

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Held at 451 South State Street, Room 126
September 6, 2006**

A field trip preceded the meeting and was attended by Commission Members: Noreen Hammond-Heid, Creed Haymond, David Fitzsimmons, Paula Carl, Warren Lloyd, Scott Christensen and Esther Hunter. Planning Staff present were Cheri Coffey, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Elizabeth Giraud, Senior Planner; Janice Lew, Principal Planner and Nick Britton, Associate Planner.

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

Case No. 470-06-41 at approximately 669 East 2nd Avenue. The Commissioners noted what Salt Lake City regulations would allow verses what the applicant is proposing (as shown on drawings).

Case No. 470-06-33 at approximately 256 South 700 East, 262-264 South 700 East and 268 South 700 East. The Commissioners asked what the potential was to construct a new building on vacant properties and the front of the properties where the 6-plex is located. The Planned Development process could be used for such a request. They noted that there are 3 other contributing structures on Markea Avenue. They continued to tour the perimeter of the block.

Case No. 470-06-40 at approximately 655 East 400 South. Staff described how the Planning Commission had already approved this pad site. It was further explained that the reason the project was being reviewed by the Historic Landmark Commission was because this is new construction within the Central City Historic District.

MINUTES OF THE MEETING (4:05)

Historic Landmark Commission Members present at the meeting were:

Scott Christensen; Acting Chair, Paula Carl, David Fitzsimmons, Noreen Hammond-Heid, Warren Lloyd, Creed Haymond and Esther Hunter.

Planning Staff present were: Cheri Coffey, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Elizabeth Giraud, Senior Planner; Janice Lew, Principal Planner and Nick Britton, Associate Planner and Louise Harris, Secretary.

Commissioner Christensen called the meeting to order.

Comments to the Commission

Mr. Steve McCowin indicated he would like to make a few remarks.

Ms. Coffey explained that Mr. McCowin was suing Salt Lake City and expressed that the Commissioners should therefore, not comment on his remarks at this time.

Commissioner Christensen then invited Mr. McCowin to come forward and introduce himself.

Mr. Steve McCowin of 435 South 1200 East approached the Commissioners and explained that he was suing Salt Lake City because of a garage at 446 South Douglas Street that is extremely large in height and out of scale with surrounding buildings. Mr. McCowin was concerned that

this approval provided a precedent for future construction projects. He read a letter from Ms. Lynn Jacobsen, chairperson of the committee to request designation of the University Historic district. Mr. McCowin asked that the letter be attached as part of the minutes of this meeting. The documentation submitted by Mr. McCowin is attached as part of these minutes.

Commissioner Christensen thanked Mr. McCowin and asked if anyone else had comments to present at this time.

Report by the Planning Director

Mr. Ikefuna was not present.

Ms. Coffey invited the Commissioners to attend the Utah State Historic Society Annual Meeting to be held September 14, 15 & 16. She also indicated that the meeting is free and lunch is provided. There will be a tour of the ZCMI General Warehouse building that is on the National Historic Register.

Approval of the Minutes of August 2, 2006

Commissioner Christensen asked for corrections or additions to the minutes of August 2, 2006. Hearing none he called for a motion to approve. Commissioner Fitzsimmons moved that the minutes be approved as written. Commissioner Hunter seconded. All voted "Aye". The motion passed.

PUBLIC HEARING

Case No. 470-06-33 at approximately 256 South 700 East, 262-264 South 700 East and 268 South 700 East Street, by Eric Saxey requesting approval to demolish three buildings and redevelop the site to a multi-family residential use, 24 units in the Central City Historic District. (Staff – Janice Lew at 535-7625 or janice.lew@slcgov.com)

Commissioner Fitzsimmons indicated he works for Prescott Muir Architects and they are working with Mr. Saxey in this case. He felt he should to be recused from hearing the case. Commissioner Fitzsimmons then left the room.

(This item was heard at 4:15:04)

Ms. Lew presented the Staff Report regarding Mr. Eric Saxey's request to demolish three contributing buildings located on the block bordered by 200 South and 300 South and 600 East and 700 East in the Central City Historic District. The applicant proposes to redevelop the site for a multi-family residential use (23 units). The subject property is zoned RMF-45 Moderate/High Density Multi-Family Residential. The Historic Landmark Commission reviews all request for demolition of contributing structures. The Zoning Ordinance Section 21A.34.020 (L) requires that the Commission base its decision to issue a Certificate of Appropriateness for demolition upon compliance with the requisite number of standards when considering an application. The six demolition standards are addressed with this report.

