

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 315, 451 South State Street
February 3, 2010**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on February 3, 2010.

To download the FTR player and listen to audio excerpts from the record, click [here](#).

A regular meeting of the Historic Landmark Commission was held on February 3, 2010, at [6:06:05 PM](#) in Room 315 of the City and County Building, located at 451 South State Street, Salt Lake City, Utah, 84111.

Commissioners present for the meeting included: Earle Bevins, III, Bill Davis, Thomas Carter, Sheleigh Harding, Creed Haymond, Warren Lloyd, Chairperson, Anne Oliver, Vice Chairperson and Dave Richards. Commissioners Arla Funk and Polly Hart were excused from the meeting.

Planning staff present for the meeting were: Cheri Coffey, Assistant Planning Director; Doug Dansie, Senior Planner; Janice Lew, Senior Planner; Ray Milliner, Principal Planner; Paul Nielson, City Attorney; Katia Pace, Associate Planner; Joel Paterson, Planning Program Manager and Angela Hasenberg, Acting Historic Landmark Commission Secretary.

A field trip was held prior to the meeting at 4:00 p.m. The field trip was attended by Commissioners Bevins, Carter, Harding, Haymond, Richards, Chairperson Lloyd and Vice Chairperson Oliver. A quorum was present. Field trip notes are included with the record of the minutes in the Planning Division Office.

WORK SESSION [5:29:15 PM](#)

Chairperson Lloyd noted that during the field trip the Commission had visited a public stair on 4th Avenue and that Public Utilities and Planning Staff were seeking input from the Commission regarding whether or not they would feel comfortable with staff reviewing requested changes.

Ms. Lew stated that there was a Certificate of Appropriateness issued for maintenance repairs to the stair as well as for some lighting and railing changes. She noted, however, that the proposal had been adapted and that Dell Cook from City Engineering was present to discuss those adaptations.

Dell Cook, project manager, stated that initially, funding was available to remove the stairway and replace it in kind. Mr. Cook noted that Public Utilities had revealed there was a structurally sound water main that would be impacted and Public Utilities did not have funding available to replace it at this time. Mr. Cook stated Public Utilities had therefore requested that Engineering explore the possibility of a tactical repair of the stair rather than an outright replacement.

Rob Donegan, design consultant for the project, presented the proposal for the Commission. He stated that they would repair existing walls as best as possible, install a handrail to bring the stairway up to code, and install a woven wire mesh around existing railings. Mr. Donegan noted that they had met with the Greater Avenues Community Council, which had suggested the project attempt to match the railing and indirect light fixtures in a forest green color. Mr. Donegan stated that they would pour new concrete stairs

and landings and selectively replace damaged portions of the retaining walls. He noted they would clear a few trees and invasive ivy, replacing them with lower vegetation and groundcover to control erosion.

Mr. Cook stated that the irrigation system had not been functional in that area for approximately twenty years and would be replaced as well.

Vice Chairperson Oliver inquired what kind of irrigation system it would be.

Mr. Cook noted it would be a drip irrigation system.

Vice Chairperson Oliver inquired if the history of the stair had been researched.

Mr. Donegan noted he had viewed photos from circa 1914-1915 when it was under construction and when it was completed. He stated that they had found no construction documents, but there were still cost specifications in existence. Mr. Donegan stated that the current stair was very much a patchwork of original concrete, repairs and salvaged materials reused on site.

Chairperson Lloyd stated he did not wish to cut the issue short, but noted the Commission should make a determination as to whether they wanted to review the issue in greater detail or defer the issue to staff, referring their comments to Ms. Lew.

Commissioner Carter noted he was comfortable with the proposal as discussed.

Commissioner Haymond concurred.

Chairperson Lloyd thanked both Mr. Cook and Mr. Donegan for their efforts and noted they could work with staff to forward the issue.

Chairperson Lloyd noted that there were two other items they did not have the chance to review during the work session; first, a discussion regarding the priorities which arose from the Historic District Prioritization document created by staff. He noted that they could defer it to the end of the public hearings that evening.

Commissioner Harding stated she believed this would be appropriate.

Vice Chairperson Oliver concurred.

Chairperson Lloyd stated that the Community Council representatives present should review the document and present to the Commission how they would prefer to move forward and return with any questions they might have.

Chairperson Lloyd noted that they had also not received an update on open preservation positions.

