

SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 326, 451 South State Street
October 4, 2012

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on October 4, 2012.

Historic Landmark Commission Meetings are televised on SLCTV 17. Archived video of this meeting can be found at the following link under, "Historic Landmark Commission and RDA": <http://www.slcgov.com/slctv/slctv-videos-demand>.

A regular meeting of the Historic Landmark Commission was called to order on Thursday, October 4, 2012 in Room 326 of the City and County Building, located at 451 South State Street, Salt Lake City, Utah, at [5:33:06 PM](#). Commissioners present for the meeting were Chairperson Sheleigh Harding, Vice Chair Polly Hart, Earle Bevins III, Arla Funk, Bill Davis, Stephen James, Charles Shepherd, Robert McClintic and Thomas Brennan. Commissioner Heather Thuet was excused.

Planning Staff members present for the meeting were Cheri Coffey, Assistant Planning Director; Joel Paterson, Planning Manager; Carl Leith, Senior Planner; Lex Traughber, Senior Planner; Thomas Irvin, Principal Planner; Elizabeth Buehler, Principal Planner; and Courtney Benson, Senior Secretary. Senior City Attorney Paul Nielson was also present.

FIELD TRIP [5:33:15 PM](#)

The Commissioners present on the field trip were Chairperson Sheleigh Harding, Vice Chair Polly Hart, Earle Bevins III, Arla Funk, Charles Shepherd and Robert McClintic. The Staff present were Joel Paterson, Lex Traughber, Thomas Irvin and Elizabeth Buehler.

The Commission visited the following properties:

488 Center Street - Staff described the proposed new construction of a single family home and described some of the design elements found in the vicinity. The Commission asked about the size of the lot and the special exception that the applicant will request for front yard parking (one stall). The Commission asked about the location of the garage.

641 North 200 West - Staff explained the proposal to legalize the oversized (footprint and

height) garage and to construct a deck addition. The Commission asked about the history of the garage and the proposed materials, the existing zoning and the special exception process.

540 East 500 South - Staff described the proposed project. The Commission asked about site details, building height, history of the building and past HLC consideration of previous projects.

DINNER [5:33:19 PM](#)

Dinner was served to the Commission and Staff at 5:00 p.m. The Commission had no substantive business to discuss.

REPORT OF THE CHAIR OR VICE CHAIR [5:33:26 PM](#)

Vice Chair Hart stated the City Council is still considering changes that have been made to the Landmark Ordinance. She stated this item will be on the Council agenda on October 23, 2012.

REPORT OF THE DIRECTOR [5:34:21 PM](#)

Ms. Cheri Coffey stated the City Council is considering having the Historic Landmark Commission be involved with the designation and design review of Conservation Districts. She stated she will keep the Commission posted with the Council's decision.

APPROVAL OF September 6, 2012 MINUTES [5:35:38 PM](#)

MOTION [5:35:47 PM](#)

Vice Chair Hart moved to approve the minutes of September 6, 2012. Commissioner James seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS [5:36:05 PM](#)

No one wished to speak at this time.

WORK SESSION [5:36:37 PM](#)

Mr. Carl Leith, Senior Planner, introduced the draft of the Memorial House Sustainability Plan commissioned by the Utah Heritage Foundation and prepared by CRSA. He stated comments received will help form the final version of the plans.

Mr. Steven Cornell, Architect with CRSA, summarized the Memorial House Sustainability Plan. Mr. Cornell reviewed the plans for energy efficiency, interior design, renewable energy and how to avoid potential health hazards.

Commissioner Davis asked why it is not feasible to use passive solar.

Mr. Cornell stated the most use occurs in the office space and passive solar is mostly used in the evening. He stated it makes more sense to address the efficiency of the lighting before

more expensive systems are looked at.

Commissioner James asked if the R-value of the walls were going to be increased.

Mr. Cornell stated there are no plans to change the R-values of the walls.

Commissioner James asked why there was a recommendation to replace the windows if the R-value would not be significantly improved.

Mr. Cornell stated the historic windows are in good condition, but they do not have a low-E glazing which would allow the mechanical systems to run more efficiently.

Commissioner James stated low-E glazing makes the window more reflective which will have an adverse effect on the character of the building.