The standards include:

1. The Physical Integrity of the site as defined in the Zoning Ordinance is no longer evident.
2. The Streetscape within the context of the district would not be negatively affected.

3. The demolition would not adversely affect the district due to the surrounding non-contributing structures.
4. The base zoning of the site is incompatible with the reuse of the structure.
5. The reuse plan appears to be consistent with the standards outlined in the Zoning Ordinance.
6. The site has not suffered from willful neglect as evidence of the property.

The seventh criteria concerns economic hardship and involves a separate process in which a panel of three people is selected to determine if denying a request for demolition would entail an economic hardship.

Some of the original buildings on this block have been demolished and replaced with contemporary development particularly on 200 South and 700 East. The subject buildings form the eastern border of existing historic structures on this block as well as the eastern border of the Central City Historic District. The Central City boundary line is the center line of 700 East.

The home at 256 South 700 East is an extant "pioneer home" constructed when the area was first settled.

The home at 262-264 South 700 East was constructed about 1911 and is a small one-story cross-wing house.

The home at 268 South 700 East is a gambrel-roofed brick Colonial Revival building and was constructed as an apartment house in 1905.

In considering the application for Certificate of Appropriateness for demolition, staff finds that the project substantially complies with two standards each for all three of the subject properties. If the Commission concurs with the staff findings, the Historic Landmark Commission is required to deny the request to demolish the three buildings. The applicant still has the right to pursue the economic hardship process.

Based on the findings identified in this Staff Report, staff recommends the Historic Landmark Commission deny the request to demolish these three contributing buildings in the Central City Historic District.

A copy of the staff report is attached with these minutes.

Commissioner Christensen asked the Commission if anyone had questions for Staff. He then invited the applicant to come forward.

Mr. Eric Saxey of 625 East 200 South came forward. Commissioner Christensen asked if he had any further statements he would like to add about the property. Mr. Saxey explained that some of the items in the Staff Report only showed minor specifics to the buildings and did not show the over-all texture of the streetscape and the block on 700 East and 300 South. On the southwest corner are McDonalds', Big Lots, and a Chevron gas station and on the northwest corner is an apartment house that has more density. He further disagrees with many of the findings from the report that have to do with the site. He stated this process is extremely difficult.

Commissioner Christensen asked if the Commissioners had questions for Mr. Saxey.

Commissioner Christensen then mentioned that he had noted a "For Rent" sign on the property. Mr. Saxey indicated that they have a company managing the properties and there are ten units. But one unit is in very bad condition and it would be too costly to fix it up for living space. At another unit, renters moved out and it was thought maybe it could be used as a free rental for a non-profit organization. The unit is in poor condition and not a safe place to live.

Commissioner Lloyd asked what the break down is of the units.

Mr. Saxey indicated 268 South has 6 units; 262-264 South has 2 units and 256 South a single family home has been divided into 2 units. The unit that is in disrepair is 268 South 700 East and the other unit is the unit with the addition on the back at 256 South Street.

Ms. Lew indicated that a letter from the Central City Neighborhood Council was passed out to the Commissioners before the meeting. The Chairperson of that council was present.

Commissioner Christensen invited the Chairperson to come forward.

Mr. Tom Mutter, Chairperson of Central City Neighborhood Council introduced himself and indicated he was interested in the out-come of Mr. Saxey's request. He did not have any specific remarks but simply wanted to be sure the Commission received the letter dated August 8, 2006.

Commissioner Lloyd asked if there was a positive recommendation from the Neighborhood Council.

Mr. Mutter replied that they are an advisory council. A positive motion was made at the Neighborhood Council meeting with a few stipulations. Mr. Mutter indicated that floor plans and elevations needed to be brought to the Council. He further indicated that as presented to the Community Council, the plans portrayed an incorrect image of the project.

Commissioner Haymond asked if the Council was okay with the demolition.

Mr. Mutter replied that it was supported but the Council does not approve of the aesthetics of the project.

Commissioner Hunter asked approximately how many members attend these meetings.

Mr. Mutter replied approximately 15 to 20.

Commissioner Christensen then invited Cindy Cromer to come forward and introduce herself.

Ms. Cindy Cromer of 816 East 100 South indicated she was a property owner on the block and that she owns three parcels on 600 East just below the East Moore Condominiums on 200 South and 600 East. She also indicated she owns other property in the area and that there had not been anything done with the scale and mass like this project since the Central City Historic District was approved. This block is one of the oldest blocks in the City and is on the early Sandborn Maps. One of her properties at 223 South, the Orson Pratt Jr. House, is evident on the 1889 Sandborn Map and was built by the 1880s. She further explained how this Central City Historic District has the least concentration of contributory structures. The area cannot afford to lose any more of the contributory structures. She further expressed her opinion about the homes on Markea Avenue and their value to the district.

