HISTORIC LANDMARK COMMISSION STAFF REPORT

Petition 470-07-26 Almond Street Condominiums New Construction – Issues Only Hearing

289 North Almond Street and 286 North West Temple Street in the Capitol Hill Historic District

February 6, 2008

Planning and Zoning Division
Department of Community Development

Applicant: Watts Enterprises

Staff:
Janice Lew
(801) 535-7625
janice.lew@slcgov.com

Tax ID:
08-36-432-017
08-36-440-008

Current Zone:
RMF-45 (Moderate/High Density Residential Multi-Family)

Council District:
District Three, Eric Jergensen

Acreage: 1.393 acres

Current Use:
multi-family residential, vacant

Applicable City Code Land Use Regulations:

- Chapter 21A.24
- Section 21A.34.020
- Section 21A.36.010
- Chapter 21A.44

Attachments:

A. Photographs
B. Plans
C. January 6, 1999 Historic Landmark Commission Approval
D. Departmental Comment
E. Public Comment
F. October 24, 2007 Planning Commission Minutes

REQUEST

The applicant, Watts Enterprises (Watts), requests approval to construct Phase 2 and 3 of the Almond Street Townhomes, a multi-family residential development located at approximately 289 North Almond Street and 286 North West Temple Street. The development proposal includes the construction of twenty (20) new residential condominium units that in conjunction with the four (4) existing units will result in a project with a total of twenty-four (24) units. The site is approximately 1.39 acres and is zoned RMF-45 Moderate/High Density Multi-family Residential. This site is located within the Capitol Hill Historic District. Thus, the Historic Landmark Commission has final design approval authority to ensure that any new construction, redevelopment and the subdivision of lots is compatible with the character of existing development of the historic district.

PUBLIC NOTICE

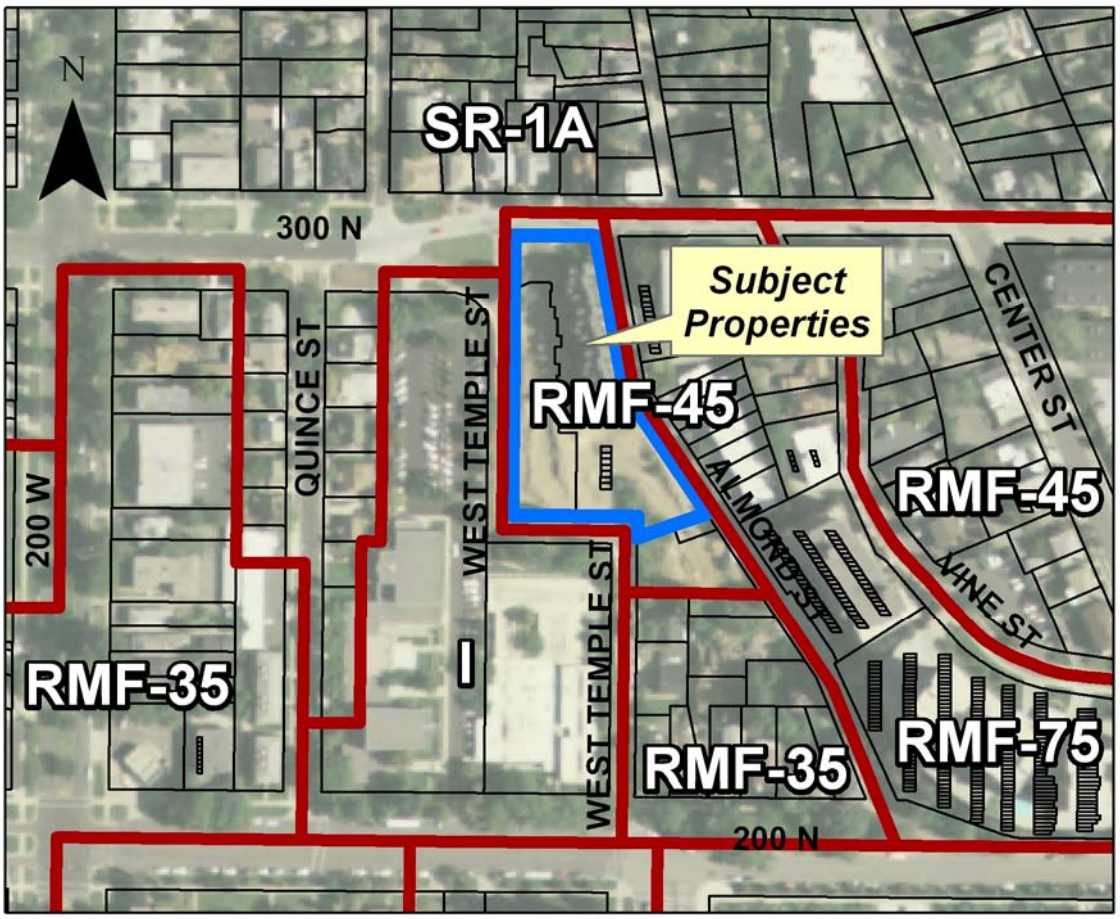
Public notice was mailed on November 20, 2007 to all property owners within four hundred fifty feet (450') of the subject property which satisfies the fourteen (14) day notification requirement of the Zoning Ordinance. Notice was also sent to interested parties on the Historic Landmark Commission's e-mail listserve and posted on the Planning Division's Web site. The applicant met with the Capitol Hill Community Council in July 2007 as suggested by Planning staff. However, Community Council review is not required by the City Code for permitted uses, new construction with a local historic district or condominium approvals. Attachment E includes a copy of the Community Council's comments submitted to staff on September 25, 2007.

