

HISTORIC LANDMARK COMMISSION STAFF REPORT

200 Apartments- New Construction
Case PLNHLC2013-00239
and PLNHLC2013-00240
206 North 200 West
July 18, 2013



Planning and Zoning Division
Department of Community
and Economic Development

Applicant:
Matt Musgrave

Staff
Ray Milliner
ray.milliner@slcgov.com
(801)535-7645

Zone:
CN (Neighborhood
Commercial)

**Master Plan
Designation:**
Capitol Hill, Medium Density
15-30 units per acre

Council District:
District 3 – Stan Penfold

Lot Size:
Approximately .26 Acres

Current Use:
Vacant building

**Applicable Land Use
Regulations:**

- 21A.34.020 H

Notification:

- Mailed on May 23, 2013
- Posted on the Planning Division and Utah Public Meeting Notice websites May 23, 2013
- Property posted on May 23, 2013

Attachments:

- A. Proposed Elevations and plans
- B. Minutes from June 6, 2013 HLC Meeting
- C. Photos

Request

The applicant, Matt Musgrave, is requesting Historic Landmark Commission approval of 2 four-unit apartment buildings located at 206 North 200 West. There is an existing noncontributory building on the property that would be demolished if this petition is approved by the HLC. The applicant is requesting the following:

1. Design review approval of the two apartment buildings.
2. A special exception to the maximum height allowed in the CN (Neighborhood Commercial) zone from 25 feet above established grade to 30 feet above established grade.

Recommendation

Staff recommends that the Historic Landmark Commission review the petition, and grant new construction approval and a 5 foot height exception for the proposed buildings at 206 North 200 West pursuant to the conditions of approval, analysis and findings in this staff report.

Potential Motions

Consistent with Staff Recommendation: Based on the testimony, plans presented and the following findings, I move that the Historic Landmark Commission approve the request for new construction approval and a 5 foot height exception for the proposed building at 206 North 200 West according to the analysis, findings of fact and conditions of approval in this staff report.

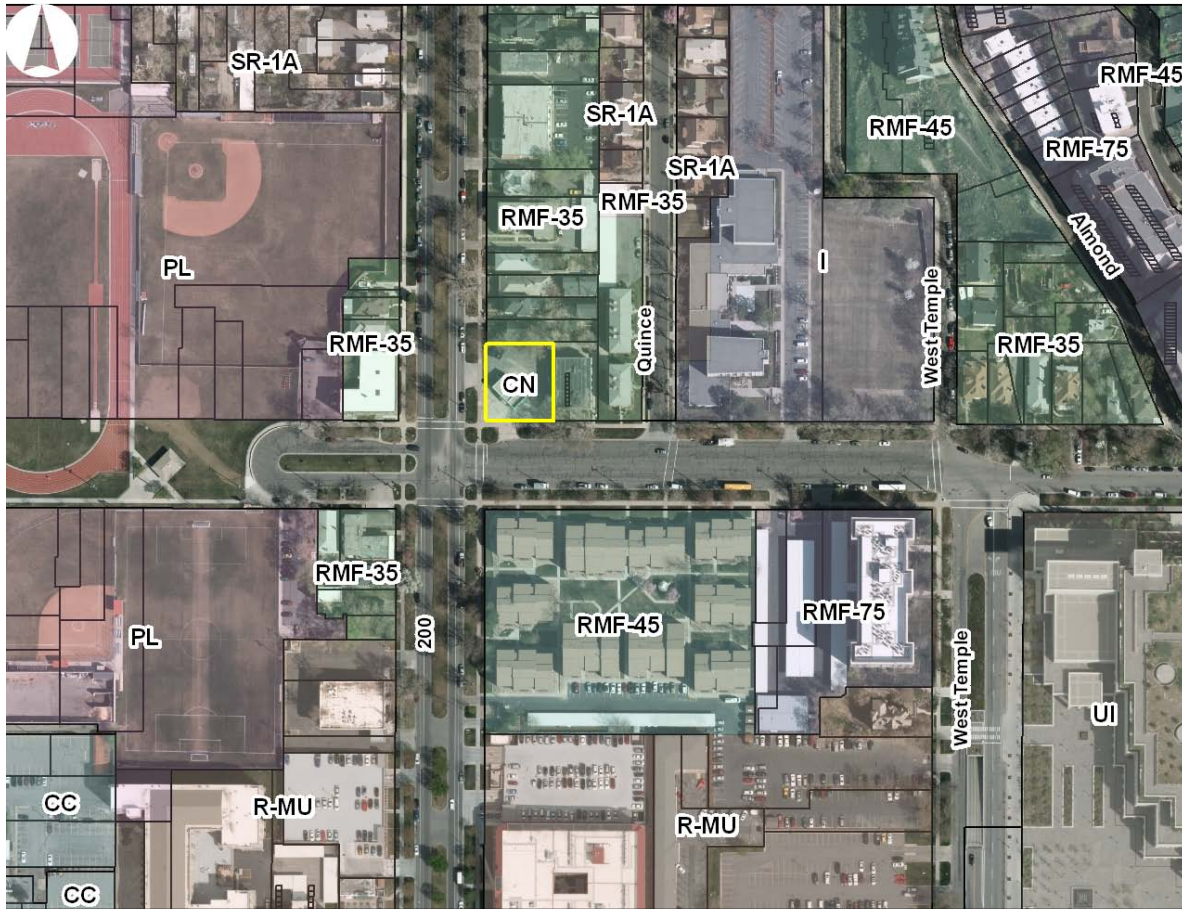
Not Consistent with Staff Recommendation: Based on the findings listed in the staff report, testimony and plans presented, I move to deny the proposed Certificate of Appropriateness for design review and a 5 foot height exception for the proposed building at 206 North 200 West (commissioner would then state findings for denial).

