

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Held at 451 South State Street, Room 126
February 6, 2008**

The field trip was attended by Paula Carl, Dave Fitzsimmons, Warren Lloyd, Cheri Coffey, Joel Paterson, Janice Lew, Nick Norris, and Robin Zeigler. A quorum was not present; therefore, minutes were not taken of the trip.

MINUTES OF THE MEETING

The Historic Landmark Commission and staff assembled for the meeting. Present from the Historic Landmark Commission were Chairperson Fitzsimmons, Commissioner Carl, Commissioner Haymond, Commissioner Lloyd, and Commissioner Oliver.

Present from the Planning Staff were George Shaw, Planning Director; Cheri Coffey, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Janice Lew, Principal Planner; Nick Norris, Principal Planner, and Robin Zeigler, Senior Planner. Lynn Pace, Deputy District Attorney also attended.

Chairperson Fitzsimmons called the meeting to order at 4:08 p.m.

An agenda was mailed in accordance with zoning ordinance regulations for public hearing noticing and was posted in the appropriate locations within the building, in accordance with the open meeting law. Members of the public were asked to sign a roll, which is being kept with the minutes of the Historic Landmark Commission meeting. An electronic recording of this proceeding will be retained in the Planning Division office for a period of no less than one year.

Chairperson Fitzsimmons inquired if all Commissioners had the opportunity to visit sites that would be the subject of discussion at this meeting. Commissioner Lloyd indicated that he had not visited the sites.

CONSIDERATION OF THE MINUTES

Commissioner Carl moved to approve the minutes for January 16, 2008. Commissioner Haymond seconded the motion. The minutes were approved by unanimous vote.

REPORT OF THE PLANNING DIRECTOR

Mr. Shaw explained that this meeting was moved to Room 315 to better accommodate the public. He notified the commission that Staff recognizes that Room 126 was too small to meet the needs of the meeting and future meetings would be set up in a different room, but the room scheduling had not been finalized yet.

PRESERVATION PLAN

Ms. Zeigler noted that the next meeting of the Community Advisory Committee is on Tuesday, February 12, 2008. She gave a brief report regarding the efforts undertaken by staff to promote the Preservation Plan by streamlining the questionnaire and making the Preservation Plan questionnaire more obvious and accessible. Copies of flyers promoting the Preservation Plan and questionnaires were made available to the public at this meeting.

The Community Advisory Committee have also been working to educate different groups about the plan and to get more feedback from those groups: Kirk Huffaker made a presentation to the Utah Heritage Foundation and asked the audience to fill out the questionnaire. Flyers and questionnaires will be available at the Fisher Mansion open house on the Saturday and tentative plans are in place to speak at the Business Advisory Committee with questionnaires available for comment.

The Chair moved to the next item on the agenda.

ELECTION OF THE CHAIR AND VICE CHAIR

Commissioner Lloyd nominated Chairperson Fitzsimmons to act as Chairperson for another term.

Commissioner Oliver seconded the nomination.

All voted "Aye." Commissioner Fitzsimmons was re-elected by unanimous vote.

Commissioner Oliver nominated Commissioner Lloyd to act as Vice Chair.

Commissioner Haymond seconded the motion.

All voted, "Aye." Commissioner Lloyd was elected by unanimous vote.

COMMENTS TO THE COMMISSION

Chairperson Fitzsimmons stated comments would be taken from the public for issues impacting the Historic Districts and Historic Preservation in Salt Lake City.

Kirk Huffaker, Utah Heritage Foundation, complimented Staff on the Yalecrest area presentation given at the last meeting, stating that it was a strong presentation which gave the Commission a good reason for pursuit of a Historic District designation.

He asked the Council to support the Avenues Historic District by recognizing its upcoming thirty year anniversary. He noted that the Greater Avenues Community planned a street fair to commemorate the anniversary and the Utah Heritage Foundation would be conducting home tours in the Avenues in April.

He strongly encouraged the Commission or individual Commissioners to submit comments regarding the Downtown Master Plan. Stating that the process was moving too fast and the document did not include enough emphasis on historic preservation. He said it lacked strong historic preservation language in regards to the area it impacts, lacked tools for historic preservation which should be

included, and sustainability and linking sustainability with historic preservation. Sustainability is often discussed in the Community Advisory Committee meetings.

Seeing as no further members of the public expressed the desire to speak, he turned to the next item on the agenda.

PUBLIC HEARINGS

Issues Only

Petition 470-07-26 Almond Street Condominiums New Construction - A request by Watts Enterprises to construct Phase II and III (20-units) of the Almond Street Condominiums, a multi-family housing development located at approximately 289 North Almond Street and 286 North West Temple Street in the Capitol Hill Historic District. The site is located in the RMF-45 Moderate/High Density Multi-Family Residential District. As an issues only public hearing, the Historic Landmark Commission will not make any final approvals on this project during this meeting.