Pat Comarell, Assistant Planning Director, stated that staff had recently completed interviews with several promising individuals and had submitted offers to two, which had been accepted; first, to Janice Lew, a promotion to Senior Preservation Planner, and secondly, to a Mr. Carl Leith from Ireland, who had worked in London and more recently in the United States in South Carolina and Colorado. Ms. Comarell stated that Mr. Leith brought a very strong urban preservation background to the City. She noted that Mr. Leith had worked extensively within conservation districts and if the City chose to move forward in this vein for an area, they would have an experienced staff member on board to help guide the process.

At this time the Commission moved to Room 315 of the City and County Building to continue that evening's agenda proceedings. Commissioner Lloyd called the meeting to order at 6:06 p.m.

APPROVAL OF THE MINUTES from October 7, 2009 and December 2, 2009. [6:07:07 PM](#)

It has been noted that Commissioner Davis was present during the field trip on December 2, 2009.

Vice Chairperson moved to approve the minutes from October 7, 2009. Commissioner Haymond seconded the motion. Commissioner Richards abstained from the vote. All others voted "Aye". The minutes stand approved.

Commissioner Harding moved to approve the minutes from December 2, 2009. Commissioner Haymond seconded the motion. All voted "Aye". The minutes stand approved.

REPORT OF THE CHAIR AND VICE CHAIR [6:09:12 PM](#)

Chairperson Lloyd congratulated staff member Janice Lew on her promotion to Senior Preservation Planner.

Vice Chairperson Oliver noted she had nothing to report.

PUBLIC COMMENTS [6:09:54 PM](#)

Cindy Cromer, 816 East 100 South, stated that after experiencing a great deal of frustration in attempting to receive a permit to install a handrail at a property which she owned, she would like to see the Commission reinstate their awards program as well as attempt to add some further incentives for historic preservation within the local community. Ms. Cromer stated she had sent a list of possible incentives to the staff and the Commission for review.

George Kelner, 1000 Military Drive, stated he was very concerned about historic preservation within the Yalecrest neighborhood and wished the Commission to move forward as soon as possible on the issue. Mr. Kelner stated that he believed Yalecrest was in great danger of losing more of its historic character as it was experiencing more tear downs than any other neighborhood in the state of Utah. He noted that this troubled residents greatly and that the previously adopted Compatible Infill Ordinance was not doing enough to preserve the character of the neighborhood.

Commissioner Richards inquired of Mr. Kelner what it was he felt was not working in the Compatible Infill Ordinance.

Mr. Kelner responded that the Infill Ordinance still allowed the tearing down of significant homes and rebuilding of larger "Mc-Mansion" style housing. Mr. Kelner stated that it was also visible in newer additions which often more than doubled the size of the original home, all of which was allowed under the Infill Ordinance. He stated it was unclear what should be acceptable and what not acceptable and it was tearing the neighborhood apart.

Seeing no one else wishing to speak to an item not on the evening's agenda, Chairperson Lloyd closed the Public Comment portion of the meeting and moved to the briefing.

BRIEFING [6:19:24 PM](#)

PLNPCM2010-00510 – North Temple Boulevard Station Area Plans – An amendment to the West Salt Lake and Northwest Community Master Plans regarding station area plans along the Airport Light Rail Line. Planning Staff will review the major components of the Plan with the Historic Landmark Commission. Copies of the Plan are available on the project website at: www.northtempleboulevard.com. (Staff contact: Nick Norris at 801-535-6173 or nick.norris@slc.gov.)

Chairperson Lloyd recognized Nick Norris as Staff Representative.

Mr. Norris noted he was present to update the Commission regarding the progress of the Plans and even though the Plans did not affect many local historic resources, it was part of significant general land use policy for the City. Mr. Norris noted that this was a community-driven effort, centered on the concept of transit-oriented development.

Mr. Norris noted staff had held a number of public workshops; had gone out to the Community Councils along the corridor and had created an advisory committee comprised of local business owners, stakeholders and community members. He noted that comments gathered during these meetings had helped guide the vision and strategies laid out within the Plan.

Mr. Norris reviewed some of the Plan highlights, including:

- Place making. Create places people want to be: streets, sidewalks, cafes with outdoor dining and so forth.
- Enhance the range of uses surrounding each station. Varied uses will help create more jobs, draw more residents and build a more unified community.
- Circulation and connectivity. Highlight unique patterns along the corridor such as at 800 West where blocks are smaller and more rectangular than typical Salt Lake City blocks.
- Compatibility. Capitalize upon vibrant and unique neighborhoods along the corridor and promote compatible development within those neighborhoods.
- Parking. Create a market based model of parking, limiting the maximum amount of parking throughout the area.
- Art in Transit. Add art installations at station platforms.
- Station Areas. Identify common characteristics of station areas and develop subsequent compatible zoning regulations for the different types of stations such as urban center stations where uses are more commerce centered and residential stations where uses compliment residential living. Develop connectivity, mobility, place making and a mix of uses at all station areas.
- Safety. Promote greater safety through the creation of complete streets, adequate lighting and aid crime prevention through the use of environmental design concepts.
- Revitalization of the Utah State Fair Park. Promote more activity, a wider array of uses and increase the openness of the area.
- Reactivation of the Jordan River Trailhead. Revitalize it as a centerpiece for the community.
- Activation of major customer service employment corridors.
- Creation of a bus corridor along 2200 West. Connect nearly 12,000 workers to the transit system.
- Improvement of corridors and connectors. Incorporate landscaping, sidewalks and bike lanes for the community.

