

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 315, 451 South State Street
June 2, 2010**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on June 2, 2010.

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A regular meeting of the Historic Landmark Commission was held on June 2, 2010, at [5:55:55 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, Thomas Carter, Bill Davis, Arla Funk, Sheleigh Harding, Polly Hart, Warren Lloyd, Chairperson; Anne Oliver, Vice Chairperson and Dave Richards. Commissioner Creed Haymond was excused from the meeting.

Planning staff present for the meeting were: Cheri Coffey, Planning Manager; Carl Leith, Senior Planner; Janice Lew, Senior Planner; Katia Pace, Associate 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 Bevins, Carter, Funk, Harding, 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.

DINNER AND WORK SESSION [5:09:06 PM](#)

Commissioner Carter noted his curiosity regarding the percentage of petitions the City received versus what the Historic Landmark Commission actually reviewed.

Mr. Leith noted that there were figures for 2009 which indicated the Commission only reviewed a very small percentage of applications.

Mr. Paterson noted that in 2009, he believed there had been 246 Historic Landmark Commission applications and only 16 or 17 had been reviewed by the Commission in their meetings. He noted that the remainder had been handled administratively with 40-45% being handled over the counter.

Ms. Lew noted that many of the issues which came to the Commission were legalizations; review of cases in which a property owner had been cited by enforcement for proceeding without obtaining a Certificate of Appropriateness.

Mr. Paterson noted that if there were items that staff did not feel they could approve without further direction those issues would also be forwarded onto the Commission.

Ms. Lew noted that many of the issues being brought before the Commission which were within the Yalecrest National Historic District had already been designed without the consideration of the City's Design Guidelines and Standards as those applicants had been subverted due to the temporary regulations enacted by City Council.

Commissioner Bevins inquired when the temporary regulations would expire.

Ms. Lew noted that they would expire in early September.

Commissioner Bevins inquired if applicants would be able to return to the City and re-apply after the expiration of these regulations if denied by the Commission.

Ms. Lew noted that they would be allowed if no other regulations were put into place such as the creation of a Historic Overlay by City Council.

Wilf Sommerkorn, the Planning Director was present to note that there had been recent staffing changes, including the upcoming retirement of Assistant Planning Director Pat Comarell and the subsequent promotion of Cheri Coffey to that position.

Mr. Milliner noted that the Planning Division had recently been receiving applications to use a composite material, particularly for fencing, comprised of 50 percent plastic and 50 percent wood known often by the brand name Trex. He stated that the Historic Landmark Commission had requested that before an official policy for such materials was adopted, the Commission should review these requests on a case by case basis. He stated that staff felt it would be appropriate for the Commission to review the draft policy document at this time and provide feedback.

Mr. Milliner noted that he had four questions regarding this issue for the Commission:

1. Should composite materials be allowed in the overlay?
2. Should they be limited in use? Allowed to continue as a decking material, but not for fencing, for example?
3. Should composite materials be allowed in certain circumstances for fences, such as in the rear as a privacy fence, but not in the front where visible from the street?
4. Should there be a distinction between use in contemporary structures and contributory structures?

The Commission discussed the issue – highlights of the discussion included the following:

- Commissioner Richards noted that he was concerned with the lack of information available to the Commission on such materials. He disclosed that he currently had a client who was interested in using a Trex-like material for a fence. He provided literature to the Commission on existing options for this particular kind of composite material.
- Vice Chairperson Oliver noted her concerns regarding how materials aged. She stated that Trex wasn't an organic material at all and without any body of research on how the material would change over a significant period of time, she felt all such materials to be inappropriate other than as decking.
- Chairperson Lloyd noted that restrictions on materials close to grade already existed in the building code.
- Commissioner Carter noted that he was in favor of being open-minded to alternate and more contemporary materials. He noted that placement of such materials in the front of a project might be inappropriate; however, he did not take much issue with the use of such materials in a rear yard or on an addition, possibly as part of new construction or in other areas with a limited public view.

- Commissioner Davis concurred with Commissioner Carter and noted that the Commission had previously approved such an application of a composite fencing material on a large apartment complex.
- Mr. Milliner noted that this was accurate; however, there was an upcoming application requesting the use of a composite material which was in a completely residential area that might set a future precedent.
- Chairperson Lloyd noted that there were fiber cement products similar to wood lap siding and if painted, they could be considered to effectively match historic materials, particularly on secondary structures and rear additions.
- Commissioner Funk stated it troubled her that allowing these materials in certain circumstances and not in others would be considered as doing things halfway and felt the Commission should have consistent guidance on the matter.
- Commissioner Harding inquired how other Historic Commissions were handling these types of materials and requested that staff gather more information on their policies.
- Commissioner Bevins noted that he had done some research on other city's historic boards and had yet to find one that allowed such materials.
- Commissioner Hart noted that regardless of if it was for new construction, or on contributing vs. non-contributory structures, she believed the same rules should exist for all and that such materials were particularly inappropriate for fences.

Mr. Nielson noted that a GRAMA request had been received by the Attorney's Office which impacted HLC members specifically. He noted that their office would require legible copies of every communication they had sent or received regarding the proposed Yalecrest National Historic District. He noted that the Commissioners should forward these communications to the Commission Secretary, who would then give them to the Attorney's Office.

APPROVAL OF THE MINUTES [5:57:46 PM](#)

Commissioner Funk made a motion to approve the minutes from March 3rd, 2010 with noted changes. Commissioner Harding seconded the motion. All voted "Aye". The minutes were approved.

Commissioner Oliver made a motion to approve the minutes from March 17th, 2010 with noted changes. Commissioner Harding seconded the motion. All voted "Aye". The minutes were approved.

Commissioner Oliver made a motion to approve the minutes from May 19th, 2010 with noted changes. Commissioner Harding seconded the motion. All voted "Aye". The minutes were approved.

REPORT OF THE CHAIR AND VICE CHAIR [6:02:20 PM](#)

Both Chairperson Lloyd and Vice Chairperson Oliver noted they had nothing to report.

PUBLIC COMMENTS [6:02:33 PM](#)

Cindy Cromer, 816 East 100 South, noted that she wished to make the Commission aware that the Council in their meetings about the Preservation Plan and in meetings about the proposed Yalecrest Historic District had been distributing the Planning Division document, *Preservation in Brief*.

Mr. Paterson noted that the public hearing before the City Council on the Preservation Plan had not been closed and had instead been continued to July 1, 2010.

Ms. Lew noted that the original *Preservation in Brief* had been written by former Senior Preservation Planner, Robin Zeigler, and had been submitted with the Preservation Plan. She noted that the document had been recently updated and had been used in meetings about the proposed Yalecrest Historic District.

PUBLIC HEARING [6:06:31 PM](#)

PLNHLC2010-00057, Trudell/Thompson Certificate of Appropriateness for Minor Alterations – A follow-up request by the property owners, Ruth Ann Trudell and Joan Thompson, for clarification regarding whether or not internal window grids (simulated divided light windows) are appropriate and approvable for their window replacement project on the home located at approximately 249 South 1100 East in the University Historic District. The property is zoned R-2 (Single and Two-Family Residential District) and is located in City Council District 4 represented by Luke Garrott (Staff contact: Lex Traughber, 801-535-6184 or lex.traughber@slcgov.com).