Prior to the presentation by Ms. Lew, Mr. Paterson provided a brief background of the history of events regarding this project. He stated that the Almond Street Condominium project proposal had a long history with the Planning Commission and HLC, and was first reviewed as a Planned Development in 1995. The proposal had been revised on several different occasions with differing unit numbers. The Planning Commission heard a proposal in 1998 which included underground parking. At that time the developer entered into a development agreement with the City to develop thirty-four (34) units on the site with the required number of parking stalls for the multi-family units and additional guest parking. In 1999, the developer approached the Historic Landmark Commission with a different design and was given approval for a condominium project of seventeen (17) units on the site. The first four were constructed, but the developer has re-approached the Historic Landmark Commission with a modification of the design to allow construction of twenty (20) additional units making a total twenty-four (24) units on the site.

In 2007, the Community Development director raised a question regarding the need to amend the development agreement to allow more units. Planning Staff consulted the City Attorney's Office and received a decision that the agreement did not need to be amended as the proposal is below the number of units allowed under that agreement (34 units were allowed under the agreement). Staff would require a similar ratio of units to parking as was stipulated under the development agreement.

The applicant, Watts Enterprises, represented by Russ Watts, requested 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. As the site was located within the Capitol Hill Historic District, the Historic Landmark Commission had final design approval authority to ensure that any new construction, redevelopment and the subdivision of lots was compatible with the character of existing development within the historic district.

Ms. Lew introduced the proposal by stating that the applicant was seeking approval to construct Phase II and Phase III of the townhomes. She gave a PowerPoint presentation to illustrate the proposal. She noted that the proposal would include a total of eight (8) units and a four (4) bay garages which front Almond Street and twelve (12) units which fronted West Temple Street.

She displayed two alternatives of the garage roof configuration. The building would rise to three-and-one-half (3 ½) stories on the interior of the parcel. The West Temple elevation is two-and-one – half (1 ½) story building with the rear façade at one-and-one-half stories.

The proposed materials are brick, stucco and siding with a shingled roof.

The applicant did present the project before the Capitol Hill Community Council and public comment from that meeting was not received until the hearing was noticed. The public comment from the Capitol Hill Community Council, Bonnie Mangle and the Almond Street Homeowner's Association was included in the Commissioner packet. An outline of the current zoning requirements was also included in the packet.

The review by the Commission does not relate to the density or the parking requirements, however, the final site plan and building design must comply with all of the code requirements listed in the staff report.

Ms. Lew explained that Staff did a review of the new construction design standards, which were included in the staff report.

The purpose of an Issues Only Hearing was to provide an opportunity for the public to comment on the proposed project and to allow the Historic Landmark Commission to provide direction to the applicant. The Commission may wish to consider if there was any additional information the applicant should have provided, such as 3D modeling or a model that would assist the Commission in its consideration of the proposed project.

Staff recommended 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 uses 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.

Public Comment

The applicant, Russ Watts, Watts Enterprises was invited to address the Commission. Mr. Watts showed the design options on the screen.

Commissioner Carl asked about the house entry.

Mr. Watts explained that the Almond Street unit entries served four units.

Commissioner Oliver asked the applicant why the roof height above the dormer level was almost a story high. She noted that the height of the roof and ridgeline made the structure read as two to three

stories while it was described in the plans as a one and one half story structure. She wondered if the height could be adjusted or if it was useable space incorporated into the design.

The applicant responded that the roof design was a steep gable with pitched roof with no living space above the dormer.

Commissioner Lloyd stated that the elevation appears to lack variation in height and appears to be a continuous ridgeline, thus giving the impression that the structures are actually one long structure. A steep roof pitch is consistent with the area, but the building type does not exist and variation could be achieved by lowering the pitch. Modification is needed to incorporate breaks in the roofline and changes in pitch.

Stephen Ricks, Watts Enterprises, explained the shadow line and that the ridgeline was not actually shared.

Commissioner Lloyd responded that the shadowing and ridge changes as shown were slight and would not negate the impression that the ridgeline was shared. He stated that it did complicate the roof to alter the predominate ridgeline, but Commission Members noted on the fieldtrip that the structure was in shadow in the afternoon and wondered if more light could be introduced by breaking up the ridgeline.

Commissioner Carl stated that the drawings demonstrate a 12:12 pitch and wondered if the applicant had explored a lesser pitch.

Mr. Watts stated that they had not and that he was open to making a modification.

Commissioner Carl asked the applicant to bring a streetscape illustrating the Almond Street elevations in relation to the buildings on the opposite side of the street.

The applicant stated that he would be willing to provide a model and meet with an Architectural Committee.

Seeing as the Commission had no further questions for the applicant, The Chair invited the Community Council representative to address the Commission followed by other members of the public. With the exception of the Community Council Chairs, the public was asked to limit their comments to two minutes.

Katherine Gardner, Greater Avenues Community Council Trustee, stated opposition to the changes. She expressed disapproval of increasing the number of units beyond seventeen (17) as it was a narrow street and more units would result in overpopulating the area. She explained that as the streets were narrow, the residents already experience issues with moving vans, garbage pick up, and accessibility for emergency vehicles.

Minta Brandon, Capitol Hill Community Council Trustee, expressed opposition to increasing the number of units and expressed the opinion that seventeen units were too many units for the lot size. She stated that Almond Street was narrower than West Capitol, which is a narrow street. The units are too high and significantly taller than the houses across the street.

