensen also mentioned that the Commission could table the motion and if the owner chose to return with a modified plan it might be a more workable situation. The carport might not be in keeping, and the Commission would not have to approve it. The Commission must look at the preservation and protection of the contributing historic building.

Mr. Haymond asked about the motion being tabled and if the applicant would redesign and return to the Historic Landmark Commission.

Ms. Coffey indicated the Commission could table or continue, eliminating the need to re-advertise. A date must be given of when the applicant would return if the item is tabled. That is when the motion to accept or deny would be made. If the applicant chose to appeal the Commission decision, they would go to the Land Use Appeals Board.

Mr. Ikefuna said that if the Commission is unsatisfied with the discussion and presentation it can be continued for another day or it can be approved with special conditions attached. Staff would be responsible for monitoring the fulfillment of those conditions.

Ms. Coffey indicated that the case can be sent to the Architectural Committee to work out some of the concerns.

Mr. Fitzsimmons asked if once the carport is built would it be just an issue of 2 or 3 spaces if so, it would be better to move rather than to table the motion.

Case Number 010-06 Mr. Fitzsimmons moved that the Commission approve the application, although the proposed project exceeds the underlying zoning regulations as adopted by the Compatible Residential Infill Development Ordinance. The alterations would be lower in height than the existing historic building and fit within the context of the neighborhood with the following conditions:

1. **Approval of the final details of the design of the proposed project shall be delegated to the Planning Staff.**
2. **Keep the addition visually subordinate of the historic building in regards to massing the east addition and the applicant to work with staff to verify the setback of the east addition for the Porte Corche to do what is reasonably possible but generally approve the design.**
3. **It is the preference of the Commission that the attached carport be reduced to two cars however; three will be approved if the applicant can demonstrate to Staff that there is no way to recover the additional parking space elsewhere on the site and other historic details of windows, beltline, etc. are to be reviewed by Staff.**
4. **All other applicable City requirements must be met.**

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

Case No. 015-06 at approximately 270 North Main Street by Robert C. Rudy requesting an appeal of an administrative decision concerning the "contributing" status of the building located on the subject property. The property is located in the Capitol Hill Historic District (Staff, Janice Lew at 535-7625 or janice.lew@slcgov.com)

Ms. Lew presented the findings of fact and Staff recommendation as outlined in the Staff Report. The applicant submitted a Major Alteration or Minor Construction application on February 14, 2006. Following review of the preliminary drawings, Mr. Rudy was informed by Planning Staff that they would not be able to make a positive recommendation to the Historic Landmark Commission regarding the proposed project. Staff found that the building met the fifty-year mark, establishing significance and thus determined that the proposal would significantly alter the primary façade and character defining features of a contributing structure which would be inconsistent with the Zoning Ordinance and the Design Guidelines.

The appellant is requesting that the Commission make a determination as to whether or not the building is a "contributing" structure. Depending on the category of a building and the extent of the alterations, the "H historic preservation overlay district" has different processes for the review of alterations to buildings in a designated historic district.

The determination of the contributing or non-contributing status of a property is based upon the following definitions and standards. The Zoning Ordinance defines contributing and non-contributing structures in Section 21A.34.020B:

Contributing Structure is a structure or site within an H historic preservation overlay district that meets the criteria outlined subsection C2 of this section and is of moderate importance to the city, state, region or nation because it imparts artistic, historic or cultural values. A contributing structure has its major character defining features intact and although minor alterations may have occurred, they are generally reversible. Historic materials may have been covered but evidence indicates they are intact.

Non-contributing Structure is a structure within an H historic preservation overlay district that does not meet the criteria listed in subsection C2 of this section. The major character defining features have been so altered as to make the original and/or historic form, materials and details indistinguishable and alterations are irreversible. Non-contributing structures also include those which are less than fifty (50) years old.

The subject property represents a particular design tradition in Utah's domestic architecture that made a significant contribution to the development of the Capitol Hill neighborhood. The design of the building was determined by the set of stylistic principles existing at the time. The house is also significant as an example of Post-War era architecture. Post-War styles include the Post-War cottage (1930-1950-) and ranch style (1946-1970).

The building maintains its physical integrity as established in Section 21A.34.020C2b of the Zoning Ordinance. Although the building has undergone alterations, these alterations do not obscure the character defining elements associated with Post-War era architecture. The property continues to reflect a particular design tradition in Utah's domestic architecture.

The Erickson House not only meets the requirements of the Zoning Ordinance, but it is consistent with the definition of **contributing structure** in that the building "is of moderate importance to the city, state, region or nation because it imparts artistic, historic or cultural values."

Based on the comments, analysis and findings of fact, Planning Staff concludes that the site exhibits sufficient history and architectural significance, and physical integrity to be considered a contributing structure. Therefore, Planning Division Staff requests that the Historic Landmark Commission uphold the Staff's determination of contributing status of this property.

