

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 315, 451 South State Street
April 2, 2008**

The regular meeting of the Historic Landmark Commission was held on April 2, 2008, at 5:30 p.m. in Room 315 of the City and County Building, located at 451 South State Street, Salt Lake City, Utah 84111. Commissioners present for the meeting included Paula Carl, Sheleigh Harding, Creed Haymond, Warren Lloyd, Acting Chairperson, Jessica Norie and Anne Oliver. Commissioner David Fitzsimmons, Chairperson, was absent.

A field trip was held prior to the meeting at 4:00 p.m. The field trip was attended by Commissioners Jessica Norie and Creed Haymond and staff members Janice Lew, Nick Norris and Joel Paterson. A quorum was not present; therefore minutes were not taken during the field trip.

Planning staff present for the meeting were Janice Lew, Principal Planner; Nick Norris, Principal Planner; Joel Paterson, Planning Programs Supervisor; Robin Zeigler, Senior Planner and Cecily Zuck, Historic Landmark Commission Secretary. Mary De La Mare-Schaefer, Interim Director of Community and Economic Development; Esther Hunter, Senior Advisor to the Mayor, and Paul Nielson, Land Use Attorney were also present from City staff.

DINNER AND WORK SESSION

(This item occurred at 5:15 p.m., prior to the regular meeting.)

Lex Traugher, Principal Planner, gave the Commissioners a presentation reviewing the update to the West Salt Lake Master Plan. Highlights included:

- The West Salt Lake Master Plan update intends to preserve the existing residential landscape.
- Will ensure opportunities for residential growth/infill with more mixed-use developments on arterial streetscapes.
- Provide adequate opportunities for commercial development in appropriate locations to serve the needs of the community and protect residential areas.
- Create new light industrial neighborhoods for more clean/efficient or green businesses in concentrated zones closer to residential neighborhoods which they might serve.
- The goal of historic preservation in the West Salt Lake Master Plan Update will be to preserve significant sites which exist, and staff hopes that the upcoming City Preservation Plan will help to identify some of these key areas for preservation.
- Look at financial incentives for lower-income individuals to preserve historically significant sites on the west side. The State could still be involved in funding opportunities.
- The final draft will hopefully be reviewed by the Planning Commission and City Council Summer 2008.

APPROVAL OF THE MINUTES

(This item was heard at 5:42 p.m.)

Commissioner Oliver made a motion to approve the minutes with noted changes. Commissioner Harding seconded the motion. All voted 'Aye'. The motion carries unanimously.

REPORT OF THE PLANNING DIRECTOR

(This item was heard at 5:43 p.m.)

Acting Chairperson Lloyd recognized Mary De La Mare-Schaefer, Interim Community and Economic Development Director and Esther Hunter, Senior Advisor to the Mayor, for the Director's Report.

Mrs. De La Mare-Schaefer noted that she wished to ask the Historic Landmark Commission if they had any comments regarding the recent changes in the Planning Division.

Seeing no comments from the Commission, Mrs. De La Mare-Schaefer introduced the City's new Land Use Attorney, Paul Nielson.

Mr. Nielson stated that he would be covering legal issues for the Historic Landmark Commission, Planning Commission and Board of Adjustment in the future.

Ms. Hunter let the Commission know that there were five potential candidates for the Historic Landmark Commission which would begin the interview process with City Council next week. She also noted that when the Planning reorganization charts had first been released, there had been some concerns raised by the community and by a few organizations which wondered if City preservation had taken a backwards step, because community members did not see preservation listed as a separate category. Ms. Hunter stated that while Ms. Zeigler had been moved to the Long Range Planning team, the move was meant to give her the time needed to dedicate her expertise to long range preservation planning in the City. Ms. Hunter let the Commission know that if they had any questions or concerns regarding these changes, she would be happy to address them. Seeing no comments, Ms. Hunter thanked the Commission for their time.

Acting Chairperson Lloyd asked Joel Paterson, Planning Programs Supervisor, if there were any other updates or comments from staff which should be included in the Director's Report.

Mr. Paterson noted that there were none.

COMMENTS TO THE COMMISSION

(This item was heard at 5:46 p.m.)

Acting Chairperson opened the meeting to Public Comment on items which were not related to cases being heard during the course of the meeting.

Seeing as no member of the public expressed the desire to speak at this time, Acting Chairperson Lloyd reviewed the regular procedures of the Historic Landmark Commission noted on the back side of the mailed Historic Landmark Commission agenda. He then moved on to the next item of the evening's proceedings.

ISSUES ONLY HEARING

Universe Project — A discussion by the University of Utah concerning the University of Utah's Universe Project, a mixed use development proposed to be located in the existing parking lot immediately west of the Rice Eccles Stadium on the University of Utah campus. Public comment concerning the proposed development is encouraged; however, the Historic Landmark Commission's role in this process will be advisory. The site is adjacent to the University Historic District, zoned I Institutional, and in Council District 6, represented by JT Martin. (Staff: Nick Norris at 535-6173 or nick.norris@slcgov.com)

(This item was heard at 5:48 p.m.)

Acting Chairperson Lloyd recognized Nick Norris as staff representative.

Mr. Norris noted that the University of Utah had submitted a Request for Qualifications (RFQ) to find developers interested and qualified to participate in the project. He stated that even though the University did not need to come before the Commission or other City bodies for approval, the Commission was being allowed an advisory role by the University, which welcomed comments, particularly due to its proximity to the University Historic District. Mr. Norris noted that the proposal was one of the first transit-oriented developments occurring in the area, even though the transit corridor zoning was already in place. He stated that while there were not visual concepts currently available, the RFQ identified impacts that the development area would have to consider for the University Historic District and the transportation corridor. Mr. Norris noted that the Rice-Eccles Stadium was a prominent landmark, particularly due to the 2002 Winter Olympics, that required protection. Mr. Norris noted that this was only the first step, and asked that the public fill out a comment card when speaking so that they might be added to any relevant mailing list for the project. Mr. Norris noted that Michael Perez was present from the University of Utah to discuss the project.

Mr. Perez, Associate Vice President of Facilities Management for the University, noted that the proposal had developed as part of a graduate studio project for the College of Architecture and Urban Planning. He noted that those students had come up with the concept of the proposed mixed-use development. Mr. Perez stated that a campus master plan tied to the development proposal had been completed in March, and the University was in the process of finalizing that plan. He stated that the project hoped to incorporate four portals or entries to the TRAX system. Mr. Perez noted there was great excitement on the part of the University regarding the project and that the University was aware of the project's proximity to the University Historic District and that the RFQ pre-submittal meeting reinforced the fact that there were serious and important considerations for the University of Utah which would challenge the development teams to meet standards of the surrounding neighborhoods and transit and view corridors. Mr. Perez noted that the University anticipated that in the future they would have charrettes and work sessions with the developer, and include community members to elicit as much input as possible as to what the project could become.

