

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 315, 451 South State Street
May 7, 2008**

The regular meeting of the Historic Landmark Commission was held on May 7, 2008, at 5:38 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, David Fitzsimmons, Arla Funk, Sheleigh Harding, Polly Hart, Warren Lloyd, Jessica Norie and Anne Oliver. Commissioners Earle Bevins, III and Creed Haymond were absent.

Planning staff present for the meeting were: Cheri Coffey, Programs Analyst; Janice Lew, Principal Planner and Ex Officio for the Historic Landmark Commission; Nick Norris, Principal Planner; Joel Paterson, Interim Assistant Director for Planning; Robin Zeigler, Senior Planner and Cecily Zuck, Historic Landmark Commission Secretary. Mary De La Mare-Schaefer, Interim Director for Community Development and Esther Hunter, Senior Advisor to the Mayor, were also present from City staff.

A field trip was held prior to the meeting at 4:00 p.m. The field trip was attended by Commissioners David Fitzsimmons, Arla Funk, Polly Hart, Warren Lloyd, Jessica Norie, Anne Oliver and staff members Cheri Coffey, Janice Lew, Joel Paterson and Robin Zeigler. A quorum was present; therefore minutes were taken during the field trip and were as follows:

FIELD TRIP NOTES

(This item occurred at 4:00 p.m., prior to the regular meeting)

754 North 300 West, Burt Development: Staff described the project. The Commission inquired if the applicant was seeking additional height. Staff noted that the applicant was not looking at additional height, nor was the applicant proposing to build to average height. Staff also noted that the height of the garage would meet the height requirement rather than having additional height to ensure that the pitch of the roof of the garage was similar to the pitch of the roof of the single-family home. The Commission discussed the fault line issues associated with the property and the processes the project would go through; including a subdivision and rezoning. The Commission, at the request of Commissioner Hart, viewed a solar panel on the rear of the structure on the southwest corner of Main Street and Gerard Avenue. The Commission noted that the panel was not readily visible from the street.

74-48 East 300 North, McBride Twin Home: Staff described the project. A question was raised as to whether or not the tree near the home in the rear yard would be preserved, or removed due to the proposed addition. Staff referred that question to the meeting when the applicant could answer the inquiry.

475 East Third Avenue, Milne Appeal: Staff described the project. There was a question from the Commission of whether the proposed solar panels would be thermal or photovoltaic cells.

Commissioners noted during the field trip that third grade students from Bonneville Elementary School would present information on a study they had conducted relating to the architectural styles of homes found in the new Yalecrest National Historic District.

DINNER AND WORK SESSION

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

Mary De La Mare-Schaefer, Acting Director of Community and Economic Development noted that she had an update for the Commission regarding the transition process within the Planning Division. She stated that Joel Paterson had been named Interim Assistant Director of the Planning Division and was meeting with the current Transition Leadership Team on a regular basis to discuss division strategies. Mrs. De La Mare-Schaefer stated that Cheri Coffey had been temporarily reassigned as a Programs Analyst for Community and Economic Development and was working to solve difficult and long-standing issues within the department.

Mrs. De La Mare-Schaefer noted that a national search was underway for the Planning Director, as well as for other open positions within the Community and Economic Development Department. She informed the Commission that interviews for the Planning Director position were to be held on May 15, 2008.

Mrs. De La Mare-Schaefer stated that the administrative staff had been meeting regularly with City Creek Reserve Incorporated (CCRI) regarding the City Creek project. She noted that the ZCMI façade design was moving forward, and hopefully, it would come before the Commission at their meeting in June. She also noted that the City Council was attempting to work out legislative intent language regarding the entrance to the project at this elevation.

Esther Hunter, Senior Advisor to the Mayor noted that the Mayor's budget proposal allocated funds for professional training for Commissioners.

Mrs. De La Mare-Schaefer stated that the budget recommendation also included fund allocation for a preservation survey of structures in the Central City neighborhood.

Robin Zeigler, Senior Planner, noted that Phase I of the Salt Lake City Preservation Plan had been completed and that the plan document had been included in the Commissioner's packet of meeting materials. Ms. Zeigler stated that Phase II of development would include creating a Visioning and Goals Statement under the advisement of the Community Action Council and subcommittee of the Historic Landmark Commission. She noted that the Commission Subcommittee required an additional member with the departure of Commissioner Heid.

Commissioner Hart volunteered for the Subcommittee.

Ms. Zeigler noted that the Commission Assistance and Mentoring Program (CAMP) training staff had thanked her for the involvement and knowledge of the attendees. She stated that Planning Staff welcomed suggestions on what training subjects the Commission would appreciate exploring in the near future.

Commissioner Harding noted that she felt it would be helpful to have training for the Commission on Robert's Rules of Order and general meeting functions.

Commissioner Oliver stated that it would be helpful to have a staff led 'camp' for City-specific procedures for the Commission, and maybe these issues could be addressed at the next retreat.

Ms. Zeigler noted that this certainly was a possibility.

Ms. Zeigler passed around a copy of the Historical Structure Report on the Fisher Mansion for the Commission to review.

She also noted that in the most recent National Alliance for Preservation Commissions Newsletter, Salt Lake City's Solar Panel Ordinance had been featured and commended.

Ms. Zeigler informed the Commission that a draft of new Economic Hardship language had been submitted to the City Attorney's Office for preliminary review.

Joel Paterson, Interim Assistant Director for Planning, noted that a recent zoning map change affecting the boundaries of the City's local historic districts was now in place. He stated that the change had been made due to the fact that certain boundaries cut properties in half or did not include properties which should have been included in the original configuration of a particular district.

APPROVAL OF THE MINUTES

(This item was heard at 5:39 p.m.)

Commissioner Oliver made a motion to approve the minutes from April 2, 2008, as written. Vice Chairperson Lloyd seconded the motion. Commissioners Hart and Funk abstained from the vote. all others voted 'Aye'. The motion carried unanimously.

REPORT OF THE DIRECTOR

(This item was heard at 5:40 p.m.)

