

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 315, 451 South State Street
June 16, 2010**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on June 16, 2010.

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A regular meeting of the Historic Landmark Commission was held on June 16, 2010, at [6:00:47 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: Bill Davis, Arla Funk, Sheleigh Harding, Polly Hart, Creed Haymond, Warren Lloyd, Chairperson; Anne Oliver, Vice Chairperson and Dave Richards. Commissioners Earle Bevins, III and Thomas Carter were excused from the meeting.

Planning staff present for the meeting were: Carl Leith, Senior Planner; Janice Lew, Senior Planner; Ray Milliner, Principal Planner; Joel Paterson, Planning Manager and Cecily Zuck, 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 Davis, Funk, Harding, Haymond, Hart, 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 [5:10:16 PM](#)

Chairperson Lloyd recognized Pat Comarell, Assistant Planning Director, for an update on the direction City Council had taken during their hearing on June 15, 2010 regarding the Yalecrest Local Historic District Designation.

Ms. Comarell noted that the Council had considered whether or not to lift the temporary regulations for all of Yalecrest during their hearing on June 15, 2010. She stated that as individuals had voiced their support or opposition to the proposed local historic district, Council staff had created a map which clearly indicated that in the area between 1800 East and 1900 East and 900 South to 1300 South, residents were very much opposed to the proposition. Ms. Comarell noted that there were several smaller areas that were beginning to turn in favor of designation. Ms. Comarell noted that the Council had considered lifting regulations for those areas which were clearly not supportive of the proposal.

Ms. Comarell reviewed the legislative intents which the Council had considered at the time of the hearing, including:

- **Lift the temporary regulations for the entire Yalecrest area.** Then form a group with citizens, the CED Director and the assistance of Planning Staff to discuss what characteristics the neighborhood was interested in preserving and develop a criteria for architectural characteristics not appropriate for the Compatible Infill Ordinance, which might necessitate the creation of another tool such as a Conservation District.

- Smaller areas still interested in Preservation Districts might move forward with a petition to the City indicating at least 51% of neighbors in support of designation before the issue would be reheard on July 6th, 2010. Temporary regulations would be retained within these areas.

Ms. Comarell stated that the Chairman had later argued that the Council was often not aware of history when making such decisions and therefore was asking for information regarding the history of the Yalecrest neighborhood, which was duly noted as part of the purview of the Commission.

Ms. Comarell noted that the Council had later requested feedback from the Historic Landmark Commission regarding what the pertinent history of the area was related to development patterns, e.g. subdivision boundaries. She stated there was some discussion regarding the HLC providing recommendations regarding boundaries, but that would require a formal meeting with legal notice and would ultimately elongate the time necessary for Council to act; Planning Staff was therefore inquiring what HLC felt was the pertinent history as well as how the process should continue. Ms. Comarell stated that not only had Council inquired how to proceed; the Yalecrest Neighborhood Council was also interested in HLC opinion.

Ms. Lew reviewed the recommendations for designation from the Reconnaissance Level Survey Final Report, page 14:

Alternatives to a large scale district would be several smaller neighborhood districts, some based on subdivision plats. (See Appendix B: Subdivision Information).
Examples follow:

Laird and Princeton Avenues cottage district – between 1500 and 1600 East
Michigan Avenue cottage district – between 1700 East and Le Grand Street
Normandie Heights – Harvard, Princeton & Laird between 1300 East & 1500 East including Normandie, Laird and Uintah Circles
Lower Yale Avenue – 1300 to 1500 East
Upper Yale Park – both sides of Miller Park running from 900 South to 1500 East including Yale, Yalecrest and Military, Bonneview and Diestel

Ms. Comarell noted that Council Member JT Martin had also discussed removing particular areas from the regulations now; the Council had rejected this idea.

Chairperson Lloyd noted that Council Member Martin had been using public opinion to guide his motion, not recommendations provided by the Historic Landmark Commission. Chairperson Lloyd noted that the survey gave several recommendations including periods of construction and smaller areas of significance.

