

# HISTORIC LANDMARK COMMISSION STAFF REPORT

## YNC YALECREST NEIGHBORHOOD CHARACTER OVERLAY DISTRICT

**PLNPCM2010-00448 – Zoning Text Amendment**

**PLNPCM2010-00461 – Zoning Map Amendment**

**Public Hearing: August 4, 2010**



Planning Division  
Department of Community &  
Economic Development

### **Applicant:**

Salt Lake City Council

### **Staff:**

Michael Maloy, AICP at 801-535-7118, or  
michael.maloy@slcgov.com

### **Tax ID:**

Not applicable

### **Current Zone:**

R-1/7,000 and R-1/5,000 Single-Family  
Residential Districts, and YCI Yalecrest  
Compatible Infill Overlay District

### **Master Plan Designation:**

East Bench Community Master Plan – Low  
Density Residential (published April 1987)

### **Council District:**

District 5 – Jill Remington Love, and District 6 –  
J.T. Martin

### **Community Council:**

Yalecrest – George Kelner, Chair

### **Applicable Land Use Regulations:**

- 21A.24.060 R-1/7000 Single-Family  
Residential District
- 21A.24.070 R-1/5000 Single-Family  
Residential District
- 21A.34.120 YCI Yalecrest Compatible Infill  
Overlay District
- 21A.50 Amendments

### **Notification:**

- Notice mailed on July 22, 2010
- Newspaper ad on July 22, 2010
- Agenda posted on the Planning Division and  
Utah Public Meeting Notice websites on  
July 22, 2010

### **Attachments:**

- A. Proposed Ordinance
- B. Public Comments
- C. Planning Commission Briefing Notes
- D. Department Comments

### **Request**

The Salt Lake City Council has requested that the Administration provide recommendations for proposed regulations in a portion of the Yalecrest neighborhood that include refining what constitutes a demolition, requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmark Commission, and that the front setback of the existing structure must remain the same for any proposed building plans for new construction or remodeling. This is a zoning map and text amendment. The Historic Landmark Commission is being asked to make suggestions and/or a recommendation to the Planning Commission relating to these petitions.

### **Potential Motions**

#### **PLNPCM2010-00448 – Zoning Text Amendment**

Based on the discussion and findings contained within the staff report, I move the Historic Landmark Commission recommend the Planning Commission approve Chapter 21A.34.125 YNC Yalecrest Neighborhood Character Overlay District as shown in Attachment A.

#### **PLNPCM2010-00461 – Zoning Map Amendment**

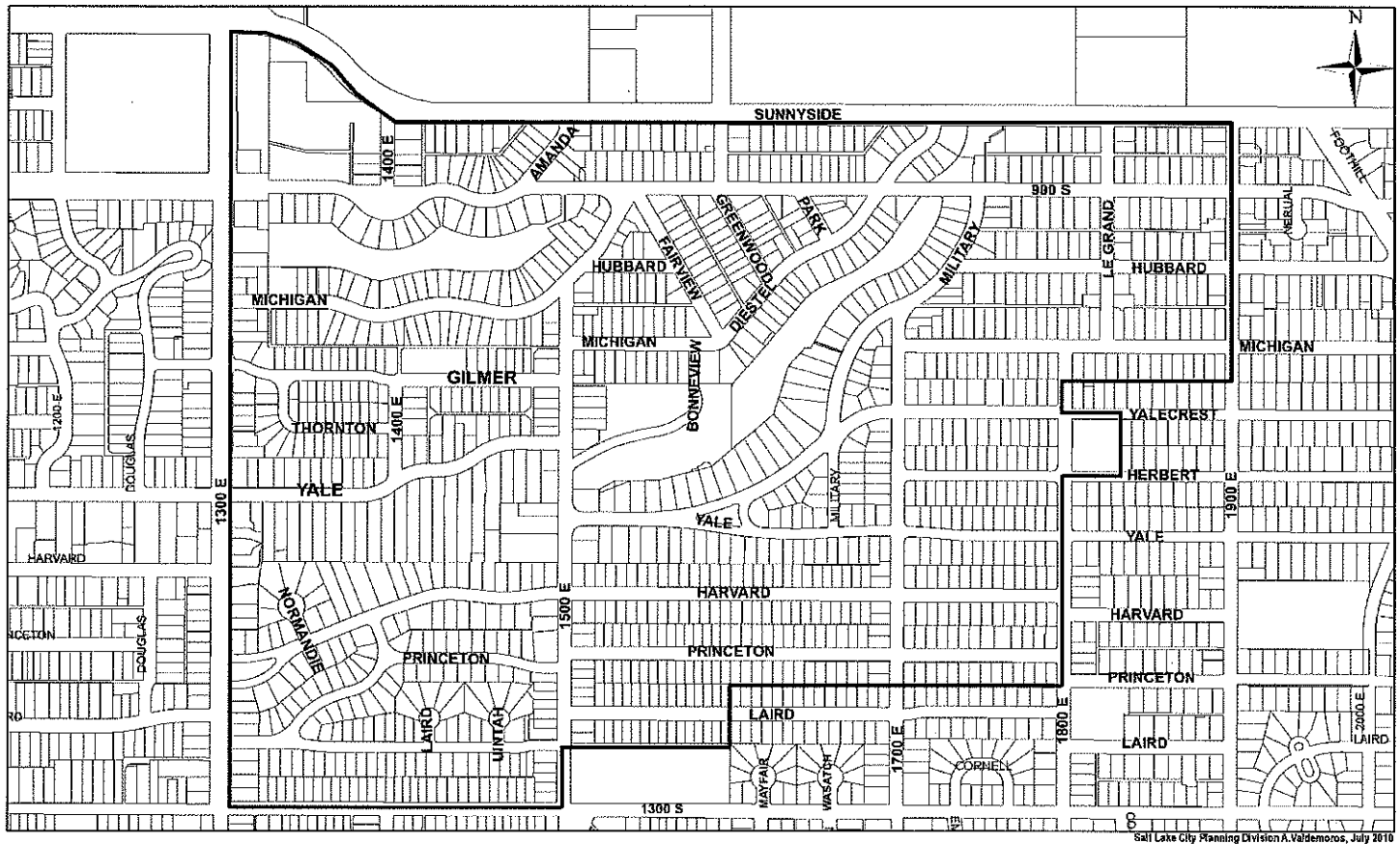
Based on the discussion and findings contained within the staff report, I move the Historic Landmark Commission recommend the Planning Commission amend the Salt Lake City Zoning Map and create the Yalecrest Neighborhood Character Overlay District as shown in Attachment A.

### **Options**

The Historic Landmark Commission may:

- Recommend approval of the petitions as presented;
- Recommend approval of the petitions with modifications;
- Recommend denial of the petitions as presented; or
- Table petitions for further review and consideration.

## Vicinity Map



Salt Lake City Planning Division A. Valdemoros, July 2010

## Background

### Project Description

On March 9, 2010 the Salt Lake City Council passed temporary zoning regulations for the Yalecrest neighborhood. The temporary regulations require that additions, remodels, and new construction be reviewed by the Historic Landmark Commission in accordance with Historic District Overlay District regulations and prohibits demolitions. Since passing the temporary regulations, the City Council has been working with the Yalecrest neighborhood on the creation of a Local Historic Preservation District. Through their work with the neighborhood, the City Council has determined that there is an immediate need to preserve the unique collection of pre-World War II architectural styles and the cohesive streetscape patterns that define the neighborhood.

On July 6, 2010 the City Council reduced the area of the Yalecrest neighborhood regulated by the temporary zoning standards. The Council also adopted the following legislative intent:

*Within the area of the revised temporary regulations, the Administration, Historic Landmark and Planning Commissions provide recommendations for proposed regulations that include refining what constitutes a demolition, requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmark Commission and that the front setback of the existing structures must remain the same for any proposed building plans for new construction or remodeling. This would be an expedited process to be completed prior to the temporary regulations expiration date on September 10, 2010.*

In response to this legislative intent, the Planning Division has drafted a proposed ordinance for review (see Attachment A – Proposed Ordinance).

On July 21, 2010 the Planning Division conducted an “open house” meeting at the Rowland Hall-Saint Marks chapel building located at 720 Guardsman Way (1590 East). Approximately 63 people attended the two hour meeting. Following a presentation by staff on the proposed regulation, numerous individuals spoke in favor and against the proposal; however most attendees were opposed to the proposed zoning amendment (see Attachment B – Public Comments).

Following the open house meeting—and prior to publication of this report—staff received 56 written comments from various individuals. Following a review of these comments, staff estimates that:

- 8 favor the proposed ordinance;
- 35 oppose the proposed ordinance; and
- 13 favor additional regulation, but oppose the proposed ordinance.

In general, residents who oppose the proposed ordinance claim the regulation is excessively bureaucratic, diminishes property rights, and prevents reasonable remodels. Residents who support the petition view the regulation as a tool to limit demolitions of dwelling units that contribute to community character, maintains property values, and improves compatibility or replacement structures (see Attachment B – Public Comments).

On July 28, 2010 the Planning Division provided a “briefing” to the Planning Commission on the proposed ordinance. No public comment was taken during the briefing. During the briefing staff presented the proposed ordinance, identified key areas of concern as expressed by the community, discussed potential amendments to the draft ordinance, and proposed alternatives for future consideration (see Attachment C – Planning Commission Briefing Notes).

## **Proposed Ordinance Overview**

In response to the legislative intent adopted by the City Council, the Planning Division has drafted a proposed ordinance that creates regulations for a new overlay district. The new overlay district is being created because the area is regionally known for its visually cohesive collection of early 20<sup>th</sup> century architectural styles. In order to retain the integrity of the neighborhood, which is important to the architectural history of the City, the proposed ordinance attempts to minimize the demolition of homes that are deemed to be architecturally significant. The ordinance also addresses the importance of the visual streetscape pattern by requiring that the existing front yard setbacks are maintained.

The following provides a summary of the proposed ordinance regulations. The proposed ordinance is attached as Attachment A:

- 1) Define “Demolitions” – the ordinance defines demolition as an act or process which results in the removal or intentional destruction of a principal building further defined as:
  - a) 50% or more of the roof area as measured in plan view;
  - b) 50% or more of the exterior walls of a building as measured contiguously around the exterior of the building walls;
  - c) Any exterior wall facing a public street;

The definition goes on further to define what is required to consider a wall a retained wall:

- a) The wall must retain studs or other structural elements and the entire exterior wall finish;
- b) The wall cannot be covered or concealed by a wall that is proposed to be placed in front of the retained wall. Open, covered porches are not considered a concealing wall; and
- c) The retained wall must be attached to an adjacent contiguous wall on at least one corner.

- 2) Prohibit the demolition of “Significant Structures” unless:
  - a) The structure is determined a dangerous building by the Building Official; or
  - b) The Historic Landmark Commission finds that demolition is required to rectify a condition of economic hardship (see 6); or
  - c) The Historic Landmark Commission determines that demolition is appropriate according to a set of standards (see 5).
  
- 3) Determine whether a building is considered a Significant Structure using the following set of standards:
  - a) The structure must be at least 50 years old. The Planning Division recommends that the 50 year standard is used because it is the common planning and preservation standard utilized when analyzing a property for its historic contribution to the City.
  - b) The building meets at least one of the following criteria:
    - i) The building is historically or architecturally significant because of period, style, method of building construction, or important association with a famous architect or builder; or
    - ii) The building has an important association with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the City; or
    - iii) The building is one whose loss would have a significant negative impact on the historical or architectural integrity or urban design character of the neighborhood;
  - c) The original character has been retained since the building was constructed. This includes scale, massing, materials, architectural features, and associated spaces that characterize the structure.
  
- 4) Establish a process for determining if a structure is significant. The process includes:
  - a) Notification to surrounding property owners and a 30 day public comment period
  - b) Review by the Planning Director to determine if the structure meets the standards stated in number 3 above
  - c) Review by the Historic Landmark Commission if the Planning Director deems it appropriate
  
- 5) Establish standards and process for reviewing applications for demolition of Significant Structures.
  - a) The Historic Landmark Commission may approve the demolition of a significant structure if they determine the following:
    - i) The demolition is required to rectify a condition of economic hardship; or
    - ii) The streetscape within the context of the overlay district would not be negatively affected; and
    - iii) The Historic Landmark Commission finds that the reconstruction plan is consistent with a set of standards (see 7); and
    - iv) The site has not suffered from willful neglect.
  - b) In making the decision on demolition of a Significant Structure other than cases of economic hardship, the Historic Landmark Commission can approve, approve with conditions, deny, or defer the decision for up to one year to allow time for consideration of designation of the structure as a Landmark Site to the Salt Lake City Register of Cultural Resources.
  
- 6) Establish standards and process for determining economic hardship.
  - a) The process includes:
    - i) Application submittal including all relevant information necessary to determine if the economic hardship standards are met
    - ii) Establishing a three person Economic Review Panel who reviews the evidence submitted by the applicant and submits a report to the Historic Landmark Commission

- iii) Historic Landmark Commission review of the Economic Review Panel report in a public hearing. The Historic Landmark Commission makes the final decision on the economic hardship application
  - b) The Economic Review Panel and Historic Landmark Commission will review the application to determine if denying the demolition would deprive the property owner of all reasonable economic use or return on the property taking into consideration the following:
    - i) The current level of economic return on the property
    - ii) The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and price asked and offers received, if any, within the previous two (2) years.
    - iii) The infeasibility of alternative uses that can earn a reasonable economic return for the property
    - iv) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs
- 7) Establish standards for reviewing the reconstruction plan associated with the demolition of a Significant Structure.
  - a) In reviewing all demolition applications, the Historic Landmark Commission will review and approve, approve with conditions, or deny a reconstruction plan based on a set of standards that address scale and form, composition of principal facades, and relationship to the street in relation to surrounding structures.
- 8) Require that the existing setback between the front property line and the front of an existing building is maintained in order to preserve the character of the streetscape.

## Discussion

As mentioned previously, the Planning Commission and staff identified several issues of concern within the proposed ordinance. To facilitate discussion of these issues, staff has provided the following summary:

- What is Intent of Proposed Ordinance?
  - a. Limit the number of “tear downs?”
  - b. Preserve the character of the neighborhood?
- Definition of Demolition.
  1. City Code currently defines demolition as 75% of the structure. This has lead to demolition of everything above ground while retaining the basement (i.e. foundation, etc).
  2. Proposal to change the definition to clarify the removal of what percentage of the above grade structure would constitute demolition.
    - a. Current proposed ordinance defines demolition as:
      - i. 50% of the above grade walls;
      - ii. 50% of the roof structure; or
      - iii. Removal of any exterior wall facing the street.
    - b. Current proposed ordinance addresses both limiting the number of tear downs and preserving the character of the neighborhood by including the 50% of the roof structure provision in the demolition ordinance.
  3. There has been a lot of public comment that 50% removal of the roof structure should not be considered demolition.

- a. The “lay” person thinks the removal of the building is a demolition—not removal of the roof.
- b. Current proposal does not specify whether roof removal is allowed on the front or back of the house; so if the roof is removed on the front portion, a second story addition could be built on the front portion of the roof, which would alter the character of the structure yet still meet the regulations.
- c. Allowing removal of the roof would allow for second story additions of which in some portions of Yalecrest is the only opportunity for adding additional space.
- d. Allowing second story additions would change the character of the area.
- e. Planning Commission noted that the 50% of the roof provision could be removed from the demolition definition, but require compliance of second-story additions with specific design principals.

4. Options.

- a. No change
- b. Recommend proposed ordinance (50% of above grade walls; 50% of roof; removal of exterior wall facing street).
- c. Recommend that 75% (or some other percentage) removal of above grade structure constitutes demolition.
- d. Recommend that 50% removal of contiguous above grade walls constitutes demolition.
- e. Recommend that 50% or more of the roof could be removed if the second story addition met certain design principals.
- f. Other

5. Should the ordinance be clarified to state that changes to the front façade—such as doors, windows, porches, etc—is allowed? The intent is to allow this type of remodel, and from a technical standpoint, the definition works, but the lay person may not understand what is meant by the phrase “the wall shall retain studs or other structural elements and the entire exterior wall finish.”