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

Ms. Carl asked why this property is of stylistically design.

Ms. Lew indicated because of style and age.

Mr. Fitzsimmons asked about the time and process for a major change namely the windows and door.

Ms. Lew indicated it was not done through the City's process as no permits were found to be on file. This is one reason the property does not have an appropriate landing.

Ms. Lew also indicated the property owner did receive a Certificate of Appropriateness for a small addition to the house as well as a garage.

Ms. Carl asked when the home owner purchased the house and had they been notified at that time it was a contributing status.

Ms. Lew indicated it was determined following submittal of an application to do some alterations.

Mr. Ikefuna indicated that when property is purchased generally the buyer is not aware of this type of information unless disclosed by the real estate broker.

Ms. Lew said contributing or non-contributing information is not recorded on the deed, only if the property is in a historic district.

Mr. Christensen asked if there were any more questions for Ms. Lew, hearing none he invited the applicant to come to the table.

Mr. Rudy and his wife Sherrie came forward and introduced themselves. Mr. Rudy read a definition of code 21A.34.020B2 of the Zoning Ordinance and how it refers to Section 21A.34.020C2 of the H Historic Preservation Overlay District. Which reads in part: *Significance in a local, regional, state or national history, architecture, engineering or culture, associated with at least one of the following:*

The distinctive characteristics of a type, period or method of construction; or the work of a notable architect or master craftsman.

Mr. Rudy stated that his type of house has been built for years and is an inexpensive type house. The work is not of a notable architect. The prior owner removed a window and put in a door. The roof line was the only thing not changed.

Mr. Christensen asked if Mr. Rudy knew when the changes were made.

Mr. Rudy was not sure but he had a neighbor there today and Mr. Rudy thought the neighbor would know. They bought the house a year ago and he was not aware it was a contributing structure. He went on to explain his thoughts of how the house does not apply to any of the zoning issues. They really want to make the home look nice but feel they can not make any changes due to the contributing nature of the home.

Mr. Rudy indicated that two of his neighbors submitted letters talking about the changes that are needing to be made, if approved, and/or have been made. The home has needed these changes for a long time. One letter talks about *"a covered wrap around porch to the west side of the home and how it would provide a wonder place to enjoy the view that living on Capitol Hill offers."*

Both of these letters are included as part of the Staff Report.

Mr. Christensen asked the Commission if they had any questions for the applicants.

Mr. Haymond asked if there were things that Mr. Rudy wants to do now.

Mr. Rudy talked about the porch having rod iron around it and he would rather have wood. He wants to put up a front porch. The house now looks flat and he thinks that will soften the look. Also the walk out basement needs help with the steep hill. The bedrooms in the basement do not have egress because the windows are very small.

Ms. Carl said that if the house was non-contributing, it still had to meet historic standards.

Ms. Lew referred to the Design Guidelines and how it does refer to Post-War styles. *"Because of their relative recent construction many people have a difficult time thinking of them as historic but in most instances they have met the fifty year mark establishing significance. Their distinctive characteristics (listed in the Design Guidelines) make these buildings worthy of a sensitive and appropriate preservation effort"*.

She also asked that if the Commission decided to consider the house non-contributing, consider the precedence that might best require and provide specific findings.

Mr. Rudy mentioned the house should not be contributing if it is just the fact that the house is over fifty years old.

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

Mr. Hugo Learner, 258 North Main Street, came forward. He lives next door to the subject property and has lived there since 1994 and at one time owned the property at 270 North Main Street. The questions concerning the windows and door changes were done by a prior owner in approximately 2000. He is confused with the term of "historic significance"

Mr. Christensen indicated the principal elevation of a contributing structure in a historic district is of most concern for the Historic Landmark Commission.

Mr. Learner has seen changes like dormers and porches changed in historic districts.

Mr. Fitzsimmons indicated that changes consistent with the style of the house and having records of when it began are important.

Ms. Lew talked about the design guidelines that guide the Staff as each case is individual depending on what they are dealing with and what the applicant is proposing, what has already been changed so there is latitude within the areas.

Mr. Learner did not like the changes that the Rudy's are requesting but the changes are for the betterment of the home and he is in agreement that changes are needed.

Ms. Lew said that Staff did write a letter to the applicant and indicated that Staff would look at a landing to the French door as well as some other improvements in the basement for additional space. There are already windows in the basement and options are available.

Mr. Christensen indicated the Commission would be open for modifications to the basement windows to make them a safe egress.

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

Mr. Lloyd indicated this house maybe more type than style and is ordinary and there is a lack of character.

Ms. Carl said it doesn't meet criteria of C2 of the Zoning Ordinance.

Mr. Haymond agreed with Ms. Carl and indicated it doesn't seem to have significance and it would be hard to see on the street.

Ms. Lew reminded the Commission that it only has to meet one of the four criteria.