Walter Baker, a civil engineer and a resident of Almond Street, stated opposition to the plan and expressed the opinion that the proposed development was inappropriate for the neighborhood and could be better planned. Stating that he had read the Commission's seven principle duties, he hoped that they had been ranked in order of importance. He noted that the second duty was to ensure that development was complimentary in design and construction to the adjacent lands, and the least important would be to recommend design standards. He expressed the opinion that referring the proposal to the Architectural Committee was premature as there were more important issues to resolve first:

- He noted that the developer proposed taking four (4) feet on the east side of the street to install a sidewalk to accommodate the proposed development and removing trees and green space. Salt Lake City has been given a Tree USA designation. The City has plans to incorporate an urban forest. The project is inappropriate for the neighborhood as it will take away trees and green space.
- In response to the one way traffic on Almond Street, it has been proposed to force the garbage truck to back up on Almond Street and pick up the containers on the east side of the road. This was unsafe for the residents.
- Cars on opposite sides of the street simultaneously backing out of driveways poses a serious problem.

He stated that the Community Council was willing to work with the applicant to come up with an appropriate plan.

In response to a question posed by Commissioner Lloyd, Mr. Baker stated that garbage pickup is currently on the west sidewalk and comprises of a minimum of seventeen containers and potentially eight more. He noted that the proposed additional units would potentially add twenty-four more garbage receptacles.

Celia Baker, a resident of Salt Lake City, stated that the land was difficult and expensive to develop. The original plan did not call for opposing driveways on Almond Street. The agreement was made for thirty-four units, but that agreement was entered into without the opposing driveways by incorporating an underground parking garage. The proposal meets the density requirements, but the new proposal has not had the full scrutiny needed in this situation. The proposed development would not result in desirable living space. Homes in the historic districts should be vibrant and livable so that people will want to live there. She encouraged the Commission to make a responsible decision.

Lisa Heaton, Almond Street Homeowners Association, expressed opposition to Phase II of the proposal and stated that it would damage the character and livability of the neighborhood. The twelve driveways for Phase II leave almost no space for trash pickup and the problem is compounded because Almond Street is a one way street. The original architectural drawings were approved without sidewalks, which fit with the character of the neighborhood. Removing the green space to construct sidewalks would damage the character of the neighborhood. She further stated that no plan had been presented as to how the sidewalks would be paid for. She expressed the opinion that if the developer wanted sidewalks, they should be done on his property rather than on the neighboring properties. The Homeowners Association opposes any plan which would require the removal of valuable green space and trees.

Laura Bear, Quince Street resident, stated that she represented other residents of Quince Street who could not be present. She stated their primary concern was in regards to traffic, accessibility and life safety issues; particularly that of emergency vehicle access. To illustrate the increasing difficulty the area faces in regards to parking and traffic, she provided copies of a traffic study developed in 1995. She noted that the study was conducted prior to the construction of the L.D.S. Conference Center and other large developments downtown which have added parking congestion to the neighborhood. She stated that the study illustrates dire problems regarding parking service and emergency service access to the neighborhood. She stated that cars are often parked nose to tail and the access to housing units was often blocked, which was an annoyance and a safety issue when emergency service access was needed. She asked the Commission to consider that if the proposed 12x23-foot garage was intended for tandem parking, it would not be adequate to accommodate the additional vehicles in the area as a result of the development. She asked if the garage was not intended to accommodate the tandem parking, where the other vehicles were expected to park.

Christine Williams noted the Phase II Almond Street façade shows garages with living space atop. She said the plans show an enormous span of roofline, which the Commission already addressed, but the development looks like storage units rather than townhomes. She stated the structures were actually two four-plexes and one inappropriate four car garage which does not belong in a historic district. She wondered how the project evolved from townhomes to four-plexes and asked the Commission to imagine the issues of allowing twelve additional opposing driveways on the extremely narrow street. She noted safety issues would arise with limited emergency service access.

Brent Gliddel, Board of Directors for Trader Homes Homeowners Association, stated that many of their residents were elderly and the added traffic congestion would increase the potential for confusion and accidents. The Homeowners Association was not in opposition to development of the lot, but found the current plan unacceptable.

Anne Elle, Almond Street homeowner, stated that the green space was lacking. She explained that Phase I incorporated minimal green space and Phase II eliminated what green space existed. Garage doors would front the street and the developer had begun discussions regarding the construction of a sidewalk on the east side of the street which would compromise existing trees.

Jo Stoddard, president of the Zions Summit Owner's Association, stated that their development was a vertical community of two towers with three garage levels with one of those levels accessed from Almond Street where approximately one third of the residents get vehicular access to their homes (ninety-four parking spaces). She stated concern regarding congestion on the narrow one-way street. The West tower must use Almond Street for moving vans and large deliveries. Emergency vehicles and garbage pickup were also on Almond Street. There was little room for more trash containers and the developer has discussed proposing that garbage trucks drive backwards up the street. The residents oppose trash pick up in this manner, as it poses dangers to anyone else driving on Almond Street. She asked that Watts Enterprises modify the proposal to reduce traffic congestion, opposing driveways, and a design in keeping with a historic district.