STAFF RECOMMENDATION:

This is an **Issues Only Hearing** and no final approvals will be granted at this meeting. The purpose of an Issues Only Hearing is to provide an opportunity for the public to comment on the proposed project and to allow the Historic Landmark Commission to provide direction to an applicant. The attached analysis is intended to create a starting point for the Historic Landmark Commission to begin its discussions regarding the proposed project. The Commission may wish to consider if there is any additional information the applicant should provide, such as 3D modeling or a model that would assist the Commission in its consideration of the proposed project. Furthermore, staff recommends that the Historic Landmark Commission refer the matter to the Architectural Committee prior to the Commission's final design consideration to address the following issues:

- Massing, scale and roof form;
- Proposed number of building material used in combination;
- 300 North Street elevation and the potential impact of the proposed design on historic structures in the area;
- Relationship to the street including arrangement of new driveways, landscaping, and garage doors.
- Rhythm of entrances, porch elements and other projections; and
- Fenestration pattern.

VICINITY MAP



BACKGROUND, ANALYSIS AND FINDINGS:

BACKGROUND

Watts is requesting approval of new construction that would expand the Almond Street Townhomes project from seventeen (17) units to a twenty-four (24) unit development. The subject property is zoned RMF-45, Moderate/High Density Multi-Family Residential District. The purpose of this district is to, "provide an environment suitable for multi-family dwellings of a moderate/high density. The proposed development is subject to the Salt Lake City Zoning Ordinance and the *Design Guidelines for Residential Historic Districts in Salt Lake City*. While this zoning allows a maximum of sixty (60) residential units to be developed on the site, a 1997 development agreement limits development to a maximum of thirty-four (34) residential units with a minimum of eighty (80) parking stalls.

Watts has presented to the Planning Commission and Historic Landmark Commission proposals for construction on this property on numerous occasions between 1995 and 1999. The proposals presented ranged in size from seventeen (17) to fifty-two (52) residential units and consisted of a variety of designs and site plans. In October of 1996, the Historic Landmark Commission considered a fifty-two (52) unit proposal that was contained in a single building. In response to the proposal, the Salt Lake City Council approved a six-month temporary zoning regulation on December 10, 1996 limiting development approvals on the subject property to projects consistent with the SR-1, Special Development Pattern Residential zoning district. Watts then filed a

lawsuit against the City, claiming that his application was vested with the City. Subsequently, Watts and the City negotiated a development agreement that resolved the dispute; the lawsuit was withdrawn in exchange for the moratorium being terminated.