Mr. Cornell stated there are varying levels of low-E and he has looked at various examples to see how reflective the surface is.

Commissioner McClintic asked if an energy model of the structure has been done.

Mr. Cornell stated an energy analysis has not been done.

Commissioner McClintic and Mr. Cornell discussed energy options for the structure's windows.

Ms. Coffey asked if the project is being funded by the Utah Heritage Foundation or if the City is also contributing funds.

Mr. Cornell stated that question has not been answered yet. He stated in the short-term the Utah Heritage Foundation would fund interior renovations, but he is not certain about long-term plans.

PUBLIC HEARINGS [5:57:42 PM](#)

PLNHLC2012-00532 488 N. Center Street Residence - A request by Adrian Charimonte, represented by Dave Robinson of City BLOCK LLC, for approval to construct a new single-family residence located at approximately 488 N. Center Street in the Capitol Hill Historic District. The subject property is currently vacant and is zoned SR-1A (Special Development Pattern Residential District), and is located in Council District 3 represented by Stan Penfold. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com)

Mr. Lex Traughber, Senior Planner, reviewed the petition as presented in the Staff Report (located in the Case File). He stated Staff recommended approval of the petition pursuant to the conditions listed in the Staff Report.

Commissioner James asked if tandem parking met the ordinance requirement.

Mr. Traughber stated the ordinance is not clear. He stated the City has typically not allowed tandem parking for single family homes.

Commissioner Hart stated the minimum lot size requirement is 5,000 square feet and asked how this lot is in compliance if it is 4,091 square feet.

Mr. Traughber stated it is a legal non-conforming lot. He stated the lot was in existence prior to the 5,000 square foot requirement.

[6:04:11 PM](#)

Mr. Dave Robinson, Architect and representative of the Applicant, made the following comments:

- The home was initially going to face Center Street, but was changed to face 500 North because the rear setbacks would not work with the depth of the lot.
- Since the lot does not allow for a two car garage, other options are being considered.
- The home will have a 900 square foot footprint and will have a basement, main level and upper level.
- The front setback will meet the average setback of neighboring homes.

Commissioner Bevins asked if more windows on the second level were considered.

Mr. Matt Hintze, Architect and representative of the Applicant, stated there are not windows that open to the street on the second level in order to provide privacy in the bedrooms. He stated there are windows that face east and west on the second level.

PUBLIC HEARING [6:10:47 PM](#)

Chairperson Harding opened the Public Hearing.

Mr. Dan Bethel, resident, stated he owns the property across the street and is happy with the proposed plan. He stated he wouldn't mind if the Applicant used a more modern material such as corrugated metal.

Mr. Casey Robertson, resident, stated he lives next door and was once the owner of the lot. Mr. Robertson stated he approves of the plans and thinks it would make a great addition to the neighborhood.

Mr. Robinson stated he had not met Mr. Bethel but used his property as an example for over-excavation of the proposed courtyard.

Chairperson Harding closed the Public Hearing.

COMMISSION DISCUSSION [6:17:28 PM](#)

Commissioner James stated he thought this was an exceptional design that was sensitive to the scale of the neighborhood.

Commissioner Shepherd made the following comments:

- He agrees the scale and massing are compatible with the neighborhood.
- He has concerns with Standard 11.12 which states flat roofs should be used only in areas where it is appropriate to the context. They are appropriate for multiple apartment buildings, duplexes and fourplexes.
- He also has concerns with Standard 11.10 which states that large surfaces of glass are inappropriate in residential structures and 11.14 which states large expanses of glass, either vertical or horizontal, are generally inappropriate on new buildings in historic districts.
- He has an issue with the stacked bond brick. Standard 13.9 states that using veneers applied with the bedding plane in a vertical position is inappropriate.

Chairperson Harding stated she was concerned with Standard 11.11 (use building forms that are similar to those seen traditionally on the block) and Standard 11.12 (use roof forms that are similar to those seen traditionally on the block).

Commissioner McClintic stated he believes many things were well done including allowing the house to sit back on the lot by not facing Center Street. He stated the deep courtyard will help mitigate how much of the large expanse of glass is seen from the streetscape.