Marilyn Schow stated she was a resident of Vine Street. She noted that the emergency access vehicle issue had been addressed, but wanted to put emphases on the safety issue. She stated that Vine Street was considerably wider than Almond Street and in the instance when the emergency vehicles responded, there could be up to three vehicles on Vine Street at a time. These vehicles cut

off access to the street. In the case of an emergency on Almond Street, which is narrower and one way, it was considerably more congested.

Seeing as no other member of the public expressed the desire to speak, the Chair closed the public and invited the applicant to respond to the public comment.

The applicant stated that Watts has an agreement with Salt Lake City to build thirty-four units, but are limiting construction to twenty-four. The developer worked with the Community Council and the City to get the streets changed to one way with traffic facing downtown which relieved some of the traffic pressure. He acknowledged that parking was a key issue in the community. The original plan was to develop tandem parking, but they had changed the plan to incorporate forty-eight (48) parking stalls and thirty-six (36) guest parking stalls. The amount of visitor parking has been tripled and the number of units has been reduced by thirty percent (30%).

In response to a question from Commissioner Lloyd, the applicant responded that the street traffic direction was changed in 1998 or 1999.

Commissioner Oliver asked the applicant to explain the possibility of developing the parking so that it approached from West Temple Street.

The applicant responded that the approach would include a sixty foot rise from West Temple to Almond Street. It would be architecturally difficult and would incorporate three levels of parking before approaching the first level of living space.

He further stated that he would appreciate the opportunity to meet with the Architectural Committee to discuss solutions for the issues brought forward by the public.

Executive Session

Mr. Paterson noted that there had been some discussion from the public in regards to a proposal to install the sidewalk on the east side of the street. That was an idea generated by the developer, but had not been proposed.

Commissioner Lloyd and Commissioner Carl volunteered to serve on the Architectural Committee.

Mr. Paterson asked the Commission to provide specific direction to the Committee.

- Commissioner Oliver stated a major concern was that the proposal looked more like detached homes than row houses which would be more suitable to the site. The row houses should be fairly uniform with the garages out of sight.
- Commissioner Carl expressed the desire to see the primary entrance more prominent rather than the garages and had issue with the massing of the structure. (Excess of hardscapng on Almond Street, the configuration of the garages and the parking issue.)
- The Chair summarized that there was an issue of trash pickup and emergency vehicle accessibility issue.

After obtaining permission to speak from the Chair, Mr. Baker informed the Commission that the Homeowners Association was not in opposition to development of the site, but asked the Commission if the Homeowner's Association could be provided the opportunity to attend coordinated meetings where the developer and the Association could collaborate on the identified issues and help provide solutions.

Mr. Paterson informed Mr. Baker that there were processes in place to obtain public input. Community Council input is not required for this property; however, the developer had approached the Community Council to get their input. If Mr. Watts agreed, he could coordinate some meetings, but this would be voluntary on the part of Mr. Watts. He also stated that the public could attend Architectural Committee meetings, but they would not be allowed to give comment at the meeting.

The Chair called the meeting to order at 5:32 p.m.

The Chair called at break at 5:57 p.m.

Petition 470-07-15 Huntington Park Condominiums New Construction - A request by Derrick Whetton to build a new 43 unit residential condominium building located at approximately 540 East 500 South in the Central City Historic District. The proposed development is located on four parcels and contains approximately 0.79 acres. The property is located in an R-O Residential Office Zoning District and an RMF-35 Moderate Density Multi-Family Residential Zoning District.

Mr. Norris introduced gave a PowerPoint presentation which described the proposal.

The applicant was requesting approval of a four story, forty-three (43) unit residential condominium building located at approximately 540 East 500 South in the Central City Historic District. The proposed development includes 4 parcels totaling approximately 0.79 acres.

Based on the analysis and findings in the staff report, staff recommended that the Historic Landmark Commission deny the proposed project based on the analysis and findings found in this report. Specifically, the proposed project is not substantially compatible with the following:

1. The proposed structure is not compatible with *Standard One: Mass and Scale*.
2. The proposed structure is not compatible with *Standard Two: Composition of Principle Façade*;
3. The proposed structure is not compatible with *Standard Three: Relationship to the Street*;
4. The proposed development is not visually compatible with surrounding structures and streetscape,
5. The proposed project is not in the best interest of the City because it does not substantially comply with the applicable standards for new construction in a historic district and adopted design guidelines and is not visually compatible with the surrounding structures and streetscape.

The Historic Landmark Commission has the following options:

1. The Historic Landmark Commission can approve the proposed project upon creating findings that indicate that the proposed development substantially complies with the applicable standards and is in the best interest of the City as stated in Zoning Ordinance Section 21A.34.020.H Standards for

Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure;

2. The Historic Landmark Commission may determine that the petition cannot be approved as proposed and make a motion to deny the request as stated in Staffs Recommendation or make their own findings for denial or The Historic Landmark Commission may continue the petition and require additional information from the applicant or staff.

Commissioner Lloyd asked Mr. Norris to identify the three-and-one-half (3 ½) story mid-block building at 500 South 500 East. On the Southwest corner of the block there is a three-and-one-half story apartment building (600 South 500 East) which is similar in height. Staff did not know the height of the two structures, but had based their recommendation on the drawings provided by the applicant.