- Regulations to Front Setback.

1. Should an exception to the front yard setback regulation be included in the ordinance in order to change the front yard setback (such as averaging the block face, ensuring compatibility with abutting structures, compliance with original subdivision plat information, etc) rather than just a hard and fast rule with no exceptions (other than a variance)?

- Demolition Approval Process.

1. There should be a provision for an unsafe building. Building Official currently has that authority even in historic districts.
2. There should be a provision for economic hardship to ensure that there is still a reasonable economic use of the property.
3. There should be a process for approval of demolition where certain criteria are met.
  - a. What should the criteria be?
    - i. Need to be able to evaluate whether the replacement structure is equivalent to or better than the original structure.
    - ii. Can the City have specific standards without having “design guidelines” on which to base the decision?

- b. Should there be a waiting period for all demolition requests to allow time to look at whether there are other options to demolition (sell the property, designate the property as historic, etc.)?
  - i. If the goal is to preserve the existing building—probably yes
  - ii. If the goal is to ensure compatible development in order to preserve the character of the neighborhood—maybe not.

## **Comments**

### **Public Comments**

The proposed ordinance was presented in a public open house meeting on July 21, 2010. Written comments from open house attendees and all other sources (received to date) have been attached for review (see Attachment B – Public Comments).

### **City Department Comments**

On July 15, 2010, the Salt Lake City Planning Division solicited comments from all applicable City Departments and Divisions. All responses received prior to publication of this staff report are attached (see Attachment D – Department Comments).

## **Analysis and Findings**

### **Zoning Text Amendment**

Section 21A.50.050 – A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making its decision concerning a proposed text amendment, the city council should consider the following factors:

**1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;**

**Finding:** The properties affected by the proposed overlay district are located in the East Bench Community Master Plan (EBMP) area. The Urban Design section of the Master Plan makes the following statement regarding the Harvard-Yale area, which is within the proposed overlay district:

*The older Harvard-Yale area contains many buildings of architectural and historical significance. Conditions may warrant creating a conservation or historic district in this area where the city would review all new buildings, additions, or alterations for compatibility with established neighborhood character (EBMP, page 14).*

While the proposed ordinance is not creating a conservation or historic district, it has been developed to ensure that the existing character of the neighborhood is preserved by regulating demolitions and preserving existing front yard, streetscape setbacks. Staff finds that the proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated in the East Bench Community Master Plan.

**2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;**

**Finding:** Salt Lake City Code provides the following purpose statement for the zoning ordinance:

**21A.02.030: Purpose and Intent.** *The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes. This title is, in addition, intended to:*

- A. Lessen congestion in the streets or roads;*
- B. Secure safety from fire and other dangers;*
- C. Provide adequate light and air;*
- D. Classify land uses and distribute land development and utilization;*
- E. Protect the tax base;*
- F. Secure economy in governmental expenditures;*
- G. Foster the city's industrial, business and residential development; and*
- H. Protect the environment.*

The proposed zoning amendment is intended to “promote safety...order, prosperity and welfare of the present and future inhabitants of Salt Lake City.” Furthermore, the proposed legislation is intended to “protect the tax base” and “protect the environment” through the limitation of demolitions of character defining structures within the Yalecrest neighborhood.

In addition to the overall purpose of the Zoning Ordinance, the specific purpose of the residential zoning districts is to:

*“... provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans.” (Section 21A.24.010A, SLC Zoning Ordinance)*

The proposed zoning amendment is intended to “promote the harmonious development” of the Yalecrest neighborhood by preserving the homes and streetscape setbacks that define the unique character of the neighborhood. The proposed ordinance also “ensures compatible infill development” by requiring that, in the event a significant structure is demolished, the replacement structure is compatible with surrounding homes.

**3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Finding:** The proposed overlay district is located within the existing YCI Yalecrest Compatible Infill Overlay District. Salt Lake City Code 21A.34.120 provides the following purpose statement:

**21A.34.120.A YCI Yalecrest Compatible Infill Overlay District—Purpose Statement:** The purpose of the Yalecrest compatible infill (YCI) overlay district is to establish standards for new construction, additions and alterations of principal and accessory residential structures within the Yalecrest community. The goal is to encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood. The YCI overlay district promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character. The standards allow for flexibility of design while providing compatibility with existing development patterns within the Yalecrest community.



Through the limitation of demolitions and maintenance of existing streetscape building setbacks, the proposed zoning amendment will “encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood.” Furthermore, the proposal “promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments...and neighborhood character” as stated previously.

**4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.**

**Finding:** The primary purpose of the proposed text amendment is to protect the Yalecrest neighborhood from demolitions and additions that harm character defining features that are broadly recognized and valued by the community. Character defining features are building architecture, mass, scale, construction materials, and spatial relationships. Based on a 2005 survey that studied the quantity and quality of existing character defining features, the Yalecrest neighborhood was successfully registered in 2007 as a National Historic District recognized by the National Parks Service under the Secretary of the Interior. Furthermore, Salt Lake City is currently engaged in discussions with local property owners, architects, and preservation consultants on whether or not to designate the neighborhood as a local historic district. Current professional practice recognizes preservation of neighborhood aesthetics and property values—which is promoted by the proposed zoning amendment—is as valid as ensuring public safety, health, and welfare.

## **Zoning Map Amendment**

Section 21A.50.050 - A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment to the Zoning Map, the city council should consider the following factors:

**1. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City;**

**Finding:** As stated previously, the properties affected by the proposed overlay zoning district are located in the East Bench Community Master Plan area. The Urban Design section of the East Bench Master Plan makes the following statement regarding the Harvard-Yale area:

*The older Harvard-Yale area contains many buildings of architectural and historical significance. Conditions may warrant creating a conservation or historic district in this area where the city would review all new buildings, additions, or alterations for compatibility with established neighborhood character (EBMP, page 14).*

While the proposed ordinance is not creating a conservation or historic district, it has been developed to ensure that the existing character of the neighborhood is preserved by regulating demolitions and preserving existing front yard, streetscape setbacks. Staff finds that the proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated in the East Bench Community Master Plan.

**2. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;**

**Finding:** The purpose of the proposed overlay district is to preserve the character of existing development in the neighborhood by regulating demolitions and preserving existing front yard, streetscape setbacks.

**3. The extent to which the proposed amendment will adversely affect adjacent properties;**

**Finding:** The proposed overlay district will not increase density, impact traffic, change land uses, or existing development patterns. The intent of the proposed overlay district is to “protect” properties “by minimizing the demolition of homes that significantly define the character of the Yalecrest neighborhood and...preserve streetscape building setbacks.”

**4. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and**

**Finding:** As stated previously, the proposed overlay district is located within the existing YCI Yalecrest Compatible Infill Overlay District. Salt Lake City Code 21A.34.120 provides the following purpose statement:

*21A.34.120.A YCI Yalecrest Compatible Infill Overlay District—Purpose Statement: The purpose of the Yalecrest compatible infill (YCI) overlay district is to establish standards for new construction, additions and alterations of principal and accessory residential structures within the Yalecrest community. The goal is to encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood. The YCI overlay district promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character. The standards allow for flexibility of design while providing compatibility with existing development patterns within the Yalecrest community.*

Through the limitation of demolitions and maintenance of existing streetscape building setbacks, the proposed zoning amendment will “encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood.” Furthermore, the proposal “promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments...and neighborhood character” as stated previously.

**5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.**

**Finding:** The proposed overlay district would not increase density in the neighborhood or change the existing development pattern. Staff finds that the proposal would have no impact on roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater or refuse collection.

***Attachment A – Proposed Ordinance***



# DRAFT

## 21A.34.125 YNC Yalecrest Neighborhood Character Overlay District

**A. Purpose Statement:** The area included in the Yalecrest Neighborhood Character Overlay District (YNC) is known regionally for its importance in the residential development of the East Bench and the unique and irreplaceable, visually cohesive collection of early 20<sup>th</sup> century architecture of the City. The purpose of the Yalecrest Neighborhood Character Overlay District is to protect, preserve, and retain the historic integrity of this residential neighborhood by minimizing demolitions and maintaining the cohesive patterns which define the character of the neighborhood.

**B. Overlay District Boundary:** The YNC overlay district applies to all property located within the area defined on Figure 21A.34.XXX except those properties located within an H Historic Preservation Overlay District.

**C. Definitions:** The following terms used in this section shall have the following meanings:

1. "Demolition" means an act or process which results in the removal or intentional destruction of a principal building more particularly described as:
  - a. Fifty percent (50%) or more of the roof area as measured in plan view;
  - b. Fifty percent (50%) or more of the exterior walls of a building as measured contiguously around the exterior of the building walls;
  - c. Any exterior wall facing a public street;
2. "Retained Wall" means an exterior wall that is not included in a demolition calculation. A wall shall meet the following minimum standards to be considered a retained wall:
  - a. The wall shall retain studs or other structural elements and the entire exterior wall finish;
  - b. The wall shall not be covered or otherwise concealed by a wall that is proposed to be placed in front of the retained wall. Open, covered porches shall not be considered a concealing wall; and
  - c. The retained wall must be attached to an adjacent contiguous wall on at least one corner.
3. "Economic Hardship" means the application of the standards and regulations of this section deprives the applicant of all reasonable economic use or return on the subject property.
4. "Significant Structure" means a principal structure that contributes to the character of the YNC Overlay District pursuant to subsection E of this section.

**D. Demolitions:** In the YNC, no Significant Structure shall be demolished unless:

1. The structure is determined a Dangerous Building by the Building Official according to the process and standards stated in Chapter 18.48 of this Title; or
2. The Historic Landmark Commission determines that demolition is appropriate pursuant to subsection F of this section; or

3. The Historic Landmark Commission finds that the demolition is required to rectify a condition of economic hardship, as defined and determined pursuant to the provisions of subsection K of this section.

**E. Determination of Significant Structure:** In the YNC a principal structure shall be considered a Significant Structure in accordance with the following standards and procedures:

1. Standards for Determination of Significant Structure:

a. The structure is fifty (50) years in age or older. The age of the building shall be determined according to Salt Lake City building permit records. In the event that building permit records cannot be found, the Planning Director may use other relevant and verifiable records to make the determination; and

b. The building meets at least one of the following criteria:

(1). The building is historically or architecturally significant because of period, style, method of building construction, or important association with a famous architect or builder; or

(2). The building has an important association with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the City; or

(3). The building is one whose loss would have a significant negative impact on the historical or architectural integrity or urban design character of the neighborhood; and

c. The original integrity and character has been retained and preserved since the building was constructed. This may include original scale, massing, materials, architectural features, and associated spaces that characterize the structure.

2. Application for Determination of Significant Structure: An application for a Determination of Significant Structure shall be made on a form prepared by the planning director and shall be submitted to the planning division. The planning director shall make a determination of completeness pursuant to section 21A.10.010 of this title.

a. Materials Submitted With Application: The application shall include photographs, drawings, and other documentation specified on the application form or deemed necessary to consider the application properly and completely.

b. Notice of Application and Public Comment Period: Upon receipt of a complete application, the Planning Director shall mail notice to any recognized or registered organization pursuant to title 2, chapter 2.62 of this code and to all property owners within 300 feet of the subject property that an Application for Determination of

Significant Structure is being considered. The notice shall state that the public has thirty (30) days to provide written comment regarding the application.

c. Standards for Determination: The application shall be reviewed according to the standards set forth in subsection E1 of this section.

d. Review and Decision by the Planning Director: Following the public comment period and on the basis of written findings of fact, the planning director shall approve, deny or forward the application to the Historic Landmark Commission for consideration. The decision of the planning director shall be issued in writing and shall be effective at the time the decision is made.

e. Referral of Application by Planning Director to Historic Landmark Commission: The Planning Director may refer any application to the Historic Landmark Commission due to the complexity of the application.

f. Appeal of Administrative Decision To Historic Landmark Commission: The applicant, any owner of property located within the YNC, or any recognized or registered organization pursuant to title 2, chapter 2.62 of this code, aggrieved by the administrative decision, may appeal the decision to the Historic Landmark Commission within ten (10) calendar days following the date on which a decision is issued. The filing of the appeal shall stay the decision of the Planning Director pending the outcome of the appeal.

g. Appeal of Historic Landmark Commission Decision to Land Use Appeals Board: The applicant, any owner of property located within the YNC, or any recognized or registered organization pursuant to title 2, chapter 2.62 of this code, aggrieved by the historic landmark commission's decision, may object to the decision by filing a written appeal with the land use appeals board within ten (10) calendar days following the date on which a record of decision is issued. The filing of the appeal shall stay the decision of the historic landmark commission pending the outcome of the appeal.

**F. Standards for Demolition of a Significant Structure in the YNC Overlay District:** In considering an application for demolition of a Significant Structure as determined pursuant to subsection E of this section, the historic landmark commission shall consider and may approve a demolition based on the following factors:

1. Standards for Zoning Approval for Demolition:

a. The streetscape within the context of the YNC District would not be negatively affected;

b. The reconstruction plan is consistent with the standards outlined in subsection I of this section;

c. The site has not suffered from willful neglect, as evidenced by the following:

- (1) Willful or negligent acts by the owner that deteriorates the structure,
- (2) Failure to perform normal maintenance and repairs, and
- (3) Failure to secure and board the structure if vacant.

2. **Historic Landmark Commission Determination of Compliance with Standards of Approval:** The historic landmark commission shall make a decision based upon the standards of approval stated in subsection F1 of this section. The Historic Landmark Commission may approve, approve with conditions, deny, or defer the decision for up to one (1) year to allow time for consideration of designation of the structure as a Landmark Site to the Salt Lake City Register of Cultural Resources.

**G. Final Decision for Permit for Demolition Following One Year Deferral:** Upon the completion of the one year period, the historic landmark commission shall approve, approve with modifications or deny the application for demolition.

**H. Recordation Requirement for Approved Permit for Demolition:** Upon approval of a permit for demolition of a significant structure, the historic landmark commission shall require the applicant to provide archival quality photographs, plans or elevation drawings, as available, necessary to record the structure(s) prior to its demolition.

**I. Standards for Demolition Reconstruction Plan:** In considering an application for a reconstruction plan in association with an application for demolition of a Significant Structure the historic landmark commission shall determine whether the project substantially complies with all of the following standards, as well as all applicable zoning standards, that pertain to the application and is in the best interest of the city:

1. Scale and Form:

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

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

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

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

2. Composition of Principal Facades:



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

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

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

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

### 3. Relationship to Street:

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

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

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

d. Streetscape; Pedestrian Improvements: Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the YNC Overlay District.

**J. Definition and Determination of Economic Hardship:** The determination of economic hardship shall require the applicant to provide evidence sufficient to demonstrate that the application of the standards and regulations of this section deprives the applicant of all reasonable economic use or return on the subject property.

1. Application For Determination Of Economic Hardship: An application for a determination of economic hardship shall be made on a form prepared by the planning director and shall be submitted to the planning division. The application must include photographs, information pertaining to the historic significance of the significant structure

and all information necessary to make findings on the standards for determination of economic hardship.