Following the execution of the Development Agreement, the Historic Landmark Commission granted design approval for a thirty-four (34) unit project in 1997 that was never built. Because of cost issues, Watts then sought and obtained Historic Landmark Commission approval in 1999 for a seventeen (17) unit project. When the Commission approved the design of the seventeen (17) unit project, the Development Agreement was not amended to reflect the approved project. To date, the developer has only constructed four (4) of the seventeen (17) units.

Development Agreement
The Watts petition to construct additional condominium units as part of the Almond Street Townhomes project was considered by the Planning Commission on October 24, 2007 at an Issues Only Hearing. The Planning Commission heard this item upon request of Louis Zunguze, former Community Development Director, to provide input on amending the 1997 development agreement between Watts and Salt Lake City. According to the Salt Lake City Attorney's Office, the Community Development Director has the authority to amend the Development Agreement with the consent of the developer. The Planning Commission chose not to forward a recommendation to the Community Development Director but offered the following comments (the minutes are attached to this staff report):

- The Commission appeared to be comfortable with the proposed density as it seemed to be compatible with the surrounding development.
- Concern was raised about the design of Phase 2, Almond Street Condos because of the expanse of garage doors fronting on Almond Street. Commissioner Muir indicated that the parking should be broken up and below grade parking should be considered. Russ Watts countered that such an option had been considered but it would be difficult because the grade change on the site is significant.
- Members of the Commission suggested that a new parking and traffic analysis would be beneficial and that input should be requested from the Fire, Police and Public Utilities Departments.
- Commission Forbis suggested that the residential parking permitting process should be reviewed and restructured to alleviate some of the parking and traffic issues.

Watts would now like to proceed through the City's review process without amending the development agreement. *(Note, the Salt Lake City Attorney's Office has determined that as long as the Watts petition does not exceed the maximum thirty-four (34) units allowed under the Development Agreement, and as long as Watts agrees to build the proportionate amount of parking required under the Agreement, there is no need to amend the Agreement in order to build on the property (See Attachment D).)*

In response to current market conditions, the developer has reconfigured the project and is proposing to increase the number of residential units from seventeen (17) to twenty-four (24) (this total includes the four (4) existing units and an additional twenty (20) units yet to be constructed). Eight (8) units would front on Almond Street (Phase 2) and twelve (12) units would front on West Temple Street (Phase 3). The buildings have a series of side-gable roof sections with a stepped quality along the ridgeline. The proposed Almond Street building appears to be one-and-a-half-stories from the street elevation with a four-bay garage at the south end. On the interior of the parcel, this building would rise as high as three-and-a-half stories. The proposed West Temple Street building would rise as high as two-and-a-half stories from the street elevation. On the interior of the parcel, this building appears to be one-and-a-half stories. The proposed cladding materials include a combination of brick, stucco and siding. The applicant is also proposing to install a shingled roof. The

development proposal has recently been modified to include two-car garages having single doors for most units. The proposal is similar in design with the architecture of Phase 1.

Mr. Greg Schelenker of Agra Earth and Environment conducted a geotechnical study for the Watts Corporation in December of 1995. The study concluded that the site is free of fault rupture hazards, that the site soils are not susceptible to movements resulting from liquefaction or landsliding, and that strong ground shaking is the only earthquake hazard that needs to be considered in siting of future development.