Mr. Paterson welcomed new members Polly Hart and Arla Funk to the Commission and thanked them for their willingness to serve and their dedication to the preservation process.

Mr. Paterson stated that there was one item on the agenda which was a carryover from previous meetings which the new Commissioners had not had the privilege of presiding over, therefore, they would not be voting on the Huntington Park case, but would participate in the remaining cases on the agenda.

SPECIAL PRESENTATION

(This item was heard at 5:41 p.m.)

Vice Chairperson Lloyd welcomed students from Ms. Linda Allen's third grade art class at Bonneville Elementary School in Salt Lake City who had studied architectural styles within the Yalecrest National Historic District.

Ms. Allen noted that her art students had created drawings of six architectural styles of homes in the Yalecrest neighborhood; Tudor, International, Colonial, French Colonial, Prairie and Craftsman. She noted that her students had learned about these architectural styles through study, including taking a field trip of the neighborhood, and then spent time drawing and painting the architectural styles. Ms. Allen stated that she felt it was important for these students to understand the architectural heritage of their neighborhood and to be able to recognize different architectural styles in the future.

Isaac Shone presented his drawing to the Commission and discussed the Craftsman style home. He noted that the style originated in California and was inspired by the work of two brothers named Greene. He stated that Craftsman style houses typically had a low pitched, gabled roof and the roof rafters were usually exposed with beams and braces added under the roof's gables.

Lauren Morrow presented her drawing of an International Style home, noting that the style began with architects in France and Germany who believed that buildings should not be decorative but 'machines for living'. She noted that the International Style home always had a flat roof and no decorative details around doors or windows.

Matthew Barber presented his drawing of a Colonial style home. He noted that the Colonial style home was one of the most popular in the last century. Mr. Barber noted that identifying features of the Colonial style home were: a covered porch with a pediment above, and columns to frame the porch and door.

Alana Lewis presented her drawing of a French Colonial home. She stated that the French Colonial homes in Yalecrest often did not have porches, and windows were multi-paned with small panes of clear glass. Ms. Lewis stated that decorative details were common on the French Colonial style home.

Meggy Sorenson presented her drawing of a Tudor style home. She noted that during World War I, soldiers returning from Europe patterned their homes after medieval style housing they had seen overseas. She noted that there were many Tudor styled homes in the Yalecrest neighborhood. Ms. Sorenson stated that a Tudor style home had steep roofs and tall, narrow windows.

Hank Thompson presented his drawing of a Prairie style home. He noted that the Prairie style began in Chicago and was one of the few styles of architecture which could only be found in the United States. He stated that Frank Lloyd Wright used Prairie style in his designs. Mr. Thompson stated that the Prairie style featured low pitched roofs with wide overhanging eaves, with built-in window boxes and details featuring horizontal lines.

Chairperson Fitzsimmons stated that he felt it would be appropriate to make a motion to commend the students on their excellent work and send them a letter of thanks for their presentation to the Commission.

Vice Chairperson Lloyd made a motion to commend the students for their exemplary work and time and effort taken to understand the architecture in their neighborhood, as well as to their teacher for such a well thought out program for teaching architecture in the school. Commissioner Hart seconded the motion. All voted 'Aye'. The motion carries unanimously.

COMMENTS TO THE COMMISSION

(This item was heard at 5:49 p.m.)

Chairperson Fitzsimmons invited the public to share any comments they might have for the Commission on items not included on the evening's agenda at this time.

Cindy Cromer, 816 East 100 South, stated that she had concerns regarding plans to demolish the north dock at the City's Intermodal Hub. She noted that it was difficult for her to reconstruct the agreements which had been made between the City and UTA regarding the remaining structure, and that she would like for the Commission to find some way to lend their support in attempting to identify the structure's historic value and possibilities for preservation. She noted that she had heard Mayor Ralph Becker discuss the possibility of turning this structure into a venue for a year-round farmer's market. Ms. Cromer noted that the Commission could write a letter to the City Council and to the Mayor, clearly identifying their concern for the preservation of this structure and that such a letter would be appropriate under the Commission's authority.

Seeing no further comments, Chairperson Fitzsimmons noted that the Utah Heritage Foundation 2008 Awards had honored several rehabilitation projects within Salt Lake City, including; Gilgal Gardens, Salt Lake Tabernacle, the Capitol Building, 953 East Second Avenue and the Artspace Utah Center, the rehabilitation of which Commissioner Norie had been involved with.

UNFINISHED BUSINESS

(This item was heard a 5:52 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 in an R-O Residential Office Zoning District and an RMF-35 Moderate Density Multi-Family Residential Zoning District located in City Council District Four represented by Council Member Luke Garrott. (Staff contact - Nick Norris at 535-6173 or nick.norris@slcgov.com)

Chairperson Fitzsimmons recognized Mr. Norris as staff representative.

Mr. Norris noted that this item had been before the Historic Landmark Commission and the Architectural Committee several times before. He stated that the project proposal would replace an existing office structure. Mr. Norris noted that a change to the overall site plan included an entrance and exit to the parking garage on separate faces of the project to create smaller openings and lessen the overall visual impact. Mr. Norris presented slides to the Commission displaying these changes.

Mr. Norris stated that balconies had been added to the center portion of the structure and porches had been pushed back to the outside to provide more privacy. He noted that columns supporting the porches had been increased in size to make them more in scale with the rest of the structure. Mr. Norris reviewed a slide of the east elevation, indicating that the bulk of the building had been broken up into sections on this elevation to reduce the overall mass. Mr. Norris reviewed slides of the architectural renderings submitted by the applicant, which indicated how these changes in the site plan would affect the perceived overall mass of the project. Mr. Norris noted that the base material had changed, based upon the architectural styles portion of the Design Guidelines which discussed different characteristics of historic buildings. He noted that the applicant had tried to recapture some of these materials with a more modern interpretation.

Seeing no questions or comments for Mr. Norris from the Commission, Chairperson Fitzsimmons invited the applicant forward to speak at 5:58 p.m.