2. Standards For Determination Of Economic Hardship: The historic landmark commission shall apply the following standards and make findings concerning economic hardship:

a. The current level of economic return on the property as considered in relation to the following:

(1) The amount paid for the property, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant, and the person from whom the property was purchased,

(2) The annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service, if any, for the previous three (3) years,

(3) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, during the previous three (3) years,

(4) Real estate taxes for the previous four (4) years and assessed value of the property according to the two (2) most recent assessed valuations by the Salt Lake County assessor,

(5) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property,

(6) The fair market value of the property immediately prior to its designation as a significant structure and the fair market value of the property as a significant structure at the time the application is filed,

(7) Any state or federal income tax returns on or relating to the property for the previous two (2) years;

b. The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and price asked and offers received, if any, within the previous two (2) years. This determination can include testimony and relevant documents regarding:

(1) Any real estate broker or firm engaged to sell or lease the property,

(2) Reasonableness of the price or rent sought by the applicant, and

(3) Any advertisements placed for the sale or rent of the property;

c. The infeasibility of alternative uses that can earn a reasonable economic return for the property as considered in relation to the following:

(1) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation,

(2) Estimate of the cost of the proposed construction, alteration, demolition or removal, and an estimate of any additional cost that would be incurred to comply with the decision of the historic landmark commission concerning the appropriateness of proposed alterations,

(3) Estimated market value of the property in the current condition after completion of the demolition and proposed new construction; and after renovation of the existing property for continued use, and

(4) The testimony of an architect, developer, real estate consultant, appraiser, or other professional experienced in rehabilitation as to the economic feasibility of rehabilitation of the existing structure on the property;

d. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

3. Procedure For Determination Of Economic Hardship: The historic landmark commission shall establish a three (3) person economic review panel. This panel shall be comprised of three (3) real estate and redevelopment experts knowledgeable in real estate economics in general, and more specifically, in the economics of renovation, redevelopment and other aspects of rehabilitation. The panel shall consist of one person selected by the historic landmark commission, one person selected by the applicant, and one person selected by the first two (2) appointees. If the first two (2) appointees cannot agree on a third person within thirty (30) days of the date of the initial public hearing, the third appointee shall be selected by the mayor within five (5) days after the expiration of the thirty (30) day period.

a. Review Of Evidence: All of the evidence and documentation presented to the historic landmark commission shall be made available to and reviewed by the economic review panel. The economic review panel shall convene a meeting complying with the open meetings act to review the evidence of economic hardship in relation to the standards set forth in subsection J2 of this section. The economic review panel may, at its discretion, convene a public hearing to receive testimony by any interested party; provided, that notice for such public hearing shall be in accordance with chapter 21A.10, "General Application And Public Hearing Procedures", subsection 21A.10.020E and section 21A.10.030 of this title.

b. Report Of Economic Review Panel: Within forty five (45) days after the economic review panel is established, the panel shall complete an evaluation of economic hardship, applying the standards set forth in subsection J2 of this section and shall forward a written report with its findings of fact and conclusions to the historic landmark commission.

c. Historic Landmark Commission Determination of Economic Hardship: At the next regular historic landmark commission meeting following receipt of the report of the economic review panel, the historic landmark commission shall reconvene its public hearing to take final action on the application.

(1) Finding Of Economic Hardship: If after reviewing all of the evidence, the historic landmark commission finds that the application of the standards set forth in subsection J2 of this section results in economic hardship, then the historic landmark commission shall issue zoning approval for demolition.

(2) Denial Of Economic Hardship: If the historic landmark commission finds that the application of the standards set forth in subsection J2 of this section does not result in economic hardship then the zoning approval for demolition shall be denied.

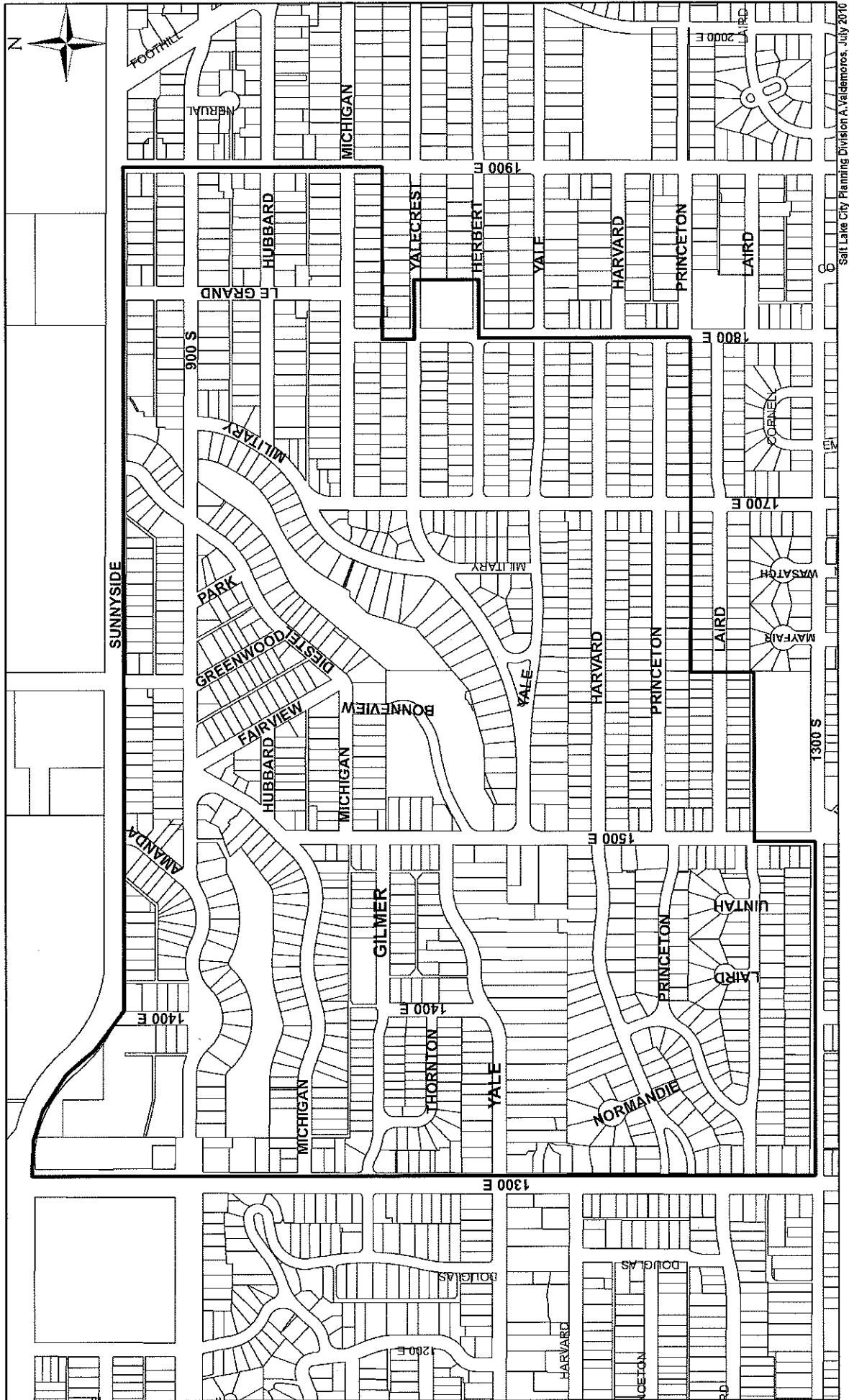
(3) Consistency With The Economic Review Panel Report: The historic landmark commission decision shall be consistent with the conclusions reached by the economic review panel unless, based on all of the evidence and documentation presented to the historic landmark commission, the historic landmark commission finds by a vote of three-fourths ( $\frac{3}{4}$ ) majority of a quorum present that the economic review panel acted in an arbitrary manner, or that its report was based on an erroneous finding of a material fact.

4. Appeal of Historic Landmark Commission Decision to Land Use Appeals Board: The applicant, any owner of property located within the YNC, or any recognized or registered organization pursuant to title 2, chapter 2.62 of this code, aggrieved by the historic landmark commission's decision, may object to the decision by filing a written appeal with the land use appeals board within ten (10) calendar days following the date on which a record of decision is issued. The filing of the appeal shall stay the decision of the historic landmark commission pending the outcome of the appeal.

5. Review By City Attorney: Following the filing of an appeal to the land use appeals board of a decision of the historic landmark commission to deny or defer zoning approval for demolition, the planning director shall secure an opinion of the city attorney evaluating whether the denial or deferral of a decision of the demolition would result in an unconstitutional taking of property without just compensation under the Utah and United States constitutions or otherwise violate any applicable constitutional provision, law, ordinance or regulation.

**K. Front Yard Setback:** The minimum depth of the front yard for all principal buildings in the YNC District shall be equal to the depth of the front yard setback of the existing principal building measured at the closest point from the front property line. In the case of demolition of a principal building, the minimum front yard setback of the replacement structure shall be equal to the principal building being replaced. The front yard setback shall be measured from the front property line to the finished surface of the building or to the front of any post supporting a roof. Obstructions allowed in the front yard as indicated in Table 21A.36.020B shall not be included in the front yard setback calculation.

# Proposed Yalecrest Neighborhood Character Overlay District





***Attachment B – Public Comments***





**Yalecrest Historic Preservation Meeting July 21, 2010**  
**Rowland Hall-St. Marks, Chapel Building**  
**Public Comments taken by Cheri Coffey on white board**

Can I change windows on front of house?

Can I change up to 10%?

1 year deferral time frame is too long.

Front yard setback – Have an average don't penalize if the house is further than neighbors.

50 yr. point – There are not many homes built after 1960, therefore almost all will have to go to the HLC.

Looks like this ordinance is the Historic District rules

Thinks only 1-2 blocks in the area are historic

Why does 50% roof removal = Demolition? Small house-hard to remodel without changing 50% of the roof. A lot of homes in the area are small. Hard to get a stairway up with only removing 50%.

How much information do you need initially for the City to make a decision on an ordinance? (Do you need architecture & engineering plans up front? – cost).

Why isn't 1942 year not defensible? Was the 50 years based on History? (Conservation, Hist. etc?) did you just change the term "Historic" to "Significant"?

Para. I.I. not F.I.

Approval of Demolition – Do you have to meet all 3 criteria?

How much change to your home equals not significant status?

Don't need more quantifiable criteria?

Just wants front porch – where are the plans in the process? Can a person put a front porch, change window to door on the front? The regulations are taking value from his property.

Consider allowing seismically unfit structures to be demolished.

Why were some areas excluded from area?

Retained walls – only look at those and not the 50% roof criteria. Other cities say have to keep 3 walls

Demolition seems like it would be getting rid of the houses. Increasing the size of a home by going up ro out is not demolition.

Look at the comments that were gathered during the 4 units school meetings.

City hasn't done any "polling" to determine what the majority of property owners want.

People want to eliminate tear downs but they don't mind "pop ups" – people in homes 1500 ft. or less want to preserve – but enlarge.

Waterdown version of Historic District. Property owners are opposed to Historic Preservation District.

This proposal is more restrictive than a historic district in terms of being able to build additions from the roof.

The map the city council did is inaccurate. The rental properties are all green. Don't trust that the rental owners wanted to show support.

This ordinance is another way of hist. If 50% of roofline is there, can't remodel - not fair to small home owners.

Support what is proposed. Keep scale of home. Don't go too high that would block the views of trees and mountains.

Out of neighborhood – Enjoys Yalecrest, supports preserving character.

Majority of comments are opposed. Only a few have voiced support. Why not take a vote?

These meetings tend to bring out people opposed. He is in support, knows that many people in the neighborhood are supportive of the local historic district.

Against using historic preservation in Harvard Yale. Need to control scale and monster homes. Compatible Infill regulations go a long way to do that. Don't want a committee deciding how you can remodel house.

Many people are unaware of what these regulations would do. Many young people are busy with kids, etc. and want to remodel but don't know of these regulations.

Wants to be able to change the backdoor. If her home is not historic, why would rules apply to her?

In general, she would like the integrity of the neighborhood to be preserved but rules are difficult.

All about size of structure. Most people try to build something that is sympathetic to the neighborhood. City needs to look at just the size of the buildings.

#### **7.21.10 Meeting**

Vote 11 for, 39 opposed (one person represents 14 structures = 53 opposed)

Sense of security in a Historic District that character of neighborhood will remain the same.

Help make process/regulation in general (whether in or out of district) better throughout the city.

Opposed to new regulations. Concentrate on fixing/revising the compatible infill regulations.

How do you get your house out of the "area"?

1800 block of \_\_\_\_\_ Art modern – taken from area but is the most historic.

Should have several options/variations that are presented.

Community needs to be able to see various drafts that address different things.

Take the time to do this right, take 6-8 months to review, don't just do this by Sept. 10<sup>th</sup>.

Short time frame for a permanent ordinance that permanently affect property rights - Don't rush this proposal!

This is a big issue to be decided in such a short time. Same as Historic but different name. This ordinance would lead to decreased property values. Some homes are not attractive.

Amend Compatible infill for adjacent neighbors to sign off on plans, why should people far away have a say?

In favor of some regulation, not the historic district. This draft is too restrictive but would like some regulation before 9.10.10 to avoid demolition but want to get closer to a middle ground.

Sustainability will collide with Historic Preservation. Many sustainable things don't jive with historic preservation rules (windows is an example). Solar, seismic – reinforce on exterior). Future more important than past. People more important than objects. Environment more important than saving the past.

Sustainable materials are not materials that are necessarily approved in Historic District.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: James C. Perchmann (Seismologist, University of Utah)  
 Address: 1846 Sunnyside Ave.  
 Phone: 801-582-5339  
 Email: \_\_\_\_\_  
 Comments/Suggestions:

I am opposed to the ordinance as drafted - although it does appear to be an improvement over the historical district designation. I don't believe that most of the Yalecrest area requires special protection beyond the current "compatible infill" zoning overlay. The vast majority of the additions and rebuilds are tastefully done already, and are in character with the neighborhood. That said, if the Planning Dept. is going to recommend an ammended version of this ordinance to the City Council, I recommend the following changes

1. An exception to the demolition prohibition should be allowed for structures that are seismically unsafe. Such structures would include all unreinforced masonry structures, which are common in the Yalecrest neighborhood.

2. Homeowners should be allowed to add second stories to their homes - within existing zoning guidelines.

Some of the homes in the Yalecrest area are quite small  
 3. The area to which the ordinance applies should be significantly reduced to exclude areas with few genuinely historical or unique structures - such as Sunnyside Ave and 9th South. My block is already about half apartment buildings!

Finally, as many speakers tonight commented, this ordinance should not be rushed through on the timeline proposed - or any other ordinance as sweeping as this one!

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**

P.S. I like the idea of preserving streetscape building setback



Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: Judy Pechmann  
Address: 1846 Sunnyside Ave  
Phone: 801-582-5379  
Email: jpechmann@comcast.net  
Comments/Suggestions:

I appreciate and agree with the City Council's  
desire to have a new ordinance in place to replace  
the temporary one which expires 9/10. However, I feel  
the scope of the proposed draft is too broad,  
approaching that of a ~~local~~ Local Historic District. (LHD)  
The LHD proposal met significant opposition  
within the neighborhood, so it seems the City Council  
is trying to accomplish the same goal by a  
different route. This was not at all clear in the  
letter & email we received about the new overlay  
proposal. It was only apparent from discussion  
at that meeting. I hope that there will be more  
of an effort to put the proposal before the public,  
before the council votes on it.

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: Susan H. Pitzer  
 Address: 1601 Yalecrest  
 Phone: 801 585 8025  
 Email: susanhp@comcast.net  
 Comments/Suggestions:

I feel that working with the existing Yalecrest Overlay is a much better option. As a property owner, I have no further interest in having an LHD or the Proposed Overlay <sup>amend</sup>.

I am in favor of restricting Total tear-downs, but do not want any additional regulations that have not been set forth in the Yalecrest Overlay.