Commissioner Hart stated her concern that citizens were being corralled into one opinion or another based upon whoever spoke up the most, and that the Commission had a duty to not bow just to public opinion, but to consider the survey maps and the highest concentrations of the best buildings to determine boundaries.

Commissioner Richards concurred with Commissioner Hart and noted there might be other things to consider than public opinion.

Ms. Comarell noted that in fairness, throughout all of the public meetings held with the neighbors within the Yalecrest neighborhood, only about a dozen comments had been made specifically about the history of the area. She stated they were concerned about the architectural character, not the history, which was reflected in the Council options under consideration. She stated that given the input, wanting to be responsive and trying to find a balance between the desire for preservation and public opinion, the Council had attempted to address each issue without completely abandoning the possibility of some kind of historic district.

Chairperson Lloyd stated that the Commission needed to provide information to the Council before their next meeting and noted that they should either defer to staff or select a committee to collect data and provide some sort of information to the Council.

Commissioner Harding noted that she felt it would be better to speak with Yalecrest and request they look at the information available and make their own proposal.

Commissioner Hart stated that she felt they should work with staff to find some sort of recommendation for City Council.

Vice Chairperson Oliver noted that she did not feel a subcommittee would be particularly helpful as there was a great deal of opinion already available from a preservation standpoint and it seemed there were four options which the HLC would generally suggest; nominate the entire district, nominate only certain areas or subdivisions, nominate by year, or to divide by public opinion. She noted that this was not really a consideration the Commission should make. Vice Chairperson Oliver noted that it might be best for the Commission to write a letter to this effect with the assistance of staff.

Ms. Comarell noted that staff could draft a letter to this effect, then send it to the Commission for review and comment before submitting to the Council.

Chairperson Lloyd noted that City Attorney Paul Nielson had been asked to give a briefing on understanding precedents and apologized for the time.

Mr. Nielson noted that the law in Utah had not developed well in the land use context as to whether prior land use decision making bodies' determinations constituted precedent. He stated that under Utah law, however, it was clear that it would be considered arbitrary and capricious for an agency to apply a different rule of law on a future case with similar facts. He noted that simply because a decision had been made in a particular case, it did not mean that decision needed to be made forever, that decisions could evolve.

Commissioner Harding noted that the Commission should keep in mind that every situation was different; the house, the neighborhood and so on.

Mr. Nielson noted that the facts had to be pretty close and New York cases indicated that it did not take much to differentiate one case from another.

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 6:00 p.m.

APPROVAL OF THE MINUTES from February 3 and June 2, 2010 [6:01:35 PM](#)

There were no minutes available from February 3, 2010 to approve.

Vice Chairperson Oliver made a motion to approve the minutes from June 2, 2010 with noted changes. Commissioner Harding seconded the motion. All voted “Aye”. The minutes were approved unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [6:03:41 PM](#)

Chairperson Lloyd requested an update on the Elks Building from the Architectural Committee.

Commissioner Richards noted that the new proposal retained the majority of the landscape berm. He noted that they had created a new entrance on the west side and had also presented a number of options as to how the berming could be retained. He noted that the Architectural Committee had been comfortable with the new direction of the proposal, however, they still wished to see more detail regarding the new addition to the east and detailing along the west façade.

Commissioner Haymond inquired if the pedestrian entrance at the front of the building over the stairs would also be retained.

Commissioner Richards noted that it would.

Mr. Paterson noted that the City Council had continued their public hearing on the Preservation Plan to July 6, 2010.

PUBLIC COMMENTS [6:06:11 PM](#)

Cindy Cromer, 816 East 100 South, wished to discuss what occurred during the City Council meeting regarding the Yalecrest District hearing. Ms. Cromer noted that no one had discussed the surveys until Chairperson Lloyd brought them up and that she was grateful for this acknowledgement of the preservation data. She stated that she felt the Commission could make a recommendation to City Council without ever convening a public hearing. She noted that the City needed a Tudor village component of part of the historic preservation program. Ms. Cromer noted she felt the discussion had been overloaded with opinion and short on facts.