Staff Presentation [6:06:52 PM](#)

Mr. Leith, staff representative for Mr. Traughber, gave a brief overview of the project history for the Commission, noting the following:

- On May 5, 2010 The Historic Landmark Commission considered the application for the first time, finding against the staff recommendation, ruling that the structure should be considered non-contributory and that the application should be sent back to staff for further review of the proposed window replacement under these standards.
- On May 19, 2010 The Historic Landmark Commission held another public hearing and reconsidered the request, making a finding to render the structure non-contributory as noted in the staff memo on that date.
- To date: Staff reviewed the request and found that internal muntins were not appropriate for the proposed replacement windows under the new standards. The applicant then requested clarification from the Commission regarding why these internal grids were not allowed under the standards for non-contributory structures.

Mr. Leith noted that the review criteria for new construction and non-contributory structures did not specifically address window features such as internal muntins, however the Design Guidelines for Residential Historic Districts were still applicable, particularly Standard 3.5 for windows, which reads:

Match a replacement window to the original in its design: If the original is double-hung, then the replacement window should also be double-hung or at a minimum appear to be so. Match the replacement also in the number and

position of glass panes. Matching the original design is particularly important on key character-defining facades.

Mr. Leith noted the assertion that the original windows on the home were without internal grids was valid based upon the style and age of the subject home. He noted that windows with internal grids had not been allowed by the Commission on new homes or non-contributory structures in the past, and the Certificate of Appropriateness issued on May 20th noted that Planning Staff did not wish to create a precedent for the requested window design. Mr. Leith noted that based upon Standard 3.5, and upon past practice concerning internal-grid windows, Planning Staff recommended denial of the request.

Questions for Staff from the Commission [6:12:26 PM](#)

There were no questions for staff from the Commission.

Applicant Presentation [6:12:39 PM](#)

Ruth Ann Trudell, the property owner, reviewed a PowerPoint presentation for the Commission, and submitted her own document included with the record of the minutes. She noted her concern that staff had arbitrarily applied standards to address internal muntins, following the standards for contributory rather than non-contributory structures. She noted that with respect to the proposal, the proposed windows would not change the ratio of width to height or the rhythm of solids to voids as set forth in Standard 2 of 21A.34.020H.

Ms. Trudell noted she believed the use of internal muntins for her windows would be compatible with surrounding structures and referenced standards for new construction, particularly the following:

11.19 – Contemporary interpretations of traditional details shall be encouraged.

11.20 – The imitation of older historic styles is discouraged, however, interpretations of historic styles may be considered if they are distinguishable as new.

11.23 – Windows shall be simple in shape, odd shaped windows such as octagons, diamonds, etc are to be discouraged.

Ms. Trudell noted that she felt the proposed windows met all the above standards and did not seek to confer a false sense of history. Ms. Trudell noted that the Land Use Appeals Board (LUAB) had reviewed one case regarding a finding the Historic Landmark Commission had made for a contributory structure. She stated that LUAB upheld the decision of the Commission in this case; however, the structure was contributory and felt that the standards were not applicable for non-contributory structures.

Ms. Trudell reviewed a chart comparing contributory and non-contributory standards. She noted that non-contributing standards indicated particularly that a proposal need not duplicate or copy historic styles and periods, and that contemporary interpretation of traditional details shall be encouraged. Ms. Trudell noted in conclusion that she felt the proposal substantially met all applicable standards and did not diminish the interest of the City. Ms. Trudell noted that if the Commission denied the proposal, she would request a written explanation for the basis of denial including the appropriate standards against which the proposal should be considered in conflict and that rationale.

Questions for the Applicant from the Commission [6:29:38 PM](#)

Commissioner Carter inquired if they had already purchased the windows with muntins. He noted that they had discussed the probable type of windows in the original home and that the contractor had stated he would be willing to replace the windows with a larger one-over-one style more akin to the windows most likely present in the original home.

Ms. Trudell noted that the contractor was willing to make that replacement, but the intent of their original design had been to include the internal muntins. She noted that she had not talked to the contractor regarding the cost of making that change.

Chairperson Lloyd inquired if Ms. Trudell felt the internal muntins could be considered a contemporary interpretation.

Ms. Trudell noted that she did.

Public Hearing [6:34:13 PM](#)

Chairperson Lloyd noted that there was no one present to speak to the item and closed the public hearing.

Executive Session [6:34:28 PM](#)

Commissioner Funk stated that she did agree Ms. Trudell had presented very insightful arguments, however, Ms. Trudell had referenced standards for new construction, and while the home was now considered non-contributory, it was not new construction. She noted that standards for compatibility and streetscape were not included by Ms. Trudell. Commissioner Funk noted that Ms. Trudell had included photographs from structures on either side of the home but not other structures in the surrounding vicinity and the Commission should consider the entire streetscape. She stated she felt that in order for the windows to be compatible with the surrounding streetscape, the windows should be open, with no internal division.

Chairperson Lloyd inquired of staff if the standards for new construction and non-contributing structures were the same.

Mr. Paterson noted that paragraph (H) of 21A.34.020 contained one set of standards for New Construction and non-contributing structures. Mr. Paterson noted that he did not believe staff meant to indicate that these standards were irrelevant, but that they failed to address a level of detail for things such as internal muntins. Mr. Paterson noted that Mr. Traugher had also, however, referenced the Design Guidelines, particularly Standard 3.5 as the basis for the staff recommendation of denial.

Commissioner Funk inquired if the earlier decision made by LUAB affected the direction they might take in their decision.

Mr. Nielson noted that he was not familiar with the particular case, however, didn't believe that this decision should affect the Commission's current reasoning.

Ms. Lew noted that when LUAB reviewed an appeal, they looked for possible legal error in the decision the HLC had made and did not substitute their own judgment. Ms. Lew stated that the New Construction Guidelines addressing windows, particularly 11.22, discussed frames of windows and doors being in

materials in proportion to those used in the neighborhood. Ms. Lew stated that these standards did not address interior muntins, but did review overall design.

Vice Chairperson Oliver noted that the design guidelines were purposefully broad as they could not address every change in window style or manufacturer that came along. She stated that standard 11.22 was relevant and applicable, and in reference to the subject property and the surrounding streetscape, it would indicate that the appropriate type of window would be a one-over-one style. She noted that she did not view internal muntins as a contemporary interpretation of a historic window but an inexpensive imitation.

Chairperson Lloyd noted that he concurred with Vice Chairperson Oliver.

Commissioner Carter noted that he concurred as well, and that historically the change from windows with grids to open panes occurred in construction sometime between 1870 and 1880. He noted that as a historian and considering the age of the home, he saw the internal muntins as attempting to replicate a period of history that existed before the home was even built.

Vice Chairperson Oliver inquired what would have occurred if the project had followed the correct order and a permit and Certificate of Appropriateness had first been obtained.

Ms. Lew noted staff would have recommended that the applicant not use internal muntins.

Motion [6:47:09 PM](#)

In the case of Petition PLNHLC2010-00057, Commissioner Funk made a motion to deny the request for internal muntins as outlined by the staff report and with the additional evidence in the public hearing indicating their inappropriateness. Vice Chairperson Oliver seconded the motion.

Discussion of the Motion [6:47:52 PM](#)

Chairperson Lloyd inquired if the Commission had stated their findings adequately in the motion.

Mr. Nielson noted that he felt it was sufficient as long as the motion referred to the staff findings.

Ms. Lew requested clarification from Vice Chairperson Oliver regarding the type of window style which would be considered appropriate.

Vice Chairperson Oliver noted a one-over-one style window would be appropriate.

All voted “Aye” The motion carries unanimously.

Chairperson Lloyd noted the applicant had the right to appeal.