SHP

Keep Current Yalecrest Overlay & Amend to read No Full Tear Downs

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: Kim Childs  
Address: 1655 E 900 S  
Phone: 801-581-1933  
Email: kjchilds@aol.com  
Comments/Suggestions:

I grew up on Harvard Ave since 1962 when my parents purchased their home. Now I live on 900 South. I love the area, thus wanting to stay in it. The reason for this "love" is the character of the area. I see a lot of people opposed to the historic district designation who have been much more recent neighbors moving in who don't seem to care about the neighborhood as a whole, but rather what's in it for "ME." They think they need a larger home. It's all about them. In the past, if a family outgrew their home, they moved somewhere else to a larger home. Why doesn't this still seem to be an option?

Preservation is important. A historic district will enable the neighborhood to remain "special" and this will ensure that property values do ~~not~~ not go down.

I'd like to see the people who feel they need a larger home to go find one somewhere else. There will always be people who appreciate the area (and perhaps the smaller home) to replace them.

Enact the historic district. Maybe then the lovers of cheap new trendy looks will go find them elsewhere rather than continue to pollute this treasured neighborhood with them.

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.





Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: Janine Sheldon  
Address: 1784 Yalecrest  
Phone: 510 917 7143  
Email: \_\_\_\_\_

Comments/Suggestions:

I am very concerned that Mc Mansions will destroy the beauty of our neighborhood. There are generally accepted principles of good architecture that should be reflected in any new building. We aren't talking about subjective opinion; we are talking about time-honored principles of good design and aesthetics. If people don't understand these and want to build whatever they want, they should move to Sandy or Lehi. Government is not necessarily bad, regulation isn't necessarily bad. We need wise leaders who will protect our community from the self-interest of a vocal minority. Please preserve the integrity of the neighborhood - it's unique and valuable. Of course we need to find ways to maintain good architecture while incorporating sustainable design and materials. It is government's role to ensure minorities are heard and respected. ... sorry so rambling

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: Scott Brown  
 Address: 1861 Michigan Avenue  
 Phone: 801-918-7914  
 Email: scott@plnclawyers.com  
 Comments/Suggestions:

I am against the new proposed "demolition" ordinance. It is too vague and restrictive. It is an attempt to implement the historic district standards by using different terms. Please see #1 of the proposed ordinance.

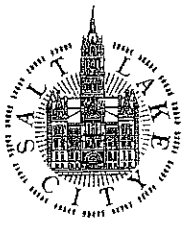
It is inappropriate to rush through this ordinance. The ordinance is dated July 20, 2010 and not circulated at the notice regarding this meeting which is dated June 12, 2010. It appears that notice of this very intrusive ordinance is not adequate.

The information and the comments made at this meeting should be thoroughly discussed and analyzed by the neighborhood. Trying to get this approved prior to September again shows that the City Council is not taking the views of the neighborhood.

The City Council/planning division need to wait for the neighborhood meetings, then draft the appropriate revisions to the current ordinance.

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: SID SPENCER  
 Address: 1355 LAIRD AVE  
 Phone: 801 581-1500  
 Email: ~~CBSK~~ CBSK - Spencer@Hotmitic.com  
 Comments/Suggestions:

Opposed to the Draft as presented.  
PAGE 4, 5 are overkill. You can handle  
Demolition, and ReBuild as individual ordinances  
without so many restrictions - Violation  
of Property Rights. Need more time to  
come up with reasonable Draft.

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: Dale ZABRISKIE  
 Address: 1551 Michigan Ave  
 Phone: 801-581-0001  
 Email: dale@zabriskie.com  
 Comments/Suggestions:

Small step in right direction away from  
 historical district, but not enough.

Substitutes "historic" with "significant".

Still unnecessary intrusion into  
~~property~~ property rights.

We need to see further revision w/  
 less restrictions

Dale  
 Zabriskie

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
 THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
 PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

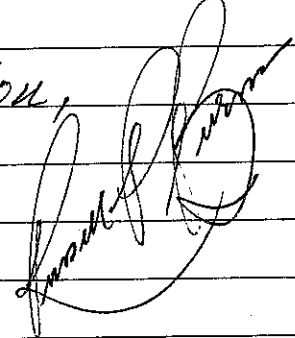
**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: Russell P. Burns  
 Address: 1140 South 1700 East  
 Phone: (801) 582-6191  
 Email: \_\_\_\_\_  
 Comments/Suggestions:

I AM IN ACCORD WITH CURRENT PROCESS FOLLOWED BY SALT LAKE CITY PLANNING DIVISION AND SALT LAKE CITY COUNCIL IN THEIR EFFORTS TO EFFECT YALECREST NEIGHBORHOOD'S INPUT INTO HISTORIC ZONING.

I AM IN FAVOR OF ESTABLISHING YALECREST NEIGHBORHOOD AS A ZONE, OR DISTRICT, FOR HISTORICAL PRESERVATION.

THANK YOU,  


Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: MONTE T. LIKER  
Address: 14524 GILMER DRIVE  
Phone: 801-583-2003  
Email: N/A  
Comments/Suggestions:

PLEASE DON'T PUNISH THE 1,000 FAMILIES LIVING IN THIS HISTORIC DISTRICT, BY ALLOWING THE 100 FAMILIES WHO ARE COMPLAINING TO SUCCEED WITH THIS NEW PLAN.  
PEOPLE HAVE BEEN LIVING IN THIS AREA AND FIXING UP THEIR HOMES FOR 100 YEARS, WITH LITTLE GOVERNMENT INTERFERENCE, SO WHY CREATE THIS VERY INTRUSIVE PROGRAM FOR THE 100 PEOPLE WHO ARE COMPLAINING.  
① WHY WAS NO VOTE TAKEN AT THE MEETING FOR OR AGAINST THIS NEW PLAN?  
② HOW DID THE CITY FOCUS ON THIS AREA TO MAKE IT HISTORIC?

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: Mary Ellen Elggren  
 Address: 1428 E. 900<sup>th</sup>  
 Phone: 801-541-6937  
 Email: meelggren@comcast.net  
 Comments/Suggestions:

I prefer to amend the current <sup>overlay</sup> ordinance to just require adjacent neighbor <sup>notification</sup> agreement to demolition + plans for the replacement structure, just as it is currently required for the addition of an out building.

Use back side if needed...

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**



Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: Robert E Crandall  
Address: 852 LeGrande ST SLC UT 84108  
Phone: 801 582 4449  
Email: rcrandall@yahoo.com  
Comments/Suggestions:

I would vote against The establishment of  
a Yalecrest Historic District or a so called Yalecrest  
Neighborhood Character Overlay and request that  
my wishes be made known to each member of  
the city council and Mayor Becker

*Robert E Crandall*

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
PLANNING COMMISSION FOR CONSIDERATION.





Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: RICK OLIVER  
Address: 1411 LAIRD CIR  
Phone: 801 583-7938  
Email: OLIVER.RICHARD@COMCAST.NET  
Comments/Suggestions:

I AM OPPOSED TO THIS PROPOSAL, I WOULD AGREE  
TO KEEPING REMODELES IN CHARACTER WITH THE  
NEIGHBORHOOD. THIS PROPOSAL SEEMS TO BE SLID  
IN IN A SNEAKY MANNER. A REINSTATEMENT OF THE CURRENT  
OVERLAY WOULD BE MORE APPROPRIATE.

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
Department of  
Community &  
Economic  
Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: Barber  
Address: 997 So. Military Dr.  
Phone: 8015829268  
Email: brandonbarber@comcast.net  
Comments/Suggestions:

50% or more of A Root Area should be considered  
as Demo.

Many smaller homes, who would like to add a 2<sup>nd</sup>  
story wouldn't be able to based on this overlay.

If you are on a small lot with no room to the  
side & no room to the back you can only go  
up!

Use back side if needed...

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: Curtis Pons  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: Curtispons@gmail.com  
 Comments/Suggestions:

Once again the city has come to the wrong conclusion about what most of the yalecrest neighbors want.

This is a size issue and that is what we all can get behind. Extremely rare would a historically significant home be demod because it doesn't make financial sense.

Don't regulate demos, regulate size, That is what we all can get behind.

How can we be asked to support your definition of "demolitions" without public comment on what Yalecrest neighbors think "demo" means.

Once again - if you focus on size of new houses you will have great support!

That is the main issue!

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: GREG & KRIS ALISTER  
 Address: 1403 MICHIGAN AVE.  
 Phone: (801) 582-8643  
 Email: ghunter@comre.com  
 Comments/Suggestions:

WE BELIEVE THAT AN OVERLAY DISTRICT ZONING  
 CHANGE IS NEEDED, BUT THIS PROPOSAL IS  
 OVERKILL. WE DO NOT LIKE THIS PROPOSAL.

USING AN HISTORIC DISTRICT DESIGNATION IS  
 WRONG. BAD IDEA FOR 1,000 REASONS. WRONG TOOL.

ALL BUT TWO TO THREE BLOCKS WITHIN THIS  
 ENTIRE DISTRICT MAY JUST MAYBE BE  
 HISTORIC RELEVANCE.

Thank you -

Greg & Kris Alister

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
 THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
 PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: Steven Whitehead  
 Address: \_\_\_\_\_  
 Phone: (801) 328-3600  
 Email: swwhitehead@kmc.law.com  
 Comments/Suggestions:

The proposed ordinance should exclude institutional uses, such as schools, community centers, libraries, churches, etc. These buildings service the community and will need from time to time to be upgraded and or remodeled to be seismically safe and/or to accommodate the needs of the community. The proposed ordinance will make necessary remodels or reconstruction cost prohibitive to many community and faith based groups. This will have a significant detrimental and adverse affect on the community. The City should encourage institutions (community groups, schools, churches, etc.) to provide up to date facilities and services to the community. The ordinance should not discourage groups from providing community services or result in exorbitant costs on these groups. If there is an overlay district it should ~~not~~ <sup>only</sup> apply to residential zone districts, and then not to any institutional uses.

Use back side if needed...

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**



Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalecrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: David McConkle  
Address: 1789 Hubbard Ave  
Phone: 801-582-2241  
Email: mcconkle@comcast.net  
Comments/Suggestions:

100% against historical district! And this comes from the person living across from the garage-man-hall.

Also, why were Barbara Madsen's homes (Downey, Evan + Barbara Madsen, Jared Madsen) left out of the historical district. If the map can "bend" based upon complaints, then I want to complain too. Please leave 1789 Hubbard Ave out of the historical district.

It's funny how the historical map was modified based upon who complains the most.

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: Jim Robinson  
 Address: 1749 MICHIGAN AVE  
 Phone: (313) 801-582-9322  
 Email: ~~jimjoelle~~ jimjoelle@yahoo.com  
 Comments/Suggestions:

Definition of ~~Fast Track~~ Demolition is against the  
 spirit of ~~it~~ being ok ~~to~~ to add a second story

Does ~~it~~ getting a new roof constitute a Demolition

This process is too fast.

How much ~~for~~ ARCH Drawings are required

Unclear about small changes... like new window

What guidelines does Historic Commission use?

We need to allow a second story additions

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
 THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
 PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: Chris Lind / Colleen Lindstrom  
 Address: 852 DICKSTEAD Rd  
 Phone: 801-562-4179  
 Email: chris.lind@ptc.utah.edu  
 Comments/Suggestions:

While we understand the concern over the demolition and then construction of disproportionately larger homes in the Yalecrest neighborhood, we believe the proposed character overlay district is bureaucratic overkill.

Rather than prevent or regulate demolition, we encourage the creation of new construction parameters which would define the scale and character of new homes, rather than impede plans to demolish, renovate or add on to existing structures.

We are therefore opposed to the creation of the Overlay District.

We would support ordinances which define and limit the size of building footprints, roof height, setback requirements.

Use back side if needed...

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**





Planning Division  
 Department of  
 Community &  
 Economic  
 Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

Name: Mary Delle Gunn  
 Address: 1595 S. 1300 E.  
 Phone: 202-6216  
 Email: bethechange too@gmail.com  
 Comments/Suggestions:

This ordinance is a long time coming. This is what we needed five years ago, so thank you for putting this together, at last. I fully support the adoption of this ordinance, city wide. What will the process be to apply this to other historic neighborhoods? Specifically the area from 1300 S to 1700 S + 1300 E to 1900 E. roughly Wasatch Hollow, where I live & where the infill ordinance was never applied, even though residents voted for it. If a demolition is determined necessary, for whatever reason, the salvageable elements of the house, i.e., windows, flooring, brick, doors, tile, bathroom fixtures, molding, stained and/or leaded glass, radiators, must be salvaged. Not only will this keep these materials out of the landfill, it is a travesty that complete demolition of a historic structure is allowed. Most of the homes have some old growth timber - this too should be salvaged if possible. If the structure is historically significant, it should be documented by a historic preservationist before demolition is allowed.

Use back side if needed...

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**



Planning Division  
Department of  
Community &  
Economic  
Development

OPEN HOUSE - JULY 21, 2010  
PETITION PLNPCM 2010-00448  
YNC Yalcrest Neighborhood Character Overlay  
District

COMMENT CARD

Name: Brian Jackson  
Address: 1803 Michigan Ave  
Phone: 801-582-3339  
Email: brian.jackson@annplab.com  
Comments/Suggestions:

1. My wife and I are of the opinion that neither a historic district designation nor a demolition ban are in the best interest of the neighborhood.
2. We support reasonable zoning setbacks, etc. But "historic" designation is a very different set of issues that should be reserved for areas of greater historic value than our neighborhood (at least, more than my own block of Michigan 17<sup>th</sup>-18<sup>th</sup> East).
3. A well-organized, vocal minority of pro-historic-preservation residents has dominated the discussion so far.
4. Please commission a non-biased survey of resident opinions before instituting restrictions. Town hall hearings are not enough - ~~young~~ young families with children are underrepresented at these hearings and are more commonly opposed to proposed restrictions.

Thank you,  
Brian Jackson

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.

① Should be able to make xs to front of  
house - Allow it to go to the far consideration

② Home set back 50 ft - back -  
has not back yard - Should be  
able to move front

Pam Clauson

1619 Yalecrest

pbclauson@

comcast.net



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: David Kravitz  
 Address: 1858 S. 1500 E.  
 Phone: 801-581-4565  
 Email: andrew@comcast.net  
 Comments/Suggestions:

1 of 2

not having seen the draft posted today please excuse any  
 comments that are included in the draft. Since 1978

from the SLU public access website, a total of 500  
 addresses have been demolished. Actual numbers vary  
 by residents observations as twelve - thirty names.  
 There are some 100 names in the district so  
 demolitions represent about 10% - 15% over  
 some 90 years depending on when names were  
 built.

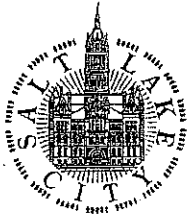
The temporary ordinance outlawing demolitions  
 and the "counterbalancing" ordinance is not justified.

Also recently portions of the proposed LHC have  
 been arbitrarily removed. Even though the National  
 Historic Register included this area, and "protection"  
 offered by the LHC are not available to the affected  
 home owners.

While I support historic preservation in general,  
 those who want to tear down & rebuild must necessarily  
 co-exist with those who want to maintain homes  
 as they are. (over)

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF  
 THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE  
 PLANNING COMMISSION FOR CONSIDERATION.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

**OPEN HOUSE - JULY 21, 2010**  
**PETITION PLNPCM 2010-00448**  
**YNC Yalecrest Neighborhood Character Overlay**  
**District**

**COMMENT CARD**

*Jeff*

Name: David Brewer  
 Address: 1028 S 500E  
 Phone: 801-781-4565  
 Email: \_\_\_\_\_  
 Comments/Suggestions:

The challenge then, is to make sure replacements  
 are consistent with the character of the neighborhood.  
 Suggest handrails are required to be replaced  
 with architectural styles included in the National  
 Register of Historic places. As approved by the HLC  
 Board.

Use back side if needed...

**PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.**



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 21, 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: SUSAN Taylor  
 Address: 1721 Heebert Ave, SLc 1515 Princeton Ave  
 Phone: 949-633-8701 801-583-0383  
 Email: taylor@design@cox.net  
 Comments/Suggestions:

I find your draft proposal to be worse  
 than your initial presentation.  
 I do not support a regulation that  
 demands 50% roof plan a demolition.  
 It would make expansion of a 1000sf home  
 an impossibility.  
 I believe this proposal is wrong.  
 I believe the historic overlay is not appropriate.  
 I bought my property with the understanding  
 that I was in control of my own property.  
 I have a large home and one small  
 home. The small home was purchased  
 with the intent of a remodel. ~~With~~ With  
 the draconian new proposal, there will  
 be no opportunity to remodel.  
 I was given 24 hours notice for this  
 meeting. I have sent numerous email  
 to city council and find all of the public  
 response by the council to be one sided.

*Susan Taylor*

Use back side if needed...

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.

March 9<sup>th</sup> Ordinance / Larger - Temp zoning

July 6 -

Dear Wayne,

I am a resident of the Yalecrest area for which petition PLNPCM2010-00448 is being proposed. What does it mean to "preserve existing streetscape building setbacks"? I am particularly concerned that preserving existing streetscape building setbacks means that homeowners will be unable to build second level additions to their homes, if these additions can be viewed from the street. Is this proposed zoning amendment akin to making the area an historic district, in that second level additions will be prohibited?

Thank you for your time,

**Amy Davis**

Amy J. Davis, PhD  
Associate Director  
The Brain Institute at the University of Utah  
383 Colorow Drive, 3rd floor  
Salt Lake City, UT 84108

801.587.1222 office  
801.746.9255 mobile  
801.585.5375 fax

Amy J. Davis, PhD  
Associate Director  
The Brain Institute at the University of Utah  
383 Colorow Drive, 3rd floor  
Salt Lake City, UT 84108

801.587.1222 office  
801.746.9255 mobile  
801.585.5375 fax

[amy.davis@utah.edu](mailto:amy.davis@utah.edu)  
<http://brain.utah.edu>



**From:** John Diamond [john@diamondphillips.com]  
**Sent:** Wednesday, July 14, 2010 10:49 AM  
**To:** Mills, Wayne  
**Subject:** yalecrest

**Categories:** Other

Wayne,

Thank you for sending the information regarding the public hearings. I hope all is well for you.

John D. Diamond  
**diamond phillips**

944 EAST 200 SOUTH SALT LAKE CITY, UTAH 84102  
TELEPHONE: 801.363.0604 FACSIMILE: 801.363.6688

**From:** Rick Oliver [oliverrichard@comcast.net]  
**Sent:** Wednesday, July 14, 2010 2:46 PM  
**To:** Mills, Wayne; Maloy, Michael  
**Subject:** Open House

**Categories:** Other

I could not download the map attached to the email regarding the open house July 28, 2010 Can you send me a copy of the map?

Rick Oliver  
1411 Laird Cir  
Salt Lake City, UT 84105

Tel 801 583-2938  
Cel 801 232-6798  
[oliverrichard@comcast.net](mailto:oliverrichard@comcast.net)

**From:** Richard Butler [richard\_butler@comcast.net]  
**Sent:** Wednesday, July 14, 2010 4:55 PM  
**To:** Mills, Wayne  
**Cc:** Maloy, Michael  
**Subject:** PROPOSED ZONING AMENDMENTS: YALECREST NEIGHBORHOOD

**Categories:** Other

Mr. Mills:

Will you please send me a copy of the complete text of the proposed zoning amendments for the Yalecrest neighborhood, or tell me where on the City's website I can download them?

Thanks very much.

**Richard H. Butler**

1578 East 900 South  
Salt Lake City, UT 84105

Phone: 801.583.3435  
Cell: 801.891.0393  
Email: [richard\\_butler@comcast.net](mailto:richard_butler@comcast.net)

**From:** Bryan Brown [btbrown57@gmail.com]  
**Sent:** Wednesday, July 14, 2010 7:03 PM  
**To:** Mills, Wayne; michael.maloy@slscgov.com  
**Subject:** Petition PLNPCM2010-00448

**Categories:** Other

Dear Gentlemen:

I support Petition PLNPCM2010-00448 to preserve the single-family residential character of a portion of the Yalecrest neighborhood. As a 16-year resident of the neighborhood, this amendment is sorely needed.

I will not be able to attend any of the meetings you have planned, but I ask that you read this communication into the public record at them for me.

Thank you for your consideration.

sincerely,

Bryan Brown  
1015 South 1400 East  
Salt Lake City, UT 84105  
801.583.2146

**From:** JAMES PARRY [jeppwp@msn.com]  
**Sent:** Tuesday, July 20, 2010 1:33 PM  
**To:** Mills, Wayne; Maloy, Michael  
**Subject:** Petition PLNPCM2010-00448

**Categories:** Other

What does this mean? We see that some neighborhoods are not now considered for what we assume is still the Historic District designation. How did they get out of it? And, is that what the new zoning overlay district is all about? The flyer we got during the last two weeks (which we just saw after being out of town for that time period) is really not clear as to what is being planned. And, we cannot attend the July 21 & 28 meetings.

We would like to know what this all means to us on Sunnyside, etc. & how some properties are not now being considered as they were on the original maps we received.

Thank you, Jim & Peggy Parry

**From:** Lindsey Christensen [lindsey\_christensen@yahoo.com]  
**Sent:** Tuesday, July 20, 2010 9:23 PM  
**To:** Mills, Wayne; Maloy, Michael

**Categories:** Other

Dear Wayne and Michael,  
I have a newborn baby, so I cannot attend the meeting. I am including my thoughts and I hope you will read and consider them.

I do not think the Harvard/Yale area should be slotted as an historic area (so, I do not want it to pass) and here are my reasons why.

- 1) Most all of the houses in that area ARE the hold historic type, and that will never change (unless someone has a trillion dollars and influence over everyone and they buy the entire area and develop it all with cheap similar houses....which won't happen).
- 2) If the plan passes, you will be changing the demographics of the area...only older couples with no kids, or single people will move here. Families that LOVE the area and want to upgrade their homes to fit their lifestyles won't be able to, so they will move south. That would be unfortunate.
- 3) there are a LOT of junky old awful houses that NEED to be redone.....it would be so much nicer if they were able to be redone.
- 4) you will be employing architects for upgrades.....and bigger construction jobs (instead of little redos on small houses where they simply add a stucco blob on the back..yuck).
- 5) hopefully there will be something about tasteless redos...that don't limit size (not all people will do a dumb redo like that firehouse/garage house on Hulbert...or whatever that road is...around 1750 east).
- 6) there have been endless redos that are in good taste with the neighborhood and maintain the historic look to a house.
- 7) let people stay in the area and upgrade their homes instead of spreading out to the outskirts of town...its very non-environmental to do that

I'm not sure if you've been to the Palo Alto area in California (s. of San Fran) but it is a wealthy area with small lots. PReTTY much everyone has redone their homes (a lot are big) and it is BEAUTIFUL. They are the type that have pretty yards (as are the people that live in the Harvard/Yale area. Don't make people move! Families don't like to live in tiny houses anymore....(there SHOULD be a lot size/house size ratio limit)

Thanks so much  
Lindsey

**From:** Schylar@comcast.net  
**Sent:** Tuesday, July 20, 2010 11:05 PM  
**To:** Mills, Wayne  
**Subject:** proposed amendement to overlay

**Categories:** Other

I live at 1719 Michigan Avenue. Although I am happy to see the willingness to make changes to try and reach some type of accommodation in our area, I am having a very difficult time with the proposed demolition changes. It seems to me that it is very arbitrary to select a year and limit demolitions based on that. I have no plans to demolish my home, however, I find it very limiting to any future options I may have. Mine, like many of the homes are included simply because of the year they were built, they are not good examples of the period, they were simply tract homes of the time. As I attempt to keep up on the normal repairs on the home I can understand why demolitions occur. Under the proposed ordinance I understand my house would have to basically be condemned or I have an extreme economic hardship (whatever that means.) I am for preserving the "character of our area", the trees (which by the way cannot be replace with similar trees when they die, or like in front of my house, was removed years ago), the walkability of the area, the neighbors, the mix of people, young and old, across socio-economic groups. I have a really hard time seeing what any of these proposals have to do with preserving the character. They are what they are, focused on preserving structures, structures that will get more and more run-down, except for those that have already been added on, or are frankly of greater significance.

Find ways to preserve the character, provide incentives for people to preserve structures where appropriate, and allow this dynamic area to evolve the way it has for the last 80+ years. If I have to use original materials on the facade of my house, why can't I use original landscaping, by this I mean the park strip trees, if they were not here I don't believe this discussion would be happening.

I have a hard time having what I see as draconian restrictions being placed on my property after I have been a resident in this area simply because of it's age.

I keep hearing that this path was started down to stop the demolitions and McMansions. I think I would hear from you that it is preserve wonderful areas of our city. I think we can find a way, but I do feel that this is in some ways a run-away process that so many people feel that they have expended so much energy on that we cannot abandon it without doing something.

I encourage you to find ways to strike a balance between preservation and "character".

Thank you

Schylar Frampton  
(801) 652-0711

**From:** KARL BARBARA LIBSCH [libsch@msn.com]  
**Sent:** Wednesday, July 21, 2010 6:57 AM  
**To:** Mills, Wayne  
**Subject:** zoning overlay

**Categories:** Other

I live in the Douglass Park amended subdivision. Two questions:

1. How does the proposal differ (or does it) from the historic district previously discussed?
2. Where do I get a copy of the proposal?



## Valdemoros, Ana

---

**From:** Mills, Wayne  
**Sent:** Wednesday, July 21, 2010 12:12 PM  
**To:** 'Michael Krieger'  
**Cc:** Coffey, Cheri; Maloy, Michael; Valdemoros, Ana  
**Subject:** RE: Overlay  
**Attachments:** YNC Boundary Map.jpg; Yalecrest Neighborhood Character Overlay Ordinance\_Draft\_7-20-10.pdf

Thank you for your comments Mr. Krieger. I have attached the current draft of the proposed ordinance for your review.

**Wayne Mills**  
Senior Planner  
Salt Lake City Planning Division  
451 S. State Street, Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480  
Phone: 801-535-7282  
Fax: 801-535-6174

---

**From:** Michael Krieger [mailto:mkrieger@kmclaw.com]  
**Sent:** Wednesday, July 21, 2010 10:16 AM  
**To:** Mills, Wayne; Maloy, Michael  
**Subject:** Overlay

I will not be able to attend the meeting tonight, but I am very opposed to any more restrictions on construction or destruction of existing buildings in our neighborhood. I live in the Douglas Park part of the map and my name is Mike Krieger.

Michael F. Krieger



60 East South Temple, Suite 1800  
Salt Lake City, Utah 84111  
Telephone: 801.321.4814  
Facsimile: 801.321.4893  
Toll Free: 866.867.5135  
E-mail: [mkrieger@kmclaw.com](mailto:mkrieger@kmclaw.com)

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Also, please indicate to the sender that you have received this e-mail in error, and delete the copy you received. Thank-you

## Valdemoros, Ana

---

**From:** Mills, Wayne  
**Sent:** Wednesday, July 21, 2010 12:17 PM  
**To:** 'khardy@xmission.com'  
**Cc:** Coffey, Cheri; Maloy, Michael; Valdemoros, Ana  
**Subject:** RE: Yale Overlay  
**Attachments:** Yalecrest Neighborhood Character Overlay Ordinance\_Draft\_7-20-10.pdf; YNC Boundary Map.jpg

Thank you very much for your comments. They will be included in the information that will be forwarded to the Planning Commission, Historic Landmark Commission and City Council. I have attached a copy of the current draft of the proposed regulations for your review. Please contact me if you have questions.

Wayne Mills  
Senior Planner  
Salt Lake City Planning Division  
451 S. State Street, Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480  
Phone: 801-535-7282  
Fax: 801-535-6174

-----Original Message-----

**From:** khardy@xmission.com [mailto:khardy@xmission.com]  
**Sent:** Wednesday, July 21, 2010 10:38 AM  
**To:** Mills, Wayne  
**Subject:** Yale Overlay

Hello

I live in this area. I am in favor of stopping houses from being built that are too big for their lots however, there are times that some houses should be torn down. That doesn't mean big should be built, but people should have the ability or option of tearing a place down if they can construct something that fits in. The people behind this committee have all put additions on their homes or done extensive remodeling, the way they wanted. Now they want control of what others do. I don't buy it. A lot of people don't have pockets that are as deep as JT Martin or others on the committee. I live next to a house which is totally uninhabitable and has been for 30 years. This will prevent anyone from being able to do anything with this house. My neighbors, as well as myself would like something done with it. It is a total eye sore. Please just oversee peoples requests to remodel as opposed to making it a historic district. Thank you.

Kim Hardy  
1337 Michigan Ave

## Valdemoros, Ana

---

**From:** Mills, Wayne  
**Sent:** Wednesday, July 21, 2010 12:23 PM  
**To:** Yalecrest CC Chair  
**Cc:** Coffey, Cheri; Maloy, Michael; Valdemoros, Ana  
**Subject:** RE: Question about proposed demo ordinance  
**Attachments:** Yalecrest Neighborhood Character Overlay Ordinance\_Draft\_7-20-10.pdf; YNC Boundary Map.jpg

Hello-

I'm sorry that I was not able to get this to you earlier than today. The current draft of the proposed ordinance is attached. Please contact me if you have questions or comments.

Thank you.

### Wayne Mills

Senior Planner  
Salt Lake City Planning Division  
451 S. State Street, Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480  
Phone: 801-535-7282  
Fax: 801-535-6174

---

**From:** GEORGE CATHY KELNER [mailto:kelnergeo@msn.com]  
**Sent:** Thursday, July 15, 2010 12:40 PM  
**To:** Mills, Wayne; Maloy, Michael  
**Subject:** Question about proposed demo ordinance

I'm the chair of the Yalecrest Neighborhood Council and I and many of my neighbors are wondering whether this proposed change in the demolition ordinance for our neighborhood will have a tighter definition of what constitutes a demolition. As you probably know, the infamous house on Hubbard Avenue lovingly nicknamed the garage mahal was, by the current definition, a remodel rather than a teardown. My understanding is that currently 75% of a home may be demolished and called a remodel rather than a demolition. If this proposed new ordinance is going to preserve any Yalecrest character I believe a new tighter definition is required. Is there any language for the new ordinance that you could share with me? thanks

George Kelner

**Valdemoros, Ana**

---

**From:** Mills, Wayne  
**Sent:** Wednesday, July 21, 2010 12:26 PM  
**To:** 'James.gibb@pharm.utah.edu'  
**Cc:** Coffey, Cheri; Maloy, Michael; Valdemoros, Ana  
**Subject:** Proposed Yalecrest Ordinance  
**Attachments:** YNC Boundary Map.jpg; Yalecrest Neighborhood Character Overlay Ordinance\_Draft\_7-20-10.pdf

Hello Dr. Gibb-

Thank you for your phone call today. I have attached the current draft of the proposed Yalecrest Ordinance for your review. Please contact me if you have questions or comments.

Thank you.

**Wayne Mills**  
Senior Planner  
Salt Lake City Planning Division  
451 S. State Street, Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480  
Phone: 801-535-7282  
Fax: 801-535-6174

## Valdemoros, Ana

---

**From:** Mills, Wayne  
**Sent:** Wednesday, July 21, 2010 12:27 PM  
**To:** 'mariaandtom@comcast.net'  
**Cc:** Coffey, Cheri; Maloy, Michael; Valdemoros, Ana  
**Subject:** Proposed Yalecrest Ordinance  
**Attachments:** Yalecrest Neighborhood Character Overlay Ordinance\_Draft\_7-20-10.pdf, YNC Boundary Map.jpg

Hi Maria-

Thank you for your phone call today. I have attached the current draft of the proposed Yalecrest Ordinance for your review. Please contact me if you have questions or comments.