PUBLIC HEARING [6:08:32 PM](#)

PLNHLC2010-00206, Janke Certificate of Appropriateness for Major Alterations – A request by the property owners, Matt Janke and Carrie Christopherson-Janke, for major alterations to the single family home located at approximately 1621 Laird Avenue. The property is located in the Harvard-Yale Neighborhood and Yalecrest National Register Historic District, and the R-1-5000 (Single Family Residential) zoning district. It is within City Council District 6, represented by JT Martin. (Staff contact: Carl Leith, 801-535-7758, carl.leith@slcgov.com)

Chairperson Lloyd noted that he had recused himself from the case at the last hearing and inquired if he should do the same now.

Mr. Nielson noted that Chairperson Lloyd had been involved in a similar case which had since been heard by the Commission. A decision had been made on that case and the appeal period had also expired, therefore, staff felt the conflict no longer existed.

No one on the Commission raised an objection to Chairperson Lloyd's involvement in the case.

Staff Presentation [6:10:02 PM](#)

Mr. Leith noted that the proposal was reviewed by the Commission on May 19, 2010 and was one of the first to be reviewed under the implementation of the temporary regulations. He noted that the proposal was to create a rear addition on the property which would raise the front roofline approximately 4 1/2 feet. Mr. Leith noted that the Commission had continued the petition to a later meeting to allow the applicant the opportunity to explore alternate options with staff. Mr. Leith noted that no alternative proposals had been presented to staff. He stated that staff still found the proposal to be in conflict with the standards and design guidelines as noted in the staff report and that staff still recommended denial.

Questions for Staff from the Commission [6:12:54 PM](#)

There were no questions from the Commission regarding the application.

Applicant Presentation [6:13:12 PM](#)

Matt Janke, 1621 Laird Avenue, noted the plans had been designed well in advance of the temporary ordinance. He noted that the Commission found that the project did not meet relevant guidelines and the item was therefore continued. He noted that in that interest of attempting to determine what might be acceptable he had attended the June 2, 2010 meeting. He referenced the cases at Cornell Circle and the Barber Residence at 997 Military Drive, noting that the Barber project seemed particularly relevant as it was a similar proposal. Mr. Janke noted that staff found it to be in conflict with many of the same guidelines then discussed the streetscape and the Barber project's conformity to the existing streetscape. He noted that he felt the extenuating circumstances were discussed by the Commission and considered as part of the motion. Mr. Janke noted that he would contend that these approvals set precedents for grandfathering projects that were designed prior to the enactment of the temporary regulations by City Council. Mr. Janke noted that he therefore desired approval of his request from the Commission.

Questions for the Applicant from the Commission [6:20:15 PM](#)

Chairperson Lloyd noted that for clarification, Mr. Janke had referenced the map provided by the City Council indicating no public support for a historic district within the Upper Laird Park Subdivision, which the subject property was a parcel of.

Commissioner Davis noted that he believed the temporary regulations had not been a reason for approving projects on May 19, 2010.

Public Hearing [6:22:03 PM](#)

Seeing no one present to speak to the issue from the public, Chairperson Lloyd closed the public hearing portion of the item and moved to Executive Session.

Executive Session [6:22:14 PM](#)

Vice Chairperson Oliver noted that the decisions in each case on May 19, 2010 had been made based upon their own merits. She noted that this was true in every case and that past decisions did not overrule current decisions.

Mr. Nielson noted that when Commissioner Carter made his motion he noted that he did not believe it met the criteria but that there were extenuating circumstances.

Vice Chairperson Oliver stated that this was true but that she felt Commissioner Carter had a logical argument regarding the relationship of the Barber proposal to the streetscape. Vice Chairperson Oliver compared the Janke proposal to the Barber proposal noting the following:

- The Barber residence was on an exceedingly small lot and there was nowhere to go but up.
- The streetscape was entirely different than that of the Janke residence as the Barber residence was surrounded by much larger houses.
- The design of the Barber addition was more sensitive to the surrounding streetscape.
- In the case of the Janke proposal, the façades would be altered to a greater degree by extending the side gables towards the back of the structure.
- The Janke residence was on Laird Avenue, an intact streetscape with a great deal of uniformity; the Commission was charged with preserving such character whenever possible according to the Design Guidelines, particularly within Chapter 8, general discussions on additions.
- Chapter 7 of the Design Guidelines noted that the continuity of roof forms particularly should be preserved and that the Janke residence on Laird Avenue was part of an evident pattern of roof forms which the proposal would affect.