PLNHLC2010-00308 – Curtis, Genevieve & Alexander House National Register Nomination – A request by Korral Broschinsky of Preservation Documentation Resources, soliciting comments from the Historic Landmark Commission regarding listing the property located at 1119 E Westminster Avenue on the National Register of Historic Places. The property is zoned R-1-5000 (Single Family Residential) and located in City Council District 7 represented by Council Member Søren Simonsen. (Staff contact: Janice Lew, 535-7758, janice.lew@slcgov.com)

Presentation [6:50:13 PM](#)

Korral Broschinsky, architectural historian and preservation consultant for the issue, noted she had been engaged by the property owners to prepare a National Register Nomination. Ms. Broschinsky noted that the property was being nominated according to two criteria:

Criterion B: Property is associated with the lives of persons significant in our past. The property is nominated for its association with Alexander and Genevieve Curtis.

Criterion C: Architectural Significance; distinctive characteristics of the type, period or method of construction, etc. Ms. Broschinsky noted that the property was very distinctive as it was a double wide bungalow style structure with two wings and some neo-classical decoration and Prairie School elements.

Ms. Broschinsky stated that the home had all of its historic materials except for a few windows on the east elevation which could not be seen from the streetscape. She noted that some of the exterior features of note included an exterior pergola style roof with Tuscan columns, original light fixtures and French doors.

Ms. Broschinsky noted that she had chosen to list both Alexander and Genevieve Curtis as significant persons with the nomination. She stated that Alexander Curtis had founded the Curtis Coal Company in 1909, was a rags to riches story and by the 1920s his company was one of the largest coal retailers in the state. Mr. Curtis started the AR Curtis & Sons Investment Company with his sons in the 1940s which was the driving force behind the modernization of the Sugarhouse Business District in the 1950s.

Ms. Broschinsky noted that Genevieve Raine Curtis was the great granddaughter of Brigham Young. Ms. Curtis raised eight sons, two daughters and a foster daughter as well as caring for extended family members. Ms. Curtis was the first woman elected to the Salt Lake City Board of Education in 1940 and served as a Board member for 13 years. Ms. Curtis helped to implement a number of programs still existent in Salt Lake City Schools such as Special Education. Ms. Curtis was selected as Utah mother of the year in 1957 and served on several Governor's advisory boards and committees. Genevieve Raine Curtis Park was also named in her honor.

Questions for Staff from the Commission [7:00:16 PM](#)

Commissioner Richards inquired if the front doors were original.

Ms. Broschinsky noted that the doors were all original.

Commissioner Carter inquired if the Westminster area was part of a historic district.

Ms. Broschinsky noted that it was not, and that there were few bungalows as outstanding as the nominated property in that area.

Mr. Carter noted that he would encourage the nomination of more bungalows such as this one.

Ms. Broschinsky stated that there were also no longer any other buildings in Salt Lake City directly associated with Alexander and Genevieve Curtis.

Ms. Lew noted that staff was looking for a recommendation to the Board of State History.

Executive Session [7:03:57 PM](#)

There were no further comments from the Commission.

Motion [7:03:58 PM](#)

In the case of Petition PLNHLC2010-00308, Commissioner Richards made a motion to forward a positive recommendation to the Board of State History regarding the nomination of the structure. Commissioner Hart seconded the motion.

Commissioner Hart noted that there were a few typographical errors in the Nomination Report's summary paragraph.

Ms. Broschinsky stated that Cory Jensen was in the process of proofreading and correcting the final document.

All voted "Aye". The motion carries unanimously.

Follow-up Motion [7:06:47 PM](#)

Commissioner Carter made a motion to recommend to SHPO and City Planning to consider examining further nominations of bungalows in the area. Vice Chairperson Oliver seconded the motion.

Ms. Lew noted that a consultant had been hired for a national register nomination and reconnaissance level survey of the upper Westminster area.

All voted "Aye". The motion carries unanimously.

PLNHLC2010-00086 – 338 South Temple Certificate of Appropriateness for New Construction – A

request by Brian Wrigley representing Lotus Equities to construct a new apartment building at approximately 338 E South Temple Street, comprising 83 apartments (previously 110 apartments). The residential accommodation is arranged in four floors (previously five floors) above 1.5 floors of parking (previously two floors). The property is located in the South Temple Historic District in the R-MU (Residential/Mixed Use) zoning district, in City Council District 4 represented by Luke Garrott. (Staff contact: Carl Leith, 801-535-7758, carl.leith@slcgov.com)

Staff Presentation [7:09:15 PM](#)

Mr. Leith reviewed the request noting that the applicants had made several changes in response to comments received from the Commission regarding their concerns. Mr. Leith noted that in its earliest iteration, three potential areas of concern about the project had been identified;

1. Views. Principally in connection with the Cathedral and how the proposal would impact those views,
2. Scale and Form. Particularly in the size of the building relating to the relative scale of buildings within the block and on South Temple,
3. Materials. Relating to the rich palette of materials within the South Temple Historic District.

Mr. Leith noted that on April 12th, other issues had been raised including;

4. The height of the proposed building. The Commission noted their concern between the proposed and existing height along the block face and the mismatch between the requirements of the Residential Design Guidelines and the height maximum specified for the zone.
5. Height, Massing and Depth of the proposed building. The Commission noted it exceeded standards for structures typically found in interior street blocks.
6. Challenge of designing a building in such close proximity to the Cathedral of the Madeline.

Mr. Leith noted that the Commission had formed an Architectural Committee on April 12th to address these concerns with the applicant. He noted that the Architectural Committee had met on April 29th and May 11th to discuss these issues.

He noted that the proposal as revised included a reduction in the number of apartments from 110 to 83, a reduction in the height and scale of the building reducing the height to 4+ stories of apartments. He noted that the parking had been reduced, the massing of the building had been reconfigured to produce a variation of the roofline height and form. Mr. Leith noted that the South Temple façade had been redesigned to incorporate a lowered, concave curved and planted wall with a taller building design behind.

Mr. Leith noted that no public comment had been received regarding the project. He noted that Standards 1, 2 and 3 applied to the project, and outlined staff's concerns as set forth within the staff report as listed on pages 5-7. Mr. Leith stated that in general the proposal also met the Design Guideline standards and reviewed the standards outlined within the staff report on pages 7-11.

Mr. Leith stated that based upon the findings and analysis of the staff report, staff recommended approval of the request with modifications in setbacks to address conflicts with the design guidelines and subject to conditions requiring submission of all design details, materials and finishes.

Questions for Staff from the Commission [7:25:37 PM](#)

The Commission generally inquired if the project met the required zoning setbacks.

Mr. Leith noted that he believed it did, but the Design Guidelines seemed to note that an increased setback was particularly important within the South Temple Historic District.

Applicant Presentation [7:27:07 PM](#)

Russell Platt, the architect, provided a scale model of the proposal for the Commission. He noted that the revised proposal was attempting to push the boundaries of design a little as it was a very special site. Mr. Platt stated that they had reduced the height of the proposal by one floor. He noted that they were most excited about the living screen wall. Mr. Platt stated that there was a great deal of great landscaping on South Temple which they had wished to reflect in their design.

Eric Tuttle, project architect, noted that they had studied structures along South Temple and found that there was quite a variety of architectural styles and dates which intrigued them. He stated that this investigation led to the idea of the living screen wall. He stated that the vegetation wall was in line with the neighboring building's setback. Mr. Tuttle stated that they believed in terms of materials they had attempted to reflect those materials used in modern construction. He noted that they had introduced a butterfly cistern roof system as well as visible solar panels on the rear of the project.

Questions for the Applicant from the Commission [7:36:18 PM](#)

Commissioner Richards inquired what the current setbacks from the sidewalk to the building corner and to the living wall were.