Commissioner Oliver noted that there were several existing mixed-use developments in the area, particularly involving restaurants, and wondered what impact a new mixed-use development would have on those retail establishments.

Mr. Perez noted that a market analysis had been performed, the result of which suggesting that the type of commercial enterprises anticipated for the new development would not adversely effect existing establishments. He stated that there was a webpage for the Universe Project. Mr. Perez noted that interested parties could go to the University's home website, type in 'Universe Project' in the search tool and be directed to the project's website in order to view the published market analysis and other available details.

Acting Chairperson Lloyd inquired what the percentage of available housing versus commercial development might be.

Mr. Perez noted that the RFQ identified minimum desires for the development, including; approximately forty-thousand square feet of building space, locating public operations for the University, such as continuing education and student recruitment, as well as eighty-five thousand square feet for the entertainment, retail and restaurant industries. Mr. Perez stated that the University did not want to loose any parking in the area, and would be challenging the development team to provide scenarios which would allow for parking structures. He stated that the University also anticipated around 150 primary dwelling units within the development and wanted these units to be affordable to entry-level faculty, many of which desired to live in close proximity to the University, but due to market conditions could not afford it.

Commissioner Oliver inquired if there was also a transportation study on the website.

Mr. Perez noted that there was not a transportation study available as of yet, but there would be one in the future, and the University anticipated major use of the current mass transit system.

Acting Chairperson Lloyd stated that at the last meeting there had been a committee formed to address issues arising from the proposed development and that Commissioners Fitzsimmons and Carl had volunteered to participate. He inquired if there was any interest from remaining members of the Commission to be involved in that committee. Acting Chairperson Lloyd noted that there were no other volunteers.

Acting Chairperson Lloyd noted that there were members from the public that wished to speak and opened the floor to comments at 6:03 p.m.

Cindy Cromer, 816 East 100 South, noted that she had a keen interest in the project, however, she felt that opening up the project to competition within the private sector was disconcerting. Ms. Cromer stated that in her opinion, the University had a large pool of in-house talent and could develop the property addressing particular needs a developer concerned with market interests might not; issues such as ADA accessibility and housing affordability for junior faculty. She noted that the University might well be able to develop the property without giving up any of its ownership rights as well. Mr. Cromer stated that she was very concerned about possible impacts to the surrounding University Historic District. She noted that the Transportation Corridor Zoning instituted two years ago had not yet resulted in the addition of any housing units. Ms. Cromer also stated that Appendix A, included in the University's report, was not exhaustive of the caliber of historic buildings in the area.

Kendall Phillips, 1232 East 400 South, stated that he was not in favor of the project. He noted that he had two properties in this historic district and was concerned about the current housing market, the pre-existing abundance of condominium units in Salt Lake City, and the effect on his property values in adding more condominiums to what he considered an already over-saturated market.

Acting Chairperson Lloyd noted that there was no one else present to speak to the Commission regarding this item, and there were no further comments from the Commission. He therefore moved on to the next item on the agenda.

Petition No. 470-06-55 Everest Builders (New Construction) – A request by Everest Builders, represented by Eric Saxey to construct a 13-unit condominium at approximately 256, 262, and 268 South 700 East and 695 and 673 East 300 South. The properties are located in the Central City Historic District, RMF-45 Zoning District, and Council District Four represented by Luke Garrott. As an issues only public hearing, the Historic Landmark Commission will not make any final approvals on the project during this meeting. (Staff: Robin Zeigler at 535-7758 or robin.zeigler@slcgov.com)

(This item was heard at 6:09 p.m.)

Acting Chairperson Lloyd recognized Robin Zeigler as staff representative.

Ms. Zeigler gave an overview of the project. She noted that the proposal was to construct thirteen new three story townhomes and rehabilitate an existing six unit dwelling at approximately 700 East and 300 South. Ms. Zeigler stated that the property was zoned RMF-45, and the abutting properties were all zoned as such, but north of the proposal there were several commercial properties. She noted that while the project was part of an issues-only hearing this evening, staff felt it was important to hear the Commission's comments as well as public comments and allow the project an opportunity to be reviewed by the Architectural Committee before submitting final plans.

Ms. Zeigler stated that the property had previously been through extensive demolition and economic hardship processes. She noted that the final result of those processes was that the applicant was required to keep one of the three structures on the property and that the other two could be demolished and only the portion of the property demolished could be redeveloped. Ms. Zeigler clarified that the economic hardship process was not about the hardship of the property owner but of the hardship of the property itself.

Ms. Zeigler noted that the applicant had also submitted a planned development application, was proceeding through the condominium approval process and had submitted a subdivision application. She stated that the site plan in the packet had been approved by the Commission when approving the economic hardship for the two demolished structures. She noted that the current site plan was essentially the same, with the exception of parking on Markea and existing detailed information regarding landscaping and other elements. She noted that staff had spoken to the applicant regarding the parking on Markea. She stated that in looking at the area in a historical context; Markea Street and 300 South were still mostly intact, and therefore, staff had inquired if the applicant would be willing to take the parking off of Markea Street. Ms. Zeigler noted that at the time, the applicant had been open to that possibility. Ms. Zeigler stated that the applicant satisfied existing parking requirements with garages at the townhouses, but was seeking additional visitor parking. She noted that the applicant was also concerned with creating a front face for the project at the corner of 300 South and 700 East; however, this meant that a garage was facing 300 South. Ms. Zeigler noted that staff's suggestion to that dilemma was to increase the square footage of the structure and push it back a bit on the property to allow access to a garage from the rear of the property and allow a visual front to the property. She noted that staff was also concerned with the size of the submerged courts, as well as the walkways, which should travel to the sidewalk instead of a walkway parallel to the existing sidewalk.

Ms. Zeigler noted that staff was also concerned with the rhythm of solids to voids, with a lot of glass on the structure, which would make the structure modern, but not an accurate modern interpretation of historic buildings in the area. She noted that symmetry of design was also an important issue, and that an opportunity might arise to create an interpretation of the porches and bays seen in the local historic area. She noted that the applicant should strive for a modern interpretation of the walk-up type apartments found in the area. She noted that staff recommended a joint meeting with the Planning Subcommittee and HLC Architectural Committee, and suggested April 16, about 4:00 p.m. as an option.

Acting Chairperson Lloyd opened the floor to comments and questions from the Commission at 6:15 p.m.

Acting Chairperson Lloyd noted that he had a question regarding what looked like a drive approach off of 300 South. He stated that staff seemed to suggest that the driveway would enter from a drive court located to the north.

Ms. Zeigler noted that the driveway indicated on the current site plan would not be included on the final plans, assuming the applicant would be able to receive desired setbacks through the planned development process.

Acting Chairperson Lloyd noted that there were no further questions from the Commission for staff and invited the applicant forward at 6:16 p.m.