Commissioner Christensen then invited Babs DeLay to come forward and introduce herself.

Ms. DeLay indicated her address as 280 West 200 South and she is a Salt Lake City Planning Commissioner and real estate broker for Mr. Saxey. Ms. DeLay indicated that Ms. Cromer was the member of the Council that seconded the vote to approve the demolition. Ms. DeLay praised Mr. Saxey for his involvement in other construction, but stated he has had a difficult time working with the City Permit Department which has delayed Mr. Saxey six months on construction of another project. She indicated that some of the properties in the area are in such poor condition because the landlords have not kept the homes in good living condition and they are not economically worth rehabilitating. Mr. Saxey wants to build twenty-three, three bedroom condominiums and is hoping that they will bring in families which are needed in this area.

Commissioner Hunter asked to have Mr. Saxey return to the table as she had another question for him.

Mr. Saxey returned and was asked if he had an alternate plan if this project is denied. He indicated that he would apply for an Economic Hardship. He cannot remodel any of the homes in their present condition because it would be too costly. He had not considered adding any other structures because the setbacks in the area would not allow it.

Ms. Coffey explained that the amount of property Mr. Saxey has meets the minimum required for a Planned Development. The lots would have to be consolidated through a process. Protection of historic structures as one of the reasons to have a Planned Development and the Planning Commission has the authority, through the Planned Development process to modify some of the site dimensions like setbacks.

Mr. Saxey expressed that he wants to put in condominiums and not develop a Planned Development.

Commissioner Lloyd wondered if the applicant is requesting to use all four parcels and demolish the three existing structures. In terms of the three structures the most valuable and the most economically, they are likely to be reduced.

Ms. Lew indicated that the Staff Report considers each building individually. Although the applicant filed one application, the Commission must look at each address separately. The Commission will need to make findings as part of the decision.

Commissioner Christensen then asked for a motion.

Commissioner Christensen referred to the chart on page 15 of the Staff Report and explained that it was very helpful and appreciated the efforts staff had taken putting it together. He further asked if the Commission agreed with the information in the chart. If six of the standards are met, the Commission shall approve a request for demolition. If two or less of the standards are met, the Commission must deny a request for demolition. If the Commission makes a findings that three to five of the standards are met, the Commission may defer a decision for up to one year, during which time the applicant must conduct a bona fide effort to preserve the site. The six demolition standards are addressed with this report.

Commissioner Hunter indicated that the Commissioners are very interested in having residential development in the City to help protect and stabilize the neighborhood. She also explained that she concurred with Staffs Findings on the criteria. The guidelines are set and the demolition should be denied.

Commissioner Carl moved that in Case #470-06-33 at approximately 256 South 700 East, 262-264 South 700 East and 268 South 700 East that the Historic Landmark Commission accept Staff's Findings and deny the request to demolish the three contributing structures.

Commissioner Hunter seconded. All voted "Aye". The motion passed.

Commissioner Fitzsimmons returned to the meeting.

Case No.470-06-41 at approximately 669 East Second Avenue. Matthew Christensen, represented by David Richardson, architect, is requesting approval to construct a detached, seventeen foot, two-car garage in the rear yard.

(This case was heard at (5:00:14)

Nick Britton presented the findings of fact and Staff recommendation as outlined in the Staff Report. Mr. Britton indicated that this area is zoned SR-1A, Special Development Pattern Residential District. The property is also located in the Avenues Historic District. The duplex is a two-story, brick dwelling with a hipped roof and built in 1903 by William Tuddenham. This case is referred to the full commission because the garage would be larger than 480 square feet and is taller than 14 feet.

The proposed building is 572 square feet, with a width of 26 feet and a depth of 22 feet. The proposed garage would have a hipped roof 17 feet high at the peak of the ridge. The wall material to be used would be brick. Vehicular access would be through two individual garage doors on the front elevation. The proposed garage would have two windows and a door on the west wall, a side elevation. Access to the garage would be via a driveway from Second Avenue.

All work must comply with height, yard and bulk requirements of the SR-1A Zoning District unless the Commission approves a modification. The garage is too large in terms of square footage as the limit for SR-1A is 480 square feet. The height is also over the limit of 14 feet.