Thank you.

**Wayne Mills**  
Senior Planner  
Salt Lake City Planning Division  
451 S. State Street, Room 406  
PO Box 145480  
Salt Lake City, UT 84114-5480  
Phone: 801-535-7282  
Fax: 801-535-6174

**From:** Amy J. Davis [amy.davis@utah.edu]  
**Sent:** Wednesday, July 21, 2010 12:52 PM  
**To:** Mills, Wayne  
**Cc:** Coffey, Cheri; Maloy, Michael; Valdemoros, Ana  
**Subject:** Re: Petition PLNPCM2010-00448

**Categories:** Other

Hello Wayne,

Thank you for the information. I just read the Yalecrest Neighborhood Character Overlay District proposal, and I have to admit that being neither an architect nor a city planner, I am unable to interpret what this proposal, if passed, would mean to me. I plan to come to the open house this evening, but I am wondering what your advice is re: having a particular property and renovation plan reviewed in this strange time of moratoriums, zoning amendments, and historic district considerations. I am in the midst of a significant life-changing event, and would like to know what is possible, or what will be possible when the moratorium expires in September, with a renovation. Are there mechanisms for a resident to invite a city planning official to look at the home and renovation sketches, and offer informal advice before filing an official application?

Amy

On Jul 21, 2010, at 12:05 PM, Mills, Wayne wrote:

Hello Ms. Davis-

In response to your question regarding "preserve existing building setbacks", the regulations in the draft proposed ordinance would not allow an addition to be built closer to the front property line than the setback of the existing building. This would not impact the construction of a second level; however, there are other regulations in the proposal that would require Historic Landmark Commission review of a 2<sup>nd</sup> story. The proposed regulations define a demolition as the removal of 50% or more of the existing roof for structures that are determined "significant". The Historic Landmark Commission would have the authority to review demolition applications according to a set of standards. I have attached a copy of the current proposal for your review. Please review the proposed regulations and provide comments or contact me if you have questions.

Thank you.

**Wayne Mills**

Senior Planner  
 Salt Lake City Planning Division  
 451 S. State Street, Room 406  
 PO Box 145480  
 Salt Lake City, UT 84114-5480  
 Phone: 801-535-7282  
 Fax: 801-535-6174

---

**From:** Amy J. Davis [mailto:amy.davis@utah.edu]  
**Sent:** Wednesday, July 21, 2010 9:20 AM  
**To:** Mills, Wayne  
**Cc:** Card, Quin  
**Subject:** Petition PLNPCM2010-00448

**Maloy, Michael**

---

**From:** brandonbarber@comcast.net  
**Sent:** Wednesday, July 21, 2010 7:32 PM  
**To:** Maloy, Michael  
**Subject:** Fw: Overlay

**Categories:** Other

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

**From:** brandonbarber@comcast.net  
**Date:** Thu, 22 Jul 2010 01:02:54  
**To:** <wayne.mills@slcgov.com>  
**Reply-To:** brandonbarber@comcast.net  
**Subject:** Overlay

I would like to voice my opinion on the overlay. My concern is the 50 percent or more roof area is considered a demo.

Many smaller homes, who would like to add a 2nd story would not be approved bases on the overlay.

This is too restrictive. If you are on a small lot with no room to the side or no room to the back what can you do? Go up. Not according to this overlay.

The 50 percent of exterior walls seems too restrictive as well.

I am ok with everything except with the 50 percent of roof area and 50 percent of exterior walls. And any exterior wall facing the public street.

I hope this opinion is heard.....  
Sent from my Verizon Wireless BlackBerry

## Maloy, Michael

---

**From:** Boyd Anderson [Boyd@StakerCompany.com]  
**Sent:** Thursday, July 22, 2010 8:41 AM  
**To:** Mills, Wayne; Maloy, Michael  
**Subject:** Yalecrest

**Categories:** Other

Wayne & Michael,

I am writing to let you know that I do not support the proposed overlay ordinance. I do not support a no demolition policy. I do not support an ordinance which effectively defaults to an historic district. I do not support the lock down on setbacks. I believe this is too broad. For example, it would prohibit minor improvements to front porch overhangs. I think the overlay should either be scrapped or re-written. Additionally, I would like to see an end to the vigilante code enforcement being done by people who do not work for the City. These people trespass on every construction project with their tape measures and cameras. They cost owners thousands of dollars in delays and additional expenses associated with their architects and engineers. Some of the details of the overlay are ambiguous but I believe that City staff, acting in good faith, is well capable of approving and monitoring construction projects.

Please send this on to each member of the City Council.

Cheers - Boyd



## Maloy, Michael

---

**From:** Ryan Bell [rbell@rqn.com]  
**Sent:** Thursday, July 22, 2010 10:44 AM  
**To:** Mills, Wayne; Maloy, Michael  
**Subject:** Status of the Yalecrest Neighborhood

**Categories:** Other

Hello Msrs. Mills and Maloy,

As a resident on 900 South at 1850 East, I have followed the discussions regarding the proposed historic district in the Yalecrest Neighborhood with great interest. I am strongly opposed to any such development, and have attended many meetings in the last few months to make sure my opinions were heard by the relevant decision-makers.

After returning from a long vacation at the beginning of the week, however, I see the landscape has changed somewhat dramatically, and I haven't yet been able to discern what is now being proposed. My wife was able to go to part of the meeting last night, but was also unclear on the current status of the proposals. I'm trying to cut through the hearsay and find a good source who can tell me what's really going on. I'm told that we are still on track to have small neighborhood meetings on these issues, but others have told me that by the time those meetings take place, the larger decision about the geographic boundaries of the new overlay will already have been established. There is very, very little support for the historic district in my smaller area, and I would find it very suspect if our neighborhood were included in the historic district overlay despite this lack of support. It is also suspicious that those areas where the most vocal opponents of the proposal live have now been cut out, giving the appearance that the city has just attempted to remove the most vocal opponents so as to easily conquer the rest of the neighborhood.

I am a concerned citizen who has given a lot of time and effort to trying to keep up to speed with this process and it is frustrating to now suspect that decisions may soon be made without any opportunity for real input. The other frustration comes from the fact that I can't seem to find reliable information on the true status of the process at the moment. Please let me know if either of you is available for a telephone conversation, or whether there is someone better qualified to speak to me about these issues.

Thank you for your help.

Ryan Bell

**Ryan B. Bell | Ray Quinney & Nebeker P.C.** | 36 South State Street, Suite 1400 | Salt Lake City, Utah 84111  
Direct: 801-323-3383 | Facsimile: 801-532-7543 | [www.rqn.com](http://www.rqn.com)

IRS Rules of Practice require us to inform you that advice, if any, in this email (including any attachments) concerning federal tax matters is not intended to be used, and cannot be used or relied upon for the purpose of avoiding penalties under the Internal Revenue Code, nor for promoting, marketing or recommending any transaction or matter addressed herein. This e-mail is sent by a law firm and contains information that may be privileged and confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately.

## Maloy, Michael

---

**From:** Toni Seely [tonis@kengarff.com]  
**Sent:** Thursday, July 22, 2010 4:52 PM  
**To:** Maloy, Michael  
**Subject:** FW: Yalecrest overlay

**Categories:** Other

Michael Maloy,

Toni Seely  
Customer Relations Manager  
Ken Garff Mercedes-Benz  
(801) 257-3036  
[tonis@kengarff.com](mailto:tonis@kengarff.com)

---

**From:** Toni Seely [mailto:tonis@kengarff.com]  
**Sent:** Thursday, July 22, 2010 4:46 PM  
**To:** 'michael.maloy@slcgov.com.'  
**Subject:** FW: Yalecrest overlay

Toni Seely  
Customer Relations Manager  
Ken Garff Mercedes-Benz  
(801) 257-3036  
[tonis@kengarff.com](mailto:tonis@kengarff.com)

---

**From:** Toni Seely [mailto:tonis@kengarff.com]  
**Sent:** Thursday, July 22, 2010 3:25 PM  
**To:** 'wayne.mills@slcgov.com'  
**Subject:** Yalecrest overlay

Wayne Mills,

My husband and I had planned on attending the meeting last night but my father is in the hospital. We have lived at 1610 Yale Ave since 1978. We have discussed this issue with every neighbor we have and no one is in favor of the Historic designation. However, everyone seems to feel as we do that we have no say. We completely support a new Overlay District as proposed in the notice we received July 20.

Thank you,

Paul and Toni Seely  
1610 Yale Ave  
Salt Lake City , UT. 84105

Toni Seely  
Customer Relations Manager  
Ken Garff Mercedes-Benz

## Maloy, Michael

---

**From:** Coffey, Cheri  
**Sent:** Monday, July 26, 2010 1:22 PM  
**To:** Maloy, Michael  
**Subject:** FW: Yalecrest Demolition Overlay

**Categories:** Other

To forward to PC, HLC etc.

---

**From:** Gust-Jenson, Cindy  
**Sent:** Monday, July 26, 2010 1:15 PM  
**To:** Historic District  
**Subject:** FW: Yalecrest Demolition Overlay

---

**From:** Love, Jill  
**Sent:** Monday, July 26, 2010 1:12 PM  
**To:** DeMordaunt, Craig (GE Comm Fin)  
**Cc:** Martin, JT; Christine DeMordaunt; Jardine, Janice; Card, Quin; Tarbet, Nick; Gust-Jenson, Cindy  
**Subject:** Re: Yalecrest Demolition Overlay

Thank you so much. You've made some really great suggestions. I encourage you to forward these to our planning commission and landmarks board. I appreciate your thoughtfulness and effort to help us understand what we could do to fix it. Do you mind sharing your address? Jill

Sent from my iPhone

On Jul 26, 2010, at 11:01 AM, "DeMordaunt, Craig (GE Comm Fin)" <[Craig.DeMordaunt@ge.com](mailto:Craig.DeMordaunt@ge.com)> wrote:

JT Martin and Jill Love,

I have submitted the following for public comment regarding the proposed "Demolition" legislative intent draft for the Yalecrest YNC Overlay. If you would like to discuss further I would love to schedule a meeting. I am sorry if it is repetitive but I will also be sending an email to the city council email address: [council.comments@slcgov.com](mailto:council.comments@slcgov.com)

Thanks,

Craig DeMordaunt

First, I would like to comment on the current proposal and then add for public comment what I consider a better solution to the current draft. In summary, the current draft defines a demolition too restrictive and then gives the Historic Landmark Commission (HLC) and inordinate amount of power to decide whether a home is significant to be demolished. Giving the HLC this decision power is a round about way of creating a "partial" Local Historic District (LHD). It doesn't give the HLC authority to tell individuals how to design their remodel except for the general items listed in subsection I of the draft legislation but through the definition of "demolition", forces homes to be defined as "significant" and subject to an independent

review board, the HLC. In my mind, these are two very different concepts and objectives that the legislation is trying to intertwine together.

Comments on the draft legislation:

Definition of Demolition: The current draft defines a demolition as either removing 50% of a house as seen from the roof plan, the exterior wall facing a public street, or the elimination of 50% of the exterior retaining walls. I believe this is too restrictive and is missing the mark with its goal. The community has been opposed to complete tear-downs as it relates to "demolitions." I would propose the definition reflect such by defining a demolition as the removal of 3 or more exterior retaining walls. In order to tear-down a structure, a contractor would need to remove 3+ walls. The 50% roof plan concept is not addressing tearing-down a home but rather defining restrictions to potential enhancements (second-story additions) to a home owner. Remember, the goal is to define "demolition," I think the definition should reflect such, and stick to what the intent of a demolition really is; the "removal" of the current structure.

Front Yard Set-backs: I generally don't have an issue with this legislative intent, and I don't think most of our neighbors do as well. I believe however, the language should allow a home to be moved forward to the same set-back as their next door neighbors, if their home was set-back further for some reason. Allowing a homeowner to move forward to the same set-back as their neighbors, enables an entire row of homes to be at the same set-back. Legislation shouldn't restrict individuals from being on par with their neighbors. In addition, I think the legislation should comment on front porches and make sure it is clear that a front porch is not where a set-back begins and that homeowners would be able to construct front porches.

Significant structure and HLC Decision/Determination: First, I am puzzled why this is part of the draft legislation. My understanding is that the city council decided to organize smaller neighborhood groups to debate whether structures are "significant" and what remodel/design changes are allowed. The city council said they wanted smaller neighborhoods to determine whether a LHD, Conservation District, or nothing would be the preservation tool for their neighborhood. I believe the city council made this decision because there has obviously been "NO" type of consensus from the neighborhood. In fact, from the meetings I have attended the majority of the citizens have vocally opposed a LHD). Therefore, in my humble opinion, intertwining the definition of significant structures and review by the HLC with a demolition definition, is undermining the neighborhood groups future decisions and potential future demolition rights if this legislation were to pass as drafted. I believe the entire concept of significant structures and review by the HLC should be removed from the legislation. I believe the city council included the "significant structure" definition because preservation of the Yalecrest character is at the heart of what they are intending to achieve. As a resident of this neighborhood, I want to preserve the visual cohesive collection of structures that define the Yalecrest neighborhood. Since the city council wants us to discuss this in our neighborhood groups I will actively voice my opinion on how that can be properly achieved. Again, my public comment would be to remove the definition of significant structures, and HLC decision/determination.

As I mentioned above, preservation is important to me and the neighborhood. That is why we chose to live in here. Below is a solution I hope, the city council and planning commission consider for the entire Yalecrest Neighborhood and what I will be personally promoting within my neighborhood review group. I personally believe it would unite the neighborhood in preservation rather than dividing neighbor against neighbor like the LHD discussion has done.

Solution: An influential Yalecrest Design Guideline: I would propose the HLC act as the Yalecrest architectural review board, reviewing all remodels additions, and demolition plans. This review board, which is already in place, would develop "architectural and preservation guidelines" that Yalecrest residences should consider when pursuing a remodel/addition or any architectural change. The HLC could use the guidelines presented by the U.S. Secretary of Interior Guidelines for repair, rehabilitation and alteration for Historic Districts. (I believe these are the same guidelines used by Local Historic Districts) The definition of "significant" structures presented in the draft legislation could be used however, the decision/determination of the HLC would only be recommendations and advisory to homeowners. Some might say a recommendation from an review board would not go far enough to preserve the historic character of the community. I completely disagree, and have listed ways the HLC review board would achieve its goal and even promote "non-significant" structure to want to be historic in their architecture. Yes, this doesn't stop teardowns like a LHD designation does, but it ensures that new structures are in

keeping with the historic nature of the community and I believe promotes growth, vitality, energy, and most of all mutual respect in the community.

- The HLC should hold annual or bi-annual meetings for local architects and developers to promote design guidelines. (The architects who work in this area would want to attend and promote the guidelines because becoming an expert in a certain area of ones field without fail yields more demand and more business) The reputation of developers and architects who work on homes in the Yalecrest area will be at stake with every home remodel or demolition.
- The HLC could post a 2-4 hr training session, (on u-tube) for homeowners, developers, and architects to understand and promote historic preservation and the HLC "guidelines". This training could be required for any plans submitted in the Yalecrest area. The HLC can provide a certification document for all architects/developers who complete this course to give them greater credibility in doing work in the area. The course would not be an incremental cost to all parties if presented on u-tube.
- If our community is still concerned about "mega-mansions", the HLC should review the current overlay district restrictions that controls lot coverage ratios, height, side and rear set-back rules.
- The HLC should evaluate and and present awards for projects that reflect excellence in historic preservation. The HLC should also recognize landscaping design and outdoor beautification with awards. Builders and architects should be publically recognized and awarded for remodels through mailers, newspaper articles, a preservation dinner etc.. The HLC Board can encourage attractive and compatible new remodels, additions by sponsoring annual or quarterly neighborhood house-walks.
- I would support a public notice of 30 days for any major remodel of demolition. Nearby neighbors should be able to comment on major remodels that could effect their own property rights. I believe respectful neighbors will understand one-another's impact with remodels and demolitions. They might not agree on everything, however, with the influence of neighbors, architects and developers. I believe the right decisions will prevail.