Mr. Norris reviewed conceptual drawings for the 800 West Station Area. He noted that a major desire of the community was to increase residential density in the area and encourage a greater emphasis on place

making in order to attract more residents and major businesses to the neighborhood. He stated that the highest uses typically would occur within half a mile of the Station and would require a density range of 30-50 units per acre. Mr. Norris stated that the 800 West Station Plan also intended to bring a portion of City Creek above ground.

Mr. Norris noted that planning for the North Temple Viaduct Station would begin within the next week with open houses scheduled throughout February to gather public comments. He stated that one of the key concepts would be to create a new zoning district using a community based approach. Mr. Norris noted staff would be attempting to use public comment to create a shorter list of uses not allowed in the area to grant some flexibility rather than staff creating a less flexible table of uses that might not reflect the desires of the community.

Mr. Norris stated that staff had requested City Council designate areas along the corridor currently within the CC (Corridor Commercial) and CS (Community Shopping) Zoning Districts to the temporary TC-75 (Transit Corridor 75) District; primarily to maintain the ability to keep an 8' wide park strip and 10' wide multi-use path along both sides of the road. He noted that the City Council had granted the interim zoning request which would expire at the end of six months.

Questions from the Commission [6:41:27 PM](#)

Chairperson Lloyd inquired if there was likely to be any impact upon adjacent historic neighborhoods.

Mr. Norris noted that they did not envision much impact as there were very few historic resources in the area. He noted that the obvious resources to preserve were the State Fairpark Buildings, the Fisher Mansion, stable areas in the Jackson Neighborhood and the Euclid Neighborhood which was being recommended for some form of preservation.

Chairperson Lloyd noted that in the case of the upcoming Sugar House streetcar system, it would be immediately adjacent to two historic districts.

Mr. Norris noted that while the Sugar House project was not yet a reality, staff would likely explore alternative zoning solutions to address the issue at that time.

PUBLIC HEARINGS [6:43:26 PM](#)

PLNHLC2009-01346 – Eastside Apartments – (Issues Only) a request by PEG Development for New Construction located at approximately 556 East 300 South. The subject property is located in an RMF-35 (Moderate Density Multi-Family Residential), RO (Residential Office) and RMU (Residential Mixed-Use) zoning districts, all proposed to be rezoned to RMU, in Council District 4, represented by Luke Garrott. (Staff contact: Doug Dansie at 801-535-6182 or doug.dansie@slcgov.com.)

Staff Presentation [6:44:09 PM](#)

Mr. Dansie reviewed the project noting that the evening's hearing did not require any decision from the Commission; it was an issues only hearing to gather information from the Commission and members of the public. Mr. Dansie noted that the proposed development would consume most of the block between 500 East and 600 East and 300 South and 400 South. He noted that the subject development was originally approved as part of Emigration Court. Mr. Dansie stated that the current apartments were the end result of phase one. He noted the second and third phases, while approved at the same time, could not be built before the sunset clause attached to the original approval expired.

Mr. Dansie noted that the current proposal was very similar to the original; they shared a parking structure at the center of the block, proposed a rezoning of the site to all Residential Mixed Use. He noted that the preliminary design attempted to answer some of the concerns from the first proposal, primarily, as 600 East was the literal spine of the Central City Historic District a landscape setback of 15 feet should be maintained. He noted that the height of the building on 600 East had also been lowered.

Mr. Dansie stated that the petitioners had been before the Community Council which had expressed some concerns, predominantly that it looked too much like a suburban apartment complex and it should instead reflect the character of the primarily residential neighborhood.

Mr. Dansie noted that as the project required approval from a number of City entities staff suggested a joint subcommittee to work out certain details of the project.

Applicant Presentation [6:49:14 PM](#)

Cameron Günter, owner of PEG Development, noted that his company was under contract with the property owners to develop the project and he wished to arrive at an equitable solution for all involved parties.