Mr. Tuttle noted that the building had been pushed back 22” to be in-line with the adjacent structure or just behind it. He noted that from the building to the back of the screen would be 5’ and it would be 10’ from the back of the building to the northernmost part of the curve of the living wall.

Chairperson Lloyd noted that the intent would be to curve the wall slightly as in the original design with a concrete wall.

Mr. Tuttle noted that this was correct. He stated that they had recently discovered they could create a curved vegetation wall.

Public Hearing [7:39:51 PM](#)

Cindy Cromer, 816 East 100 South, noted she lamented the lack of standards for multi-dwelling units. She outlined her concerns with the project. She stated she felt there was no sense of entry, that the living wall was troubling as a new material that might not work in the area. She stated that the proposal’s effect on 100 South sight lines to the Cathedral should be closely examined by the Commission.

Applicant Response [7:43:12 PM](#)

Mr. Tuttle noted that the interior block had been a major point of discussion with the Architectural Committee as well.

Brian Wrigley, the applicant, noted that they had attempted to take the overall streetscape into consideration and that they had not identified a common theme on that block face, except that each building was clearly a product of its own time. Mr. Wrigley stated that they felt they had been told to design something for their time, that someone could still see a clear distinction in era in 10 or 20 years.

Executive Session [7:46:59 PM](#)

Commissioner Richards noted that he approved of the vegetation wall or “green screen”. He stated that he still felt its proximity to the wall and lack of a sense of entrance was still a weak point and noted that maybe a larger opening in the screen wall near the front entry would open it up.

Chairperson Lloyd noted he felt the design of the building captured an excellent counterpoint to the Cathedral, particularly in the design of the roof.

Commissioner Carter stated that he was not concerned about the scale of the structure. He noted that there seemed to be a tradition of architectural experimentation historically, particularly in the South Temple area.

Commissioner Harding noted that the mass of the project troubled her.

Commissioner Bevins stated that the mass of the proposal might seem more imposing than it would actually be as it was isolated by the large amount of parking surrounding it.

Commissioner Davis stated his concern that the living wall would be constructed on the north side of the structure and would require skillful care to maintain.

Commissioner Funk concurred with Commissioner Davis and noted that she was hesitant to approve such a wall considering the amount of care it would require to maintain. She also stated she would like to see an appropriate entrance on the north side of the building.

Vice Chairperson Oliver concurred with Commissioners Davis and Funk also and noted that the material for the wall behind the front screen should be considered as well in case the living wall should fail. Chairperson Lloyd invited the applicant back to respond to questions from the Commission relating to the vegetation wall and building elevations.

Mr. Wrigley stated that Commissioner Haymond had encouraged them to pursue the idea of the living wall during the Architectural Committee meetings. He noted that they felt it could be maintained and that from a management perspective it would be very difficult to lease apartments with a dead wall on the South Temple façade.

Mr. Tuttle reviewed elevation drawings with and without the living wall.

Chairperson Lloyd noted that they were independent structural systems.

Mr. Tuttle stated this was correct.

After reviewing materials for the main structure wall of the front façade, Commissioner Carter noted he felt that wall could stand on its own if the living wall failed and need to be removed.

Commissioner Richards and Vice Chairperson Oliver both noted they would have liked to see a more detailed site plan to more readily understand the front façade concept and its relationship to the proposed setbacks.

Commissioner Davis inquired if the applicant was concerned space between the vegetation wall and the building façade would create security issues.

Mr. Tuttle noted they had discussed the issue and were considering construction of a planter behind the wall which would extend to the first balcony to discourage possible transient activity.

Mr. Paterson noted there had been a comment about street trees being planted in the park strip, and clarified for the Commission that street trees would be required.

Commissioner Davis noted that trees in front of the living wall did not make sense, and inquired if the applicant might request a variance for street trees.

Mr. Paterson noted that there was some room for negotiation and it would ultimately come down to a decision between the Zoning Administrator and the Urban Forester.

Motion [8:18:29 PM](#)

In the case of Petition PLNHLC2010-00086, Vice Chairperson Oliver made a motion to approve the request as described within the staff report; but finding that the Commission does not agree with staff that modifications to setbacks are required as the main building will be in line with other buildings on the block face; that the screen wall will form part of the structural element of the

streetscape; that the Commission disagrees that the proposal is in conflict with Standards 1,2 and 3 and Design Guidelines 11.1., 11.15, 13.36 and 13.42; in reference to Standard 1, Scale and Form, the Commission finds that the main building is an appropriate mass and approximately matches the roofline of the adjacent buildings to a reasonable extent; and that the additional roof form are lighter, less massive elements that minimize the effect of the greater mass of the proposed building; Standard 2, Composition of Principal Facades, the Commission finds that although the proposal does not use traditional materials as found on parts of the street, it does reflect modern materials used along the block face as well as farther to the east and west on South Temple, giving greater weight to the standard that new construction should be considered a product of its own time and that materials are a crucial element of the design language of modern architecture; Standard 3, Relationship to the Street, the Commission finds that the green screen wall is more of a sculptural element detached from the building and serving a symbolic purpose.

Commissioner Carter seconded the motion.

Discussion of the Motion [8:21:25 PM](#)

Commissioner Richards proposed an amendment to the motion:

The Commission requests that the applicant work with staff to modify the primary entrance to improve the legibility and visibility of the primary entrance.

Vice Chairperson Oliver accepted the amendment. Commissioner Carter seconded the amendment.

Commissioner Funk noted that she still had concerns about the wall, and wondered what it would look like.

Mr. Leith inquired if the Commission would leave to staff further details on the wall.

Chairperson Lloyd noted that there was a motion on the floor and they should first vote.

Commissioners Bevins, Carter, Davis, Hart, Richards and Vice Chairperson Oliver all voted “Aye”. Commissioners Harding and Funk voted “Nay”. The motion carries, 6-2.

Mr. Leith inquired if the Commission was content with the proposal for the screen wall.

Chairperson Lloyd noted that staff should work with the applicant to resolve that detailing.

Chairperson Lloyd stated there had been an issue with the microphones during the hearing and proposed a ten minute adjournment to address audio issues at [8:24:39 PM](#).

The meeting reconvened at [8:39:28 PM](#)

PLNHLC2010-00270 – Gardner Certificate of Appropriateness for Major Alterations – A request by Curtis Pons, applicant, representing Reed and Jackie Gardner, the property owners for the construction of a new roof of a single family residence, located at approximately 1745 Cornell Circle, within the Yalecrest National Register Historic District, and the R-1-5000 (Single Family Residential) zoning district. The property is within City Council District 6, represented by JT Martin. (Staff contact: Carl Leith, 801-535-7758, carl.leith@slcgov.com)

Staff Presentation [8:39:59 PM](#)

Mr. Leith reviewed the request noting that the property was part of the Yalecrest National Historic District and therefore subject to temporary regulations put in place by the City Council in March of 2010. Mr. Leith noted that the home was a single story home built in 1945 and was considered a contributory structure described as minimal traditional in style. Mr. Leith noted that the applicant requested modifications to the roof to address leakage issues and their need for additional storage. He noted that the proposal would replace the existing roof with a new roof raised approximately 2' and remodeled in gable form. He noted that new gables would face the front, east and west façades. He stated that the proposed gables would be similar to other existing homes in the area.

Mr. Leith noted that staff had received five comments in support of the proposal.