I am sure other steps can be taken to promote and ensure that Yalecrest "guidelines" are maintained without a commission or review board, like the HLC, dictating what is and is not allowed under a LHD Designation. I believe the above steps would properly motivate homeowners, architects and developers to construct remodels/additions with a historic preservation focus, yet, not restrict homeowners property rights, or ability to grow within the neighborhood. Architects and developer who abide by the HLC "guidelines" will develop reputations that keep our neighborhood historic and will motivate non-historic homes to think about constructive changes to their homes because the recognized developers and architects become proponents for such structures. Some structures that don't look historic will be changed because people will want to be like the rest of the neighborhood. It only takes one bad architect/developer to build a bad "garage-mahall" to basically run them out of the neighborhood.

I am of the mindset that if you properly incent or motivate people they will deliver more than what was expected. I believe that is what makes this state, city and community so great. An example I am familiar with that exemplify this concept is the University of Utah. The University of Utah is such an amazing technology creation University. (Recently ranked #1 in efficiency in starting companies, #1 in over all companies started, #2 in inventions generated.) The reason the University has been so successful is because it has created an environment with amazing professors, first class research facilities, and capital resources to grow new ideas. The University did not put restrictions or limits on individuals creativity or ideas. By empowering people with good ideas, (good "guidelines"), having the smartest experts, (HLC members) and the local financial resources, the Yalecrest Neighborhood will look better than it does now. It is about promoting the correct behavior not forcing people to behave as you want.

Last but not least, I want everyone to know my family and I moved to SLC about 1-year ago. We moved here from Glen Ellyn, IL, a city established in 1834 that is very historic and has had several movies filmed there because of it's historic charm. The city has a local historic district in the downtown area, however, for general residences they rely upon a strong and influential Architectural Review Board to ensure the historic character of the town is maintained. I can attest that the above solution works. The community takes pride in maintaining and preserving historic homes by imploring several of the steps I have listed above. Over the years, individuals use certain architects and developers because they are the ones respected by the locals for their preservation concern. It works, it is not the only town that has chosen to follow a Design Guideline approach. I am sure you were aware it was one of the solutions presented by

the Yalecrest Neighborhood Council and the solution, I believe we should be considering for the entire Neighborhood.

I hope you see I have tried to be proactive in providing concrete suggestions, and reasons the city council and city planning commission should consider these comments. I hope we can work together to achieve the same goal. I would be available to meet and discuss further at any time.

Thank you for your consideration.

Craig DeMordaunt

932 Military Drive, SLC UT 84108

tel: 801-657-5510

**Maloy, Michael**

---

**From:** fijifan@cox.net  
**Sent:** Monday, July 26, 2010 1:50 PM  
**To:** Maloy, Michael  
**Subject:** petition to change historic zoning

**Categories:** Other

We are joint owners of the property at 1883 Herbert Ave. It has been in our family for many years. We wish to submit our opinion against overturning the current zoning, turning the area we are in into a historical zone. It is not possible for us to attend the upcoming meeting but we would like our names added to those against changing the zoning of yalecrest as it now stands. Historical zoning areas do not work for all people. thank you Dr. John Adams & David Brown [fijifan@cox.net](mailto:fijifan@cox.net)

WILFORD H. SOMMERKORN  
PLANNING DIRECTOR

PATRICIA COMARELL  
ASSISTANT PLANNING DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
PLANNING DIVISION

RALPH BECKER  
MAYOR

FRANK B. GRAY  
COMMUNITY AND ECONOMIC  
DEVELOPMENT DIRECTOR

July 27, 2010

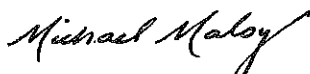
Mr. Harry Cagle  
1766 Yalecrest Avenue  
Salt Lake City, UT 84108-1840

Dear Mr. Cagle:

Thank you for calling me to express your position on the proposed YNC Yalecrest Neighborhood Character Overlay District. Based on our conversation, it is my understanding that you support the proposed zoning amendment subject to proper City inspections of new construction.

Thank you for your time and consideration in this matter.

Sincerely,



Michael Maloy, AICP  
Principal Planner  
(801) 535-7118



**Maloy, Michael**

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 9:51 AM  
**To:** Maloy, Michael  
**Subject:** FW: Ordinance

**Categories:** Other

I just forwarded this to the Planning Commission

---

**From:** Joanne Outzen [mailto:outzenj@hotmail.com]  
**Sent:** Tuesday, July 27, 2010 8:37 AM  
**To:** Planning Web Site Comments  
**Subject:** Ordinance

Dear Members of the Planning Commission,

We absolutely object to the new ordinance being proposed. The council needs to work **with** us to preserve the neighborhood so that we as homeowners do not give up our property rights.

Joanne and Michael Outzen  
1677 Yalecrest Avenue

---

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 9:54 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Coffey, Cheri; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana  
**Subject:** FW: proposed ordinance-Yalecrest

**Categories:** Other

---

**From:** Christine Jackson [mailto:bcjackson8@msn.com]  
**Sent:** Monday, July 26, 2010 11:28 PM  
**To:** Planning Web Site Comments  
**Subject:** proposed ordinance-Yalecrest

Dear Planning Commission Members:

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area. Judging from the meetings I have attended, there is a clear majority (70+%) who do not want any additional restrictions placed on building in our neighborhood. It is frustrating to see the city trying to impose this ordinance on our neighborhood when the majority of us have clearly stated that we don't want any additional regulation. Any actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,

Christine Jackson  
1803 Michigan Ave

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 9:54 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Coffey, Cheri; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana  
**Subject:** FW: Tear Downs and Major Remodels should be approved  
**Categories:** Other

---

**From:** Lynda Arnell [mailto:lyndaarnell@gmail.com]  
**Sent:** Tuesday, July 27, 2010 7:51 AM  
**To:** Planning Web Site Comments  
**Subject:** Tear Downs and Major Remodels should be approved

I live in the Yalecrest neighborhood and do not agree with the proposal for no tear downs or major remodels.

I urge you to vote against this proposal.

Sincerely,

Lynda Arnell  
1732 Hubbard Ave.

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 10:06 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana  
**Subject:** FW: Oppose proposed ban on demolitions and remodels  
  
**Categories:** Other

---

**From:** Larry Wall [mailto:lswall46@gmail.com]  
**Sent:** Tuesday, July 27, 2010 9:56 AM  
**To:** Planning Web Site Comments  
**Subject:** Oppose proposed ban on demolitions and remodels

Dear Sir/Madam:

I am a homeowner in the Yalecrest neighborhood. I **do NOT support** the Planning Commission's proposed ban on teardowns and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,  
Lawrence Wall

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 10:35 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana  
**Subject:** FW: yalecrest

**Categories:** Other

---

**From:** butch adams [mailto:butch@butchadams.com]  
**Sent:** Tuesday, July 27, 2010 10:21 AM  
**To:** Planning Web Site Comments  
**Subject:** yalecrest

Members of the Planning Commission,

As a long-time home owner and resident of the Yalecrest area I am strongly opposed to the Demolition Ordinance and/or Historical Designation of the Yalecrest area.

Over 60% of the houses in the Yalecrest area are 1000 to 2000 sq. ft., and have no option to expand except to add a second level. The restrictions in the ordinance are too severe for most of the homes in our neighborhood, and will have a net negative effect on the area.

When JT Martin and Jill Love conducted the neighborhood meetings, their presentations were very biased towards having a Historical District. I asked them directly why the meetings seemed so in favor of Historical Designation. Jill responded that she, JT and the city had no agenda, and that they would only vote according to the wishes of the majority of the residents.

At the City Council meeting at the end of June, Jill Love admitted that she was highly in favor of Historical Designation but was tired of the heavy opposition by the neighborhood residents and felt the City Council should lift the temporary restrictions and start over. Instead of lifting the moratorium, the City Council asked the City Planning Division to draft a new, even more restrictive ordinance. Then, the City Council sent out an email summarizing the new ordinance in very innocuous terms, masquerading the ordinance as the long-awaited tool to prevent tear-downs. What they didn't call out in their summary was that the word demolition has taken on entirely new and unexpected meanings. To add to the surreptitious behavior of certain City Council members, this ordinance has been drafted in haste, and is set to be reviewed and approved in an unrealistic timeline to beat the ticking clock that marks the expiration of the moratorium. All of this is taking place in a condensed time frame, in the months of July and August, when many people in the area are on summer vacations and are not present to voice their dissent!

Over 70% of the residents who attended the neighborhood and City Council meetings in the past couple months are against historical designation! How can the City Council, in good conscience, be trying to push this agenda through anyway?

I urge you to lift the temporary restrictions now and vote against the Demolition Ordinance!

butch adams

[www.butchadams.com](http://www.butchadams.com)

[butch@butchadams.com](mailto:butch@butchadams.com)

## Maloy, Michael

---

**From:** Debra K. Hill [dkhephill@hotmail.com]  
**Sent:** Tuesday, July 27, 2010 11:49 AM  
**To:** Maloy, Michael  
**Subject:** demolition ordinance

**Categories:** Other

Dear Historic Landmarks Commission c/o Michael Maloy,

We own a home in the Yalecrest neighborhood. We do not support the Planning Commission's proposed ban on teardowns and major remodels in our area. We feel that the current definition of demolition is too restrictive and may prevent much needed updates of homes on our street, including possible second story additions. (We are bordered on the East and West by one story homes that have been in disrepair and multiple violation of city codes for more than *a decade* and would much prefer them to be replaced by entirely new structures than continue as they currently are. We feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and we urge you to vote accordingly.

Sincerely,  
Dr. Robert D. and Debra K. Hill  
1876 East Herbert Avenue

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 1:21 PM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: Proposed Planning and Zoning  
**Categories:** Other

---

**From:** Todd Tanner [mailto:[todd@tannergroup.com](mailto:todd@tannergroup.com)]  
**Sent:** Tuesday, July 27, 2010 12:22 PM  
**To:** Council Comments; Martin, JT; Love, Jill  
**Cc:** Zuck, Cecily; Planning Web Site Comments  
**Subject:** Proposed Planning and Zoning

I want to make sure you are aware that I am against the proposed zoning ordinance. Except for a very few exceptions (and we can all point them out), the teardowns and major remodels have dramatically improved the quality of our neighborhood. I would encourage the proposed Planning Department "solution" be tossed and a new envelop criteria be established. I am deathly afraid this entire area, and especially my street, will become a rental graveyard. Rentals destroyed my previous neighborhood (Garfield Avenue) in the 70's and 80's. Over the last 20 years, the few rentals on my section of Harvard rapidly deteriorated to the point of being an eyesore and a blight. Luckily, the majority have now been sold and the new occupants have immediately made major investments and improvements. However, most of the new owners I have spoken to anticipated the ability to add a second floor in the future, this will be impossible under either the proposed zoning or the original Historical District designations. This whole scheme will have major unintended consequences. I wonder what I can rent my home for as it falls apart over the next ten or twenty years, because these 1930 style homes take an inordinate amount of maintenance and care. Something renters rarely have the resources to do.

By the way, five to ten years ago a large two story addition was added to the home kitty-corner to me and has blocked my view of the mountains. Overall, it is a nice home with a young family who probably need the extra room. It has turned once since the original "construction", the first family moved when he finished his medical residency. I do not know who the new family is but I can hear them laughing and playing across the fences. I am glad to have them, view or not.

Todd Tanner  
1742 Harvard Avenue  
Salt Lake City, Utah 84108  
[todd@tannergrp.com](mailto:todd@tannergrp.com)  
801-582-8100  
801-580-0966 mobile



## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Tuesday, July 27, 2010 1:22 PM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: Yalecrest  
**Categories:** Other

---

**From:** Cook, Todd [mailto:todd.cook@wellsfargoadvisors.com]  
**Sent:** Tuesday, July 27, 2010 12:25 PM  
**To:** Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT  
**Subject:** Yalecrest

Dear City Council Members,

As I have attended most of the public meetings or watched on TV the public meeting of July 6th, I feel **I am an informed resident of the Yalecrest Neighborhood**. I want you to know how disappointed I am with the process and the leadership involved in the process. This doesn't reflect well on our local government at all and has caused so many harsh feelings in the neighborhood!

I want you to know that I am extremely **opposed** to the "newest" demolition ordinance. I ask that you please **postpone your voting** and take additional time to **listen to the people** as they are becoming more informed and have additional ideas for you to consider.

Although I am **against** the creation of a Yalecrest Historic District, I am willing to work with those who are in favor to reach a solution for an agreement. Mostly, I believe in the process of working with the people who are my neighbors to discuss and find a way to resolve this matter.

I have lived in the Yalecrest neighborhood for more than 27 years and have parts of my home which need repair. I currently have an application in process for a structural repair and change to the front of my house. I started the process over a year ago with an architect. He completed the drawings within the guidelines of the existing ordinances and I have received permission and approval from all of my neighbors. As a long time property owner, I would like you to consider a "GRANDFATHER CLAUSE", thus allowing my drawings to be approved!

I would like to know that my property rights as a homeowner would always be equal to each of my neighbors, especially those whom have already completed their remodels!

Regards,

Todd J. Cook  
Senior Vice President - Investment Officer  
Wells Fargo Advisors, LLC  
201 South Main Street, Suite 160  
Salt Lake City, Utah 84111  
Tel 801-531-3921 direct  
Fax 801-535-4099  
Toll-free 800-662-3733

## Maloy, Michael

---

**From:** Leith, Carl  
**Sent:** Tuesday, July 27, 2010 4:51 PM  
**To:** Gust-Jenson, Cindy; Planning (All)  
**Subject:** FW: Avenues Historic District experience

**Categories:** Other

A note relating to HD experience in the Avenues HD, relative to questions asked in more than one recent YC meeting.

Thanks,

Carl

-----Original Message-----

**From:** Jim Jenkin [mailto:jim.jenkin@hsc.utah.edu]  
**Sent:** Tuesday, July 27, 2010 4:41 PM  
**To:** Leith, Carl  
**Cc:** Dave Van Langeveld; Card, Quin  
**Subject:** Avenues Historic District experience

Carl,

It was a pleasure talking to you today. I understand that the Avenues' experience with the Avenues Historic District has been questioned at several community meetings regarding the proposed Yalecrest District. In my experience the Avenues Historic District is integral to the success of the Avenues as a community and to the retention of real estate value in the area. Simply stated, homes that are renovated in conformity with the requirements of the Avenues Historic District hold their value, sell quickly (therefore remaining occupied) and protect the value of the surrounding properties. Further, Historic Landmarks Commission oversight provides a necessary further check against abuses of the zoning ordinances. This will be enhanced by giving the HLC the ability to propose ordinance changes. While there are always some rough spots and dissatisfaction (particularly with design standards and delays in process) the cumulative effect is to produce a stable, more predictable neighborhood, increasing the quality of life for all.

Please share these comments with the HLC, Planning Commission and City Council Staff, and with others as you see fit. I look forward to discussing this again after I return from Alaska.

Sincerely yours,

Jim Jenkin  
Chair  
Greater Avenues Community Council

## Maloy, Michael

---

**From:** Sommerkorn, Wilford  
**Sent:** Tuesday, July 27, 2010 5:08 PM  
**To:** Maloy, Michael  
**Subject:** FW: Proposed Ban on Teardowns & Major Remodels

**Categories:** Other

*Wilf Sommerkorn*  
Director  
Salt Lake City Planning Division

---

**From:** Gust-Jenson, Cindy  
**Sent:** Tuesday, July 27, 2010 2:01 PM  
**To:** Historic District  
**Subject:** FW: Proposed Ban on Teardowns & Major Remodels

---

**From:** Council Comments  
**Sent:** Tuesday, July 27, 2010 1:52 PM  
**To:** City Council Members  
**Cc:** ccFront Office; City Council Liaisons; Jardine, Janice  
**Subject:** FW: Proposed Ban on Teardowns & Major Remodels

Good Afternoon,

Below is a comment from Backie Winston, a homeowner in the Yalecrest neighborhood. She is strongly opposed to the Planning Commission's proposal and urges the Council to be in accordance with the prevailing opinions of the affected homeowners.