Jory Walker, project architect, reviewed the project for the Commission. He noted he was seeking input from the Commission regarding the project's massing and general design. Mr. Walker presented several electronic elevation drawings and three dimensional massing models for the project. In general, he stated the project sought to create a senior assisted living center on 600 East to address the residential character of the streetscape and the other elevations of the project would rise to four and five-story modern residential living structures.

Mr. Walker noted that they had presented an original brownstone design concept during the original hearings which had been considered too urban and they were therefore requesting some guidance from the Commission regarding an appropriate direction. He stated that they had taken several photos around the area and had identified several architectural elements which might be simplified or modified and used in the project design.

Questions from the Commission [7:00:13 PM](#)

Chairperson Lloyd inquired if the east side plaza space and the 'U' shaped courtyard on 600 South would both be on grade and ADA accessible.

Mr. Walker noted they would be on grade and accessible.

Commissioner Richards inquired how far the six-story element of the project would be set back from 600 South.

Mr. Walker noted that it would be about 80-90 feet from the streetscape to the face of the six-story element.

Commissioner Haymond inquired if there would be parking on 600 East as indicated in one of the elevation drawings.

Mr. Walker noted parking would not be allowed and therefore it would instead be landscaping.

Commissioner Carter inquired if the plaza would be activated in the winter.

Mr. Walker stated they had attempted to make it more of an urban, hardscaped plaza to activate it during all seasons.

Public Comments [7:06:40 PM](#)

Cindy Cromer, 816 East 100 South, noted she had been present in January at the Central City Community Council and was pleased that investors felt confident enough to again invest in multiple unit housing in the area. Ms. Cromer stated that the block had not fared well previously and she wished to see it succeed. Ms. Cromer noted that she believed the critical issue would be the scale and massing of the project and hoped the Commission would not compromise on the issue. Ms. Cromer noted that most of the existing 300 South walk-ups were rectilinear in nature and arches were not a present element.

Seeing no one else present wishing to speak to the issue, Chairperson Lloyd moved the hearing into Executive Session.

Executive Session [7:09:55 PM](#)

Chairperson Lloyd noted the Commission should discuss their thoughts regarding the proposal to give the applicant some sense of direction.

Vice Chairperson Oliver noted she believed mass and scale were the most important elements, as identified earlier by Ms. Cromer. She stated that it was currently very rectilinear and that recesses within the design might assist in breaking up the mass, stepping in on the corners or possibly creating a loggia on the top floor.

Mr. Walker clarified that this would mean reducing the height on the senior living center would become two full stories rather than three.

Vice Chairperson Oliver noted that this was correct and it might assist to soften the overall mass of the project. She stated she also was not in favor of the brownstone design concept with front stoops as it was not a common element in Salt Lake City. She stated that covered porches were a much more common element of residences throughout Salt Lake City.

Chairperson Lloyd noted that increasing fenestration at that elevation might also increase the success of the project. Chairperson Lloyd noted that the interior of the block might include a step up to the six story element might help to reduce the perception of the larger overall mass.

Mr. Walker thanked the Commission for their direction and noted that by pushing him, he could come up with a better design.

Vice Chairperson Oliver noted that she did not feel the Commission was tied to making the building resemble a three story walk up, the massing and scale were of greater importance.

Commissioner Richards noted he could speak to the design somewhat, stating he didn't believe the barrel vaults and hipped roofs would work, particularly within that neighborhood. He noted he would suggest the incorporation of more flat roofs and a rectilinear form to create a more urban feel.

Commissioner Carter noted he was concerned about the massing as well and it would take some thought to arrive at solutions for the project. He stated urban plazas worked well when activated by retail or other

elements which made them more attractive during colder months. He noted the applicant might consider making several smaller buildings or incorporating light wells to bring light and greater circulation into the central courtyard area. He stated he was also concerned that the Secretary of Interior's Standards called for a differentiation between old and new architecture and rather than mimicking surrounding structures the project provided the opportunity to supply some modern inspiration.

Chairperson Lloyd inquired what the restraints of the use on the streetscape would be.

Mr. Dansie noted that the zoning was currently Residential Multi-Family 35 (RMF-35) which was exclusively residential. He stated the rezoning request to Residential Mixed-Use (RMU) would allow for a mixture of residential and office uses.

Chairperson Lloyd noted it might be appropriate to create an Architectural Committee for further review of the project at a later date.

Mr. Dansie inquired if there was currently an Architectural Committee available to examine the issue. He noted he was hoping to hold a joint subcommittee meeting with the Planning Commission at the end of February.

Commissioners Carter, Davis, Haymond, Richards and Vice Chairperson Oliver volunteered to serve on an Architectural Committee for the item.