Derek Whetton stated that he had found the Architectural Committee meetings to be particularly helpful in moving forward with the project. He stated that the garage entrance was now split and smaller, stone block had been added on the street level and three stories above to provide better perspective from the street. He noted that he had attempted to alleviate the Commission's concern regarding the design of the center portion on the north and west elevations by lightening the glass, incorporating operable windows and adding balconies.

Commissioner Carl indicated her concern that the renderings did not clearly indicate what type of material would be incorporated at the base of the structure.

Mr. Whetton noted that it would be split-face stone block facing material.

Commissioner Oliver stated that the west half of the south elevation seemed particularly blank and wondered why there were no windows in that area.

Mr. Whetton stated that they had originally had balconies on that side and since moving them to the west elevation, they had not addressed the South elevation. Mr. Whetton noted, however, that he felt it would be an excellent place to incorporate windows into the project.

Commissioner Oliver noted that upon exiting the parking ramps there should be some way to increase the visibility to pedestrians and drivers alike by incorporating the use of a different material, possibly glass.

Mr. Whetton stated that the intention with the entrance and exit ramps to the parking garage was to make sure that the wall was as short as possible in an attempt to keep the view as unobstructed and clean as possible.

Chairperson Fitzsimmons stated that he was concerned regarding the lack of a roof over the exit stair on the south elevation and wondered if it was required by the Building Code.

Mr. Whetton noted that he was not certain whether it was required or not.

Chairperson Fitzsimmons indicated that if it was not required, it could be considered as an element to add detail to that elevation.

Mr. Whetton noted that they could look into the code requirements, but the stair was part of the parcel affected by a break in zoning which only allowed for a 35 foot height maximum.

Vice Chairperson Lloyd stated that the center portion of the U shaped plan of the project showed a storefront-type glazing material and wondered if that material would be an aluminum storefront material.

Mr. Whetton noted that he believed the intention would be to carry aluminum through window casings as well as the balcony railings, door casements and hand railings to keep the design as consistent as possible.

Seeing no further questions from the Commission for the applicant, Mr. Fitzsimmons opened the item to the public for comment at 6:05 p.m.

Dr. Olivier Peraud, 539 East Hawthorne Avenue, stated his concern that the south elevation seemed like quite a naked structure to him. He also was concerned that the parking lot would be three feet above the existing grade of his property and headlights would veer straight into his windows.

Cindy Cromer, 816 East 100 South, noted that she hoped the process would lead to guidelines for larger multiple unit projects in Historic Districts, and that the early availability of the staff report allowed her to submit all of her comments to the Commission in writing. She noted that emphasis needed to be on the streetscape, not on an overall block average. Ms. Cromer stated that she would urge the Commission to evaluate the impact of underground parking on the mass and scale of these projects, which necessitated a larger total mass and scale. Ms. Cromer identified Richman Place on South Temple Street as a fine example of a multiple unit infill project within a historic district.

Seeing no further comments, Chairperson Fitzsimmons invited the applicant forward to address these concerns at 6:09 p.m.

Vice Chairperson Lloyd noted that he would echo the concerns of the neighbor to the south of the property and wondered if there would be a sight obscuring fence required on the south side.

Mr. Whetton noted that concerning the possibility of headlight intrusion, he did not wish to cause issues with the south property owner and intended to construct a six foot (6') privacy fence from their grade to allow the neighbor additional privacy.

Mr. Norris noted that the code requirements included not only a six foot (6') privacy fence from the applicant's grade to be installed, but also the installation of a landscaping buffer which would include shrubs and trees to provide additional filtering of noise and light.

EXECUTIVE SESSION

Commissioner Carl noted that the project had improved visually; however, there were stylistic parts that still troubled her. She noted that she felt the base random patterned stone to be inappropriate and would rather the applicant use a material such as ashlar coursing or running bond, something found in traditional areas of the surrounding neighborhood.

Vice Chairperson Lloyd noted that there had been discussion in the Architectural Committee about a number of different possibilities for the base level material and the Committee had finally settled upon the use of a material providing a heavily rusticated appearance. He noted that stylistically, he would not be troubled with an ashlar coursing treatment either, as it would also lend significant mass to the base. Vice Chairperson Lloyd mentioned that he agreed that the solid wall for the drive approach would create a challenge in terms of visibility and suggested that a guard rail or other semi see-through apparatus might be more appropriate. He noted that the site plan did not seem to indicate these walls very clearly, and they seemed to extend into the public way, therefore, he felt clarification would be helpful.

Commissioner Oliver inquired of staff if condition number two in the staff report, requesting a photographic survey, would conform to the State Historic Preservation Office (SHPO) Standards or to the National Preservation Guidelines.

Ms. Lew noted that the Commission had adopted guidelines very similar to these guidelines.

Commissioner Oliver inquired if this photographic survey would include interior photos.

Ms. Lew stated that this would depend upon the structure's status as contributing or non-contributing; however, the Commission could require interior photos as well.

Mr. Norris noted that the original architectural drawings for the building were on file and therefore, interior photo documentation would help to remind the public of what had been present in the past.

Ms. Lew noted that typically, for past photographic surveys, the Commission had formed a Committee to go on site and look at the building to determine what documentation they considered necessary.

Mr. Norris stated that all proper notices for comment on demolition of the structure had been sent out and the demolition was waiting on the approval of the reuse plan.

Seeing no further discussion from the Commission, Chairperson Fitzsimmons inquired if there was a motion.

Commissioner Oliver made a motion to approve petition 470-07-15 according to staff's recommendation and subject to the following conditions:

1. That the applicant comply with all City requirements through the demolition and construction process;
3. That the window profiles be consistent with the applicable design guidelines.
4. That the applicant work to improve visibility at the parking ramp exit on the north elevation.
5. That the applicant lighten the south façade through the addition of windows, particularly on the west half of the south elevation.

Commissioner Norie seconded the motion.

Discussion of the Motion

Chairperson Fitzsimmons inquired if there had been any mention of the base material.

Vice Chairperson Lloyd noted that Commissioner Oliver had not included the second condition in her motion.