In considering the proposal, the Historic Landmark Commission must make findings based on the Zoning Ordinance and related Design Guidelines Standards:

1. Scale and Form
2. Composition of Principal Facades
3. Relationship to Street
4. Subdivision of Lots.

Staff recommends that the Historic Landmark Commission approve this application, including the proposed height of 17 feet and the proposed footprint of 572 square feet, both of which exceed the allowable dimensions for the SR-1A zoning district. This recommendation is based upon the Staff's findings that the project substantially complies with the applicable standards of the ordinance and adopted design guidelines. Staff believes that the proposed garage is compatible with the principal structure in terms of scale, form, and composition and is consistent with other garages found in the area. The recommendation is subject to the following condition:

This approval is for design only; all other City requirements must be met prior to obtaining a building permit.

A copy of the staff report is attached with these minutes.

Commissioner Christensen invited the applicant David Richardson to come forward.

Mr. David Richardson, architect and Matthew Christensen came forward. Mr. Richardson indicated that Mr. Christensen owned the home and is living there. Mr. Richardson indicated that he hoped the Commission would approve the carriage house as it is pleasing and appropriate for the property. The mass and scale for the proposal is appropriate. The slope of the land between Second and Third Avenues and the roofline is relatively high; he did not think there would be any view losses

Commissioner Lloyd asked about the retaining wall at the rear property line. It shows an existing five foot grade change.

Mr. Richardson indicated that it is because the land slopes in two directions.

Commissioner Hunter asked if the garage sat down a few feet would the height only be about a foot difference.

Mr. Richardson indicated the City ordinance requires measurement from the lowest point which in this case is the garage doors.

Commissioner Hunter asked if this is designed as a carriage house or garage.

Mr. Richardson indicated that it is technically an accessory structure.

Mr. Steve McCowin asked if notices were sent out to home owners within 300 feet.

Ms. Giraud indicated it was only 85 feet because this is considered major alteration for minor construction and not a primary structure.

Commissioner Christensen asked if any of the Commissioners had any questions. He then called for a motion.

Commissioner Lloyd moved to accept Staff's recommendation and approve the design of the accessory structure and request that the applicant work with Staff in selection of final materials in option 1 to compliment the materials of the main house. Commissioner Hammond-Heid seconded. All voted "Aye". The motion passed.

Case No. 470-06-40 at approximately 655 E. 400 S., by Christopher Webb of Chasebrook Company, requesting approval to construct a new retail structure as a pad site in an existing commercial development. The property is located in the Central City Historic District. (Staff – Elizabeth.giraud@slcgov.com)

Ms. Giraud presented the Findings of Fact and Staff recommendation as outlined in the Staff Report. The applicants are proposing to construct a new one-story, approximately 3,200 square foot retail building as part of an existing commercial shopping center. The commercial shopping center was approved in 1998 by the Planning Commission. One of the conditions imposed by the Planning Commission is that a structure be kept on this site within 10 years of the original 1998 approval date. Therefore, the project does not need to be re-approved by the Planning Commission. It is a single story flat roof building, 64 feet wide by 50 feet deep. Split-faced concrete masonry unit (CMU) is proposed for most of the walls. The northeast corner of the building would be demarcated by a six foot fascia with vertical, corrugated metal and varies slightly from the other materials used on the shopping center. The main building entrance would be at the northeast corner of the building. Because this is new construction within the

Central City Historic District, this project must be reviewed by the Historic Landmark Commission. In considering the proposal, the Historic Landmark Commission must make findings based on the following sections of the zoning ordinance and related design guidelines standards.

1. Scale and Form
2. Composition of Principal Facades
3. Relationship to Street
4. Subdivision of Lots.

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:

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.

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

Commissioner Fitzsimmons asked how close was the ten year deadline.

Ms. Giraud indicated approximately two years.

Commissioner Hammond-Heid asked if it were possible to use other vacant retail spaces near Wild Oats instead of constructing a new building.

Ms. Giraud indicated that it would be best to ask that of the applicant because this isn't something that falls within the purview of the Landmark Commission. She also added that signage would be handled under a separate permit.

Commissioner Hunter asked about the doors and if they met the guidelines.

Ms. Giraud indicated that they are typical doors for delivery entrance. They are trying to make the development interesting and more pedestrian friendly and want the building to relate to a walkable community idea rather than bringing the building closer to the street. She is not aware of any guidelines pertaining to this format.

Christopher Webb of Chasebrook Company, 655 East 400 South came forward. He indicated that this building is an anchor for the shopping center. The area questioned by Commissioner Hunter are not doors, it is just a different building material to make the fenestration more interesting. Doors for that wall are not allowed per fire code. Mr. Webb indicated that they are following the same pattern of fenestration along that wall that was used on the Eye Masters building and added the corrugated metal. The sign ban will be a 6 foot corrugated metal ban on the tower element.