Derek Whetton, the applicant was invited to address the Commission. He used the projector to show additional perspective drawings to argue that his proposed project is closer in proximity to 600 East than 500 East. He also exhibited pages of the Historic Landmark Commission minutes for 2002 which describe the hearing and approval for Emigration Court. He stated that a precedent had been set when Mr. Girard, the project planner for the Emigration Court project, stated that historically several apartment buildings were built in the early 20th Century that were taller than surrounding residential structures. He read more from the minutes, describing the discussion which led to the unanimous approval by the Commission which argued that other tall apartments had been constructed next to residential homes in the historic district and were recognized as appropriate.

Carolyn Anderson, project architect, spoke to the Commission. She did not agree with the staff recommendation. She made an electronic presentation (which has been attached to the minutes) showing other historic apartment buildings in the area. She stated why she believes the proposed project meets the design guidelines for the historic district including her belief that it is compatible relating to scale, materials, mass, solids to void, and size of window openings.

Seeing as the Commission had no questions for the applicant, the Chair opened the meeting to public comment.

Public Comment

Cindy Cromer, property owner in the Central City Historic District, approached the Commission.

- 1) This project is not in the transit corridor zoning district and neither is Emigration Court.
- 2) Takes issue with the comparables. To say that a building with similar building height is comparable without regard to its width and mass is inappropriate. It is also important to look at the location within the block face. There is a pattern and rhythm to the block face where the larger structures are at the corners.

The Land Use Appeals Board adopted new policies and procedures on February 4, 2008 and she asked the Commission to review those new policies paying particular attention to section 6 prior to making a motion on any case.

The split zoning could be resolved through future zoning which she viewed as a mapping error made in 1995. The applicant has attempted to circumvent the current zoning by going to the Board of Adjustment, but was denied. The split zoning could be changed in the near future and then allow the applicant other design options.

As she had extensive comments which could not be stated in the allotted two minutes, Ms. Cromer handed her notes to the secretary to be filed with the record.

Seeing as no other member expressed the desire to speak to the matter, the Chair moved to Executive Session.

Executive Session

The Chair commented that the changes made by the applicant were significant and had entailed extensive work. Of particular improvement was the main entrance which was more prominent and inviting and helped to break up the massing. He stated the opinion that it was a good transformation from where the project started.

Commissioner Haymond stated that due to the setbacks, the building does not appear excessive in height when viewed from the street. The view from 500 and 600 East made the same impression. The straight architectural examinations of the plans do make the buildings appear too tall, but the applicant had responded beautifully by adding architectural details from the lower to the upper levels. He stated that he assumed that the height has been considered and many of the larger buildings in that area do sit on the corners of the block, but this is not true of all of them. In his opinion the applicant has responded to the requests made by the Commission during the January 16, 2008 hearing.

Commissioner Lloyd stated that the development pattern in the area includes larger buildings typically placed on the corners of the block. Stating that the subject block has a large building on the corner of 500 South and 600 East, he stated that the elevation view in the packet does amplify the height of the mid-block buildings along 500 East. If we were to look at a front view perspective only, the scale would be much larger. The existing historic residences would be the most overshadowed by the building. A further step back on the upper level would help to mitigate the height density.

Commissioner Oliver stated that the façade is confusing. It reads as an office building rather than an apartment building. Other apartment buildings in this district have a tri-partite façade. If the proposed structure could mirror that pattern more, it would break up the mass and read more as an apartment building which is appropriate for the area. Setting back the upper floor would mitigate the height, but it would still read as a continuous wall plane from the street.

Commissioner Lloyd and Commissioner Oliver then entered into a discussion where they agreed that the building could actually read as two structures by shifting the two front units to the back of the courtyard which would allow an open courtyard in the center which would break up the building. This would make it more compatible with other apartment buildings in the Historic District.

Noting that she was not at the last meeting or the Architectural Committee meeting, Commissioner Oliver stated that the garage was pedestrian unfriendly and wondered if alternatives were discussed for underground parking or a ramp.

She further stated that the single entrance made it read more as an office building rather than an apartment structure. The ground floor apartments could have doors to walk out to small private areas.

Commissioner Carl stated that the Commission did express concern that the primary entrance did read as institutional rather than residential.

Commissioner Lloyd stated that the other structures on the block read as forty (40) feet and the new proposal as fifty-one (51) feet. He asked Mr. Norris if the City had done any surveys to verify the height on the other two buildings.

Mr. Norris replied that the City had not, but the information provided by the applicant did seem consistent with the staff observation. He asked the Commission to consider that there was an eleven-foot difference between the 40-foot tall apartment and the proposed building which would be 51 feet tall. The other apartment building is 43 feet tall. The difference in height between the existing apartment buildings and the proposed building is between twenty (20) to twenty-five (25) percent of the overall building height.

Commissioner Carl stated that the site was awkward as it is an L shape.

Commissioner Oliver asked what the legal height limit for the site was. The front of the lot is zoned RO which allows 60 ft. and the back of the lot is RMF-35 which allows 35 ft.