Commissioner Oliver stated that she thought they would make a second motion pertaining to the photographic survey, with the possible creation of a subcommittee. She noted that she did not feel a subcommittee was necessary and felt staff could rightly guide the applicant in what public spaces deserved photographic documentation, according to the Commission's policies and procedures.

Vice Chairperson Lloyd stated that if the original condition were included in the motion it would be the applicant's responsibility to pursue the survey and not the responsibility of the Commission to determine which spaces should be documented.

Commissioner Oliver amended her motion to include condition of approval number two:

2. That the applicant perform a photographic survey of the existing building exterior and public spaces on the interior prior to demolition that is consistent with the Historic Landmark Commission's policies and procedures.

Commissioner Norie, the original second, accepted the amendment. Commissioners Hart and Funk abstained from the vote. All others voted 'Aye'. The motion carries unanimously.

NEW BUSINESS

Petition 470-08-12, McBride Twin Home Major Alterations - A request by Glen McBride, property owner, for approval to demolish an existing non-contributing detached garage located in the rear of the lot and to build a rear addition with attached basement garages located at approximately 74-78 East 300 North. As part of the request, the applicant is requesting the Historic Landmark Commission modify the maximum height regulation of 28 feet to allow the rear addition to be approximately 29 feet at its highest point, as well as approve a modification to exceed the west elevation's maximum wall height regulation of 15 feet by approximately three feet on the rear addition. The property is zoned R-2; Single and Two-Family Residential District in the Capitol Hill Historic District and located in City Council District Three represented by Council Member Eric Jergensen. (Staff contact: Cheri Coffey, 801-535-6188 or cheri.coffey@slcgov.com.)
(This item was heard at 6:21 p.m.)

Chairperson Fitzsimmons recognized Cheri Coffey as staff representative.

Ms. Coffey reviewed the project for the Commission. She noted that the request involved alterations to an existing Tudor style duplex constructed in the 1930s, including a new rear addition which would require the demolition of an existing garage on the rear of the property. She reviewed photos of the property and proposal for the Commission. Ms. Coffey noted that the north elevation would maintain almost all of its historic character defining features. She stated that the backyard was sloped approximately five feet (5') in grade. Ms. Coffey noted that the existing garage was most likely built sometime during the 1980s and was considered a noncontributing accessory structure. Ms. Coffey stated that the project addition would extend about 25 feet towards the rear of the property, but would not be readily visible from the street. She indicated that the project would also go through the

condominium subdivision process in order to create two separate units and the garages for these units would be underneath the new addition, accessible from the 16 foot wide alleyway on the west.

Ms. Coffey noted that the west garage door necessitated a slightly increased width of 18 feet instead of 16 feet according to the Transportation Division, in order to execute proper parking maneuvers. She stated that while the garage door would be wider than usual, the garage door would also be recessed in from the plane of the garage about eight inches (8"). Ms. Coffey noted that the back of the addition as proposed would stand at about 29 feet in height, and while regulations allowed a 28 foot maximum, due to the slope of the backyard, and in order to keep with current slope and floor levels of the home, the applicant was requesting a height exemption from the Commission for that additional foot. Ms. Coffey noted that staff was recommending approval of the additional height, noting that the new roofline would still be one foot lower than the existing roof, even if the additional height were granted by the Commission. Ms. Coffey also noted that the current side yard setbacks were shorter than regulations required, and according to compatible infill standards, this would necessitate shorter walls. She stated that the applicant was requesting a three foot (3') height exemption on the west elevation, from 15 feet to 18 feet. She stated that staff recommended approval of this modification as well.

Ms. Coffey noted that staff found that the project met the standards and requirements for modifications to an existing contributing structure; the massing and scale were found to be appropriate and the detail of the architecture of the addition would be in keeping with the architecture of the Tudor style, even though modern materials would be incorporated on the addition to differentiate the old from the new. She stated that the project had also received approval for an in-line addition and for grade changes. She also noted that the project would go through an administrative hearing the Monday following this meeting to begin the minor subdivision condominium conversion process. Ms. Coffey stated that staff's recommendation was to approve the project based upon staff findings.

Chairperson Fitzsimmons opened the floor to questions and comments for staff from the Commission at 6:27 p.m.

Commissioner Hart noted that on the south rear elevation the new grade would be lower than the alleyway, and inquired how much lower than the alleyway that finished grade would be.

Chairperson Fitzsimmons noted that the Commission could have the applicant answer that question.

Seeing no further questions for staff from the Commission, Chairperson Fitzsimmons invited the applicant forward to comment at 6:28 p.m.

Glenn McBride, the applicant, noted that this had been a fairly arduous process and that he appreciated the time and effort staff had put forth to address all necessary issues as well as the Commission's willingness to hear his request. Mr. McBride noted that the garage floor on the west side would be as close to the height of the alleyway as possible, but this being said, the alleyway did slope from the north to the south and their addition center would hit the midpoint of this slope. Therefore, he noted, one garage drive would slope slightly upward and the other slightly downward from the alleyway.

Commissioner Carl inquired if the new material on the addition would match the existing brick.

Mr. McBride noted that it would be stucco rather than brick.

Commissioner Hart noted that existing windows on the rear elevation matched windows on the east and west side elevations very well and inquired why the applicant chose not to use the existing windows in his renovation. She stated that she would like to see them reused if possible.

Mr. McBride noted that they would be useable and that it might be a possibility. He stated that he had not considered it originally due to energy efficiency concerns; but upon conducting further research, he understood that these concerns about efficiency might not be so valid. He noted that there were some windows that might readily be reused and he would consider it.

Commissioner Oliver inquired what the minimum depth and width allowed by the ordinance for garages would be.

Mr. McBride noted that he was not aware of what the minimums would be but was certain that his proposal exceeded those requirements.

Ms. Coffey noted that the standards for attached garages were different than for detached structures. She stated that detached garages could be 480 square feet for each unit, but attached units were considered part of the overall structure footprint.

Commissioner Oliver noted that she was concerned about the in-line addition, and would like to see the addition recessed slightly from the historic structure to clearly delineate that transition. She stated, however, that she did not wish to create a hardship for the owner relating to access to the garage.