Thanks,

**Mellisa Ridgeway**  
Staff Assistant  
City Council Office  
(801) 535-7615

---

**From:** beekiewinston@aol.com [mailto:beekiewinston@aol.com]  
**Sent:** Monday, July 26, 2010 10:44 PM  
**To:** Beckiewinston@aol.com  
**Subject:** Proposed Ban on Teardowns & Major Remodels

I am a homeowner in the Yalecrest neighborhood and I am strongly opposed to the Planning Commission's proposed ban on teardowns and major remodels in my area. I think that the actions of the Planning Commission and City Council should be in accordance with the prevailing opinions of affected homeowners and I urge you to vote accordingly.

Sincerely,

## Maloy, Michael

---

**From:** Sommerkorn, Wilford  
**Sent:** Tuesday, July 27, 2010 5:22 PM  
**To:** Maloy, Michael  
**Subject:** FW: Yalecrest Overlay

**Categories:** Other

*Wilf Sommerkorn*  
Director  
Salt Lake City Planning Division

---

**From:** Sue Hiller [mailto:lucindadog510@hotmail.com]  
**Sent:** Tuesday, July 27, 2010 12:20 PM  
**To:** Sommerkorn, Wilford  
**Subject:** Yalecrest Overlay

Dear Mr. Sommerkorn:

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area!!!! No way, no how!!!! I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly. After all the neighborhood support AGAINST the proposed LHD, why are you and the council trying to STILL push rules/guidelines which are too restrictive. I think it is very interesting Mr. Martin was able to remodel his house without any flack, yet now the City is trying to prohibit us from making worthwhile improvements. Why are you people SO interested in pushing something through which does not benefit the MAJORITY of homeowners?

Sincerely,  
S. Osten  
862 S. Diestel RD  
Salt Lake City 84105

---

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Wednesday, July 28, 2010 10:42 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: Yalecrest Overlay  
**Categories:** Other

---

**From:** michael osten [mailto:moglass@comcast.net]  
**Sent:** Tuesday, July 27, 2010 5:54 PM  
**To:** Planning Web Site Comments  
**Subject:** Yalecrest Overlay

Dear Planning Commission:

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area!!!! No way, no how!!!! I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly. After all the neighborhood support AGAINST the proposed LHD, why are you and the council trying to STILL push rules/guidelines which are too restrictive. I think it is very interesting Mr. Martin was able to remodel his house without any flack, yet now the city is trying to prohibit the rest of the Yalecrest community from making worthwhile, and much needed improvements. Why are you people SO interested in pushing something through which does not benefit the MAJORITY of homeowners? The MAJORITY of homeowners are shocked at the level of interference by your department and the city. What's next, gates?

Sincerely,  
M. Osten  
862 S. Diestel RD  
Salt Lake City 84105

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Wednesday, July 28, 2010 10:44 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: Proposed Planning Commission regulations on demolitions  
**Categories:** Other

---

**From:** Meiling Yang [mailto:myling888@yahoo.com]  
**Sent:** Tuesday, July 27, 2010 6:07 PM  
**To:** Planning Web Site Comments; Zuck, Cecily  
**Subject:** Proposed Planning Commission regulations on demolitions

As a practicing sociologist whose publications have appeared in journals for more than two decades, I can say this: the function of a bureaucracy is to perpetuate itself. That is, the bureaucratic process inherent in the proposed Planning Commission regulations on demolitions will interpose itself between those of us in the Yalecrest Community and our homes. According to my experience, those regulations would prevent us from being masters of our own homes. I urge you to vote against them.

-- Ernest Volinn  
1603 E. Princeton Ave.  
Salt Lake City , UT 84105

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Wednesday, July 28, 2010 10:44 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: yalecrest overlay---against.  
**Categories:** Other

---

**From:** Jim Joelle [mailto:jimjoelle@yahoo.com]  
**Sent:** Tuesday, July 27, 2010 8:57 PM  
**To:** Planning Web Site Comments  
**Subject:** yalecrest overlay---against.

a few comments about the Yalecrest Overlay.....simply...**I am against it.**

My name is Jim Robinson.  
I live at 1749 Michigan Ave, and own the home.

I attended the planning session last week and am too busy with my family to attend Wednesday's meeting.

- The definition of a demolition will limit second story additions...I am against that.
- The currently ordinance (which has had little review) is anti-family...We need more families in the neighborhood.
- The process is rushed!!!! please let's do this slowly.

Please, do your part to get consensus from the community before this gets voted on.

Thank you

Jim

**Maloy, Michael**

---

**From:** Hasenberg, Angela  
**Sent:** Wednesday, July 28, 2010 10:44 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: Do Not Support Ban on teardowns  
**Categories:** Other

---

**From:** Kristyn Efstratis [mailto:knefstratis@gmail.com]  
**Sent:** Tuesday, July 27, 2010 9:12 PM  
**To:** Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT; Mayor  
**Subject:** Do Not Support Ban on teardowns

Dear Members of the City Council,

I am a homeowner in the Yalecrest neighborhood. I do NOT support the Planning Commission's proposed ban on teardowns and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,

Kristyn & Nick Efstratis

1874 Michigan Avenue



## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Wednesday, July 28, 2010 10:45 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: From Jonathan and Suzette Baird 1816 Michigan Ave  
**Categories:** Other

---

**From:** Jon Baird [mailto:jon@bwfin.com]  
**Sent:** Tuesday, July 27, 2010 9:20 PM  
**To:** Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT; Mayor  
**Subject:** From Jonathan and Suzette Baird 1816 Michigan Ave

To Whom It May Concern,

We, Jonathan and Suzette Baird, your neighbors, DO NOT support the Planning Commission's proposed ban on teardowns and major remodels in my area. We live on 1816 Michigan Avenue and love love our street. Our street has been referenced to several times in these ongoing debates. Also if you look at how beautiful our street is, it is because these homes on Michigan Ave HAVE been majorly remodeled and torn down. All the building has only made our street more beautiful and desirable.

We just got back from touring neighborhoods very similar to ours in Palo Alto, CA and the Piedmont neighborhood between Oakland and Berkley. These neighborhoods have remained beautiful and vibrant and VERY DESIREABLE to live in because they have allowed themselves to remodel and tear down. If they had passed a restriction on all teardown/remodels their neighborhoods would have become less desirable and my wife and I certainly would not have been touring their beautiful neighborhoods.

Please do not make the terrible mistake of thinking that limiting tear downs and add-on's will make our neighborhood a more desirable place to live. All you will accomplish is to age our neighborhood and to flood it with renters. Please allow our neighborhood to continue as it is. I would be okay with creating a system of guidelines to keep our homes within an agreed upon style and limiting them to a certain size percentage of their lots to avoid neighbor encroachment and over-sizing. But to ban tear downs and major remodels will AGE this area, drive down VALUES, drive out FAMILIES and create a transient rental pool that will substantially hurt our beautiful area.

Please vote against this proposed ban.

Jonathan & Suzette Baird  
1816 Michigan Ave

## Maloy, Michael

---

**From:** Hasenberg, Angela  
**Sent:** Wednesday, July 28, 2010 10:49 AM  
**To:** Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless  
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne  
**Subject:** FW: Support limiting teardowns and major remodels  
**Categories:** Other

---

**From:** Elisabeth Barry [mailto:[elisabeth\\_barry@hotmail.com](mailto:elisabeth_barry@hotmail.com)]  
**Sent:** Tuesday, July 27, 2010 9:36 PM  
**To:** Zuck, Cecily; Planning Web Site Comments; landmarks@slcgov.com; Council Comments  
**Subject:** Support limiting teardowns and major remodels

Dear Representatives of the City Planning Commission, City Council and Historic District Committee:

I am a homeowner in the Yalecrest neighborhood. I support the proposed ban **limiting** teardowns and major remodels. I support limits, not total bans, where exceptions can be heard and considered on a case-by-case basis.

Actions by the Planning Commission and City Council should reflect the prevailing opinions of affected homeowners, and I urge you to vote accordingly. Thanks for trying to take the pulse of the community.

Sincerely,

Elisabeth and Dave @ 1049 Military Drive

Confidentiality: Contents of this email, my email address and any attachments are intended solely for you, the recipient. Do not forward any part without asking. If you've been forwarded this email by someone other than me, please notify me.



Planning Division  
 Department of  
 Community &  
 Economic  
 Development

OPEN HOUSE - JULY 28 2010  
 PETITION PLNPCM 2010-00448  
 YNC Yalecrest Neighborhood Character Overlay  
 District

COMMENT CARD

Name: BROOKE TEW  
 Address: 1187 So. 1500E.  
 Phone: 801-243-0015  
 Email: brocta@sina.com  
 Comments/Suggestions:

TO - PLANNING Commission / CITY COUNSEL

I JUST RECEIVED AN EMAIL INFORMING ME OF THE PROPOSED CHANGES TO THE YALECREST OVERLAY. I WAS ESPECIALLY TROUBLED BY THE DEFINITION OF WHAT WOULD CONSTITUTE A DEMOLITION. THE NEW PROPOSAL WOULD NOT ALLOW ANYTHING OVER 50' OF THE ROOF STRUCTURE TO BE CHANGED (AS I UNDERSTAND IT). THIS IS A SIGNIFICANT HARDSHIP AND, IN MY OPINION, A BREACH OF THE PROPERTY OWNERS RIGHTS TO THEIR "Pursuit of HAPPINESS" AS FAR AS THEIR HOME IS CONCERNED. THEY SHOULD HAVE THE RIGHT TO TASTEFULLY & ARCHITECTURALLY ALTER OR DEMO & RE-BUILD SOMETHING THAT WILL ENDOURE STRUCTURALLY AND COMPLY WITH REASONABLE SIZE CONSTRAINTS. I AM IN FAVOR OF RETAINING THE CHARM & SCALE OF THESE NEIGHBORHOODS. I AM NOT IN FAVOR OF TRAMPLING OVER THE DREAMS OF A LONG TERM HOME OWNER THAT HAS FINALLY REACHED THE POINT OF BUILDING THEIR DREAM JUST SO THE POWERS THAT BE SAY NO.

Use back side if needed.

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.

PLEASE RE-CONSIDER A LESS RESTRICTIVE OPTION!

***Attachment C – Planning Commission Briefing Notes***



**Planning Commission Briefing (Staff Notes)**  
**PLNPCM2010-00448 & PLNPCM2010-00461**  
**Yalecrest Neighborhood Character Overlay District**  
**July 28, 2010**

- Commissioner Wirthlin      Why was part of the national district area taken out of the temporary ordinance area?
- Commissioner Fife      How does a demolition request work now?
- How is what is proposed for the process of a demolition in this ordinance different from that in a local historic district?
- Commissioner Woodhead.      How many of the structures in the area were built between 1942 and 1960 (relating to the 50 year vs. 1942 year issue.
- Is there a way to put on a second story that is setback to preserve the streetscape character?
- Commissioner Dean.      The intent of the ordinance is to preserve the character. There is nothing in the proposed ordinance that would prohibit putting a second story addition that doesn't constitute 50% of the roof on the front half of the building. If this were done, it wouldn't preserve the character.
- Commissioner Hill.      Clarify the intent. Why did the City Council request this ordinance? Is there any way to adopt a moratorium for the area? (No. State law limits temporary regulations to six months and there is already one in place. You can't keep putting new temporary ordinances in place)
- Vice Chair Algarin      There have been 28 demolition applications in the area. How many of those projects would have been affected by this new demolition ordinance (a majority). The limitations on demolition are way too excessive. The number of houses already remodeled is huge. The issue for the area is monster houses. Most of the remodels and new houses that have been completed fit in well with the area. Any remodeling project is already a long process. An extra year delay just adds to that.

Rather than have a year delay for an answer, you might as well just say no to the demolition.

- Chair Delay                      The reason people remodel is that they want to stay in the neighborhood. They need room for their family to grow. They need more space. Second Story additions are needed. They want to invest in the neighborhood. Most of the homes from the 1940s, where they want to remodel are small tract homes. These people need to be able to demolish 100% of the roof in order to do a second story addition. The Historic Process is very difficult. It is hard to make changes. The problem for the neighborhood is monster homes and bad remodels. The 50% or more change to the roof is not demolition and should not be part of the definition.
- Commissioner McHugh            Doing nothing is not an option. We must address tear downs and the monster home issues. The demolition delay is a tricky concept. I don't think it is ok. Changing the roof and allowing a second story addition would change the neighborhood character.
- Commissioner Hill                The issue needs more study to ensure that the Planning Commission is doing the right thing for the City. We need to have time to research and prepare character preservation guidelines. We need to protect the charm and dignity of the neighborhood.
- Director Sommerkorn.            Are you saying that you would be ok with the second story additions but they would need to meet design guidelines for the second story addition?
- Commissioner Dean.              Is the area worthy of being a local historic district (yes. It is already a national historic district and would most likely meet the criteria for a local historic district)
- Commissioner Woodhead.        The ordinance is heading in the right direction but the historic process is too onerous. She is concerned with 2<sup>nd</sup> story additions. People have a desire to have bigger homes and she would like to provide some type of leeway for smaller homes to be modified so they can have more room.
- She is nervous with the process to determine significant structure. Property owners need certainty in the process and have a right to consistent decisions.
- Commissioner Hill.                Agrees with Mary. Historic regulations are too stringent. Adding a second story should not be an issue. The important point is preserving the character of the neighborhood. Perhaps a second story would trigger the

need to meet character principals to preserve the feel of the neighborhood.

- Commissioner Fife      Several houses have been torn down and built back to fit in with neighborhood. Those who did it before the regulations are ok. It seems unfair that those who didn't make changes to the homes before will have to meet the new, stringent ordinance requirements. Is this a taking? (No. Zoning changes. This is more like a grandfather provision).
- Vice Chair Algarin      People who remodel intend one thing, but once they get into the project, they may find they have to do much more to the structure than they intended (upgrade unsound walls, etc.)
- Chair Delay      Talk with some contractors who work in the area and ask them if the proposed ordinance would work for the types of projects they do in the neighborhood.
- Commissioner Woodhead      The demolition delay is very onerous because if you have to wait a year, financing, credit, interest rates etc., may all have changed and you may not be able to afford the project any more.





***Attachment D – Department Comments***



## CITY DEPARTMENT REVIEW

**Project:** Proposed Yalecrest Neighborhood Character Overlay District

**Applicant:** City Council

---

**Department/Division:** Public Utilities

**Reviewer:** Jason Brown

**Phone:** 483-6729

**Review Comments:** While Public Utilities has no objection to the preservation of the Yalecrest neighborhood, it should be understood that the subsurface utilities have a much shorter life than the structure itself. Many utility laterals require heavy maintenance and/or justify replacement after about 60 years. This should be considered with appropriate measures to allow for the home owner to replace utility laterals as necessary to keep them in proper working order.

**Department/Division:** Engineering

**Reviewer:** Randy Drummond, P.E.

**Phone:** 535-6204

**Review Comments:** We have no concerns regarding this proposed change.

**Department/Division:** Transportation

**Reviewer:** Barry Walsh

**Phone:** 535-7102

**Review Comments:** The proposal for development of regulations that include refining what constitutes a demolition, requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmarks Commission and that the front setback of the existing structure must remain the same for any proposed building plans for new construction or remodeling, does not represent impacts to existing vehicular parking regulations or public way transportation corridors.