Commissioner Hart noted that a year ago they had approved a garage proposal for a property on Apricot Avenue, but could not approve the exact same garage plan for the brother's house on 1200 East, as it was a different context, different situation.

Commissioner Funk noted that the roof for the Janke residence would also increase by 4 ½ feet rather than a 2 foot increase as in the Barber proposal and this was not appropriate in consideration of other homes in the area which were very similar in character. She noted her concern that she did not want to deny the applicant and necessitate that they begin all over again, instead suggesting that they should encourage the applicant to work with the Architectural Committee.

Chairperson Lloyd noted that the applicant had mentioned precedent and extenuating circumstances in his argument.

Mr. Nielson noted that nothing in the Ordinance allowed the Commission to rely solely upon extenuating circumstances outside the Economic Hardship Ordinance and demolitions. He noted that he believed the motion which Commissioner Carter made differed from the minutes and it would be difficult to defend in court.

Commissioner Haymond stated that the Council could decide the Upper Laird subdivision could be omitted and temporary restrictions might be lifted, but personally felt the project could not be approved by the Commission as it was presented.

Chairperson Lloyd noted that the Commission could not know what the City Council would be inclined to do and could not use speculation as the basis for their decision.

Motion [6:33:52 PM](#)

In the case of Petition PLNHLC2010-00206, Commissioner Funk made a motion based upon the findings in the staff report and upon discussion in the hearing; that it does conflict with Residential

Design Standards 2 and 5, and Design Guidelines 2.1, 2.2, 7.1, 7.5, 8.1, 8.2, 8.3, 8.5, 8.7, 8.11, 8.12 and 8.13, encouraging the applicant to meet with staff and redesign the building so it might be approved.

Discussion of the Motion [6:35:05 PM](#)

Vice Chairperson Oliver inquired if Commissioner Funk meant to continue the item.

Commissioner Funk amended her motion to read...8.13, continuing the application and encouraging the applicant to work with the Architectural Committee to find an appropriate design.

Commissioner Harding noted that they would want to ask the applicant if they would be willing to work with the Architectural Committee.

Mr. Nielson noted that if the Council lifted the temporary regulations on July 6th, the issue would be moot.

Commissioner Funk noted that the applicant might choose to wait for that decision; however, the Commission should continue the item so the applicant would not face submitting a new application.

Commissioner Haymond seconded the motion.

Commissioner Harding noted they should still ask the applicant about their willingness to work with the Architectural Committee.

Chairperson Lloyd invited the applicant forward to respond.

Mr. Janke noted that he would be willing to work with the Architectural Committee.

Commissioner Richards voted “Nay”. All others voted “Aye”. The motion carries 6-1.

Commissioners Richards, Funk and Harding volunteered to serve on an Architectural Committee for the proposal.

PLNHLC2010-00264, Pearson/Canas Certificate of Appropriateness for Major Alterations – A request by G P Jorgensen Construction, on behalf of the property owners, Lance Pearson and Kate Canas, for Major Alterations including a two story rear addition to the single family home located at approximately 1732 Michigan Avenue, in the Yalecrest National Register Historic District and the R-1-5000 (Single Family Residential) zoning district. It is within City Council District 6, represented by JT Martin. (Staff contact: Carl Leith, 801-535-7758, carl.leith@slcgov.com)

Commissioner Davis noted that he had sat next to Mr. Jorgensen, the project contractor, when Mr. Jorgensen submitted the application for the petition. Commissioner Davis noted that he was submitting for a permit of his own, however, he did not discuss case particulars with Mr. Jorgensen at that time.

Commissioner Richards noted he was friends with Kimball Shaw, the architect, and had gone to jr. high and high school with Mr. Jorgensen.

The Commission did not raise issue with either disclosure.