The Chair stated that the advantage of being located on an interior lot is that the entire mass of the building is not viewed from the street as in comparison to the other apartment building on the corner of 500 East and 600 South.

Commissioner Oliver stated that the depth is felt in the block.

Commissioner Carl stated that she was still troubled by the massing.

Commissioner Oliver stated that one solution would be to make the building three full stories with the fourth set back to make it seem more of a roof top, which would be read as a three story walk up with a penthouse.

Commissioner Lloyd asked the Commission to look at the front elevation. The historic pattern would be to find two buildings with an entry courtyard between the two. It would be more acceptable to follow this pattern even if a taller structure than the others on the block face were to be allowed. One option was to continue the petition and ask the applicant to return with a response to the concerns stated in this hearing.

Commissioner Lloyd further reminded the Commission that they would need to provide strong evidence if they chose not to accept staff recommendation.

Chairperson Fitzsimmons stated that if the case were to be continued, the Commission would need to state strong reasons for that action. Another option would be to accept Staff recommendations and

deny the application. Another option would be to accept the application with conditions also stating clearly why the Commission chose move in opposition to staff recommendations. Separating the building would result in a loss of six units as written in the proposal. Moving the structure back in an U-shape would save those units.

The Applicant presented two garage ramp options; of those two the false façade does not seem honest. The U-shape plan would provide more options.

Mr. Whetton was given the opportunity to speak during the executive session. He asked the Commission to consider that requiring the proposal to take the upper two stories and step them back while in a U shaped seemed a composition of two separate styles. He asked the Commission for clarification in the instance that they did recommend an U-shaped structure with the step back. He asked for specific direction to help him interpret the structure to make it conforming to the wishes of the Commission and make it appropriate for the area.

He further stated that the façade on the Smith's building which was 240 feet long 40 feet high would be the dominate architectural feature on the block. The proposed structure could not possibly cause more prominence.

Commissioner Oliver clarified to make it three stories and set back the top forth story. She stated that the style would be patterned after the Brooks Arcade building which is another historic structure.

Commissioner Lloyd agreed that dividing the mass horizontally is more consistent with the development pattern in the district. Dividing it vertically side by side does more to integrate it into the scale of the other, taller buildings on the block face.

Motion

Commissioner Lloyd moved in the case of 410-07-15 that the case be continued to a future Commission hearing. The Commission advises the applicant to review the comments from this hearing, particularly to explore alternatives to visually divide the buildings horizontally to create the appearance of two separate buildings or a U-shaped building to specifically respond to the scale found within the block, that we understand the staff recommendations: items 1, 2, 3, and 4 and that the applicant respond to these comments.

Commissioner Oliver seconded the motion.

All in favor voted, "Aye." The motion passed unanimously.

Mr. Whetton asked the Commission to clarify its instruction. When the project was brought before the Commission on January 16, 2008, the direction was in regards to the 500 South elevation. At that time the applicant was directed to visually divide the structure horizontally. He asked if the Commission had changed its direction and wanted him to divide the structure it vertically.

The Chair responded that this was the intent of the motion.

Petition 470-07-39 Toth Major Alteration/Minor Construction - A request by Bob Toth for major alterations to a contributing structure located at 167 North "O" Street in the Avenues Historic District.

The proposal includes adding a second story to the rear of the existing structure. The property is located in the SR1-A Special Development Pattern Zoning District.

Mr. Norris explained that the proposed addition consists of the following alterations to the structure:

1. Adding a second story to the home
2. Expanding the basement by excavating underneath the home
3. Addition of new windows to the basement
4. Adding an exterior doorway and stairs to the basement
5. Adding solar panels to the roof on the addition.

Mr. Norris further explained that the case was previously heard by the Historic Landmark Commission on January 2, 2008, where the Commission referred the case to the Architectural Committee with the direction to address four concerns:

1. Could the upper floor be set back further so that it is in line with the original structure?
2. Could the windows on the front be addressed, mainly the windows on the existing house, would the windows on the front be replaced and if so, what would they look like? The windows on the front north side are highly visible and an important aspect to the character of the home.
3. More information on materials would be provided
4. The roof shape and mass of the addition.

The Applicant met with the Architectural Committee on January 15, 2008, and in response to the concerns of the Committee made several changes to the drawings. The changes made to the plans consist of the following:

- Stepping back the dormers and change to window shapes on the North elevation.
- The proposed building materials have been altered or eliminated to prevent a conflict of styles.

Based on the analysis and findings in this report, Staff recommended that the Historic Landmark Commission approve the proposed modification to the property located at 167 North "O" Street for the following reasons:

1. The proposed modification substantially complied with the standards found in Zoning Ordinance Section 21A.34.020.G;
2. The proposal was in the best interest of the City because it substantially complies with the applicable standards and design guidelines.

Staff recommends that the following conditions of approval be adopted by the Historic Landmark Commission:

1. That the applicant included a design for the interface between the roof of the historic structure and the addition that would provide adequate drainage;
2. That the windows on the east elevation of the addition were consistent with the Design Guidelines for Windows.