Mr. Eric Saxey, the applicant, reviewed application details for the Commission. He stated that the Design Guidelines stated that historic preservation discouraged the mimicry of historic styles and preferred that new designs should relate to fundamental characteristics of the district while conveying stylistic trends of today. Mr. Saxey noted that he had gone through the neighborhood and taken photos of all of the multi-family structures from South Temple Street to 400 South. He

noticed that all of those buildings were three-story buildings, and buildings located on corners were primarily composed of brick and glass. Mr. Saxey stated that the commercial structures located in the same area as the proposal had primarily brick and glass fronts as well.

Mr. Saxey noted that the driveway space for the 300 South townhome unit was necessary due to the placement of the sewer line and other utility access. He stated that this necessity would make it difficult to enlarge the building and move the garage to the rear. He noted that there might be other ways to minimize the impact of the garage such as lowering the height or have the building cantilever slightly so the garage would be less noticeable.

Prescott Muir, the project architect, was present to speak to the item. He reviewed a series of images of structures located in the area, noting that the intention for the proposal's architecture was to recreate some of the front porch and bay window elements. He noted that they were endeavoring to have a cadence between bay windows which touch the ground and those that were suspended. He noted that the sunken courtyards were present to act as a type of deterrent or buffer to the traffic impacts from 700 East and to allow the residents to reclaim some of that area. Mr. Muir noted that as more townhomes were proposed in the downtown area, front yard setback requirements in the Ordinance needed to be looked at in scrutiny to allow greater flexibility in how the front yard space was mediated, to an end of encouraging multiple entrances along the street. He noted that the concept was intended to mirror the type of townhomes located in other major cities such as Philadelphia and New York, noting that there were also similar examples of the style in the downtown area of Salt Lake City. Mr. Muir noted that they felt the scale of the proposal to be appropriate for the neighborhood. Mr. Muir stated that the Ordinance also indicated that the process the applicant had undergone so far should take eight weeks and it had been over a year since the initial application.

Commissioner Haymond noted that he would like to examine the visuals provided by Mr. Muir more closely.

Acting Chairperson Lloyd inquired if the proposed townhomes met the required setbacks, and how the Commission might address the inclusion of a transition zone for heavily traveled corridors such as 700 East.

Mr. Muir noted that the homes did meet the required setback, and was not certain how the Commission might initiate a transition zone short of study and amendments to the Zoning Ordinance. He noted that the challenge with the particular project would be that it pushes the front doors deeper into the units, causing less of an expression of the front doors outwards towards the street. He noted that if there were more latitude within the ordinance to allow for the creation of stoops which might jut out into the required setback; it would help in articulating street front building entrances.

Commissioner Oliver noted that this was an interesting problem because the applicant was proposing townhomes in an area devoid of that particular architectural style of building, and the typical decompression buffer zone would be a communal front stoop and hall which would not be a possibility with the proposal.

Mr. Muir noted that it could be considered a single-family dwelling without the side yard setback.

Commissioner Oliver noted that a single-family dwelling as such would typically be buffered by a small fenced front yard.

Acting Chairperson Lloyd noted that the Residential Design Guidelines were not a significant resource for designing modern façades. He inquired if the applicant had considered how the amount of glass, which could be considered an interpretation, might be reconciled with the *Design Guidelines for Residential Historic Districts*.

Mr. Muir noted that he felt the Design Guidelines spoke to the fact that the buildings needed to reflect their time and period and glass was a contemporary material. He noted that on 700 East, other developers had closed their projects to the street, rather than opening it up. He stated that finishing details such as mullions and differences in texture could also help to enhance the façade.

Acting Chairperson Lloyd noted that there were members of the public wishing to speak to the petition item. He invited the public forward to speak at 6:33 p.m. He noted that both Casey McDonough, 828 South 600 East, and Jeffrey Oursland, no address given, had submitted comments for the Commission in advance of the meeting. In summary:

Mr. McDonough noted that he felt the proposal was too massive in scale for the surrounding neighborhood, the structures were grouped in a manner uncharacteristic to the Central City Historic District and that the concept's proposed design was too modern to match the neighborhood's current aesthetic.

Mr. Oursland noted that he did not approve of economic hardship cases and while it was too late to overturn the Commission's decision in this particular case, he hoped that the Commission would continue to ensure historic properties be preserved in the future.

Cindy Cromer, 816 E 100 S, noted that she had submitted written comments for the project and wished to include them for the record. They were included, and read as follows:

Because time will be limited, I am submitting my comments in writing as a proffer. Please include them as part of the record of this meeting.

Location on 700 East: Developers have previously used location on 700 East as an excuse for turning their "backs" of their projects on this State Highway. And they have received support from Planning staff members for doing so. Currently, community organizations from Sugarhouse to South Temple support the concept of a "boulevard" for 700 East. Two of these organizations help fund the landscaped medians along the east presentation on the section of 700 East from 1300 South, south to the City boundary. The location on 700 East affects the access for cars. It affects the need for sound attenuation in the selection of building materials. It is not an excuse for a project to turn its back on the character of the surrounding structures.

- I urge the Commission to provide the Architectural Subcommittee with a specific list of expectations so that the directions provided to the developer at the Subcommittee meeting will be consistent with the views of [the] larger group.
- The staff's recommendation on pg. 6 [of the staff report] regarding the form of row houses versus apartment buildings is well taken. The Commission has discussed the distinctions between row houses and townhouses in previous meetings. I urge the Commission to distinguish between the 3 forms for the developer and the staff.
- Perhaps the single most important feature of residences in this neighborhood and throughout the historic district is the open porch. Along with the open porch comes a clearly defined entry into the residence. The open area for sitting survives even in many of the apartment buildings as a balcony. In fact, such balconies are evident directly across the street on 700 East in an historic

apartment house. The new buildings must deal with this characteristic of the neighborhood regardless of the noise and traffic on 700 East. As proposed, the buildings lack clearly defined entries and the characteristic open porches or balconies.

- The materials are not specified. The Commission should provide the Subcommittee and the developer with a list of appropriate and inappropriate materials. Highly reflective glass and large quantities of opaque glass would not be appropriate.
- The historic apartment buildings at the intersection of 700 East and 300 South have noncomplying setbacks. In fact, the balconies of the building on the NE corner actually extend over the property line onto public property. There is usable space in this setback that could be captured through the PUD process. The buildings could be closer to the street or there could be a courtyard with a wall deflecting noise.

Ms. Cromer noted that her comments identified a number of issues the Commission should address, particularly the inclusion of an open porch and defined front entry. She stated that it was her understanding that the applicant could have reduced front yard setbacks when applying for a PUD. She noted that other apartment buildings in the area were built out to the legal ownership property line.

Acting Chairperson Lloyd noted that there was no one else present to speak to the item and brought the item back to discussion by the Commission at 6:36 p.m. Seeing no comments from the Commission, Acting Chairperson Lloyd called for volunteers for an Architectural Committee.