Ms. Coffey noted that she did not think Commissioner Oliver's request would create a hardship.

Vice Chairperson Lloyd noted that there was one existing tree on the site plan and that there were other trees on the site. He inquired of the applicant if all of the other trees would be removed.

Mr. McBride noted that one tree would be removed by the addition, a larger tree on the lot was diseased, and reluctantly it would also have to be removed, but out of the six trees on site four would remain on the lot.

Commissioner Hart inquired if it was under the purview of the Commission to require the applicant to replace the removed trees.

Ms. Coffey noted that she did not think this was part of the Commission's authority.

Chairperson Fitzsimmons opened the hearing to public comment at 6:36 p.m.

Seeing no comments from the public, Chairperson Fitzsimmons closed the public comment section of the hearing and moved the Commission to Executive Session at 6:36 p.m.

EXECUTIVE SESSION

Commissioner Funk noted that she felt the project to be a nice reuse of the home and in keeping with its historic character. She noted that she felt the reuse of the windows might be optional rather than required as the addition would be quite different and new windows might not be inappropriate.

Commissioner Oliver noted that she would suggest a slight step back of the addition to differentiate between the historic structure and the addition. She noted that this might be achieved simply by stepping back the walls of the addition by one foot (1'). Commissioner Oliver noted that this might also lessen the additional wall height requirement due to the lessened side yard setback.

Commissioner Carl noted she agreed with the suggestion.

Vice Chairperson Lloyd noted that he also agreed that a change in the plane of the side elevations would help to define the transition.

Commissioner Hart stated that she agreed with the step back, but wanted to ensure it did not create a hardship for the homeowner.

Commissioner Carl noted that the step back would not even have to be as great as one foot (1') and even a setback as small as six inches (6") could help define the transition.

Commissioner Norie made a motion to approve petition 470-08-12, as recommended by staff and subject to the following conditions;

1. The Commission approves a modification to the maximum height regulation to allow the rear addition to be approximately twenty-nine feet as shown on the attached plans;
2. The Commission approves a modification to the maximum wall height to allow the west wall of the proposed addition to be approximately eighteen feet (18'), as shown on the attached plans;
3. Approval of the final details of the design are delegated to Planning Staff based upon direction given during the meeting from the Historic Landmark Commission; and
4. The project must meet all applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission, Administrative Hearing Officer, or Board of Adjustment.
5. That the applicant will work with Planning Staff to step back the rear addition east and west elevations from the plane of the existing wall to indicate a transition between the new addition and the historic structure.

Commissioner Harding seconded the motion.

Discussion of the Motion

Commissioner Oliver requested that the motion include a strong suggestion that the windows be reused.

Commissioner Hart noted that she would like to include that suggestion.

Commissioner Norie added a condition, noting the following:

6. The Commission strongly suggests that the applicant work with Planning Staff to reuse existing windows from the rear elevation of the home on the addition.

Commissioner Harding seconded the amendment to the motion. All voted 'Aye'. The motion carried unanimously.

Chairperson Fitzsimmons moved on to the next item on the agenda at 6:41 p.m.

Petition 470-08-07, Milne Appeal of Administrative Decision - A request by Pat Milne for appeal of an administrative decision located at approximately 475 East Third Avenue in the Avenues Historic District. The proposed project includes the installation of roof top solar panels on a single-family dwelling. The property is zoned SR-1A, Special Development Pattern Residential District. The property is located in City Council District Three, represented by Council Member Eric Jergensen. (Staff contact: Robin Zeigler, 535-7758, robin.zeigler@slcgov.com)
(This item was heard at 6:42 p.m.)

Mr. Paterson noted that Ms. Zeigler had to leave the meeting earlier in order to attend a Community Council meeting on another matter. *Ms. Zeigler had excused herself from the meeting at 5:58 p.m.*

Mr. Paterson reviewed the appeal. He noted that the home was a one and a half story home constructed in approximately 1900 and the applicant's request was to place eight three foot (3') by seven foot (7') solar panels on the front, south facing elevation of the roof. He stated that the panels would be comprised of evacuation tubing and would be used to heat water throughout the home.

Mr. Paterson noted that Planning Staff had used zoning standards 21A.34.020.G to review the project and noted that the project must substantially meet the standards relative to the project. Mr. Paterson noted that staff found that standards 1,4, 6, 7, 8, 10 and 11 were not relevant to the project and while the project met standard 3, as the solar panels certainly were a product of their own time, the project did not substantially meet standards 2,4,5,8 and 9. Mr. Paterson noted that standard number two, which required that the historic character of the property be maintained and preserved was the most relevant condition for denial. He stated that the Commission had previously adopted a Policy Statement on the installation of solar panels on historic residential structures. He stated that these policies had been recognized as good practices by the National Alliance for Preservation Commissions and in reviewing those City policies, staff found that the solar panels should be installed below the ridgeline on the rear or side elevations of the roof and should not be readily visible from the public street.

Mr. Paterson reviewed a slide detailing the proposed location of the solar panels. Mr. Paterson noted that staff research had revealed that the location of the panels ninety degrees east or west of due south could still yield significant energy returns. Mr. Paterson noted that staff recommended approval of the panels if the applicant agreed to move them to an alternative location not readily visible from the street and below the ridgeline of the roof if placed on the primary structure.

Mr. Paterson discussed the idea of embodied energy, noting that the environmental impacts of new technologies and construction often were outweighed by other historically sensitive and cost effective ways to increase energy efficiency in a historic home. Mr. Paterson noted that studies showed for instance that the majority of a buildings heat loss was through the roof of the home which could often be mitigated by additional attic insulation.

Vice Chairperson Lloyd requested clarification regarding the context of the policy document which Mr. Paterson had previously mentioned.

Mr. Paterson noted that the Historic Landmark Commission had been presented with a project in the Avenues requesting installation of solar panels. Mr. Paterson noted that the Commission had requested at that time that Planning Staff create a set of standards or guidelines for the future consideration of solar panels, and this document had been reviewed and formally adopted by the Commission.