PUBLIC COMMENT:
Watts presented the proposed project to the Capitol Hill Community Council in July 2007, but the Planning Division did not receive any correspondence as follow-up to this presentation. Attachment E includes the written public comments received regarding this project including those recently received from the Community Council, Bonnie Mangold, and the Almond Street Homeowners Association. Generally, the comments received express the following issues:

- Density of the development considering the surrounding development pattern and topography of the site;
- Provision of adequate parking, including design issues and the need for off-street visitor parking because of the narrow streets and lack of parking available in the neighborhood;
- Geotechnical issues;
- Compatibility with the scale and character of the surrounding area;
- Garbage service and emergency vehicle access issues; and
- That the existing development agreement is no longer valid because the Historic Landmark Commission granted approval of a seventeen (17) unit project in 1999. *(Note, the Salt Lake City Attorney's Office does not agree with this concern and indicates that the existing Development Agreement limiting development on this site to a maximum of thirty-four (34) units is still valid.)*

ZONING DISTRICT CONSIDERATIONS:
All proposed work must comply with height, yard and bulk requirements of the RMF-45 zoning district which includes:

RMF-45 Moderate/High Density Multi-Family Residential Zoning District

- **Maximum Building Height:** The maximum building height in this district is forty-five feet (45').
- **Front yard:** Twenty percent (20%) of lot depth, but need not exceed twenty five feet (25'). *(Along Almond Street and the north-south portion of West Temple Street)*
- **Corner Side Yard:** Twenty feet (20'). *(Along 300 North Street and the east-west portion of West Temple Street)*
- **Interior Side Yard:** The minimum yard shall be eight feet (8'); provided that no principal building is erected within ten feet (10') of a building on an adjacent lot.
- **Rear Yard:** The rear yard shall be twenty-five percent (25%) of the lot depth, but need not exceed thirty feet (30').
- **Required Landscape Yards:** The front yard, corner side and, for interior lots, one of the interior side yards shall be maintained as a landscape yard.
- **Building coverage:** The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

General Provisions

- Lots in the RMF-45 district may have more than one principal building on a lot, subject to all of the principal nonresidential buildings being occupied by one use, or all principal residential and nonresidential buildings having frontage on a public street and subject to site plan review approval, pursuant to part V, chapter 21A.58 of this title.
- **Grade Changes:** The established grade of any lot shall not be raised or lowered more than four feet (4') at any point for the construction of any structure or improvement. (*The applicant may seek an exception to modify this requirement.)*

General Off Street Parking Requirements

- **Parking Requirement:** The number of off-street parking spaces provided for the multi-family project shall be in accordance with Table 21A.44.060F of this Section.

Discussion: The Historic Landmark Commission's jurisdiction does not relate to density or parking requirements. The final site and building designs must comply with all code requirements of the Zoning Ordinance which will be verified prior to building permit issuance. The Compatible Residential Infill Development zoning standards do not apply to this property because it is located within a RMF-45 zoning district. It is also important to note that both Almond and West Temple Streets, one-way streets heading south, are posted so that no on-street parking is allowed.

OVERLAY DISTRICT AND DESIGN GUIDELINE CONSIDERATIONS

H. Standards for Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure. In considering an application for a certificate of appropriateness involving new construction, or alterations of noncontributing structures, the historic landmark commission, or planning director when the application involves the alteration of a noncontributing structure, shall determine whether the project substantially complies with all of the following standards that pertain to the application, is visually compatible with surrounding structures and streetscape as illustrated in any design standards adopted by the historic landmark commission and city council and is in the best interest of the city.

1. Scale and Form.

a. Height and Width. The proposed height and width shall be visually compatible with surrounding structures and streetscape;

b. Proportion of Principal Facades. The relationship of the width to the height of the principal elevations shall be in scale with surrounding structures and streetscape;

c. Roof Shape. The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape; and

d. Scale of a Structure. The size and mass of the structures shall be visually compatible with the size and mass of surrounding structure and streetscape.

The Commission's Design Guidelines offer the following guidance on the scale and form of new construction:

Standards for New Construction

Mass and Scale

11.4 Construct a new building to reinforce a sense of human scale. A new building may convey a sense of human scale by employing techniques such as these:

- Using building materials that are of traditional dimensions.