Commissioners Haymond and Harding volunteered to serve on an Architectural Committee.

Mr. Nielson asked the Acting Chair to call for a motion on the matter.

Commissioner Carl made a motion to create an Architectural Committee to examine issues relating to petition 470-06-55. Commissioner Haymond seconded the motion. All voted 'Aye'. The motion carries unanimously.

Acting Chairperson Lloyd closed the Issues Only portion of the meeting at 6:38 p.m. and moved on to the next item.

UNFINISHED BUSINESS

Petition No. 470-07- 31 Salt Lake City Library/ O.C. Tanner (Major Alteration) — A request by OC Tanner, represented by Rob Pett of MJSA, for final approval of major alterations to the rear façade of the Landmark Site located at approximately 15 South State Street. The structure is the old Salt Lake Library/Hansen Planetarium and is listed on the City's Register of Cultural Resources. The property is located in the Central Business District D-1 Zoning District and Council District Four represented by Luke Garrott. (Staff: Nick Norris at 535-6173 or nick.norris@slcgov.com)

(This item was heard at 6:39 p.m.)

Commissioner Norie noted that MJSA, the project's architectural firm, had been used by her organization Art Space in the past, but not in any direct correlation to the proposal.

Acting Chairperson Lloyd thanked Commissioner Norie for her disclosure and asked the Commission if they felt there was any potential conflict of interest.

Commissioner Oliver noted that she did not feel there was a conflict of interest.

No other Commissioner stated that they felt it was a conflict of interest either.

Acting Chairperson Lloyd recognized Nick Norris as staff representative.

Mr. Norris reviewed the proposal. He noted that the Commission had previously approved partial demolition of the old Hansen Planetarium site, conditioned upon the applicant returning with a design for the East elevation of the project once the face of the building had been exposed. Mr. Norris noted that the proposed wall would consist of limestone with a glass entryway. He stated that the historic materials would be preserved on the outer face of the third floor, restored according to historical documentation existing for the front of the building. He noted that the parking ramps on the original site plan were up against the buildings, however, the new site plan proposed removing these ramps from the face of the building as much as possible and restoring the basement level windows. Mr. Norris stated that there was a two level parking structure, and the ramping had been removed from the south side of the parking structure, as to not be visible from the street. Mr. Norris stated that all elevations, except the east face of the building, would be completely restored to their original condition. Mr. Norris noted that staff recommended approval based upon the findings of fact and analysis in the staff report. He stated that the applicants had a model to present to the Commission and would answer any questions the Commission might have.

Acting Chairperson Lloyd noted that there were no questions for staff from the Commissioners and invited the applicant forward to comment at 6:43 p.m.

Rob Pett, representing MJSA Architects, noted that in the previous petition, a lot of information for the development had been based upon unknowns, and until they had been able to expose the east wall of the structure they could not interpret what was there. Mr. Pett stated that the photo in the staff report showed part of the exposed east wall, which was an unadorned interior wall that used to be part of a book vault for the old library. He noted that rather than try and interpret, or through conjecture create a façade to mimic the west façade, the east façade would be designed in a more contemporary manner using contemporary and historic materials. He noted that the proposed design elements for the east façade included oolitic limestone and a monumental, ornately detailed glazing system.

Mr. Pett reviewed an architectural model of the site noting that elevations of surrounding structures included some very high walls. He noted that the applicants desire was to create some sense of enclosure and privacy for the building. He noted that they wished to enclose any mechanical or electrical impertinences relating to the parking structure. He noted that they had also been able to minimize drives in and out of the parking structure to accentuate the primary building.

Commissioner Carl inquired what the materials would be for the east façade.

Mr. Pett noted that the materials for the east façade would be limestone and glass except for the upper cornice which would be restored brick, glass and terra cotta. He noted that on the surrounding walls of the courtyard, the materials would be limestone and plaster. He noted that the surface of the drives in and out of the building would all be cobblestone. Mr. Pett stated that the architects were attempting to keep the range of materials to a minimum.

Commissioner Oliver noted that she felt the job the architect had done in minimizing and rearranging the parking ramps was laudable. She stated that she was concerned, however, with the blankness and severity of the east façade and inquired if the indicated band above the glass doors aligned with the floor level.

Mr. Pett noted that the glass would align with the floor level, and detailing would be included in horizontal and vertical elements comprised of stacked limestone. He noted that the architects did not want to just repeat this element, but to interpret it. He noted that they could not obtain limestone in one big slab and therefore would have the opportunity to create visual interest on the east façade by piecing together vertical and horizontal sections.

Commissioner Oliver noted that she felt that it would be fine for the east façade to be simple and modern, but upon turning the corner, there should be some sense of transition, taking into account the rhythm of the historic facades and the width and details of the window bays, which she did not feel was reflected in the renderings or 3-D model.

Mr. Pett noted that they had thought about repeating the rhythm and width of the window bays on the east façade, but not to the point of including modern panes of solid glass. He noted that they wished to make it as open as possible. He noted that there would also be a great deal of detail involved in the glass frontage. He noted that the east side would only be seen from the east.

Commissioner Carl noted that she concurred with Commissioner Oliver in that the east façade seemed very blank and inquired if the applicant would be coming before the Commission again to present more detail.

Mr. Pett noted that the item would come before the Commission again to review landscaping and signage, but not for the design details of the primary structure.

Acting Chairperson Lloyd referred to section EW, level A2 of the drawings and inquired if the glass would be reflective and if the floor level and curtain wall would occur in the same plane.

Mr. Pett noted that the floor would stop before the glass, and the glass would become the façade. He noted that the intent was to allow people to walk right up to the glass.

Acting Chairperson Lloyd inquired if there would be the inclusion of a previously mentioned porte cochere in the project.

Mr. Pett noted that it had been proposed, but it had been eliminated as it became a problematic interruption of the east façade.

Acting Chairperson Lloyd inquired if the Commission had any further questions.

Seeing none, Acting Chairperson Lloyd opened the floor to public comment at 6:57 p.m.

There was no one present to speak to the item; therefore, Acting Chairperson Lloyd closed the public hearing portion of the item at 6:57 p.m.

Executive Session

Commissioner Carl noted that she did not feel there was enough detail in the drawings to make a decision.

Commissioner Harding noted that she agreed with Commissioner Carl's statements and if there had been more architectural details given that there might be more of an impetus to make a motion.

Acting Chairperson Lloyd noted that the east elevation would essentially be a very contained space, an enclosed outdoor room.

Commissioner Oliver noted that even in viewing the model of the site, she could not see how the limestone and glass elements would integrate with the rest of the historic renovation.

Acting Chairperson Lloyd noted that the third level would be very detailed and would all be new construction, even though mimicking other facades.

Commissioner Haymond noted that the glass opening would be transparent and allow for a great amount of interior detail to be visible from the outside, and noted that the comments made previously regarding the plainness of the east façade were discounted to him if the glass was intended to be transparent.