Chairperson Fitzsimmons noted that the test case had involved a request to install panels on the south facing side or the side view of a home. He noted that the Commission did end up approving the solar panels in that particular case, as they were set back substantially from the street.

Commissioner Hart noted her concern that proposing alternative locations for the solar panels did not seem to be one of the options outlined in the staff report.

Mr. Paterson noted that it was in the staff recommendation that if the Commission did approve the petition, the applicant would have to submit new drawings proposing an alternate location to meet City standards. He noted that it was within the Commission's purview to approve the request under the provision that the applicant change the location of the panels.

Chairperson Fitzsimmons invited the applicant forward to speak at 6:53 p.m.

Pat Milne, 475 East Third Avenue, stated that he had done some remodeling in the past, to improve energy efficiency but stated that he still wanted to install the panels in order to improve that efficiency even further. He noted that he loved the architecture of the home, and had explored moving the panels to alternate locations on the roof, but these locations would not bring the substantial energy returns to be had on the south face of the home. He noted that the panels would fit flush on the roof. Mr. Milne stated that on the east facing elevation there were two chimneys which would affect the energy return substantially. He requested that the Commission grant him a deviation from the standards. He noted that this issue was only going to be more prevalent as energy costs continued to rise and municipalities in the area offered increasing incentives to explore energy alternatives.

Chairperson Fitzsimmons opened the floor to questions from the Commission at 6:58 p.m.

Vice Chairperson Lloyd stated that the Commission should have a better understanding of the types of solar energy the applicant was discussing. He noted that the city of Logan, Utah was pursuing credits for photovoltaic or PV energy and the applicant was pursuing the use of solar hot water or evacuated tube collection system. Vice Chairperson Lloyd noted that a solar thermal system might perform better on a non-ideal pitch than solar PV energy, which would reduce in efficiency radically with any type of shading.

Mr. Milne noted that he had explored both PV and solar hot water technologies and had found that the solar water technology would yield the best return for use in the winter, which was when he was most interested in lowering energy costs.

Commissioner Funk inquired if the applicant would consider placing the panels on the roof of the garage.

Mr. Milne noted that there were several mature trees in the area and he would rather not place the panels there.

Commissioner Funk inquired if the applicant would be able to place the flat panels at an angle on the east and west sides of the home's roof in order to collect more of the south face gains.

Mr. Milne stated that he could put them at an angle, but it would require installing more structure on the roof, which he would rather not do.

Vice Chairperson Lloyd inquired of the applicant what the available configurations would be.

Mr. Milne noted that there was a wide variety of possible configurations as they were manifolds with a toerail and then tubing on the interior, so technically, a person could get smaller sections and piecemeal them to create a system.

Commissioner Oliver noted her concern that there was no quantified data regarding the difference in returns on alternate locations to the south elevation and asked the applicant to give a rough estimate of what that difference might be.

Mr. Milne noted that he thought it would probably be about a fifty percent loss.

Chairperson Fitzsimmons opened the floor to public comment at 7:05 p.m.

Kirk Huffaker, with the Utah State Historical Foundation, noted that he wished to speak in support of staff recommendation. He stated that preservation as a movement was headed in this direction and

energy efficiency was something the movement would have to address in the future. Mr. Huffaker stated that he felt that the HLC had good policies adopted June 27, 2006. He encouraged the Commission to follow the guidelines. Mr. Huffaker noted that historic commissions would need to rise to the challenge of providing residents the opportunity to increase energy efficiency without compromising standards for their historic districts. Mr. Huffaker stated that he would recommend open discussion within the community about solar arrays, their costs and the benefits, and an analysis performed to illustrate how they could be promoted in different communities. He noted that the Commission might want to include feasibility analysis in future applications to receive hard evidence of returns and potential benefits of different systems.

Shane Carlson, 375 L Street, noted that the Greater Avenues Community Council supported the staff recommendation, and wished to bring the Commission's attention to a group known as Citizen Reap, which wanted to spearhead financing for solar panel installation throughout Salt Lake communities. Mr. Carlson stated that the ordinances should balance preservation with the needs of the community. He also noted that the alternative referred to on page four of the staff report, a free-standing structure, was considered an accessory structure and obstructive to neighboring property views and the Avenues Community Council discouraged this proposed alternative.

Chairperson Fitzsimmons closed the floor and brought the Commission to executive session at 7:13 p.m.

EXECUTIVE SESSION

Chairperson Fitzsimmons noted that solar panels could be considered temporary structures as they were by no means permanent, as the technology was continually evolving, and also stated that he felt the standards adopted by the Commission to be quite reasonable.

Vice Chairperson Lloyd stated that he would like to explore the opportunity for a solar design charrette or open house. He noted that he did not feel there was enough information regarding alternative configurations to say that they could not work in this case.

Commissioner Funk stated that if another configuration was used it might be feasible for the applicant.

Commissioner Carl noted that as presented, it clearly violated the City's adopted guidelines.

Commissioner Norie made a motion to deny petition 470-08-07, based upon the finding that the proposal does not substantially comply with applicable ordinances and design guidelines.

Commissioner Funk seconded the motion.

Discussion of the Motion

Chairperson Fitzsimmons inquired if Commissioner Norie wished to allow the applicant to come back to staff with an alternative or to deny the proposal completely.

Commissioner Norie stated that she would just deny the proposal completely and the applicant could come back with a new proposal to be reviewed by the Commission again.

Commissioner Oliver stated that the staff recommendation would give the applicant leeway to return with a new location and/or configuration for the panels and inquired if Commissioner Norie wished to deny this as well.

Vice Chairperson Lloyd stated that he felt the staff recommendation gave the applicant the chance to move forward and try a different location for the panels without having to start over and suggested that the Commission add a condition to allow the applicant approval of a certificate of appropriateness if a suitable alternative location could be agreed upon.

Commissioner Harding noted that she felt this to be a very confusing motion of denial, including a possible approval within a condition, and stated that it might be simpler to withdraw the original and make a new motion.

Commissioner Norie withdrew her original motion.