PLNHLC2009-01421 – Williams New Construction – A request by Jake Williams for New Construction located at approximately 669 N Wall Street. The proposed project involves construction of a new single-family residence with a detached garage. As part of the request, the applicant is requesting the Historic Landmark Commission modify the maximum height and wall height regulations to allow the garage to be approximately 17 feet at its highest point. The property is zoned SR-1A, Special Development Pattern Residential District and is located in City Council District 3 represented by Council Member Stan Penfold. (Staff contact: Janice Lew at 801-535-7625 or janice.lew@slcgov.com.)

Staff Presentation [7:37:11 PM](#)

Chairperson Lloyd recognized Janice Lew as staff representative.

Ms. Lew presented an overview of the project. She noted that the building would be located on a vacant legal complying lot, legalized by the Board of Adjustment in 2005. She stated that the applicant had received approval for several variances from the Board of Adjustment on January 25, 2010, including a reduction in the rear yard setback, reduction in the front yard setback and permission to locate the garage forward of the rear building line.

Ms. Lew reviewed the site plan and elevation drawings for the Commission. She noted the primary structure would be a two-story building with a hipped roof, projecting front bay, asymmetrical front façade with a covered porch element and would have a footprint of approximately 750 square feet. Ms. Lew noted that the applicant proposed to use a stucco finish with a raised stucco band between the first and second floors, aluminum soffit and fascia and vinyl windows.

Ms. Lew noted that the applicant sought to obtain a height exception for the wall of the detached garage which would be 17 feet at its highest point.

Ms. Lew stated that staff was of the opinion that the project would substantially meet the requirements of the standards and recommended approval with the conditions outlined in the staff report; specifically

condition number two, that all windows shall be set back from the wall plane of the building and framing would be provided with materials similar to those used traditionally; Condition 4, that the Landmark Commission allows a modification in the building height such as that the accessory structure would not exceed 18' at the center of the mass of the building. She referenced Condition 5, that the first floor windows include a more substantial muntins profile in the design or another appropriate window treatment be used for the first floor.

Ms. Lew noted that the applicant was already working to comply with Condition 6, installing two double strips in place of a full concrete driveway.

Questions from the Commission [7:44:38 PM](#)

Commissioner Bevins inquired if there were any guidelines regarding the use of vinyl windows on new construction in local historic districts.

Ms. Lew noted that there were no guidelines which prohibited vinyl windows in new construction and the Commission had allowed them in the past.

Vice Chairperson Oliver noted that the finish on the walls would be a smooth stucco finish.

Ms. Lew stated this was correct.

Applicant Presentation [7:45:37 PM](#)

Jake Williams, the applicant, noted that they had attempted to fit the requirements of the design guidelines. He noted that they would inset the windows and frame them with wood in order to create a more traditional look. He stated that they would also install a wrought iron railing at the stair leading to the basement and would also break the driveway into strips to reduce the amount of concrete.

Questions from the Commission [7:47:52 PM](#)

Commissioner Richards inquired what muntin style the window would use.

Mr. Williams noted it would be the thicker one inch wide style provided by the manufacturer. He stated that he had contacted the company to ensure it would be used.

Commissioner Carter inquired if the applicant had felt constrained by the guidelines to come up with a traditional home design for the structure.

Mr. Williams noted that they had somewhat, but felt it had led to a better overall design. He stated he and his wife loved the traditional homes throughout the area. He stated he had researched the home originally proposed to be built on the vacant lot and found it to be too modern. He noted that they wanted to provide the neighborhood with a compatible design.

Commissioner Richards inquired how low the elevation of the garage would be dropped.

Mr. Williams stated he believed it was about a foot below grade.

Chairperson Lloyd inquired if the front elevation triple window would have a division with a double hung window.

Mr. Williams noted those windows would be inoperable.

Public Comments [7:53:26 PM](#)

Robert King, 711 North 200 West, noted he was delighted to see the vacant lot being used and wished Mr. Williams luck on the project.

Seeing no one else wishing to speak to the matter, Chairperson Lloyd closed the public hearing and moved to executive session.

Executive Session [7:54:29 PM](#)

Vice Chairperson Oliver stated that she felt the garage to be of huge issue and recommended the applicant install windows on at least the sides and garage doors with lights to provide some transparency and reduce the perceived mass.

Commissioner Harding stated that she understood the concern but also noted the applicant might perceive this as a security issue.

Vice Chairperson Oliver stated she understood the concern for security but the windows could be inoperable or secured in another way. She noted that garages in the area often had windows.