Staff Presentation [6:44:12 PM](#)

Mr. Leith noted that the proposal had been drawn up prior to the implementation of temporary regulations for the Yalecrest area. He stated that the proposal was to construct a two story addition, continuing the current roofline to the rear and stepping back the eastern façade, but continuing the plane of the west façade. He noted that no public comment had been received.

Mr. Leith stated that the proposal was compatible with Zoning Ordinance Standards 2, 5 and 9; however, the proposed alteration of the rear section of the side gables conflicted with some of the guidelines, particularly 7.1, 8.1 and 8.3. Mr. Leith noted that staff recommended approval of the project subject to minor alterations to address the alterations to the profile of the side gables. Mr. Leith noted that staff had discussed this possible amendment with the applicant; however, the applicant had been unwilling to submit changes.

Questions for Staff from the Commission [6:49:41 PM](#)

Chairperson Lloyd inquired if staff had any history to present regarding the rear shed addition and its date of construction.

Mr. Leith noted that he was unaware of when the shed addition was constructed.

Chairperson Lloyd noted that there was also a side gable which seemed to be a later addition to the home.

Mr. Leith stated that he believed from staff analysis that it was part of the original side gable.

Commissioner Harding inquired what staff would propose for the side gables.

Mr. Leith noted that staff would prefer to retain the line of the gable in some way.

Commissioner Haymond inquired why there was no staff comment regarding the lack of windows on the west façade of the proposal.

Mr. Leith noted that staff had made no comment as it was a less visible façade, although he agreed that it seemed under-fenestrated.

Applicant Presentation [6:53:36 PM](#)

Kimball Shaw, architect for the project, stated that it seemed debatable as to what the original eave line on the gables was. He noted that it seemed to be a later attempt to hide the rear shed addition and it was not a projecting gable but an eyebrow attached to the structure. Mr. Shaw noted that he hoped the project could be deemed appropriate.

Questions for the Applicant from the Commission [6:55:23 PM](#)

Commissioner Haymond noted that there was a definite lack of windows on the west façade.

Mr. Shaw noted that the west façade was part of the master suite and the bed wall, so the applicant did not feel windows were necessary.

Chairperson Lloyd noted that the existing east elevation had a three sided bay window and inquired how it would be modified.

Mr. Shaw noted that it would be removed and would be the location for the new door.

Commissioner Richards stated that he concurred with Commissioner Haymond and that they might investigate installing additional windows. He noted that he did not feel extension of the gables as suggested by staff to be technically feasible as it might affect the head height of the stair and would extend over the bathroom on the other side.

Mr. Pearson, the applicant, noted that they had attempted to create an addition which would maintain the character of the neighborhood from the front façade and with the original home. He stated that they had considered the addition of narrow, high windows on the west façade, but were also concerned about respecting the privacy of their western neighbors.

Chairperson Lloyd noted that the roof was tile and inquired what it would be replaced with.

Mr. Pearson indicated that they wished to cover the new roof with tile as well.

Commissioner Hart inquired if the applicant knew what the original roof form was.

Mr. Pearson stated that he was unaware of the form of the original roof.

Public Hearing [7:03:24 PM](#)

George Jorgensen, project contractor, noted his support of the proposal. He stated that the current roofline was not original to the home as it seemed to have been reengineered to compensate for the additional load of the tile roof.

Peggy Moore, 1730 Michigan Avenue, noted that she was the west side neighbor and that she had several concerns with the proposal, she felt the current building was a lovely home with many beautiful touches. Ms. Moore stated that she felt the scale of the addition to be inappropriate for the neighborhood and that the west side addition appeared to have no step back, which was troubling to her. She noted that the addition would ruin the line of the gables on the current home and would necessitate the loss of a beautiful leaded glass window on the rear of the original home and the bay window on the east.

Applicant Response [7:17:00 PM](#)

Mr. Pearson noted that while he appreciated Ms. Moore's comments, it was his home and his proposal and Ms. Moore had done work on the exterior of her home, which Mr. Pearson had never raised issue with.

Mr. Shaw noted that they felt the proposal fell within the Commission's guidelines as it stood.