Commissioner Norie made a motion to accept staff's recommendation regarding petition 470-08-07, as written in the staff report. Commissioner Oliver seconded the motion. All voted, "Aye". The motion carried unanimously.

Petition 470-08-06, Burt Development New Construction - A request by Gerald Burt to build a new residential development including three (3) single-family attached dwellings and a single-family residence located at approximately 754 North 300 West in the Capitol Hill Historic District. The property is zoned MU Mixed Use and SR-1A Special Development Pattern Residential. The property is located in City Council District Three represented by Council Member Eric Jergensen. (Staff contact: Janice Lew at 535-7625 or janice.lew@slcgov.com)
(This item was heard at 7:22 p.m.)

Ms. Lew reviewed the request. She noted that the property was comprised of three parcels; two zoned MU and one zoned SR 1-A. Ms. Lew noted that the applicant was proposing to construct three attached residential units on the MU property and a single family dwelling with a detached garage on the property zoned SR-1A. Ms. Lew reviewed slides detailing elevations of the project and evaluated the project particulars, including the following highlights:

Single Family Home

1½ storied
Gabled 9/12 pitch roof
Gable projecting front bay
Hard coat stucco finished exterior
Aluminum soffit and fascia
Stucco pop-out trim
Vinyl double hung windows
Wood panel door
Architectural grade asphalt roof shingles

Garage

Located at the corner of the lot
470 square feet
Gabled 5/12 pitch roof
14 foot height at ridge, maximum allowable height in zoning district
Hard coat stucco finish
Painted metal raised panel double door

Attached Single Family Homes

Two story homes
Staggered along the streetscape due to the fault zones which pass through the property

Each unit would have a flat roof with a front entrance facing 300 West
Second story balcony on each unit
Each unit would have an attached garage located to the rear; shared driveway off Reed Avenue.
Materials on the front and side elevations: brick veneer and stucco.
The rear elevation would be clad with stucco alone.
Vinyl windows
Full light rectangular fiberglass doors
Raised metal panel system garage doors
Cedar fence enclosing the trash area to the rear of the property

Ms. Lew stated that staff found the proposal to be consistent with new construction standards regarding mass and scale; and given the eclectic architectural development in the West Capitol neighborhood and range of shapes found on 300 West, the proposed attached housing and single family house fit into the overall character of the neighborhood. She noted that with respect to the composition of principle facades, staff found that the structure complied with the standards; particularly that the proposed house would be visually compatible with the surrounding buildings and streetscape in terms of proportion of openings, rhythm of solids to voids and the rhythm of entrances, porches and other projections.

She stated that the project was less compatible in terms of the proposed window and door treatments and the fenestration pattern on the secondary elevations of the attached homes. Ms. Lew noted that if changes were made in these areas, staff felt that the design of the buildings would reinforce the historic character of the neighborhood. Ms. Lew noted that Planning Staff typically did not approve of Styrofoam and stucco window framings within the Capitol Hill Historic District. She stated that in addition, the attached housing was on a corner lot, and Staff had the following recommendations; that brick veneer be applied to the rear elevation as well as the side, that the attached dwellings use a type of front entry more consistent with visual standards in the area, and that the Commission consider the treatment of the garage doors, particularly to the rear of the attached lot, which might be set back from the plane of the wall to reduce its visibility and add depth.

Ms. Lew noted that staff found the proposal to be consistent with standard number three: the project's relationship to the street. Ms. Lew noted that the directional expression of the project, the front setback of the principal facades and the rhythm of spacing were consistent with other buildings with frontage on Reed Avenue, 300 West Street and the Historic District.

Ms. Lew noted that the project was undergoing the subdivision process to reconfigure the lots, and with respect to the staff findings, the proposed configuration of the lots and buildings conformed to the mix of commercial and residential uses found along 300 West as well as the small scale residential character found along Reed Avenue.

Ms. Lew stated that the request included a rezoning proposal, which involved squaring off the single family home as SR-1A and rezoning the remainder of the property MU and conforming property lines to the uses of said properties. Ms. Lew noted that one factor effecting the configuration of the buildings on the lots was the fault lines traversing the properties.

Commissioner Oliver inquired if staff's concern regarding the fenestration pattern of the secondary elevation meant the north elevation as well as the south elevation of the attached units and their garages.

Ms. Lew noted that it was mainly the south elevation which staff was concerned with. She noted, for example, that on the west elevation the applicant had placed a trellis or pergola type of structure to provide a visual break.

Chairperson Fitzsimmons invited the applicant forward to speak at 7:36 p.m.

Gerald Burt, the developer, was present to speak to the Commission.

Vice Chairperson Lloyd noted that he was concerned regarding the appearance of a vinyl transom window with a vertically divided pane and wondered if it was all part of one assembly.

Mr. Burt noted that they had been told by the window manufacturer that it might be possible to use a single assembly; however, if it were not, they would use a connection band covered in vinyl between the two units.

Chairperson Fitzsimmons inquired if Mr. Burt would be open to installing windows on the south façade to enliven the elevation.

Mr. Burt stated that he had not considered windows in that location, but felt that it could be addressed.

Commissioner Oliver inquired if the applicant would be willing to install windows on the west face of the garage as well.

Mr. Burt noted that they had not originally wanted to install windows on that face of the garage as they were concerned about security, particularly regarding the proposed garage's proximity to 300 West.

Chairperson Fitzsimmons noted that often, windows helped to deter vandalism, and it might be something the applicant would want to consider.

Vice Chairperson Lloyd stated that there had been some discussion regarding the fault zone and assumed that the front setback had to be set back as far as shown to accommodate the fault lines.

Mr. Burt indicated on the site plan where the fault lines lay. He noted that the State Geological Society had a formula for the inclination and seriousness of the faults. Mr. Burt stated that the State requirements necessitated an average setback of 15 feet.

Commissioner Oliver noted that Planning Staff had indicated their preference for window and door trim treatments other than stucco pop-outs and wondered if the applicant had any objections to exploring alternative materials.

Mr. Burt stated that it would be a cost issue.

Tracy Stocking, the architect, noted that there would be headers and sills on the brick veneer elevation and stucco pop-outs on the stucco areas only.