- Providing a one-story porch that is similar to that seen traditionally.

- Using a building mass that is similar in size to those seen traditionally.

- Using a solid-to-void that is similar to that seen traditionally, and using window openings that are similar in size to those seen traditionally.

11.5 Construct a new building to appear similar in scale to the scale that is established in the block. Subdivide larger masses into smaller "modules" that are similar in size to buildings seen traditionally.

11.6 Design a front elevation to be similar in scale to those seen traditionally in the block. The front shall include a one-story element, such as a porch. The primary plane of the front should not appear taller than those of typical historic structures in the block. A single wall plane should not exceed the typical maximum facade width in the district.

Height

11.7 Build to heights that appear similar to those found historically in the district. This is an important standard which should be met in all projects.

11.8 The back side of a building may be taller than the established norm if the change in scale will not be perceived from public ways.

Width

11.9 Design a new building to appear similar in width to that of nearby historic buildings. If a building would be wider overall than structures seen historically, the facade should be divided into subordinate planes that are similar in width to those of the context.

Building form standards

11.11 Use building forms that are similar to those seen traditionally on the block. Simple rectangular solids are typically appropriate.

11.12 Use roof forms that are similar to those seen traditionally in the block. Visually, the roof is the single most important element in an overall building form. Gable and hip roofs are appropriate for primary roof forms in most residential areas. Shed roofs are appropriate for some additions. Roof pitches should be 6:12 or greater. Flat roofs should be used only in areas where it is appropriate to the context. They are appropriate for multiple apartment buildings, duplexes, and fourplexes. In commercial areas, a wider variety of roof forms may occur.

Proportion of building façade elements

11.13 Design overall facade proportions to be similar to those of historic buildings in the neighborhood. The "overall proportion" is the ratio of the width to height of the building, especially the front facade. See the discussions of individual districts and of typical historic building styles for more details about facade proportions.

Capitol Hill Historic District Standards

Building form

13.18 Design a new building to be similar in scale to those seen historically in the neighborhood. In the Marmalade sub-district, homes tended to be more modest, with heights ranging from one to two stories, while throughout Arsenal Hill larger, grander homes reached

two-and-a-half to three-stories. Front facades should appear similar in height to those seen historically on the block.

13.19 Design a new building with a primary form that is similar to those seen historically. In most cases, the primary form for the house was a single rectangular volume. In some styles, smaller, subordinate masses were then attached to this primary form. New buildings should continue this tradition.

Discussion: A wide range of building types and architectural styles exists in the Capitol Hill Historic District, which yields a variety of building forms. A mixture of building types surrounds the subject property. The property is surrounded by high-rise condominiums to the east, a retirement home and church building with large parking lots to the west and low-density residential buildings of modest scale, to the north and south. New buildings should respect the historic scale of construction in the district which consists of structures no higher than four or five stories.

The overall mass is most similar with the multi-unit residential project to the east and Phase 1 of this project because of the width and unbroken wall that the proposed buildings will create along the street frontage. The massing of Phase 1; however, is broken up by recessed entrances and the staggered effect of the garage doors, dividing the building into subordinate planes.

The surrounding buildings have a variety of roof forms. The side-gable roof profile of the proposed new buildings reflects the roof form of the Phase 1 building. The roof shapes of the proposed dormers are combinations of gables and arch topped. The diversity of dormer types, the dominance of the roof form, particularly as viewed from the street is atypical in this district.

2. Composition of Principal Facades.

a. Proportion of Openings. The relationship of the width to the height of windows and doors of the structure shall be visually compatible with surrounding structures and streetscape;

b. Rhythm of Solids to Voids in Facades. The relationship of solids to voids in the facade of the structure shall be visually compatible with surrounding structures and streetscape;

c. Rhythm of Entrance Porch and Other Projections. The relationship of entrances and other projections to sidewalks shall be visually compatible with surrounding structures and streetscape; and

d. Relationship of Materials. The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.