Chairperson Lloyd noted that the way the street ran, the side elevation would be visible from the street. He invited the applicant forward to address the Commission's concern.

Mr. Williams stated that they did understand the window issue. He noted they did intent to plant some vegetation along that side of the garage.

Vice Chairperson Oliver inquired if the applicant would be willing to use garage doors with some glazing.

Mr. Williams noted that was certainly an option.

Commissioner Richards stated that he did not take issue with the height of the garage.

Chairperson Lloyd inquired if a fence had been considered.

Mr. Williams noted there was an existing fence, the location of which the Transportation Division had approved.

Motion [7:58:45 PM](#)

Commissioner Carter made a motion to approve the proposal. Commissioner Richards seconded the motion.

Mr. Nielson asked that the Commission list findings.

Commissioner Carter moved that based upon the findings of the staff report and upon the recommendations listed to approve the proposal. Commissioner Richards seconded the motion.

Discussion of the Motion [7:59:42 PM](#)

Vice Chairperson Oliver inquired if they wanted to add a condition to require glazing on the garage door.

Commissioner Carter made an amendment to the motion to require garage doors with glazing.

Therefore the amended motion states:

Commissioner Carter moved based upon the findings of the staff report and upon the staff recommendations to approve the proposal. Approval is subject to the following conditions of approval:

- 1. Approval of the final details of the design including materials, as well as any other direction expressed by the Commission shall be delegated to the Planning Staff.**
- 2. All windows shall be set back from the wall plane of the building and framed in materials that appear similar to those used traditionally.**
- 3. The project must meet all other applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission or Board of Adjustment.**
- 4. The Historic Landmark Commission allows a modification to the maximum building height standard on an accessory structure with a pitched roof not to exceed 18 feet (18') at the center mass of the building.**
- 5. The first-story windows include a more substantial muntins profile in the design or another appropriate window treatment for the first story.**
- 6. The double driveway is tapered.**
- 7. The approval will expire if a permit has not been taken out or an extension granted within 12 months from the date of the approval.**
- 8. The garage includes glazing on the garage doors.**

Commissioner Richards seconded the amended motion. Commissioners Bevins, Carter, Davis, Harding, Haymond, Richards and Vice Chairperson Oliver all voted, "Aye". The motion carries unanimously.

PLNHLC2009-00939 Brossard Major Alteration – A request by Robert Brossard, to reconstruct a historic home that was damaged by fire. The home is located at approximately 470 6th Avenue in the Avenues Historic District. As part of this petition, the applicant is requesting approval of additional roof and wall height for the second floor. The zoning district allows a maximum height of 23 feet for pitched roof structures and 16 feet for walls; the proposed home has a roof height of approximately 26 feet six inches and a wall height of approximately 20 feet. The property is located in the SR-1A (Special Development Pattern Residential) zoning district in City Council District 4, represented by Stan Penfold. (Staff contact: Ray Milliner at 901-535-7645 or ray.milliner@slcgov.com)

Staff Presentation [8:02:21 PM](#)

Chairperson Lloyd recognized Ray Milliner as staff representative.

Mr. Milliner reviewed the request for the Commission. He stated that the property was on a flag lot, unique in that it did not have a true street frontage. Mr. Milliner noted that the original structure had been extensively damaged by fire. He stated that the applicant sought an increase in building height from 23 to 25 feet 5 inches and to allow an increase in wall height on the north elevation. Mr. Milliner stated staff

found the proposal met the guidelines, but requested that one condition of approval be included to allow staff to work with the applicant regarding the roof design.

Questions from the Commission [8:04:12 PM](#)

Commissioner Carter requested clarification regarding the roof.

Mr. Milliner noted that the roof was currently quite complicated as it included several elements with different slopes in different directions and staff wished to work with the applicant to attempt to simplify that issue.

Chairperson Lloyd inquired if the windows on the north elevation would be vertical.

Mr. Milliner noted that was correct and they would virtually match the existing windows.

Vice Chairperson Oliver inquired if the building was considered contributory in the most recent survey of the area.

Mr. Milliner noted the structure was not listed in the new survey and it had been quite damaged by fire.

Applicant Presentation [8:07:28 PM](#)

Robert Brossard, the applicant, noted that he wished to install the clear story on the second floor and that was the impetus for the roof design. He noted that he might also open part of the second story for an upper deck or patio.

Questions from the Commission [8:11:54 PM](#)

Commissioner Carter noted that the building site was very interesting.

Public Comments [8:13:03 PM](#)

Cindy Cromer, 816 East 100 South, noted that if the building was not rebuilt in a style consistent with the original home, the inventory of sites in the area should be corrected to reflect its status.