Executive Session [7:18:34 PM](#)

Commissioner Haymond stated that Residential Design Guideline 8.16 noted: On primary facades of an addition, use a solid-to-void ratio that is similar to that of the historic building. He noted that there was a great deal of blank space on both floors of the western façade – that he could tell where the stairway and bathroom were; however, the lack of additional windows was quite troubling.

Chairperson Lloyd requested clarification from Mr. Leith regarding staff's interpretation of Design Guideline 8.16, and if staff had lent most importance to the primary façade of the addition rather than the secondary façades.

Mr. Leith noted that the obviousness of the addition would vary based upon the circumstances; from what vantage point the addition was viewed. Mr. Leith stated that he understood Commissioner Haymond's point, however, the solid to void ratio on the front would not be affected by the proposal.

Chairperson Lloyd noted that the existing lot coverage plus the proposed lot coverage was only 29 percent, well within the existing standards and the area consisted of fairly deep lots when considering the block face average.

Vice Chairperson Oliver noted that she concurred with Commissioner Haymond and also took issue with the solid to void ratios. She stated that the sides of the addition were visible from the street and therefore the issue should be addressed; she also noted she believed there needed to be a clear delineation between the original structure and the addition on the west façade as well, preferably by the incorporation of a small set back.

Chairperson Lloyd noted that the applicant had mentioned their intent to match the brickwork with the original home, which might further muddle the distinction between the original home and the new addition.

Commissioner Richards noted that the existing gable ends were more like a fascia tacked onto the side after the earlier shed addition to the home and could possibly be retained without changing the internal layout, however it might not be worth the effort. He concurred that some sort of delineation between the old and the new on the west side was important to identify the evolving history of the structure.

Vice Chairperson Oliver concurred that a setback would be better.

Commissioner Richards noted that keeping the gable would affect altering the proposed window on the west side. He suggested that incorporating a shadow line might better indicate some sense of history than keeping the gables intact.

Chairperson Lloyd noted that the applicant might also consider a change in materials on the first floor of the addition and a delineation of some sort at the wall plane on the second story west façade between the original home and the new addition.

Commissioner Richards noted that the elevations did not show the entire picture regarding the massing. He noted that the floor plans indicated that the rear of the second story would be inset several feet so in reality it would not simply read as a continuous, blank two story wall.

Commissioner Davis noted he did not take issue with the larger issues; the roof line would remain the same, the lot coverage was well within the ordinance, the historical significance of the side gables was now in question and the solid to void ratio at least aimed to retain the neighbors privacy. He noted that the project would not greatly affect the existing streetscape either.

Commissioner Richards noted that in referring to the plan, the only element in plane with the existing home was the first story masonry and the stud wall on the upper floor would have to be inset.

Chairperson Lloyd noted that the rear elevation drawing seemed to indicate the west wall would actually be inset several feet because the roof plane of the original home was visible.

Mr. Shaw noted that this was correct.

Chairperson Lloyd inquired if a window might also be included on the west façade wall.

Mr. Shaw noted that they would normally have addressed this in the working drawings; however, it could be done if deemed necessary.

Chairperson Lloyd noted that if additional conditions were considered by the Commission, they must be clearly indicated in the motion.

Vice Chairperson Oliver noted that she found two issues which were fairly subtle but would have a great deal of impact.

Motion [7:40:17 PM](#)

In the case of Petition PLNHLC2010-00264, Vice Chairperson Oliver made a motion to concur with staff recommendation, finding that it would meet the majority of the objectives of the design standards and guidelines, but would conflict in part with guideline 8.16, in the relationship of solids to voids on the western wall in particular and that the fenestration be modified to reflect a more traditional pattern of solid to void ratio as referenced on the front section of the house and that some break or setback of the addition be created to provide a shadow line on the west façade. Commissioner Funk seconded the motion.

Mr. Nielson noted that the motion did not specifically mention approval of the request.

Vice Chairperson Oliver amended her motion to concur with staff and approve the request with the conditions as previously defined. Commissioner Funk seconded the amendment to the motion.

Discussion of the Motion [7:42:06 PM](#)

Commissioner Richards requested a restating of the motion.