Acting Chairperson Lloyd inquired of staff representative Mr. Norris if the third story detailing on the east façade would be all new construction.

Mr. Norris noted that he believed it was all new.

Acting Chairperson Lloyd noted that the interpretation might be severe, but was a restoration of the known details.

Mr. Norris noted that the glass detailing on the east façade would allow observers to view interior details. He stated that this element would be a chance to reclaim some of that public history of the structure even though the structure was now a private property.

Acting Chairperson Lloyd noted that he felt in terms of creating a transparent section which revealed the historic nature of the interior, it was a successful scheme.

Mr. Pett noted that there was no central historic staircase, the historic staircase was in the foyer, and therefore the proposed staircase was not original to the building. Mr. Pett noted that the new limestone façade would actually project beyond the original wall placement.

Commissioner Oliver noted it was appropriate that the limestone façade would project beyond the corners of the building and inquired if the glass would project beyond that.

Mr. Pett noted that the glass would not; however, there would be metal components of the interface which would project beyond the limestone face of the building.

Acting Chairperson Lloyd suggested that the Commission could approve the project and allow staff to approve the final details. He noted that they might have the option to have the applicant bring back final details for review by the Commission.

Commissioner Oliver inquired whether or not the item could be tabled.

Mr. Paterson noted that the Commission could determine that they needed additional detail and request that the applicants come back to a future meeting. He stated that the Commission might also determine that the applicants had a good idea of where they were headed with the design details and grant approval while delegating final detail approvals to staff. Mr. Paterson stated that the final option would be to deny the request.

Commissioner Norie inquired if tabling the petition might cause the applicant delays in their construction process.

Mr. Pett noted that construction would be impacted significantly by tabling the item. He stated that for their purposes, and the speed with which they were moving forward, it would be acceptable for the concept to be approved with final details to be resolved by staff or the Commission, or both later.

Commissioner Carl inquired if the Commission could give conceptual approval, and then give final approval of detail to the staff, or request that the applicant come back before the Commission with those final details.

Mr. Paterson noted that often the Commission would give conceptual approval and then relegate approval of the details to staff. He noted that if the Commission gave direction to staff as to what they would like to see in those final details, staff would then work with the applicants to try and accomplish the direction of the Commission. Mr. Paterson noted that if staff could not reach an agreement with the applicant, the item would be brought back to the Commission.

Mr. Nielson noted that in fairness to the applicant, if the Commission could specify what those concerns would be, either aloud or immediately in writing, it would be preferable.

Commissioner Oliver noted that one of her specific concerns was as follows:

Zoning Ordinance Section 21A.34.020 (G), number eight:

Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material and such design is compatible with the size, scale, color, material and character of the property.

She noted that while she felt the proposed color and materials of the alteration to be appropriate, she did not feel the scale and character to be compatible, particularly when compared to the overall rhythm of the project. Commissioner Oliver noted that the rhythm of the window bays was not reflected in the interpretation of the east façade.

Commissioner Haymond stated that he had difficulty understanding Commissioner Oliver's concerns, as it seemed to be divided into four distinct spaces.

Commissioner Oliver noted that it was not a four bay façade, but five, and that fifth division was not reflected in the proposal.

Commissioner Carl pointed out that there was some type of banding on all façades except for the rear, and she would like to see that incorporated into the design.

Commissioner Oliver noted that she agreed with Commissioner Carl and would like to see some sort of element to echo that banding on the other three façades.

Acting Chairperson Lloyd clarified that the banding the Commissioners were referring to was the belt course of material above the building's second level line.

Commissioner Carl stated that her concern would be that the existing limestone should join with or abut the proposed glass wall on the east façade.

Acting Chairperson Lloyd inquired of Mr. Nielson how the Commission would go about giving final approval for the project while maintaining the ability to review details, or requesting that staff review final details and that results of the review come back to the Commission for approval.

Mr. Nielson noted that if the Commission were to give final approval and delegate the approval of final details of staff, it would not come back before the Commission.

Commissioner Carl declared that it could go before the Commission's Architectural Committee if the Commission felt it would be appropriate.

Mr. Nielson stated that if the Commission felt that there were conditions which would be necessary in addition to what the staff had proposed, or an alternative to staff's proposal, they could be noted in the approval or motion. Mr. Nielson noted that Commissioner Oliver's concern had been with subsection G of Section 21A.34.020 of the Zoning Ordinance, Contemporary Design for Alterations, and he noted that the other Commissioners seemed concerned with the same subsection.

Commissioner Oliver noted that even more particularly, she was concerned with Design Guideline 8.6:

Do not construct a new addition or alteration that will hinder one's ability to interpret the historic character of the building or structure.

Acting Chairperson Lloyd inquired if there was any further discussion on the matter.

Commissioner Oliver asked staff if they felt they had sufficient detail in order to understand what the Commission was requesting.

Mr. Norris noted that he felt staff had been given sufficient direction from the Commission. He noted that as he understood the previous discussion, the Commission was looking for more details regarding the east façade of the building, particularly; horizontal banding to differentiate between floors, similar elevations as on the three other façades as well as the division of the building into sections, or duplication of the rhythm of the other façades.

Commissioner Oliver emphasized her belief that this could be accomplished with the most minimum of materials, and still remain a very minimal interpretation. She noted that she felt these minimum details would assist in making the interpretation of the east façade more legible.

MOTION:

Regarding petition 410-07-31, Commissioner Carl made a motion to approve the design as presented, with final approval of design details regarding the east façade of the project to be approved by Planning staff based upon concerns expressed in Executive Session. Commissioner Haymond seconded the motion. All voted 'Aye'. The motion carries unanimously.

Acting Chairperson Lloyd moved on to the next item on the agenda at 7:22 p.m.

Commissioner Norie was excused from the meeting at this time.

NEW BUSINESS

Petition No. 470-08-08 Lawrence House (Legalization) — A request by Michael Lawrence to legalize exterior work to the home that was done prior to issuing a Certificate of Appropriateness. The work included replacing windows and removal of a second entry on the primary entrance of the home. The entry was replaced by a new window and brick. The property is located at approximately 285 North 'C' Street in the SR-1A Special Development Pattern Residential District and Council District Three represented by Eric Jergensen. (Staff: Nick Norris at 535-6173 or nick.norris@slcgov.com)
(This item was heard at 7:23 p.m.)

Acting Chairperson Lloyd recognized Nick Norris as staff representative.

Mr. Norris noted that the home had been converted from a single-family dwelling into a duplex in 1926. He stated that when the applicants had purchased the property, they wanted to convert the duplex back to a single-family home. He noted that although it was hard to tell on the presented slide, the original windows which had been replaced had some severe deterioration. He stated that the applicants had only replaced the sash on the windows and repaired other elements had been repaired. Mr. Norris noted that staff review indicated that a majority of the windows had been left in place and therefore met design guidelines. He noted that the door, however, did not comply with the design standards. He noted that staff recommended approval of the windows but not the replacement of the door, and instead recommended that where the door had been removed, it should be replaced or the door opening maintained for the sake of historical accuracy.