Commissioner Brennan stated he is most concerned with the below grade main entrance. He stated this is atypical and is similar in appearance to a basement entrance.

Commissioner Hart stated she is also concerned with the large expanse of glass, however this design is much better than other examples of new construction in the neighborhood.

Commissioner James stated the Standards are looking through the lens of a traditional model. He stated this design will be an asset to the neighborhood.

Commissioner Hart stated she would rather have a really good modern building than a mediocre Victorian revival.

MOTION [6:28:48 PM](#)

Commissioner James stated in the case of PLNHLC2012-00532 the Commission approves the request for new construction based on the findings of the Staff Report with the following conditions: 1) The approval of the final design details will be left to Staff. 2) A special exception for the corner side yard parking will be obtained prior to construction. 3) The project will meet all applicable City standards. 4) Approval of the project will expire if a permit has not been taken out or an extension granted within twelve months.

Vice Chair Hart seconded the motion.

Commissioners Hart, James, Funk, Brennan, Bevins, Davis and McClintic voted *aye*. Commissioner Shepherd voted *nay*. The motion passed 7-1.

[6:30:08 PM](#)

PLNHLC2012-00120 Van Vranken 4-Car Garage and Addition - A request by Gary Van Vranken, owner, to construct a 1,248 square foot garage and elevated deck addition for the property located at 641 North 200 West in the Capitol Hill Historic District. The applicant is also requesting Special Exception approval to exceed the height and square footage requirements for accessory buildings in the zone. The property is zoned SR-1A, Special Development Pattern Residential and is located in City Council District 3 represented by Stan Penfold. (Staff contact: Thomas Irvin at (801) 535-7932 or thomas.irvin@slcgov.com)

Mr. Thomas Irvin, Principal Planner, reviewed the petition as presented in the Staff Report (located in the Case File). He stated Staff recommends denial of the garage and approval of the elevated deck.

Vice Chair Hart asked if the Commission was allowed to consider that the garage was acting as a buffer between the principal structure and the adjacent apartment complex.

Mr. Paterson stated the Commission is allowed to consider how the garage fits within the context of the area.

Chairperson Harding asked if the garage must be torn down if it is not approved.

Mr. Irvin stated there are options and the garage would not necessarily need to be completely torn down.

Commissioner Davis asked when the garage was constructed.

Mr. Irvin stated the City became aware of the garage in 2008.

Commissioner James asked for clarification on what is being asked of the Commission.

Mr. Irvin stated the Commission is being asked to make a historical review of the garage and the addition of the elevated deck. He stated the Applicant is also seeking a special exception for height and square footage in the zone.

Commissioner Shepherd asked if the addition was sized specifically to accommodate the garage.

Mr. Irvin stated the size of the addition does allow the garage to meet size requirements.

[6:38:16 PM](#)

Mr. Gary Van Vranken, Applicant, made the following comments:

- He did not think building a 4-car garage would be a problem because there are several others in the neighborhood.
- He has plans for the full addition but did not submit them because he cannot afford to build the entire addition at this time.
- The addition is not square foot specific in order to accommodate the garage.
- The plans for the addition were previously approved by the Commission.

Commissioner Shepherd asked if the approval for the addition is still valid.

Mr. Van Vranken stated the approval is not still valid.

Commissioner Shepherd asked if the current addition plans consist of the first floor footprint of the plans that were previously approved.

Mr. Van Vranken stated that was correct.

Mr. Van Vranken discussed the materials he used for the garage and stated he is open to using different materials. He presented photographs of similar garages in the neighborhood. He stated the current zoning laws are outdated.

Commissioner Brennan asked what the long term intent for the building addition is.

Mr. Van Vranken presented his plans for the addition.

Commissioner James asked if the addition will add additional units to the building.

Mr. Van Vranken stated the addition will not add additional units. He stated the addition will give his tenants more space.

PUBLIC HEARING [6:45:10 PM](#)

Chairperson Harding opened the Public Hearing.

Mr. Pete Ashdown, resident, stated he owns the property to the south of the Applicant and urges the Commission to approve the garage. He stated the garage hides the large apartment complex. He stated the garage does not add to the fabric of the neighborhood, but does not detract from it either. Mr. Ashdown stated he also approves of the addition.