Commissioner Davis inquired how the solid to void ratio would be determined.

Commissioner Haymond and Vice Chairperson Oliver noted that the front of the western façade would be the reference point for continuance of that ratio.

Chairperson Lloyd noted that analysis of a certain percentage of glazing area would help to create an appropriate pattern.

Commissioner Harding noted that staff would work with the applicant to create a more appropriate window fenestration pattern.

Commissioner Richards noted concern that the conditions of the motion made him uncomfortable as the petition had already undergone a plan check.

There was a continuation of discussion among Commissioner Richards and Chairperson Lloyd as to whether or not the applicant already had an essential vested interest due to their prior zoning review.

Mr. Nielson noted that if the petition were already vested prior to the adoption of the temporary regulations, they would not need to be before the Commission. He stated that he had spoken with Larry Butcher in Building Services regarding the applications which were vested at the time of the initiation of the temporary regulations and Mr. Butcher had indicated that there were a very small number of them, of which Mr. Nielson did not recall this being one of them.

Mr. Paterson noted that the temporary regulations went into place in March of 2010 and staff would have to review the level of zoning review the application had undergone.

Mr. Shaw noted that they had received their review by Building Services staff and later received a email noting they would have to go before the Historic Landmark Commission for further review under the temporary regulations.

Mr. Jorgensen noted that the zoning approval was dated April 29, 2010.

Mr. Paterson stated that Mr. Milliner had checked Accela, the City tracking system and a complete review had been checked in on April 14, 2010, when the temporary regulations would have already been in place.

Mr. Davis noted that the application was therefore clearly submitted after the initiation of the temporary regulations and the Commission should address the motion on the floor. He stated that the changes it would take to make the application comply were fairly minor including a slight setback on the west wall and possibly the inclusion of small windows on the western wall as had been previously considered by the applicant.

Chairperson Lloyd called for a vote on the current motion.

All voted "Aye". The motion passed unanimously.

Chairperson Lloyd noted the applicant should confer with staff to discuss these changes for the Certificate. He also reviewed the appeal process noting that the applicant had ten days to appeal the decision of the Commission.

PLNHLC2010-00265, Winters Certificate of Appropriateness for Major Alterations - A request by David Winters for a second floor addition to the east side of his existing home and to replace the existing garage with a new garage, located at approximately 1417 Laird Circle, in the Yalecrest National Register Historic District and the R-1/7,000 (Single Family Residential) zoning district in Council District 5, represented by Jill Remington Love. (Staff contact: Ray Milliner at 801-535-7645 or ray.milliner@slcgov.com).

Staff Presentation [7:54:41 PM](#)

Mr. Milliner reviewed the request noting that the application was for approval of an addition on the east side of the single family home located at approximately 1417 E Laird Avenue as well as the reconstruction of an existing garage. Mr. Millner noted that staff had reviewed the request for compliance with the guidelines and found that it met the guidelines in terms of mass, scale, size, design and aesthetics. Mr. Milliner noted that staff recommended approval of the petition based upon staff findings and subject to the conditions of approval listed in the staff report.

Questions for Staff from the Commission [7:56:12 PM](#)

Chairperson Lloyd noted that material for the new addition would be reused from the existing addition demolition.

Mr. Milliner noted that was correct and the proposal would reuse limestone from that portion of the home which was no longer available elsewhere. He noted that the addition was so small, staff felt a delineation other than the setback would look odd.

There were no further questions for staff.

Applicant Presentation [7:57:11 PM](#)

Dave Winters, the applicant, was present to speak to the item. He noted that they had discussed the proposal with all of their adjacent neighbors and all had signed a routine and uncontested matter form denoting their approval, particularly for the garage. He noted they also had issues with water coming into the home and wished to remedy that issue with the proposal.

Questions for the Applicant from the Commission [7:59:45 PM](#)

There were no questions for the applicant from the Commission.

Public Hearing [8:00:09 PM](#)

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

Executive Session [8:00:17 PM](#)

Commissioner Hart inquired if the tree in front of the sunroom would be retained.

Mr. Winters noted that they would like to retain it if possible.