Commissioner Oliver noted that the structure looked like it was from 1926 and not the late 1800's, the current structure at least did not look as it did on the 1911 Sanborn map.

Mr. Norris noted that the porch had been altered at some point in time, but there was no indication in the tax records or building permits files that the structure had ever been demolished.

Commissioner Harding inquired why the duplex should have more precedence over the single-family home.

Mr. Norris noted that there were no existing records of what the character of the single-family home would have been and the duplex had become the historic context of the structure.

Commissioner Haymond inquired if the Commission could accept if the configuration from the front porch were landscaped over so that there would be only one entrance to the porch, then the whole idea of the door being taken out would disappear. He noted that to ask for an awkward opening or to ask the applicant to replace the second door, because there were no records of the single-family home's qualities, did not seem quite right.

Mr. Norris noted that if the Historic Landmark Commission felt it was necessary to make that concession, they had the ability to do so, as long as they could make findings consistent with standards in the design guidelines for the reconfiguration of the front porch.

Acting Chairperson Lloyd inquired if an intensive level survey had been performed in the past and if it had indicated that the structure would be considered a contributing structure.

Mr. Norris noted that survey information should be included in staff attachment C of the staff report, and that it was recognized as contributing and a duplex.

Acting Chairperson Lloyd invited the applicant forward to speak at 7:33 p.m.

Michael Lawrence, the property owner, noted that the structure was originally a single-family home built in 1890. He stated that the original foundation and exterior walls were still intact and that the home was converted to a duplex in 1926. Mr. Lawrence noted that this duplex was nonconforming until March of 2005. He indicated that the floor plan was very poor and required tenants to pass through bedrooms between the front room and kitchen. He noted that the basement and HVAC unit was shared between both units and controlled from one side of the duplex. He stated that when they purchased the home they converted it back to a single-family home as they felt the integrity of the home had been compromised as a duplex. Mr. Lawrence noted that they had removed the door that they could tell was not original to the home, and had closed the opening with brick original to the home. Mr. Lawrence noted that he had a petition including names of neighbors who approved of the exterior renovation and submitted that to the Commission for review. He also apologized for doing the work without the proper permissions.

Commissioner Haymond noted that the applicant must have known that he lived in a historic district, and inquired if the applicant would be willing to close up an opening on the porch in order to accentuate the single-family nature of the home.

Mr. Lawrence noted that he did know he lived in a historic district and would be willing to alter the porch to make it more accurate.

Acting Chairperson Lloyd opened the floor to public comment at 7:39 p.m.

Lynn Morgan, 271 C Street, noted that in looking at the composition of the windows and the door on the front façade of the home, they were all evenly spaced. Mr. Morgan stated that he felt the applicant had done an admirable job in the masonry work and if he filled in the concrete rail and duplicated the cap on the porch wall, and differentiated the fill with a v-joint or control joint to recognize it is an alteration and if the owner got rid of the second stoop, it would be an elegant interpretation.

Joe Heagany, 266 East Fourth Avenue, who noted that he was a friend of Michael's, stated that the home's historical character was not only comprised of the 1926 details. He noted that the materials used in the alteration were taken from leftover materials surrounding the original structure. He noted that he did not wish to see the second door reinstalled.

Ardis Parshall, 284 North C Street, stated that she was a practicing historian. She indicated that while she would have liked to see permission obtained beforehand for the alterations, it had taken her a week to realize that anything had been done, and she noted that she lived directly across the street from the structure. Ms. Parshall stated that the porch was so deep and the pillars so massive that it was hard to know that a door had been removed, and might not be immediately recognizable to the casual observer. She noted that as a neighbor, she much preferred to have the building as a single-family home.

Steve Mecham, 1180 East First Avenue, felt that the renovation was a great improvement to the property. He noted that even though the applicant had not gone through the proper process, he hoped that the Commission would approve the alterations, and felt that doing otherwise would be putting form above substance.

Darrell Natter, 303 East Sixth Avenue, noted that he felt the renovation had improved the character of the neighborhood as a single-family home and saw no detriment.

Jerin Yu, 567 East Seventh Avenue, stated that he had not even noticed that the second door had disappeared, and that the Commission shouldn't punish people who are willing to enhance or improve the quality of these buildings and make the neighborhood a better place to live.

Acting Chairperson Lloyd noted that there were no further public comments and moved into Executive Session at 7:49 p.m.

Executive Session

Commissioner Carl noted that she felt that the change did not compromise the character of the neighborhood enough to ask the applicant to remove the door or restore the windows to their original condition.

Commissioners Haymond noted that he concurred with Commissioner Carl.

Commissioner Harding stated that she agreed that the change did not compromise the character of the neighborhood; however, she did feel that the porch, walk-up and landscaping should be modified to indicate it was now a single-family dwelling.

Acting Chairperson Lloyd noted that the front façade door replacement window was wider than the others and that did need to be addressed. He noted that the Commission should also be aware that at the time of the designation of the Historic District, it was listed as a contributing structure and as a duplex. He stated that he didn't feel it was necessary to ask the applicant to convert the use back to a duplex, so there were still some questions about how the front façade correlated to the City's design guidelines and how to justify a motion at odds with staff's recommendation.

Commissioner Oliver noted that the only thing which kept the Commission's process predictable were the design guidelines and ordinances. She stated that the architectural quality of the building clearly spoke to the 1926 Avenues neighborhood, and therefore should read as a duplex. Commissioner Oliver noted that the renovation violated a number of standards within the design guidelines and while it was completed with very good workmanship, if it had come before the Commission initially, the Commission more than likely would have denied it.

Commissioner Carl stated that she struggled with the conflict between the historic nature of the home and the fact that she felt the home should work for the people who lived within it.

Commissioner Oliver noted that she believed there were ways to resolve the issue other than converting the doorway into a window.

Acting Chairperson Lloyd inquired of Commissioner Oliver if she felt there were an alternative to removing the new renovation and once again replacing the removed door.

Commissioner Oliver noted that she did not think there would be another option.

Commissioner Haymond inquired if there was a stalemate among the Commissioners. He noted that he was a strong believer that form followed function, and therefore, the applicant really only needed one door. He stated that his suggestion would be to complete the porch.

Commissioner Oliver noted that the renovation clearly violated a number of the City's design guidelines and did not know how the Commission could make a finding against them. She noted that the Commission could have compassion for an applicant, however, they were bound by the guidelines, and the Commission could not be arbitrary.

Commissioner Harding noted that she was not persuaded that they were bound by the guidelines, because the original structure prior to 1926 was not a duplex.

Commissioner Oliver noted that she felt the structure had been altered to such an extent that the home was now, historically speaking, a 1926 home.