He stated that staff analysis and findings identified Standards 2.5 and 9 were relevant. Mr. Leith noted that the proposal would alter the historic nature and architectural character of the building, however, in the opinion of staff, the proposed changes would not adversely affect the architectural character of the structure and it would be in keeping with the overall character of the neighborhood. Mr. Leith noted applicable Design Guidelines in Chapter 7, relating to roofs, particularly 7.1 as outlined on pgs 7 and 8 of the staff report. Mr. Leith noted that staff concluded the roof was a reticent feature of the minimal traditional home and was a characteristic of lesser importance to the structure and its setting. He noted that altering the roof would not, in staff's opinion, adversely affect the character of the home or its setting. Mr. Leith noted that staff recommended approval of the request.

Questions for Staff from the Commission [8:45:17 PM](#)

Commissioner Hart noted she believed the new design rendered the original structure unrecognizable and inquired how staff found the proposal did not adversely affect the architectural character.

Mr. Leith noted that it seemed to work with the broader context of the gabled roofs throughout the area, but did not deny that it altered the character of the building.

Commissioner Hart restated that she felt it altered the structure significantly and also noted that the materials which would be used on the upper gables were not identified in the staff report.

Mr. Leith stated that he believed it would be a fiber cement siding.

Commissioner Bevins inquired what was considered minimal traditional architectural character.

Mr. Leith noted it was a generic term from the National Register Nomination form and seemed to cover a lot of architecture built between the end of the 1930s and the middle of the 1940s.

Applicant Presentation [8:47:35 PM](#)

Curtis Pons, the general contractor for the project, noted their belief that the home would be altered from the original but would keep in character with the overall style of the neighborhood. He noted that all of the original brick work would remain and details of the copper roof and cement work were found throughout the neighborhood as well.

Jackie Gardner, the property owner, noted that there were three layers of shingles that needed to come off and the roof had leaking, therefore something needed to be done to address the deteriorating roof.

Questions for the Applicant from the Commission [8:49:26 PM](#)

Chairperson Lloyd stated that the front elevation did not indicate any change in material between the existing brick and the proposed gables.

Mr. Pons noted that the brickwork would not extend beyond the wall height, the gable would be new material, a fiber cement product.

Commissioner Davis noted that he had attended a number of meetings for the Yalecrest Historic District and noted his disappointment at the level of public misinformation present. He indicated to Ms. Gardner that her letter seemed to note that the Commission required her neighbor's approval to proceed with the project. He stated that this was not true, that neighbors could comment, but did not have veto power.

Public Hearing [8:52:10 PM](#)

Chairperson Lloyd noted that there was no one present to speak to the item and therefore closed the public hearing.

Executive Session [8:52:26 PM](#)

Commissioner Carter inquired if projects were in the pipeline before the Moratorium issued by City Council, was the Historic Landmark Commission still to follow their process and evaluate such projects based upon their directives.

Mr. Paterson noted that this was correct, and the Commission was required to evaluate these projects based upon the Landmark process based upon the standards in the Zoning Ordinance.

Vice Chairperson Oliver noted that it was then necessary to abide by the Design Guidelines and their mandate to uphold them but she also wished to express regret that a number of people had been caught in the middle of the process. Vice Chairperson Oliver noted that the home was not minimal traditional, but that everything else on the block was. She stated that in her opinion, to alter the home and state that it was then more compatible within the context of the neighborhood was not an acceptable approach; that altering the roof from a hipped to a gable form would destroy any significance the structure might have and any indication of its place in the development of Cornell Circle. Vice Chairperson Oliver noted she believed the proposal directly violated Standards 2 and 9 as well as Design Guideline 7.1 to an unjustifiable extent.

Commissioner Funk concurred with Vice Chairperson Oliver in that it conflicted with those standards, however, noted that in looking at the streetscape it seemed to be compatible.

Commissioner Hart noted that the streetscape was not as important as the fact that the structure was considered contributory and the Commission should examine that first, in which taking a contributory structure and rendering it non-contributory to match the neighborhood would not be doing the neighborhood any justice.

Commissioner Carter concurred with Commissioner Hart.

Commissioner Davis noted that he did not concur with Commissioners Hart, Carter and Vice Chairperson Oliver. He noted he concurred with staff and believed that the changes were minimal and addressed outstanding structural issues.

Commissioner Bevins concurred with Commissioner Davis and noted he believed the drawings made the changes seem more severe than they would actually be.

Commissioner Carter noted that he felt the Council and Design Guidelines had given them clear directives and they had to adhere to the policy for roofs which noted that the historic character of roofs shall be preserved, that this was their charge.

Motion [8:59:09 PM](#)

In the case of PLNHLC2010-00270, Commissioner Harding made a motion to approve the request based upon the analysis and findings as noted in the staff report. Commissioner Bevins seconded the motion.

Discussion of the Motion [8:59:32 PM](#)

Commissioner Richards noted that he concurred with Commissioner Carter regarding the clarity of the standards and that there were other solutions for the roof that could resolve the structural issues and leaking.

Commissioner Funk inquired if there were suggestions for other options regarding the roof.

Vice Chairperson Oliver noted the roof was in very poor shape and needed to be addressed soon, she noted that small details could help with leakage issues as there were certainly other hipped roofs in Salt Lake City.

Chairperson Lloyd noted that there was not much clarification regarding the architectural detailing.

Commissioners Funk, Harding, Bevins, and Davis voted, “Aye”. Commissioners Carter, Oliver, Hart and Richards voted “Nay”. The vote stood tied at 4-4. Chairperson Lloyd was required to break the tie and voted “Aye”. The motion carries, 5-4.

Mr. Nielson noted that a tie had not occurred in a long time with the Commission and that while the Chairperson did not usually vote on a matter, his vote was required to break a tie.

PLNHLC2010-00196 – Foshee Certificate of Appropriateness for Minor Alterations – A request by Marc Foshee, involving new construction of an accessory structure on the property located at approximately 805 S Park Street in the Central City Historic District. The applicant proposes to install a fiber cement panel siding to a new shed. The property is zoned RMF-30, Low Density Multifamily Residential District and is located in City Council District 4, represented by Council Member Luke Garrott. (Staff contact: Katia Pace, 801-535-6354, katia.pace@slcgov.com)

Staff Presentation [9:06:41 PM](#)

Ms. Pace noted that the applicant proposed to use 4x8 vertical fiber cement siding panels on the requested accessory structure and that such products had been allowed in the past on a case by case basis. Ms. Pace stated such large panelized products were generally not allowed on primary structures, but were often allowed for consideration on secondary structures. Ms. Pace noted that staff felt the material was appropriate in this situation and recommended approval.

Questions for Staff from the Commission [9:09:36 PM](#)

Commissioner Richards noted he appreciated the table Ms. Pace had provided outlining the Zoning criteria and how the proposal compared. He inquired if the project had not been able to be approved administratively because of the panel treatment of the siding.

Ms. Pace noted that this was correct.

Applicant Presentation [9:10:25 PM](#)

Mark Foshee, the applicant, was present and noted he did not have any additional information; however he would welcome any questions from the Commission.

Questions for the Applicant from the Commission [9:10:45 PM](#)

Commissioner Carter commended the applicant on his restoration of the building.

Public Hearing [9:11:32 PM](#)

Chairperson Lloyd opened the item to comments from the public; however, seeing no one present to speak to the item, he closed the public hearing and moved to Executive Session.

Executive Session [9:11:42 PM](#)

Commissioner Carter noted he felt the material to be acceptable and recommended the Commission approve the request.

Motion [9:12:10 PM](#)

In the case of Petition PLNHLC2010-00196, Commissioner Carter made a motion to approve the request in concurrence with staff findings. Commissioner Davis seconded the request.