Chairperson Lloyd noted that the compatible infill ordinance requested garages be placed at the rear of the lot. He stated that practical application of this standard was not always possible.

Mr. Paterson noted that due to the odd shape of the lot, the requested modification of the setback and therefore placement of the garage was considered as part of a routine and uncontested exception.

Motion [8:04:35 PM](#)

In the case of Petition PINHLC2010-00265, Commissioner Funk made a motion to approve the side addition design and new garage pursuant to the findings, analysis and conditions of approval listed in the staff report as follows:

- 1. All exterior siding shall have a smooth finish. No rough cut or faux wood grain imprints are permitted.**
- 2. The applicant shall reapply the limestone veneer removed to accommodate the addition on the new side walls.**
- 3. All exterior colors and materials for the addition area shall be designed and constructed to match the existing colors and materials of the original home.**
- 4. Prior to the issuance of a building permit, the applicant shall resolve all rear setback issues with regard to the garage. This may require administrative approval or a special exception.**
- 5. The addition must meet all other applicable Zoning Ordinance requirements, including setbacks, maximum footprint and lot coverage. Any request for an exception to these rules shall require additional review and approvals as dictated by the Zoning Ordinance.**

Commissioner Hart seconded the motion.

Discussion of the Motion [8:05:12 PM](#)

Commissioner Richards inquired if condition number three was necessary as the Commission did not normally review color.

Mr. Milliner noted that it had been included more to ensure compatibility of the addition with the original structure, but could be changed if the Commission wished to do so.

Commissioner Richards noted he felt the condition was fine as it stood.

All voted “Aye”. The motion carries unanimously.

PLNPCM2009-00638, Commercial Design Guidelines – The Salt Lake City Planning Division has hired consultant Thomason & Associates to create a new section for the design guidelines used by the Historic Landmark Commission to make design review decisions for properties with local historic designation. Currently the design guidelines are for residential properties only. This supplemental information will provide guidance for commercial properties. The draft document will be available at the City’s Web site at <http://www.slcgov.com/boards/HLC/hlc-agen.htm>. The petition requires the Historic Landmark Commission to forward a recommendation to the City Council. (Staff contact: Janice Lew, 801-535-7625, janice.lew@slcgov.com)

Staff Presentation [8:08:47 PM](#)

Ms. Lew noted that the Design Guidelines would build upon the existing Residential Design Guidelines, but focus upon city historic commercial resources. She noted that the Zoning Ordinance did not provide specific standards for adoption of guidelines.

Ms. Lew briefly noted the history of the proposal specifically that City Council first held a briefing with the consultants in which they presented the first draft to Council members. She stated there had

subsequently been a public workshop, and then the Planning Division had held an open house in June of 2009, where no public input had been received. Ms. Lew stated that several meetings have been held as well as public hearings in order for staff to receive feedback and comments regarding the draft guidelines. She remarked that the draft had also been presented to the Business Advisory Board twice and once to the Downtown Alliance.

Ms. Lew noted that the last list of comments given to the consultant for the Commercial Design Guidelines had been included in the packet and staff intended to continue to refine the document and address these outstanding concerns prior to the document's submission to City Council. Ms. Lew stated that staff had included several potential motions in the attached staff report for the Commission to consider.

Questions for Staff from the Commission [8:13:11 PM](#)

Commissioner Richards noted that he would like to see the final draft before providing a recommendation to City Council.

Ms. Lew noted that they had forwarded the requested changes to the consultant and that staff was also working to amend the document.

Motion [8:15:30 PM](#)

In the case of petition PLNPCM2009-00628, Commissioner Harding moved to table the item until a final version could be presented to the Commission in its entirety. Commissioner Richards seconded the motion.

Discussion of the Motion [8:16:01 PM](#)

There was no discussion of the motion.

All voted "Aye". The motion carries unanimously.

OTHER BUSINESS [8:16:26 PM](#)

There was no further business.

Vice Chairperson Oliver made a motion to adjourn. There was no objection. The meeting stood adjourned at [8:16:31 PM](#).

Cecily Zuck, Historic Landmark Commission Secretary