Ms. Lew noted that if the Commission were to make a motion to approve the request they should address each of the findings from the staff report within the motion.

Acting Chairperson Lloyd reminded the Commission that Ms. Lew's statement was correct and they would need to make findings if they were not comfortable with staff's recommendation, as the Commission was accountable to the appeals process.

Commissioner Oliver noted that the renovation violated the following standards:

- ★ 21A.34.020.G.4: Alterations or additions that have acquired historical significance in their own right shall be retained and preserved.

- ★ 21A.34.020.G.6: Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects.
- ★ Design Standards for Windows 3.2: Preserve the position, number and arrangement of historic windows in a building wall...especially important on primary façades where the historic ratio of solid to void is a character defining feature.
- ★ Design Standards for Windows 3.3: Preserve the historic ratio of window openings to solid wall on a primary façade.

Mr. Norris noted that he had listed all of the standards which Commissioner Oliver mentioned in his analysis under standard number twelve, additional design standards. He stated that the request violated the City's Standards for Windows.

Commissioner Harding noted that she felt the alteration was consistent with the standards.

MOTION:

Regarding petition 470-08-08, Commissioner Harding made a motion to legalize the replacement of windows on the two building elevations which faced public streets, and the removal of the second door on the front façade of the home.

Discussion of the motion

Commissioner Haymond noted that he would like to add a condition, as follows:

1. **The applicant will improve the railing and the landscape to reflect the structure's status as a single-family home.**

Commissioner Harding accepted the amendment to the motion.

Mr. Paterson noted that if the Commission made a motion in opposition to the recommendation in the staff report, they should make findings to support their decision.

Commissioner Harding noted the following findings:

- In response to staff finding number one of the staff report; she stated that she would find as staff did, that the current use was consistent with the historic purpose and use of the property and the project was consistent with the standard.
- With respect to finding number two; the historic character of a property shall be retained and preserved, the finding is that the historic character of the property is the original property and not the duplex, and there had been an attempt by the applicant to restore that character, and historic materials were incorporated into the renovation.
- Finding number six: "Deteriorated architectural features shall be repaired rather than replaced where feasible; and in the event that replacement is necessary, the new

materials shall match the material being replaced in composition, design, texture and other visual qualities.” Commissioner Harding noted that the applicant had used original materials in repairing the door opening and had repaired as much of the windows as possible.

- Commissioner Harding noted that an additional finding would be in subsection 3.3 of the design standards: “Preserve the historic ratio of window openings to solid wall on the primary façade.” She stated that the home would also satisfy that requirement in this case.
- In regards to staff finding number eight: “Contemporary design for alterations and additions to existing properties shall not be discouraged, when said alterations and additions do not destroy significant cultural, historical, architectural or archeological materials and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.” Commissioner Harding stated that in a sense it might be considered a bit of a contemporary design, however, she noted that she considered it a return to the original design and a real effort had been made by the applicant to use original materials and to make it appear consistent with the original design.

There was no further discussion of the motion.

Commissioner Haymond seconded the motion. Commissioners Haymond, Harding and Carl voted ‘Aye’. Commissioner Oliver voted ‘Nay’. The motion carries 3-1.

Acting Chairperson Lloyd moved on to the last item on the agenda.

Petition No. 470-08-09 Svendsen House (Major Alteration) — A request by Paul Svendsen for major alterations to the property located at 903 East Second Avenue in the Avenues Historic District. The proposal includes restoring the front porch of the home, rebuilding an addition on the rear of the home that exceeds the maximum principal building height in the SR-1A Zoning District and a new garage in the rear yard. The property is located in the SR-1A Special Development Pattern Residential District and Council District Three represented by Eric Jergensen. (Staff: Nick Norris at 535-6173 or nick.norris@slcgov.com)
(This item was heard at 8:08 p.m.)

Acting Chairperson Lloyd recognized Nick Norris as staff representative.

Mr. Norris stated that proposal was for alterations to a property located at 903 East Second Avenue. He noted that the applicants were proposing to restore a covered front porch, remove and rebuild an addition on the rear of the home, construct a new detached garage in the rear yard of the property and that the proposal also included a request for additional building height in a Historic District. Mr. Norris noted that the Commission had the authority to grant additional height in the SR-1A zoning district. He stated that the request was for 29’ and the block face average was 23’. Mr. Norris provided that the structure was constructed between 1885 and 1887, as a single-family home, and in the 1940’s it was converted to an apartment structure with an unknown number of units. He indicated that sometime prior to the 1979 survey it was converted back into a single-family home. He stated that the structure was considered to be contributing in the Avenues Historic District and that the applicants were proposing to return much of the structure to be more reflective of its historic nature, particularly on the front façade and in recreating the original covered porch. Mr. Norris noted that the original structure covering the front porch was most likely made of wood and over time had deteriorated to the point that the owners removed it and added a concrete front porch and wrought iron and aluminum awning. Mr. Norris stated that in the SR-1A Zoning District, the allowable front setback would normally be equal to the average for the block face, but that the City Ordinance allows for structures existing

before 1995 to be legalized without this average. He noted that the front porch setback was 21' from the sidewalk, whereas the average for the block face was 22'6".

Mr. Norris noted that the garage would be 484 square feet; however, it would be reduced by the applicant in order to be less than 480 square feet. He reviewed elevation slides of the garage and stated that an issue staff had with the proposed location of the garage was that its placement would be in line with the home, but it would place the garage slightly in front of the adjacent home. Staff's recommendation was therefore to set the garage back four feet. He noted that staff also recommended approval of the alterations with the conditions listed in the staff report and also with the inclusion of a specific finding; that the roof height be adjusted to be slightly lower than the peak, but above the 23' height limit in the SR-1A Zoning District.

Acting Chairperson Lloyd noted that the recommendations all seemed appropriate, but inquired if it was due to a timing issue that the applicant had not made the changes proposed by staff prior to the Commission meeting.

Mr. Norris noted that the conditions had been discussed with the applicant and felt that they understood the standards for approval; however, they had some questions regarding the recommendation by staff that the garage be pushed back, as it would encroach farther into their usable rear yard. Mr. Norris stated that he felt the suggested changes to be minor enough that they did not warrant requesting the applicant to provide updated drawings.

Acting Chairperson Lloyd invited the applicant forward to speak at 8:16 p.m.

Paul Svendsen, the applicant, noted that with respect to the rear addition, they were amenable to lowering the roof line as suggested by staff and had worked with their architect to provide some revised drawings, which he provided for the Commission. Mr. Svendsen stated that the only difference of opinion they had with Planning Staff was with respect to the placement of the garage. He noted that the only drawback to the property was the already small back yard space and as proposed, the width of the back yard would be 24', and with staff's proposal that back yard would be only 20' wide. He stated that the small dimension was further problematic as it was surrounded by tall structures, and the narrower it was, the more shaded or cavern-like it would become. He noted that the ordinances stated that garages couldn't be any closer than the setback of the principal residence, and they felt that their proposed garage had been placed behind that line. He presented a rough drawing to the Commission representing garage setbacks for properties on the block face across the street from the proposal.