Mr. John Webster, resident, stated he owns the property directly to the north of this property and does not have a problem with the garage and that it has been a positive addition to the neighborhood. Mr. Webster stated he also approves of the addition.

Minta Brandon, resident, stated the rules have been broken and the Commission should not give the Applicant what he wants. She stated many people would like a garage, but it is not possible in this neighborhood. She stated she does not like the use of aluminum on the garage.

Mr. Van Vranken stated he is open to changing the materials on the garage. He stated that many of the garages in the neighborhood were built without permits and he asked the Commission to forgive him for not having a permit.

Chairperson Harding closed the Public Hearing.

COMMISSION DISCUSSION [6:52:38 PM](#)

Vice Chair Hart stated she is a member of the Capitol Hill Neighborhood Council and while she does not know the Applicant, she does know the people who made public comments. She stated she does not believe this would affect her vote.

Chairperson Harding asked if the Commission was required to take a vote in order to decide if Vice Chair Hart would need to recuse herself.

Paul Nielson, Senior City Attorney, stated that Policies and Procedures do state the Commission needs to take a vote, but it is up to the Commission on how formal that needs to be.

The Commission decided it was not necessary for Vice Chair Hart to recuse herself.

Chairperson Harding stated that Ms. Brandon made several good points and it is difficult to approve something that the Commission would never have originally approved.

Commissioner James asked why it never would have been approved.

Chairperson Harding stated the garage would not have been approved because of its size.

Commissioner James asked if the garage is too large in its current context. He stated if plans for the garage had come before the Commission, the context would have been debated.

Chairperson Harding stated four car garages are not typically part of the historical context.

Ms. Coffey stated the Commission needs to look at the Standards and determine if what is proposed meets the Standards. She stated punishment for not obtaining a building permit isn't something the Commission has the authority to do.

Commissioner James stated he would like to look at the ultimate outcome of the deck rather than the incremental project.

Commissioner Brennan stated the proposed deck is the first step of a significant addition to the rear of the primary structure. He stated he would like to see more information on the three-story addition.

Commissioner McClintic stated the Commission must look at the deck addition without considering what may come in the future. He stated the garage question is separate.

Commissioner Shepherd stated the approval of the deck addition will restrict options down the road. He stated the long range plan should be looked at.

Chairperson Harding stated the Commission can only look at the deck and see if it meets the Standards.

Commissioner Shepherd stated he does not believe the deck is compatible.

Chairperson Harding stated the Commission has given people more leeway on additions to the rear of the home that are not visible to the public.

Commissioner James stated the garage is not contextually inappropriate on this lot. He stated if plans for this garage were before the Commission, the Commission would debate the context and architectural details.

Chairperson Harding stated when viewed from the front, the structure appears to be a one car garage.

Commissioner Funk stated the Commission should approve the garage. She stated it is significant that the Applicant is trying to provide protection for his tenants.

Vice Chair Hart stated she recognizes the square footage exceeds what is typically allowed in a historic district, however only one garage door is visible from the front of the property. She stated the garage helps provide a buffer between the property and the adjacent apartment structure. She stated the garage materials will need to be worked out with Staff.

Commissioner McClintic stated he is not concerned with the deck, but is concerned with the materials.

Commissioner Bevins stated design guideline 9.2 states that accessory structures should be unobtrusive and not compete visually with the principal structure. He stated this garage follows that guideline. He stated he has problems with the materials the garage was built with. Commissioner Bevins stated the needs of a triplex are different than a single family residence.

MOTION [7:07:57 PM](#)

Commissioner Funk stated in the case of PLNHLC2012-00120 the Commission approves the request to construct an oversized garage with the condition that Staff will make the final decision regarding the materials used. She stated the garage is visually unobtrusive when viewed from the front of the house, and the garage is a desirable addition because the principal structure is a multi-family home.

Commissioner Brennan seconded the motion.

Commissioner Funk stated she would like the Commission to make suggestions to Staff regarding the materials on the garage.

Commissioner McClintic stated there are a number of materials on the house that add to its historical character. He stated these materials could contribute to the historical character of the garage.

Commissioner James stated reconsidering the garage door is something that could be done to enhance the character of the garage.