The Historic Landmark Commission has the following options regarding this proposal:

1. The Historic Landmark Commission could approve the proposal by finding that the proposal substantially complies with all applicable ordinances and design guidelines;
2. The Historic Landmark Commission could deny the proposal by finding that the proposal did not substantially comply with applicable ordinances and design guidelines; or
3. The Historic Landmark Commission could refer the proposal to the Architectural Committee for further review of the design of the proposed addition.

Mr. Norris noted that the window changes were made to differentiate the old structure from the new and to eliminate elements which were inconsistent in style with the structure.

The applicant was invited to approach the Commission. The applicant's representative, Joe Prudden, noted that the upper North bedroom had been stepped back four (4) feet from the front façade in response to comments of the Architectural Committee.

The windows were replaced by a previous owner with incompatible windows and in response to the Committee recommendations; the window grids will be removed. The windows on the North side, bottom left elevation, were originally proposed as horizontal. The proposal has been revised to have more traditional vertical windows with sliders.

In response to a question by Commission Lloyd, the applicant responded that the drainage would be accommodated behind the hip roof plane via. use of a cricket.

Public Comment

Kirk Huffaker wrote a comment to the Commission stating opposition to the project. His comments included a statement that the project was inappropriate for the area and which were read by the Chairperson and filed with the minutes.

Shane Carlson, Greater Avenues Community Council, asked a question regarding the rear elevation wall height. He noted that SR-1A had a rear exterior wall height limit of sixteen (16) feet and the staff report did not contain dimensions for that wall. He noted that the development pattern of the Avenues was one to one-and-one-half (1 ½) stories with a few two story structures. He stated the two stories were not typical and he expressed concerns that there is a significant amount of mass when viewed from the North. As the wall height contributes significantly to the perception of mass, he asked what the wall height was.

Mr. Toth responded regarding the wall height. He stated that written comments from neighbors were attached to the staff report which supported the proposal.

The chair read correspondence from Stewart and Jackie Loosley, neighbors. The letter was in support of the proposal.

Executive Session

Mr. Lloyd stated that he sat on the Architectural Committee for this project and the revised proposal was consistent with the direction given to the applicant. While he expressed a concern regarding the rear wall height, he also stated that the visual impact from the street had been addressed.

Commissioner Haymond stated that the wall height is on the back and not viewed from the street front.

Commissioner Oliver stated that while she agreed with Mr. Huffaker's comments in opposition to the house riding piggy-back on the original structure, given the constraints on the lot, the revised plan was a fair compromise.

In response to a question from Commissioner Lloyd, the architect responded that he believed the wall height to be approximately sixteen feet. He also stated that the ceiling would be vaulted.

Mr. Norris measured the plan and derived that the wall height would be slightly over sixteen feet. He reminded the Commission that the North side yard setback was greater than required and the SR-1A zoning which would allow a greater wall height in this case.

Motion

Commissioner Lloyd moved in the case of 470-07-39 that the Historic Landmark Commission accepted staff recommendation to approve the alteration to the top of the residence and accept the staff recommendations and findings that the applicant include a design to provide adequate drainage, that the windows on the East elevations do comply with the design guidelines for windows, and the Commission does approve additional height to the sixteen foot wall height to allow the eave as designed,

Commissioner Haymond seconded the motion.

Clarification

Commissioner Lloyd explained that in this instance, the allowance for additional wall height was necessary to allow habitable space and comply with building code.

Mr. Paterson gave a clarification regarding the zoning standard. He explained that if the wall on an interior side yard is set back further than required by ordinance, (which in this district would be four feet on one side and ten on the other) the farther the structure was set back; the wall height can be increased foot for foot to compensate for the additional setback. Under the ordinance, in this instance, the wall height could have been increased up to four feet beyond the sixteen feet limit. As such, the Historic Landmark Commission did not need to approve an increase to the wall height.

All voted "Aye." The motion passed unanimously.

Petition 470-07-36 Walker Bank Building Alteration/Minor Construction - A request by Casey McDonough for approval to modify the storefront to accommodate a night deposit and ATM facility and of a master sign plan for the Landmark Site located at 175 South Main Street. The property is located in the D-1 Central Business District.

Ms. Lew explained that the applicant was requesting approval to modify a storefront to accommodate a night deposit box and ATM facility and approval of a master sign plan for the Walker Bank Building landmark site located at 175 South Main Street.

Ms. Lew stated that based upon the comments, analysis and findings of fact noted in this staff report, Planning Staff recommends the Historic Landmark Commission approve the application requesting approval to modify the storefront to accommodate a night deposit box and ATM facility. Furthermore, staff finds that the proposed master sign plan does not comply with the City's historic preservation standards as stated below and is inconsistent with the architectural character of the historic building. Therefore, staff recommended the following:

That the Historic Landmark Commission continues consideration of the request for further review of the master sign plan and refers the applicant to meet with the Architectural Committee to address the following; locations for tenant signage, sign types, letter size, window signs and illumination. The master sign plan would come back to the full Commission for final approval.

She further stated that staff recommended approval of the signage proposal with the exception of the corner sign. Staff is also seeking a signage "Master Plan" which would be applied to any future tenants of the building.