Acting Chairperson Lloyd inquired if the Commission had any questions for the applicant.

Commissioner Oliver requested clarification regarding the new porch and noted that historically, it extended a little bit more towards the north on the western elevation, and wondered if the applicant had seen the tax record.

Mr. Svendsen stated that he felt the west elevation drawing was incorrect and that they had intended to replicate the original and would more than likely extend the porch to below the small windows to the west.

Commissioner Oliver inquired if the dormer on the attic level was usable space or simply a detail that the applicant was attached to, as lowering the hip of the roof could make it more in line with the remainder of the neighborhood.

Mr. Svendsen stated that the issue with the current shed roof on the addition was that the shed ended below the roofline for the main building, meaning that the ceiling height at the end of the rear addition as it currently stood was about 6' and barely useable. He noted that the proposed dormer would be useable space.

Commissioner Carl inquired if the applicant would be using the original foundation for the shed addition.

Mr. Svendsen stated that unless they found something terribly wrong with it, they would.

Commissioner Carl stated that if they did not use it, they might consider pulling the addition in from the existing house slightly.

Mr. Svendsen noted that if this happened they would be open to bringing the addition in slightly.

Acting Chairperson Lloyd opened the floor to public comment at 8:23 p.m.

Shane Carlson, 375 L Street, who did not speak but left a comment card for the Commission, noted that the Avenues Community Council did not have an objection to the proposal's design and height. He noted that the design of the replacement addition was very much in line with the District Three Infill Committee's recommendation to Planning that minor additions be allowed where the ridge line is extended and the exterior walls do not exceed the height of the original walls.

Cevan LeSieur, 909 East Second Avenue, stated that he was the neighbor, was in support of the project and had no issue with the proposed placement of the garage. He stated that his backyard was elevated slightly above their backyard, and asking for the additional east setback would create a dungeon-like atmosphere in the Svensen's backyard. He noted that he also had no opposition to the excess height limit or blending of the roof line.

Stan Secor, 914 East Second Avenue, noted that he felt the proposed changes would be a significant improvement. He stated that the garage setback as proposed did not bother him and could appreciate what the applicant had said regarding the use of the backyard.

Acting Chairperson Lloyd closed the floor to public comment at 8:26 p.m. and the Commission moved into executive session.

Executive Session

Commissioner Haymond stated that if it were possible within the guidelines, he would recommend that the applicant receive the setback he had originally requested for the garage, particularly as there were other examples of structures similar to the request within sighting distance of their home.

Acting Chairperson Lloyd noted that as shown on the drawings the garage would be in line with the front of the home, not including the porch.

Commissioner Harding stated that she felt this was more of a zoning issue than one for the Commission.

Mr. Norris noted that it was. He stated that the general zoning ordinance, however, was trumped by the regulations within the Historic Overlay. He noted that this is what staff based their recommendation upon when suggesting the garage move back further.

Acting Chairperson Lloyd requested if the Commission had some latitude in this case to determine what the appropriate placement for the garage would be, even though the recommendation was based upon historic district standards.

Mr. Norris noted that this was the request. He stated that if the applicant had wanted to move the garage closer to the front property line than the underlying zoning would allow, it would be a different story; however, the Commission had authority to make a recommendation as to whether or not to move the garage farther back or let it remain as it had been proposed.

Commissioner Oliver noted that height was a sensitive issue in the Avenues and requested clarification from staff regarding the SR-1A ordinance on height for an addition to a 29' tall structure.

Mr. Norris noted that if it was in a historic district, that upon finding that the proposal was consistent with 21A.34.020, the HLC could grant increased height above that limit. He stated that limit was 23' in the SR-1A zone.

Acting Chairperson Lloyd noted that the proposal lowered the roof pitch of the hip slightly and exposed the hip of the original roof and inquired if this would be considered a historically sound approach to an addition.

Mr. Norris stated that his review indicated that the addition should be somewhat visually separated from the original historic structure and staff felt it would be appropriate.

Commissioner Oliver stated that the recommendation made things a bit more complicated, particularly when adding on a dormer.

Acting Chairperson Lloyd noted that he felt keeping a steep pitch roof would be fitting for the structure and the option of changing the wing so that the hip was not hidden, the eave line would need to be lowered or step the wall back and do something else, and the proposal kept the eave line the same and dropped the pitch slightly so that the ridge would be lower, and revealed what was original and what was the addition.

Commissioner Oliver noted that her issue was with the gable end and that it increased the mass of the roof quite a bit. She stated that if it were below the peak of the second hipped roof, the interpretation would make more sense to her.

Commissioner Haymond inquired if there was a consensus among the Commission regarding where the garage location was proposed in comparison to staff's recommendation.

Commissioner Harding stated that she was comfortable in granting the full 20' the applicant desired, due to the situation of other properties in the area.

Commissioners Carl and Haymond noted that they agreed with Commissioner Harding.

Commissioner Oliver stated that she felt the porch restoration would, in part, mitigate the proposed forward location of the garage.

Ms. Lew requested that when making a motion the Commission make a particular finding regarding the request for additional height for clarity.

Mr. Nielson noted that if the Commission was in disagreement with staff's recommendation regarding the placement of the garage it should also be reflected within the motion.

Commissioner Carl made a motion to approve petition 470-08-09, with the exception of staff recommendation number three: to accept placement of the garage with the 20 foot setback; accepting the placement of the garage as shown on the original site plan and accepting the proposed increase in height as shown on the submitted sketch in the staff

report, delegating approval of final design details including appropriate windows and trim to staff. Approval is therefore subject to the following conditions:

1. The existing architectural features of the property will be protected during the construction process. If an architectural feature is damaged during construction, it shall be repaired.
2. All Department comments must be complied with.
3. The proposed garage shall be moved to the east so that it is a minimum of twenty (20) feet from the west property line.
With regard to the request for increased height, staff recommends that the request be approved because the proposed height of the addition is consistent with the ridge height of the existing structure and the additional height will not negatively impact the historic character of the structure or the Avenues Historic District. Staff does recommend the following condition of approval.
4. The peak of the proposed addition be lowered so that it is visibly separated from the historic outline of the roof on the historic structure.

Commissioner Haymond seconded the motion.

There was no discussion of the motion.

All voted 'Aye'. The motion carries unanimously.

OTHER BUSINESS

(This item was heard at 8:40 p.m.)

There was no further business for the Commission.

Commissioner Harding made a motion to adjourn. Commissioner Oliver seconded the motion. All voted 'Aye'. The motion carries unanimously.

The meeting adjourned at 8:40 p.m.

Warren Lloyd, Acting Chairperson

Cecily Zuck, Historic Landmark Commission Secretary