Ms. Hammond Heid asked Ms. Lew if the home meets the characteristics of the Post-War construction.

Ms. Lew indicated that it did.

Mr. Fitzsimmons agreed that there was a style in the early 50's when styles are done in reaction to history. There was a reaction after WWII to do things very simplistically in a decorating manner. Things were stream line and made to look simple. It was a significant movement in architecture that we have since lost an appreciation for that maybe gained again at some point in time and that is the significance of that period. The fact that we don't appreciate that now it doesn't mean it won't come back. It is the very nature of doing historic preservation so those features are saved universally throughout the district. He felt that not supporting the staff's decision, if it is correct, can open a huge door that won't be able to be closed.

Ms. Lew indicated that this is a new era of language, and addressing the situation of this type is just evolving and as time goes on more information will be available and the architectural language that is used to these types of styles will be there, but not now.

Mr. Fitzsimmons indicated that we have seen in the Avenues District that homes were destroyed by that kind of thinking in the significance of row houses and some of that have become historic changes that have been made. There are things that have to be considered and to develop an appreciation for. Language isn't there and certainly not the appreciation. He understands the desire to upgrade a house if it isn't serving the needs of the home owner but it is in the Historic District and properly so.

Mr. Christensen asked if a commissioner makes the motion that this house is non-contributing that they state why this structure does not meet the contributing criteria and point out specific reasons why it does not so that this will not become a precedent setting case in the future.

Much discussion continued and Ms. Giraud indicated that the Post-War buildings are very problematic... When the historic districts were first surveyed bungalow style homes were not as valued as they are today. She felt the applicants have reached an understanding with the guidelines, but the Commission has to decide if this is contributing or non-contributing only. She asked that after the decision by the Commission that there will be an offer of sub-committee type help and the architects serve with this to help the applicant with some type of solution that would then be brought back to the Historic Landmark Commission for final approval.

Mr. Christensen asked that this be a non-binding plan.

More discussion followed and Ms. Coffey suggested that the Historic Landmark Commission should make the motion on the contributing or non-contributing. The Commission should then give a directive that says they are willing to entertain alterations to the building and suggest that the applicant meet with the Architectural Committee with some designs they are proposing and the final approval would return to the Historic Landmark Commission.

Mr. Christensen closed the Executive Session and re-opened the public hearings.

Mr. Rudy felt that Staff was pushing for contributing even if he doesn't think it is. He indicated that it was suggested he resubmit and he didn't have any specifics and was very much at a loss as to what would be done.

Mr. Fitzsimmons indicated that the Committee was just to help the applicant stay within the ordinances and it is an open meeting that is just to help the applicant get a design that would be approved without any difficulty.

Mr. Christensen then closed the public hearings and re-opened the Executive Session.

Mr. Fitzsimmons moved that in Case No. 015-06 that the Historic Landmarks Commission up hold the staffs findings of fact and the contributing status of the property at 270 North Main Street, based on the Staff Report. Mr. Haymond seconded. Ms. Hammond Heid, Mr. Lloyd, Mr. Fitzsimmons, Mr. Haymond voted "Aye". Ms. Carl was opposed. The motion passed.

Ms. Coffey indicated the reason for her suggestion was because there is a Historic Landmark Policy that states that the design first goes to the Commission and then the Commission can send the case to the Committee and then back to the Commission.

Ms. Hammond Heid asked Ms. Coffey if the Commission would be in violation of Policy and Procedures by having the applicant chose to skip the first step. She was of the impression that when the Policies

and Procedures were re-written that it was specifically written to go to the Historic Landmark Commission and then to the Committee and then back to the Commission.

Ms. Coffey indicated that next meeting in May has already been set and there would not be time (14 days notice). The meeting would have to be the June 7th meeting.

Ms. Carl moved that Staff review the Policies and Procedures of the Historic Landmark Commission to see if it is appropriate to recommend to the applicants to have a meeting with the Architectural Committee prior to submitting a formal application to the full Commission. Ms. Hammond Heid seconded. Ms. Carl, Ms. Hammond Heid, Mr. Lloyd, Mr. Haymond and Mr. Fitzsimmons voted "Aye". There were none opposed. The motion carried.

Other Business

At the March 1, 2006, meeting property at 466 South 500 East, Mr. Marcus Theodore, applicant, asked for the property to be de-listed from the Historic Landmark site. Ms. Lew met with the applicant and reviewed the procedures on the alterations to the structure. Ms. Lew then wrote a letter to the applicant explaining the process. She has received a letter of response indicating it was understood and Mr. Theodore withdrew the request to de-list the property.

Ms. Coffey asked that Ms. Lew send another letter to that applicant and make sure their understanding is correct and therefore we are assuming they are withdrawing their application.

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 7:30 p.m.

Louise Harris, Secretary

Scott Christensen, Acting Chair