Amendment to the Motion [9:12:48 PM](#)

Commissioner Harding requested that an amendment to the motion be considered to add the conditions of approval listed in the staff report as follows:

...in concurrence with staff findings and subject to the following conditions:

- 1. Approval of the final details in the design shall be delegated to the Planning Staff, based on the direction given during the Historic Landmark Commission's public hearing.**
- 2. The project must meet all other applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission, Administrative Hearing Officer, or Board of Adjustment.**
- 3. 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.**

Commissioner Carter noted he would accept the amendment. Commissioner Davis seconded the amendment.

All voted "Aye". The motion carries unanimously.

Chairperson Lloyd disclosed at this time that the Lindleys, the petitioners on the next item, were his neighbors (not immediate) and he had taken part in a brief conversation with them regarding Landmark procedural issues.

Commissioner Funk inquired if Chairperson Lloyd felt there was a conflict of interest.

Chairperson Lloyd noted that he did not feel there was a conflict.

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

PLNHL2010-00204, Lindley Certificate of Appropriateness for Major Alterations – A request by property owners David & Erika Lindley for major alterations to a single-family residence located at approximately 1790 East 900 South in the Yalecrest Neighborhood and Yalecrest National Register Historic District. The request is for a two story addition at the rear of the building. The property is zoned R-1-7000 (Single-Family Residential District) and is located in City Council District 6, represented by JT Martin. (Staff contact: Janice Lew, 801-535-7625, janice.lew@slcgov.com)

Staff Presentation [9:15:26 PM](#)

Ms. Lew reviewed the request noting that the proposed design had been submitted prior to the initiation of existing temporary regulations for the Yalecrest Neighborhood. Ms. Lew stated that the second story of the home overlapped the first story slightly. She stated that placement of the proposed rear two-story addition would be on the rear of the building with a maximum roof height less than that of the primary structure, would be set in from the side walls of the principal structure and be contemporary in nature and would be comprised of modern construction materials. Ms. Lew noted that the proposal did not seek to imitate the original structure and was generally consistent with the intent of the standards. She noted that proposed alterations to the front porch, creating a new gable over the entry of the home was a staff concern. Ms. Lew noted that staff analysis found that placing the addition in the rear of the property

where it would not affect the streetscape appearance, would minimize the visual impact to the primary structure and allow its character defining features to remain prominent. She noted that staff therefore recommended approval of the request with modifications in size and design to address conflicts with the design guidelines, primarily in relation to the size, massing and proposed changes to the front entry.

Ms. Lew noted that staff had received comments from the abutting property owner in opposition to the proposal.

Questions for Staff from the Commission [9:23:12 PM](#)

Commissioner Funk noted that the zoning was R-1-7000 and requested if a home business would be allowed.

Ms. Lew noted that although she was not aware of the owner's scope of operations, home occupation licenses were allowed in the R-1-7000 district.

Chairperson Lloyd inquired if staff had any further recommendations regarding modifications to size and design.

Ms. Lew stated that a reduction in the size of the addition might be appropriate with respect to the massing and scale of the addition and with regards to the front porch covering; it would compromise the integrity of the front façade.

Commissioner Hart stated that from the site plan it sometimes looked as though there was a setback on the addition and sometimes not and requested clarification.

Ms. Lew noted that Commissioner Hart might wish to ask for clarification from the applicant on this issue.

Applicant Presentation [9:26:13 PM](#)

Erika Lindley, the property owner, noted that they felt they had managed to design an addition which gave them the space they desired for their family while not overwhelming the scale of the existing home. Ms. Lindley noted that they were not requesting any variances and the addition would not be seen from the street, it would be set back on both sides. She stated that they had tried for several years to be good neighbors to the Speers who had voiced opposition to the proposal. Ms. Lindley noted that her husband did not cut tile at home as part of his home occupation, as indicated by Mr. Speer, but that they had cut tile previously for a renovation on their own home. Ms. Lindley stated she felt they had met the design guidelines and existing infill ordinance.

Questions for the Applicant from the Commission [9:32:19 PM](#)

Commissioner Funk inquired if they had two decks proposed.

Ms. Lindley noted that there were oaks and other landscaping that would provide screening for some of the privacy concern issues the Speers had raised in their comments.

Public Hearing [9:33:15 PM](#)

Jack Speer, 1800 East 900 South, noted his concern that the lot was narrow and the proposal attempted to squeeze too much onto too little land, stuffing five pounds into a three pound bag.

Mr. Paterson stated that the ordinance listed a 40 percent maximum lot coverage standard for the R-1-7000 zoning district and the applicant would have to meet that standard in order to obtain building permits.

Ms. Lew indicated that this standard would be verified during the Building Permitting process.

Ms. Lindley noted for the Commission that the proposal had been reviewed already by those departments and the proposal met that requirement, at 35 percent.

Executive Session [9:38:19 PM](#)

Commissioner Richards noted that in terms of mass and scale the addition did step back and the roof line did step down and the massing would be less substantial than it appeared in the drawings. He also stated that considering the radical change which had occurred to the front façade when stucco had been applied, he did not see the alterations to the entry to be more substantive.

Chairperson Lloyd noted that the proposed porch roof could be altered to reflect the horizontal nature of the second story on the front façade.

Commissioner Carter concurred with Chairperson Lloyd and noted that they might also suggest the inclusion of a hipped roof. He stated that he might like to see the material change on the addition to better differentiate the new from the old.

Commissioner Davis noted that he concurred with staff, Commissioner Carter and Richards regarding the sensitivity of the addition. He noted that in terms of massing a change in material on the addition might be beneficial.

Vice Chairperson Oliver concurred that a change in materials would be helpful, possibly stucco on the second story and siding or shingles on the first. She also concurred that a hipped roof on the porch would be appropriate.

Motion [9:46:20 PM](#)

In the case of Petition PLNHLC2010-00204, Commissioner Carter made a motion to approve the petition based upon the analysis and findings in the staff report, noting that approval of the final details of the design shall be delegated to staff subject to the direction given by the Commission during the public hearing of the Historic Landmark Commission. Commissioner Funk seconded the motion.

Discussion of the Motion [9:47:37 PM](#)

Commissioner Bevins inquired if the motion addressed the gable entry on the front façade.

Commissioner Carter noted that this would be covered under the inclusion of the Commission's discussion in final detail approval.

All voted “Aye”. The motion carries unanimously.

Ms. Lew requested clarification from the Commission regarding their direction to staff.

Commissioner Carter noted that in terms of the porch roof the Commission would approve of something which better reflected the horizontal nature of the overall design, with either a flat or hipped roof, possibly with porch posts.

Commissioner Richards noted that in regards to a material change on the back addition, he did not believe it needed to occur on both levels, as long as there was some sort of differentiation between the existing home and the new addition.

At this time, Chairperson Lloyd disclosed that he would need to recuse himself from the following two items as he was the architect for Mr. Dewey and had had an inadvertent discussion with the contractor for the applicant and wished to apologize to both the applicant and Planning Staff regarding any misinformation which might have occurred during that discussion. Chairperson Lloyd therefore recused himself from the remainder of the meeting’s proceedings.

Chairperson Lloyd did note that he better recognized with new found respect what those Commissioners who lived in current local districts were charged with.

Chairperson Lloyd was excused from the remainder of the meeting at this time. Vice Chairperson Oliver was recognized as Acting Chairperson for the remainder of the meeting.