The Design Guidelines recommend the following with respect to the composition of principal facades:

Standards for New Construction

Solid-to-void-ratio

11.10 Use a ratio of wall-to-window (solid to void) that is similar to that found on historic structures in the district. Large surfaces of glass are inappropriate in residential structures. Divide large glass surfaces into smaller windows.

Rhythm and spacing

11.14 Keep the proportions of window and door openings similar to those of historic buildings in the area. This is an important design standard because these details strongly influence the compatibility of a building within its context. Large expanses of glass, either vertical or horizontal, are generally inappropriate on new buildings in the historic districts.

Materials

11.15 Use building materials that contribute to the traditional sense of scale of the block. This will reinforce the sense of visual continuity in the district.

11.16 New materials that are similar in character to traditional materials may be acceptable with appropriate detailing. Alternative materials should appear similar in scale, proportion, texture and finish to those used historically. They also must have a proven durability in similar locations in this climate. Metal products are allowed for soffits and eaves only.

Architectural Character

11.17 Use building components that are similar in size and shape to those found historically along the street. These include windows, doors, and porches.

11.18 If they are to be used, design ornamental elements, such as brackets and porches to be in scale with similar historic features. Thin, fake brackets and strap work applied to the surface of a building are inappropriate uses of these traditional details.

11.19 Contemporary interpretations of traditional details are encouraged. New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is new. Contemporary details for porch railings and columns are other examples. New soffit details and dormer designs also could be used to create interest while expressing a new, compatible style.

11.20 The imitation of older historic styles is discouraged. One should not replicate historic styles, because this blurs the distinction between old and new buildings, as well as making it more difficult to visually interpret the architectural evolution of the district. Interpretations of historic styles may be considered if they are subtly distinguishable as new.

Windows

11.21 Windows with vertical emphasis are encouraged. A general rule is that the height of the window should be twice the dimension of the width in most residential contexts. See also the discussions of the character of the relevant historic district and architectural styles.

11.22 Frame windows and doors in materials that appear similar in scale, proportion and character to those used traditionally in the neighborhood. Double-hung windows with traditional depth and trim are preferred in most districts. (See also the rehabilitation section on windows as well as the discussions of specific historic districts and relevant architectural styles.)

11.23 Windows shall be simple in shape. Odd window shapes such as octagons, circles, diamonds, etc. are discouraged.

Capitol Hill Historic District Standards

Building form

13.2 Use building materials that are similar to those used historically. Appropriate primary building materials include brick, stucco and painted wood.

Discussion: The openings on the primary facades consist of single door entrances, single-car garage doors, bay windows and dormer windows. From the drawings submitted with this application, the solid to void ratio appears similar to that seen in this area of the district. The drawings show a variety of window types. Some are vertically oriented, however, the specialty windows such as the Palladian windows and fanlight window, are not. The proposed windows have multiple panes. If the windows are

subdivided, simulated, between-the-glass grids should not be used because they fail to show the shadow lines of a true multi-pane window.

The double doors on the second-story of the front elevations lead to small balconies with multiple railing details. The balconies are partly covered by a projecting bay with a gabled or shed roof. The balconies are similar to those seen on the Phase 1 building and are a typical design feature found on numerous historic multi-family buildings around Salt Lake City.

The use of materials that will reinforce established material patterns in the neighborhood is preferred. Masonry and wood building materials were used historically in the district. Brick and rusticated stone were seen, as was painted clapboard. The proposed cladding includes brick, stucco, horizontal siding, board and batten siding and shingles. The stories are defined by a belt course. The building materials are similar to those used historically, but the number of materials used in combination is unusual in the district.

3. Relationship to Street.

a. Walls of Continuity. Facades and site structures, such as walls, fences and landscape masses shall, when it is characteristic of the area, form continuity along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related;

b. Rhythm of Spacing and Structures on Streets. The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related;

c. Directional Expression of Principal Elevation. A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its orientation toward the street; and

d. Streetscape-Pedestrian Improvements. Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the landmark site or H historic preservation overlay district.