In the discussion of landscaping, Ms. Giraud indicated that in 1998 the Planning Commission had already covered that item.

Commissioner Christensen called for a motion.

Commissioner Fitzsimmons moved to accept the recommendation of Staff and approve the application because the project substantially complies with the applicable standards.

The 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. Seconded by Commissioner Haymond-Heid. All voted "Aye". The motion passed.

Commissioner Christensen introduced and welcomed Mr. Ikefuna, Planning Director and asked if he would like to make comments. He thanked the Commissioner but indicated that he did not wish to speak at this time

Commissioner Christensen then moved to the next item on the agenda.

Case No. 470-06-43 at approximately 358 E.100 S., by Korral Broschinsky to solicit comments for listing the "The Ashby Apartments" on the National Register of Historic Places. (Staff – Elizabeth Giraud at 535-7128 or elizabeth.giraud@slcgov.com)

Ms. Giraud presented the findings and Staff Report. She indicated that the apartments were constructed in 1925 and in 1989 a large study was done resulting in a national register nomination of urban apartments in Salt Lake City. The study resulted in listing several apartment buildings in Salt Lake City and Provo City. Melvin Grossgold a developer and owner was present and have developed many apartment buildings. Ms. Giraud then turned the time over to Ms. Broschinsky who presented a slide presentation of the Ashby apartments.

The apartment building construction began in 1925 and was finished in 1926. There are 8 units on the upper floors and 3 in the basement. The building has three one bedroom units and one studio unit. This building is a very large, long narrow building. It has striated brick accent and concrete foundation. It was rehabilitated in 2005 for federal tax credit. A small parking area is in the back. It has had several different names:

- Gooch Apartments from 1925 to 1929,
- Suzanne Apartments from 1930 to 1936
- Ashby Apartments 1937 to the present.

Sash kit replacements have been used on the double hung windows because they were in poor condition. The front door was a full glass door and has been restored with side lights. During the 1930s mostly single people and a few working class people lived there.

The Ashby Apartments currently meet all registration requirements for eligibility under the *Salt Lake Urban Apartments MPS*. The rehabilitation work has reversed many years of neglected maintenance and restored the historic integrity of the building. The Ashby Apartments building is in excellent condition and contributes to the history of Salt Lake City.

A copy of the staff report is attached with these minutes.

Mr. Grossgold came forward and presented additional information explaining the remodeling of the apartments.

There being no further comments, Commissioner Christensen called for a motion.

Commissioner Fitzsimmons moved that the Historic Landmark Commission give favorable support to list the Ashby Apartments to the National Registry. It was seconded by Commissioner Haymond-Heid. All voted "Aye". The motion passed.

OTHER BUSINESS

Ms. Coffey talked about the U.S. Courthouse Design Presentation and she explained that she had asked the General Services Administration (GSA) to extend their time frame so the Historic Landmark Commission could submit comments. Ms. Coffey indicated that Commissioner Fitzsimmons and the Planning Division submitted comments. A copy of that letter will be sent to the Commissioners. Commissioner Fitzsimmons explained some of the information he sent. One of his concerns was the relocation of the Odd Fellows building because it is fragile and therefore would be difficult to move. The Shubert Apartments were simply dismissed by the GSA. Commissioner Fitzsimmons said that there are still uses in the corner of the building and that the idea the ground was already vacant was very dishonest. He is very adamant that the whole idea of moving buildings is wrong. Commissioner Fitzsimmons indicated that he sent his comments to the GSA and a Federal Bankruptcy Judge.

Commissioner Hunter talked about an issue discussed at an earlier Historic Landmark meeting. She has found some history regarding the Liberty Park flower pots and post that the containers sit on. The pots were at every entry of the park and also the bandstand. These two pots are the last ones remaining. She has talked with Dell Cook from Engineering Division about placing them in a place where they will not get destroyed.

Commissioner Christensen asked that in the future the agenda could include time for the Commission to discuss issues not on the agenda. Perhaps it could be called "Commission Comments". Ms. Coffey indicated it would be best for the public if it was placed at the end of the agenda so the public isn't kept waiting for their cases to be heard.

Commissioner Fitzsimmons stated that discussing these matters under Other Business was acceptable to him.

Ms. Harris, secretary explained to the Commission that next meeting will be held in the City Council Chambers Room 315 as Room 126 will be used for a Planning Commission retreat. Refreshments will be in the Green Room, in Room 406.

There being no further business, the meeting adjourned at 6:15 p.m.

Louise Harris, Secretary

Scott Christensen, Acting Chairperson