The applicant was invited to approach the Commission. Susan Larsen, representative from Far West Bank stated that the bank location opened in mid-November and hoped to have signage approved in this meeting.

Casey McDonough, CRS began his comments by addressing the proposal for a ATM and vestibule on Main Street. He displayed a PowerPoint presentation illustrating the historical multiple door openings on the structure and photos displaying the façade of the structure which has changed over time. The presentation also included a before and after rendered drawing to illustrate the proposed vestibule and signage. The proposal was to remove a bay area from the altered façade and placement of signage, the ATM, and the vestibule. He described the different options of materials that could be used for the sign ATM vestibule and the proposal in further detail as outlined in the staff report.

The presentation also included photos of different signage on buildings in the area and photos of other historic structures with signage. The applicant briefly described the signs as a thinned raceway with panned channel letters and vinyl fronts illuminated from behind. He stated that the owner was requesting a corner bank sign and two additional signs above the retail storefront.

In response to a question from Commissioner Lloyd, the applicant confirmed that the proposal was for internally illuminated signs and the photos in the presentation of signage on other buildings were also internally lit.

Mr. McDonough asked the Commission to grant a conditional approval with the final design details to be worked out with staff.

In response to a question from Commissioner Oliver, the applicant indicated that the building was constructed with little or no signage in place, but a sign was mounted within a year of construction. A wrapped band sign was installed in 1915 and was subsequently altered to include big band letters.

Seeing as there were no further questions for the applicant, the Chair moved to the public comment portion of the hearing.

Public Comment

Seeing as there were no members of the public who expressed the desire to speak, the Chair moved to Executive Session.

Executive Session

The Chair suggested that the decision of the Commission should be handled in two separate motions:

- 1) The ATM and vestibule
- 2) The building signage

Commissioner Oliver stated that while the applicant was not proposing to restore all of the original features on the main floor, he was proposing to restore some and she found this to be a good compromise.

First Motion

Commissioner Oliver moved in regards to 470-07-36 that the Historic Landmark Commission concurs with the staff recommendation for approval of the modifications of the store front to accommodate a night deposit box and ATM facility.

Commissioner Carl seconded the motion.

All voted "Aye." The motion passed unanimously.

Discussion

The Chair stated that signage can be historic and speak to a certain historic time period. Commissioner Carl concurred.

Ms. Lew clarified that if the Commission approved signage, Staff was asking the Commission to determine the location as well as the type of signage which would be allowed on the structure. She also cautioned the Commission against setting a precedence of allowing internally illuminated signage with a plastic face, which had been consistently denied in the past on landmark sites or contributing buildings within the historic districts.

She referred the Commission to the design guidelines to discover the types of signs typically approved in Historic Districts. She also described examples of signage on historic structures.

Commissioner Oliver noted that the earlier sign on this structure had a transparent screening which allowed the granite of the building behind the sign to be seen from the street. The proposed signage letters appeared too large and was not transparent. A solution might to paint the green brace way behind the sign a granite color. She was concerned with the white box style letters which drew the visual attention to the letter plane and away from the building which did not allow any depth which was typically not done in historic signage. She stated that she had no problem with covering two bays as she understood the need to do so, but with large letters without the transparency, the pilaster was hidden.

Second Motion

Commissioner Oliver moved in the case of 470-07-36 that the Historic Landmark Commission approved the proposed locations of the signs and agreed that the corner sign could exceed the pilasters and extend beyond the bays, but the applicant was to work closely with Staff to make the lettering more transparent to allow the eye to travel past the sign and see the building as well through a composition which does not include backlit boxed letters as proposed by the applicant. The proportion of the letters are to be reduced and in proportion with the building façade.

Clarification

Commissioner Oliver further clarified the motion for the benefit of staff: The approval did allow the incorporation of other types of illumination so long as the sign had a transparent feel, the letters were appropriate in scale, and the signs did not incorporate boxed letters.

The applicant is to investigate alternatives to lighting; including spot lighting and not to exclude back lit illumination or neon within the letters, and as far as possible make the signage less bulky and more transparent to make the building behind the sign legible.

Furhter, the applicant was to work closely with staff to design a type of lighting which met the design guidelines as written.

Commissioner Haymond seconded the motion.

All voted "Aye." The motion passed unanimously.

OTHER BUSINESS

Commissioner Oliver asked the Commissioners if they wanted to follow up on Mr. Huffaker's request for comments from the Commission concerning the Downtown Master Plan. Commissioner Carl stated she had compiled some of her own comments and was willing to lump them together with others and have them submitted in the form of a letter. Commissioner Oliver stated it would also be a good idea for her and for Commissioner Lloyd to submit comments as they were the Preservation Plan Subcommittee. She also stated that the Community Advisory Committee could forward comments.

Mr. Shaw assured the Commission that he was happy to take any of those comments. He stated that he was engaging the Downtown Alliance on issues so he was willing to take comments within two weeks.

Comments would go to the Chair by Monday and he would incorporate them into one letter for the Commission to review.

There being no further business, Commissioner Oliver moved to adjourn the meeting at 8:03 p.m.

Kathryn Weiler, Historic Landmark Commission Secretary