Commissioner Oliver inquired what the materials would be for the trim on the single family home.

Mr. Stocking stated that those windows would be stucco pop-outs, noting that there were over twenty windows on the home.

Commissioner Oliver stated that she would rather see a more traditional treatment such as precast concrete or wood lintel and sill with wood framing and trim on the window elements.

Seeing no further questions from the Commission, Chairperson Fitzsimmons opened the floor to public comment at 7:46 p.m.

Catherine Gardner, representing the Capitol Hill Community Council, noted that she was concerned about the flat-roofed attached single family dwellings. She stated that she felt buildings in the historic district should include beautiful detailing and could not tell from the engineered drawings quite what the project would look like.

Shirley MacLaughlin, 160 West Clinton Avenue, stated her concern regarding the mixed-use zoning change, and did not care for the idea of a business underneath housing.

Minta Brandon, 113 West Clinton Avenue, stated that she did not feel any building should be allowed that close to a fault line, and felt as though a flat top roof was about as appropriate as a flat top head. She stated that her West Capitol Hill Neighborhood Watch worked very hard to keep the area safe, and took exception to Mr. Burt's concerns about security in the area.

Chairperson Fitzsimmons invited the applicant forward to respond at 7:53 p.m.

Mr. Burt stated that the structures would not be taller than averages in the area, and that the zoning change existed to straighten out parcel boundaries, which were not clearly delineated at the time.

Commissioner Oliver inquired how deep the eaves would be.

Mr. Burt noted that the eaves on the single family home would be about eighteen inches in depth.

Commissioner Hart disclosed at this time that she was currently the Chair of the Capitol Hill Community Council and had sat on several hearings for this project before her Council as well as part of the selection Committee for Mr. Burt. Commissioner Hart noted that part of the process should include the opportunity for the applicant to receive fresh input at every new step in the process. She therefore recused herself from the remainder of the hearing item.

Chairperson Fitzsimmons moved the Commission into executive session at 7:56 p.m.

EXECUTIVE SESSION

Commissioner Carl noted that she did not have an issue with the flat roof on 300 West as there were similar structures in the area and it seemed to be an appropriate style for a live/work space.

Commissioner Oliver noted that she agreed with Commissioner Carl and that she felt it to be a sufficient compromise as it was more of an urban structure rather than a single family home.

Chairperson Fitzsimmons stated that he was pleased that the applicant was restoring some single family home occupancy in the area.

Vice Chairperson Lloyd noted that the geology drove the setback of the site; however, he also felt it was an appropriate use for the area. He stated that he felt there might be a benefit to south facing windows on the second attached house to the north and the south facing façade of the southern 'L' shaped unit, as well as the addition of another second story window on the detached garage, which might mitigate some of the security issues perceived by the applicant.

Commissioner Oliver noted that she would also still like to see windows on the west face of the detached garage and there would be ways to address the issue to alleviate the applicant's security concerns.

Vice Chairperson Lloyd made a motion to approve petition 470-08-06, accepting the staff recommendation to forward a positive recommendation to the Planning Commission

regarding rezoning portions of the property, and approve the design of the project with the following conditions:

1. Approval of the final details of the design shall be delegated to Planning Staff based upon direction given during the hearing from the Historic Landmark Commission and including:
 - window, door and garage door treatment,
 - fenestration pattern, and
 - the building materials.
2. The project must meet all applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission, Administrative Hearing Officer, or Board of Adjustment.
3. The applicant shall provide additional windows on the south facing aspects of the central and south unit of the attached family units as well as a window on the attached garage west elevation.
4. The applicant will consider alternative materials to the stucco pop-outs for the window trims with a preference towards wood-like materials; i.e. Hardi Plank siding or trim material.

Commissioner Carl seconded the motion.

Discussion of the motion

Commissioner Oliver proposed an amendment to the motion with two additional conditions as follows:

5. The applicant will continue the brick veneer around the east elevation of the attached dwelling units and will recess the garage doors due to their visibility from Reed Avenue.
6. The applicant will provide at least an eighteen inch eave on the roof of the single family dwelling.

Vice Chairperson Lloyd accepted the amendment as recommendations. Commissioner Carl seconded the amended motion. All voted, "Aye". The motion carried unanimously.

OTHER BUSINESS

Commissioner Hart returned to the proceedings at 8:05 p.m.

Chairperson Fitzsimmons inquired if there was any other business.

Vice Chairperson Lloyd inquired if a motion was necessary to inquire about information regarding a solar panel compatibility design workshop for historic districts.

Mr. Paterson noted that there was certainly a great deal of interest in the topic and Planning Staff could work together with other City agencies and professionals to arrange something.

Mr. Paterson stated that the Commission's decision regarding the Tennis Bubble at Liberty Park had been appealed to the Land Use Appeals Board, and it appeared as though the date for the hearing would be June 30th, 2008.

Chairperson Fitzsimmons noted his interest in the issue which Ms. Cromer had raised earlier regarding the possible demolition of the north dock at the Intermodal Hub.

Mr. Paterson noted that UTA had put out a Request for Proposal (RFP) to find potential users for the north pier structure at the Intermodal Hub, but had not received viable responses when considering the cost of rehabilitating the structure. Mr. Paterson noted that the Mayor had expressed interest in the structure as a year-round open market and that option was currently being explored.

Commissioner Oliver inquired if the structure was in significant and immediate danger.

Mr. Paterson noted that there was some pressing danger as UTA was actively looking to demolish the structure.

Commissioner Hart inquired if the demolition would be reviewed by the Commission.

Mr. Paterson noted that it might be on the National Register; however, it was not part of a local district and therefore would not be reviewed by the Commission. He stated that staff could perform research and provide the Commission with additional information, possibly requesting further study on the structure and its historic significance.

Commissioner Lloyd made a motion to adjourn. Vice Chairperson Lloyd seconded the motion. All voted, "Aye". The motion carried unanimously.

The meeting adjourned at 8:11 p.m.

Cecily Zuck, Historic Landmark Commission Secretary