Mr. Milliner stated that he had received a phone call from a citizen that day who had voiced their concern regarding the applicant using a membrane style of roofing on the home.

Mr. Brossard noted that there were possibly two homes that might be able to view the membrane roofing on the home, however, if he built a deck, the roofing would be decked over.

Seeing no one else present to speak to the item, Chairperson Lloyd closed the public hearing and moved into Executive Session.

Executive Session [8:16:35 PM](#)

Commissioner Carter stated that the project seemed interesting and unique but could not approve the project based upon the information presented. He noted he would like to see a finalized set of drawings and a roof plan.

Chairperson Lloyd noted he had a hard time understanding what was being proposed as well. He stated the Commission could consider continuing the item for further consideration.

Commissioner Richards stated he concurred with both Commissioner Carter and Chairperson Lloyd and would be in favor of continuance.

Motion [8:21:30 PM](#)

In the case of Petition PLNHLC2009-00939, Commissioner Harding moved to table the application until the next regularly scheduled meeting so that the applicant could provide clarification of his drawings for the Commission. Commissioner Bevins seconded the motion.

Discussion of the Motion [8:22:12 PM](#)

Commissioner Carter noted he did not want to discourage the applicant and noted that the Commission felt the concept to be very interesting.

Vice Chairperson Oliver noted she concurred but that it would help to have legible drawings and photographs of the current site.

Commissioners Bevins, Carter, Davis, Harding, Haymond, Richards and Vice Chairperson Oliver all voted, “Aye”. The motion carries unanimously.

PLNHLC2009-01416, PLNHLC2009-01417, PLNHLC2009-01418 Fence Replacement– Minor Alteration – A request by Pearl Simmons, Larry Hancock, and Melvin Kuhn, the property owners at 257, 251 and 245 Quince Street, to replace their existing backyard fences with a trex fence. The property is zoned SR-1A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Council Member Stan Penfold. (Staff contact: Ray Milliner at 901-535-7645 or ray.milliner@slcgov.com)

Staff Presentation [8:24:17 PM](#)

Chairperson Lloyd recognized Ray Milliner as staff representative.

Mr. Milliner noted that the applicant sought to install a composite ‘Trex’ fence along the rear and side property lines of three parcels located at 247, 251 and 257 Quince Street in the Capitol Hill Historic District. Mr. Milliner stated that the board had reviewed and approved a similar fence that had been installed without a permit in January. Mr. Milliner noted that staff review of the project found it was in compliance with the design guidelines, appropriate primarily because the properties in question were directly adjacent to non-contributory, high density multi-family structures.

Questions from the Commission. [8:27:01 PM](#)

Commissioner Oliver requested clarification on the design, if the lattice work would be used only on the side yard fence.

Mr. Milliner noted this was correct.

Applicant Presentation [8:27:48 PM](#)

Larry, Hancock, the applicant, noted the current cedar fence was in need of replacement and that he and his partners were requesting use of the composite material due to its durability and lack of maintenance issues. Mr. Hancock noted that the homes were all relocated from another site and were unique in that they were not original to the neighborhood, but were older than any other structure immediately surrounding them.

Public Hearing [8:31:51 PM](#)

Seeing no one present from the public to speak to the issue, Chairperson Lloyd closed the public hearing and moved to executive session.

Executive Session [8:31:51 PM](#)

Commissioner Harding noted she had concerns regarding composite materials in general, but was comfortable with the application in question.

Vice Chairperson Oliver concurred, stating it was a low-visibility use isolating the homes from parking lots and other non-residential structures.

Commissioner Carter concurred and noted he preferred the composite material to others such as vinyl.

Commissioner Bevins reiterated Commissioner Harding's concerns regarding Trex as a material and noted he believed the options available created a fortress mentality between neighbors.

Commissioner Harding noted her concern that the site required a more solid fence in the rear yard.

Chairperson Lloyd requested clarification from the applicant regarding the fencing style to be used.

Edmund Rose, the fencing contractor, noted the rear fencing would be a solid 6' tall fence and the side and front sides of the fence would be 4' panels with 2' open spindle panels on top.

Mr. Nielson clarified for the record that Trex was a brand name for a wood composite, not the material name.

Motion [8:40:31 PM](#)

In the case of PLNHLC2009-01416, PLNHLC2010-01417, PLNHLC2010-01418, Vice Chairperson moved to approve the fence based upon the findings in the staff report.

Commissioner Harding seconded the motion.

Discussion of the Motion [8:41:00 PM](#)

Chairperson Lloyd inquired if the Commission wished to clarify the approval was for a composite wood product.