PLNHLC2010- 00214 – Dewey Certificate of Appropriateness for Major Alternations – A request by property owner, Jon Dewey for major alterations to a single-family residence located at approximately 1724 E Princeton Avenue in the Yalecrest Neighborhood and Yalecrest National Register Historic District. The proposal includes a roof top addition toward the rear of the building. The property is zoned R-1-5000 (Single-Family Residential Distirct) and is located in City Council District 6, represented by JT Martin. (Staff contact: Janice Lew, 801-535-7625, janice.lew@slcgov.com)

Staff Presentation [9:53:17 PM](#)

Ms. Lew reviewed the proposal for the Commission and noted that it had been designed prior to the initiation of the temporary regulations enacted by City Council. Ms. Lew stated that the structure was a single story Period Revival cottage featuring an asymmetrical front façade, brick masonry wall surfaces, front center chimney, and was less ornate than other period revival cottages in the area. Ms. Lew stated that the rear of the home was covered by a shallow pitched hipped roof which tied into the ridge of the front gable. Ms. Lew stated that the proposed roof-top addition conflicted with Standards 2, 5, 6 and 10 of the Zoning Ordinance and was also inconsistent with Design Guidelines 2.9, 3.2, 7.1, 7.5, 8.1, 8.2, 8.5 and 8.12.

Ms. Lew noted that the proposal failed to retain character defining features of the home which would compromise the character of the property and staff recommended denial of the project. Ms. Lew noted that staff had received a letter from Nelson Knight at the State Historic Preservation Office (SHPO) which indicated their support of the application in regards to receiving State tax credits. She noted that staff also provided to the Commission a Preservation Brief from the Parks Service regarding additions and the criteria which they examined and staff used as well in their analysis.

Questions for Staff from the Commission [10:01:16 PM](#)

Acting Chairperson Oliver noted that SHPO had concluded that the proposal complied with the Secretary of Interior's Standards and would therefore qualify for tax credits.

Commissioner Hart noted that staff had indicated they were willing to not change materials in the front gable end.

Ms. Lew noted that they were willing to not change the side gables not the front gables, that there had been some discussion about changing the material in the gables to a fiber cement product.

Commissioner Funk inquired how much the roof line would change in the front of the structure.

Ms. Lew noted that they were not proposing to change the height of the front ridge.

Applicant Presentation [10:04:26 PM](#)

John Dewey, 1724 E Princeton Avenue, reviewed the request noting that they felt it complied with all applicable guidelines. He addressed staff's findings for the Commission noting that it was his belief their proposed addition substantially complied with all of the standards which staff took issue with. Mr. Dewey noted that they had originally proposed to replace the material on the side gables with a fiber cement product, but would be more than willing to repair the existing material or replace with wood instead.

Mr. Dewey noted that the front façade would not be altered; including the roof line, that the addition would be set back ten feet from the front facade of the home as required, the gables would be inset and the footprint of the existing building would not be altered at all. He noted that the chimney would block the view of the raised peak of the addition which would be sloped back and 18" above the existing ridge line of the front view. Mr. Dewey noted that preserving the existing ridgeline of the rear roof was not possible due to the necessity of accommodating a stairway in the interior of the home.

Questions for the Applicant from the Commission [10:14:43 PM](#)

Commissioner Hart noted that in the two views of the proposed change, the new roof was above the original roof line.

Mr. Dewey noted that the addition roof line would be 18" above the front façade roof line.

Commissioner Hart noted that this view was blocked by the chimney and this did not trouble her but inquired if it need be 18" above the original roofline.

Mr. Dewey noted that it was required to accommodate the new stairway according to existing code regulations.

Acting Chairperson Oliver requested clarification regarding what appeared to be a new window in the front gable.

Mr. Dewey noted that bathroom glass would be placed in that vent opening but that the wooden slats would remain.

Commissioner Carter commended Mr. Dewey for his thoughtful design.

Public Hearing [10:18:51 PM](#)

Acting Chairperson Oliver noted that there was no one present to speak to the item, therefore, she closed the public hearing portion of the hearing and moved to Executive Session.

Executive Session [10:18:57 PM](#)

Commissioner Richards noted he felt the proposal was a sensitive addition, built slightly over the roofline and not affecting the front façade.

Commissioners Carter and Davis concurred with Commissioner Richards and noted that he disagreed with staff's recommendation to deny the proposal.

Commissioner Harding noted that from the side, it seemed there was no differentiation between the addition and the original home.

Commissioner Hart noted that there was no proposed change to the first story; that only the roofline was being altered and the proposed gables were also set back as was preferred for new additions in the design guidelines.

Motion [10:21:53 PM](#)

In the case of Petition PLNHLC2010-00214, Commissioner Funk made a motion to approve the request for Major Alterations to the single family residence, noting that it does meet the standards of 2,5,6 and 10 of the Zoning Ordinance and would be consistent with Residential Design Guidelines 2.9, 3.2, 7.1, 7.5, 8.1, 8.2, 8.5 and 8.12. Commissioner Hart seconded the motion.

Discussion of the Motion [10:22:42 PM](#).

Acting Chairperson Oliver inquired if the Commission needed to be more specific about why they were disagreeing with the staff recommendation.

Mr. Nielson noted that they had provided a textbook motion, very well done.

Commissioner Hart also thanked the applicant for the sensitivity of the proposal.

All voted "Aye". The motion carries unanimously.

PLNHLC2010-00235 – Barber Certificate of Appropriateness for Major Alterations – A request by Phillip Winston, applicant and contractor, representing the property owner Brandon Barber for major alterations to a single-family residence located at approximately 997 S Military Drive in the Yalecrest Neighborhood and Yalecrest National Register Historic District. The request is for a roof top addition. The property is zoned R-1-5000 (Single-Family Residential District) and is located in City Council District 6, represented by JT Martin. (Staff contact: Janice Lew, 801-535-7625, janice.lew@slcgov.com)

Staff Presentation [10:25:02 PM](#)

Ms. Lew noted that the request was to add a rooftop addition onto the single family home. Ms. Lew reviewed photo slides of a number of properties along the streetscape. She noted that the property in question was one of the smaller lots on the block face and the character defining features of the home included the decorative door surround, a clipped gable on the right side, an exposed chimney on the left side of the building. Ms. Lew noted that the roofline of the home ran parallel to the street.

Ms. Lew stated that the proposal would raise the front ridge roof height approximately four and a half feet. She noted that the original roof form on the rear of the structure would be replaced with a form mimicking the primary roof form. Ms. Lew noted that the proposal would add a new gable to the front of the structure as well. She stated that a new window would be proposed in each new gable and a shed dormer extending the width of the new gable to the rear. Ms. Lew noted that the proposed materials for the addition included brickwork, stucco with applied half-timbering, corbels and matching asphalt shingle roofing as well as new windows and doors. Ms. Lew noted that the proposal would raise the height of the roof and walls of the original structure, remove the hipped roof form at the rear, alter the existing side gables and add a new gable to the front of the home. She stated that these alterations would visually affect the scale and massing of the home and therefore, staff found that it did not meet Standards 2,5 of the Zoning Ordinance and Design Guidelines 2.1, 3.2, 7.1, 7.5, 8.1, 8.2, 8.5 and 8.12 and recommended denial of the proposal.

Questions for Staff from the Commission [10:33:14 PM](#)

Commissioner Hart inquired if they would be changing the footprint of the original structure at all.

Ms. Lew noted that the footprint would not change.