Commissioner Shepherd stated the materials used on the front of the garage should be consistent with the materials used on the sides.

Commissioners Hart, James, Funk, Brennan, Bevins, Shepherd and McClintic voted *aye*. Commissioner Davis voted *nay*. The motion passed 7-1.

Commissioner Funk stated she would like the Applicant to return to the Commission with more specific plans for the deck.

Commissioner Shepherd stated the Applicant could return with the current drawings indicating they were plans for phase one.

Commissioner James stated he agreed that there was not enough information in the current drawing to evaluate it.

Commissioner McClintic stated in the case of PLNHL2012-00120 the petition for the elevated deck addition will be tabled until the next meeting. The Applicant will provide additional information for review at that time.

Vice Chair Hart seconded the motion.

Commissioner Shepherd stated the addition seemed like a prerequisite for the legalization of the existing garage and asked if tabling the addition left the garage in limbo.

Chairperson Hart stated that is correct.

Mr. Nielson stated he is not sure if the necessary information can be prepared in time for the next meeting.

Commissioner McClintic withdrew his motion.

Commissioner McClintic stated in the case of PLNHL2012-00120 the petition for the elevated deck addition will be tabled until the Applicant can provide additional information for review.

Commissioner Brennan seconded the motion.

The motion passed unanimously.

Chairperson Harding reviewed the appeals process.

[7:16:11 PM](#)

PLNHLC2012-00538 Newhouse Apartments - A request by Strategic Capital Group for a certificate of appropriateness involving new construction of a multi-family structure at approximately 540 East 500 South. The property is located in the Central City Local Historic District and the RO Residential Office and RMF-35 Moderate Density Multi-Family Residential Districts, in City Council District 4, represented by Luke Garrott. (Staff contact: Elizabeth Buehler at (801) 535-6313 or elizabeth.buehler@slcgov.com)

Ms. Elizabeth Buehler, Principal Planner, reviewed the petition as presented in the Staff Report (located in the Case File). She stated Staff recommends the Commission deny the proposal as presented.

Chairperson Harding asked what type of material was used for the green portion of the proposed structure.

Ms. Buehler stated that portion was siding.

Commissioner James asked for an explanation of what was meant by vertical modules.

Ms. Buehler stated she was referring to the columns of different materials.

Commissioner James asked why the vertical modules are incompatible.

Ms. Buehler stated they are incompatible because they accentuate the height of the building.

Commissioner James stated this neighborhood is in a period of transformation and asked if that was considered when the structure was found incompatible.

Ms. Buehler stated the proposed structure was found to be incompatible with the traditional pattern of the neighborhood. She stated she believed a building could be constructed that would fit with the future of the neighborhood as well as traditional patterns.

Vice Chair Hart stated the only change she could find between the first submittal and the second was the removal of one green block and the name banner over the door. She asked if there were any other changes.

Ms. Buehler stated the middle sections of the structure were originally siding but are now CMU block.

Commissioner Shepherd asked if CMU block on a large structure is typically approved in a historic district.

Mr. Paterson stated this is up to the Commission. He stated the Commission may consider the material as a modern interpretation of a masonry product. He stated it would be important to consider the scale of the project.

Ms. Buehler stated there are other examples of masonry in the district.

Commissioner James and Staff discussed the zoning of the area.

[7:27:03 PM](#)

Eric Tuttle, Architect and representative of the Applicant, reviewed the proposed design and made the following comments:

- A similar design was approved by the Historic Landmark Commission in 2008.
- The front façade of the proposed structure has been divided into three modules that are similar in dimension to the existing multi-family structures on the block.
- He feels the three guidelines that are not being met are up to interpretation.
- He is willing to make changes in order to emphasize the front entrance.
- Emphasis has been placed on the design of the sides of the building, in order to detract from the parking ramp in the center of the building. Other buildings in the area also have parking ramps in the center of the building.

- He does not understand why two different colors of siding are considered different materials.
- The massing is similar in size or smaller than other buildings in the neighborhood.
- Other buildings in the area have flat roofs.

The Commission and Staff discussed the value of extending the 500 South study to adjacent blocks.

PUBLIC HEARING [7:53:04 PM](#)

Chairperson Harding opened the Public Hearing.