The Design Guidelines offer the following guidelines for siting new construction:

Standards for New Construction

12.10 Large parking areas, especially those for commercial and multifamily uses, shall not be visually obtrusive. Locate parking areas to the rear of the property, when physical conditions permit. An alley should serve as the primary access to parking, when physical conditions permit. Parking should not be located in the front yard, except in the driveway, if it exists.

12.11 Avoid large expanses of parking. Divide large parking lots with planting areas. Large parking areas are those with more than five cars.

12.12 Screening parking areas from view of the street. Automobile headlight illumination from parking areas shall be screened from adjacent lots and the street. Fences, walls and plantings, or a combination of these, should be used to screen parking.

Capitol Hill Historic District Standards

Street patterns

13.13 Maintain the angular, irregular street pattern found in the Marmalade portion of the district.

13.14 Arrange a new driveway, as well as any street improvements, so that they continue the respective street pattern.

Setback

13.15 Maintain the traditional setback and alignment of buildings to the street, as established by traditional street patterns. In Arsenal Hill, street patterns and lot lines call for more uniform setback and siting of primary structures. Historically, the Marmalade district developed irregular setbacks and lot shapes. Many houses were built toward compass points, with the street running at diagonals. This positioning, mixed with variations in slope, caused rows of staggered houses, each with limited views of the streetscape. Staggered setbacks are appropriate in this part of the district because of the historical development. Traditionally, smaller structures were located closer to the street, while larger ones tended to be set back further.

13.16 Keep the side yard setbacks of a new structure or an addition similar to those seen traditionally in the subdistrict or block. Follow the traditional building pattern in order to continue the historic character of the street. Consider the visual impact of new construction and additions on neighbors along side yards. In response, consider varying the setback and height of the structure along the side yard.

13.17 Orient the front of a primary structure to the street. Define the entry with a porch or portico.

***Discussion*:** The proposed buildings are sited on the property in a similar location and orientation as previously approved by the Commission and will reinforce the continuous wall of multi-family buildings in this area. The rhythm of spacing and structures of the proposed project on the streetscape is most similar to the existing development along Almond Street. However, a continuous building wall is not a typical visual element that is characteristic of the Capitol Hill Historic District. The primary facades of the proposed new buildings would be oriented to the east and west so there would not be a front façade that relates to the 300 North Street streetscape. This is not unusual for a corner lot.

The pedestrian improvements will consist of sidewalks and landscaping. The applicant is not proposing traditional porches for the primary facades. However, the shallow balconies shown on the West Temple Street elevations and the small landings of the entrances will provide a transitional design element between the street and the buildings. Although the proposed project will require additional curb cuts for the driveways, the applicant is proposing to use landscaping to soften this hardscape. In the case of a two-car garage, two single doors are preferred.

4. *Subdivision of Lots. The planning director shall review subdivision plats proposed for property within an H historic preservation overlay district or of a landmark site and may require changes to ensure the proposed subdivision will be compatible with the historic character of the district and/or site(s).*

***Discussion*:** The proposed modifications will require an amendment of the Almond Street Townhouses residential condominium plat, which was approved for seven (7) units fronting on Almond Street. Under the current proposal, the existing four (4) units would be considered Phase 1 of the condominium plat. Phase 2 would include a second building fronting on Almond Street consisting of eight (8) units. Phase 3 would include twelve (12) units fronting on West Temple Street. The total number of units in all three phases would be twenty-four (24). All lots comprising the residential use would need to be consolidated into one lot before building permits could be issued.

Attachment A
Photographs

Attachment B
Plans

Attachment C
January 6, 1999
Historic Landmark Commission Approval

Attachment D
Departmental Comment

Attachment E
Public Comment

Attachment F
October 24, 2007 Planning Commission Minutes