Vice Chairperson Oliver amended her motion to note that the approval was for a composite wood material, decided by the Commission on a case by case basis, allowed in this case.

Therefore, the amended motion states:

In the case of PLNHLC2009-01416, PLNHLC2010-01417, PLNHLC2010-01418, Vice Chairperson moved to approve the fence, a composite wood material, decided by the Commission on a case by case basis, allowed in this case based upon the findings in the staff report.

Commissioners Bevins, Carter, Davis, Harding, Haymond, Richards and Vice Chairperson Oliver all voted, “Aye”. The motion carries unanimously.

PLNHLC2009-01402 273 North East Capitol Street New Construction – A request by Bryson Garbett, to build a three car detached garage with living space above it. The garage would be located approximately 273 North East Capitol Street in the Capitol Hill Historic District. As part of this petition, the applicant is requesting approval of additional roof height for the second floor. The zoning district allows a maximum height of 17 feet measured to the midpoint of the roof for pitched roof structures; the proposed home has a roof height of approximately 21 feet. The property is located in the RMF-35 zoning district in City Council District 4, represented by Council Member Luke Garrott. (Staff contact: Ray Milliner)

Staff Presentation [8:42:17 PM](#)

Chairperson Lloyd recognized Ray Milliner as staff representative.

Mr. Milliner reviewed the request noting the applicant sought to construct a three-car garage with living space above the main garage. Mr. Milliner noted that the application was being reviewed as it was an accessory structure within the RMF-35 zoning district and therefore was subject to standards which allowed a greater building height and footprint. Mr. Milliner noted that staff analysis found the project complied with all applicable guidelines and staff therefore recommended approval as stated with the conditions in the staff report.

Questions from the Commission [8:43:24 PM](#)

Commissioner Richards requested clarification regarding staff’s recommendation on the proposed roof pitch and wall height.

Mr. Milliner noted that a previous design had a steeper roof pitch more architecturally pleasing, however, the applicant decided not to use that design.

Commissioner Bevins inquired if the original garage had been approved by the Historic Landmark Commission.

Mr. Milliner noted it had been approved by the Commission in the late 1990s.

Vice Chairperson Oliver noted that guideline 13.2 specified that square windows would not be allowed, however, there were several square or nearly square windows proposed for the garage. She stated that the wall to window ratio was also out of proportion, particularly on the west wall of the structure.

Mr. Milliner noted that car lights would face the west wall which was at the end and there was little function for requiring windows

Mr. Milliner stated that the requirement would include the change of the square windows to more rectangular windows instead. In regard to the west wall, there is not a functional need for windows in the west wall due to car lights, and therefore is not a requirement.

The applicant Bryson Garbett spoke, he provided updates in regard to the design. He stated that for the last two years due to the fact that his business occupied the first two floors of the home and his family lived on the third floor. During this time, they lacked a garage. Mr. Garbett discussed the historic nature of the property, indicating that the original owner was William Dixon who became the U.S. attorney in the late 1800's. The plan provided is the one the applicant prefers. He had contacted the neighbors surrounding and had no resistance to their plan. He noted that they have used horizontal siding to blend in with the home; the south side has been made to look like an additional front and not a side. The gables match the gables on the home; effort has been made to match the corners and to blend in with the original structure. A balcony has been added to take advantage of the view.

Commissioner Richards asked what the pitch on the roof was, and how it compared to the original structure.

Mr. Garbett replied that he was unaware of the pitch of the home, but it has a pitch that flattens out on top.

Chairperson Lloyd complimented the applicant on the improvements on the home.

Mr. Garbett brought examples of different exteriors. Noting that they exterior would be Hardy board, a cement composite.

[8:54:39 PM](#) Public Hearing

Cindy Cromer stated that she is not in favor of the ordinance that does not allow accessory structures in the RMF-35 zone to be built on homes with small acreage.

[8:57:02 PM](#) Executive Session

Commissioner Carter made a motion that in the case of PLNHLC2009-01402, 273 North East Capitol Street New Construction in accordance with the recommendations of the staff and information in report, we approve the application

Commissioner Davis seconded the motion.

Commission Harding stated a concern about the main house and the garage and was concerned about the differences between the main house and the garage. The commissioners debated the styles and how the new building reflects the design guidelines.

[9:04:41 PM](#) Commissioners Bevins, Carter, Harding, Haymond, Davis, Oliver, and Richard approved the motion, Commissioner Harding voted Nay, and the Motion passed, 7-1.

OTHER BUSINESS

There was no further business.

Cecily Zuck, Senior Secretary;
Transcribing for Angela Hasenberg, Acting Historic Landmark Commission Secretary