Cindy Cromer, resident, made the following comments:

- She own three buildings in the Central City Historic District, including one two blocks away from this property.
- She has been asking for design guidelines for multiple unit buildings for many years.
- She has extensive history with the project that was previously proposed for this site.
- The purpose of the R-O zone was to provide opportunities to protect historic structures and is not being used in that way.
- The majority of the block has a height limitation of 30-35 feet.
- Too much attention has been given to 500 South which is dominated by office buildings. There are many historically significant buildings on the block.
- The east and west façades of the building are cluttered in ordered to mask the size of the building.
- The point made by Staff that the material used on the historic buildings is simpler is accurate.
- The project as proposed is incompatible with the preservation of the block.

Mr. Shon Harper, Hawthorne Avenue resident, stated he is supportive of the project but is concerned with the height of the proposed building because the property is adjacent to his home. He stated he did not receive notice of the meeting.

Mr. Mark Shanbrun, Hawthorne Avenue resident, stated that the proposed building will be built 30 feet from his property and he is concerned that he just recently heard of these plans and did not receive notice of the meeting.

Mr. Tuttle stated he has put design and decks on the sides of this building. He stated Hawthorne Avenue has been considered and there are no windows that look out onto Hawthorne.

Chairperson Harding closed the Public Hearing.

COMMISSION DISCUSSION [8:03:26 PM](#)

Vice Chair Hart stated the Commission will look at the impact the proposed building has on Hawthorne Avenue. She stated other apartment buildings in the neighborhood have a grand entrance and the proposed building does not.

Commissioner Davis stated the grand entrance is not an issue for him.

Commissioner Shepherd stated solving the problem of the entrance does not solve all the problems with the building. He stated Standard 1.A, which states the proposed height and width shall be visually compatible with surrounding structures, needs to consider Hawthorne. He stated the adjacent buildings are of dubious character and will not be there as long as other historic structures. Commissioner Shepherd stated how this structure impacts nearby historic structures needs to be taken into consideration.

Commissioner Brennan stated the west façade of the proposed building is 275 feet long which is the scale of Smith's Marketplace located across the street, and is not compatible with the neighborhood. He stated the location of the proposed building is a transition to a residential area and a 60 foot solid wall is not appropriate.

Commissioner McClintic stated massing is the main problem with the proposed building. He stated a development of this size has an obligation to contribute and not detract from the historic scale.

Chairperson Harding suggested setting up an Architectural Subcommittee.

Commissioner Funk stated Smith's Marketplace is not in a historic district and the comparison with the scale is not appropriate.

Mr. Paterson stated Smith's is located within the Central City Historic District.

Commissioner James stated a taller building on 500 South is appropriate because of the width of the street. He stated the concept of the proposed building does not reflect elements of the neighborhood. Commissioner James stated he does not like that the first floor apartments will be level with the street. He stated the central location of the parking garage entrance is problematic. He discussed problems he has with the proposed materials.

Commissioner Brennan stated the main façade is being treated like a side or rear yard and is out of character for an urban neighborhood.

Vice Chair Hart stated she thought an Architectural Subcommittee would help give the Applicant more direction.

Mr. Tuttle stated he would be open to an Architectural Subcommittee.

MOTION [8:18:20 PM](#)

Vice Chair Hart stated in the case of PLNHL2012-00538 the application will be tabled and an Architectural Subcommittee will be formed to help give the Applicant more direction.

Commissioner Brennan seconded the motion.

The motion passed unanimously.

Commissioners James, McClintic, Brennan, Hart and Shepherd volunteered for the Architectural Subcommittee.

OTHER BUSINESS [8:20:11 PM](#)

Ms. Coffey updated the Commission on proposed revisions to the Rules of Procedure. She stated the City Council is tentatively scheduled to adopt the plan on October 23rd along with the Designation Criteria, Conservation District Regulations and the fine tuning of Historic Preservation. She stated the Council is scheduled to start working on the Design Guidelines in December.

Chairperson Harding asked if anything was needed from the Commission at this time.

Ms. Coffey stated nothing is needed from the Commission at this time.

The meeting stood adjourned at [8:25:41 PM](#)