Applicant Presentation [10:33:42 PM](#)

Brandon Barber, the applicant, noted that they had purchased the home in 1998 and it had fit them, however now there were too many family members for the size of the original home. He noted that their plans had been completed long before the temporary regulations had been put in place. Mr. Barber noted that he felt the addition would help the home to fit in better with the existing streetscape and that they were attempting to do exactly what their neighbors had been allowed to do. He stated that there were nineteen additions on that section of Military Drive. Mr. Barber noted that they had tremendous support for the proposal and that the proposal would not change the footprint of the home. He noted that the change in the roofline would not be taller than the roofs on any residence in the immediate area.

Questions for the Applicant from the Commission [10:38:41 PM](#)

There were no questions for the applicant from the Commission.

Public Hearing [10:38:57 PM](#)

Blake Strong, 986 Military Drive, noted that he lived directly across from the Barbers and felt the addition was very tasteful and asked the Commission to approve the request.

Phil Winston, the project contractor, stated that there was the need to incorporate a stairway and this was the reason the primary roof needed to be raised. Mr. Winston inquired why staff had recommended approval of the Cornell Circle home but not the Dewey home earlier that evening.

Acting Chairperson Oliver noted that each proposal had been reviewed according to the design guidelines which were open to interpretation by both Planning Staff and the Commission.

Brad Parker, 922 Military Drive, noted that in his opinion the Barber residence was a home they had felt needed a remodel and they approved of the submitted plans.

Chris Webb, 1009 Military Drive, noted his support of the proposal. He stated that he believed it would enhance the neighborhood and that the Barbers had taken the time to create a thoughtful addition.

Mark Clawson, 1619 Yalecrest, noted his support and that the subject property needed a facelift to match the aesthetics of the surrounding neighborhood.

Greg Ross, 1451 Uinta Circle, noted that he was the individual who had met with Warren Lloyd and had a conversation regarding the historic district nomination.

Susan Porter, 1601 Yalecrest, noted that the subject property was possibly the one home which did not fit the streetscape.

Pete Williams, 1065 Military Drive, noted that due to the size and scale of the home, he felt it had become the forgotten orphan child of the neighborhood and requested that the Commission approve the request.

Jim Webster, 938 Military Drive, noted he believed the home would have had a front gable at one point if the property owner had been able to afford putting one in. He stated he also believed the proposal should be approved.

Cindy Cromer, 816 East 100 South, noted her belief that it was important to preserve the asymmetrical facade of the home, and would urge the Commission to see if the applicant would be willing to address this issue and work towards an approval. She noted that if the applicant was not willing to work on this issue the Commission should deny the proposal.

Joe Cook, 980 Military Drive, noted he felt the proposal was appropriate and long overdue.

Acting Chairperson Oliver invited the applicant forward to respond, however, Mr. Barber had nothing to add to the comments received, therefore, she closed the public hearing and moved into Executive Session.

Executive Session [10:52:46 PM](#)

Commissioner Richards stated that he felt the front façade would change which did not match the guidelines but the proposal did match the aesthetics of the neighborhood. He noted he did have concerns regarding the proposed massing of the project.

Commissioner Carter noted that as a historian he had to agree with the idea of evolution and change and while there was latitude within the design guidelines, the Commission was charged with following certain mandates within those guidelines. He stated that staff had adhered to those guidelines in recommending denial as it was clear the proposal would significantly destroy the character defining features of the home.

Commissioner Davis noted that the home would still be in scale with the rest of the neighborhood after the addition, but the proposed new front gable would significantly change the character of the front of the home. He inquired if it would be beneficial to suggest an Architectural Committee for the item.

Acting Chairperson Oliver noted that she felt this to be a valid suggestion and her primary concern which might be addressed in Architectural Committee would be the increase in the front roof ridge height.

Commissioner Hart noted her concerns with the proposal; the proposed raising of the roofline, the added gable and the removal of the original clipped gable ends. She stated that she felt that they had set a precedent in approving the earlier proposal on Cornell Circle and that this addition was much more sensitive by comparison. She noted she could not in good conscience deny the request when they had approved an earlier request which would completely change the look of the home.

Commissioner Harding stated that she stated she did not feel it was appropriate to reference an earlier case and her concern was that this home was also considered architecturally more significant. She stated she would concur that an Architectural Committee might help resolve some of the concerns of the Commission.

Mr. Barber was invited forward to speak to the concerns of the Commission.

Mr. Barber noted he was not willing to work with the Architectural Committee and that he did not have any reserve energy or capital to address additional concerns the Commission had raised.

Michelle Barber, the property owner, noted that they had been thrust into a situation that they had no control over with the temporary regulations. She stated that they had attempted to be very sensitive to the needs of their family as well as their neighbors.

Acting Chairperson Oliver noted that they were aware and sorry for the situation the temporary regulations had put many people into, but also noted that the Commission had been charged with upholding their guidelines as well.

Commissioner Funk noted that the applicant had stated the neighborhood did not approve of the historic district and if this were true it was probable that the Council Members for that area would vote against adoption of the district and the applicant would then be allowed to build once the regulations were lifted.

Commissioner Davis referenced Commissioner Hart's earlier comments and noted that he felt they should approve the request even with the listed conflicts with the design guidelines.

Commissioner Richards inquired of the City Attorney if they could consider the perceived economic hardship for the applicant.

Mr. Nielson noted that this was not part of the Commission's purview.

Acting Chairperson Oliver inquired if there were any changes the Commission could request now to mitigate the primary effects they had addressed.

Commissioner Richards noted that the front gable was a concern but that with the additional roof height, it balanced the design of the front of the home.

Commissioner Hart noted that they had required a date stone on an Art Moderne addition a couple of years ago and requested if the Commission felt such a tool could be useful in this case.

Motion [11:17:34 PM](#)

In the case of Petition PLNHLC2010-00235, Commissioner Carter made a motion to approve the request, due to extenuating circumstances and finding that the proposal conforms with the scale and massing and historical details existing along the streetscape; in this circumstance overriding staff's recommendation in terms of standards 2 and 5, and in terms of design guidelines 2.1., 3.2, 7.1, 7.5, 8.1, 8.2, 8.5 and 8.12. Commissioner Davis seconded the motion.

Discussion of the Motion [11:18:51 PM](#)

Commissioner Funk suggested an amendment to the motion requesting that the proposal retain the clipped gable on the front of the home.

Commissioner Carter did not approve the amendment.

Commissioners Carter, Davis, Funk, Hart and Richards voted "Aye". Commissioners Bevins and Harding voted "Nay". The motion carries 5-2.

Mr. Nielson noted that the appeals process had changed so that citizens had ten days to appeal any decision of the Historic Landmark Commission to the Land Use Appeals Board, not 30 days as previously noted.

OTHER BUSINESS [11:21:09 PM](#)

Commissioner Richards inquired how the Commission could address such issues with City Council. He noted that he had routine contact with Council Members Jill Remington-Love and Luke Garott and inquired if it would be inappropriate to address them directly.

Mr. Nielson noted it would not be out of line, however, it would be appropriate for a letter to come from the Commission either through the Chairperson or through Planning Staff to address the full range of concerns the Commission might have. He stated that one of the charges of the Historic Landmark Commission was to provide recommendations to discuss such things.

Commissioner Funk inquired how many more such cases would be coming before the Commission.

Ms. Coffey noted it was difficult to anticipate how many more cases the Commission might review as the moratorium was not currently scheduled to end until September.

Commissioner Funk made a motion to adjourn. Commissioner Hart seconded the motion. No one objected to the motion. The meeting adjourned at 11:24 P.M.

Cecily Zuck, Historic Landmark Commission Secretary

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on June 2, 2010.

To download the FTR audio player and listen to selected excerpts of the meeting, click [here](#).