Conditions of Approval

1. The maximum height of the building shall be 30 feet above established grade.
2. The primary exterior building material shall be brick. Stucco or other types of synthetic material are not allowed as a primary building material.
3. Types and styles of materials shall be reviewed by staff for final approval prior to installation on the building.

4. Any minor changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to their construction.
5. Any Major changes, modifications or deviations from the approved design shall be reviewed and approved by the Historic Landmark Commission.
6. The architect and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in appearance to the approved architectural drawings/documents shall be reviewed and approved prior to construction.
7. With the exception of the 5' (Five foot) height exception, the buildings shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Salt Lake City Zoning Ordinance (including Section 21A.34.020); International Building, Fire and related Codes (including ADA compliance).

Vicinity Map



1075 East 800 South
 [White box] Neighboring Parcels
 [Yellow box] Subject Property

Project Information

Background

The applicant Matt Musgrave is requesting HLC approval for 2 four-unit buildings located at 206 North 200 West. Currently there is a vacant gas station building (Hansen Garage) on site. In July of 2012, the City Council adopted a Zoning Map amendment to change the zone on the site from RMF-35 (residential multi-family) to CN (Neighborhood Commercial). The change was intended to provide the owner of the building with additional options for the site, such as a restaurant, office use or retail that would facilitate its sale. When the property sold, however, the new owner decided to pursue a residential use. As a result, the applicant is requesting that the HLC approve the following:

- A special exception to the maximum CN height limit of 25 feet, to allow a building height of 30 feet.
- A certificate of appropriateness for new construction in a historic district for the two proposed multi-family residential buildings.

The applicant also submitted a petition for a certificate of appropriateness for the demolition of a noncontributing structure in a historic district. The Planning Division has one survey with information regarding the existing garage (Exhibit B). It was conducted in 2006, and assigned the structure a “C” ranking. A C ranking indicates that the building has lost its defining characteristics, and is no longer a contributing structure in the historic district, and therefore demolition approval can be granted administratively.

On June 6, 2013 the petition was reviewed by the HLC and a public hearing was conducted. At the hearing the commission expressed concerns about the overall design of the building (see minutes Attachment C), and voted to continue the item and allow a subcommittee to work with the applicant to address the concerns raised at the meeting. The applicant met with the subcommittee and has made changes suggested. He is now requesting that the HLC review the modifications and approve the project.

Subcommittee

On June 18, 2013 Commission members Brennan, James and Shepherd met with the applicant to discuss possible changes to the design. Recommendations included:

- Reduce the size of the cornice on the roof.
- Simplify the design.
- Make the windows more “residential” in feel.
- Make the windows more consistent in size and design.
- Design the front façade of north building so that it is similar in scale and size to other buildings in the neighborhood. Ensure that the primary entrance to the structure is emphasized.
- Consider rotating the buildings 90 degrees. This would put the primary frontage along 200 West instead of along 200 North.

The petitioner addressed each of these concerns in the new design with the exception of rotating the building 90 degrees. The reason this was not done is that in order to achieve a similar design to what is proposed, it would require an encroachment into the front setback. This would have a significant impact on the historic home to the north.

Project Description

The project is proposed at the corner of 200 North and 200 West. The applicant is proposing to remove the existing commercial building on site and replace it with an 8 unit apartment complex. The complex would be divided into two buildings each with three stories. The buildings would be rectangular in shape with brick as the primary building material, and metal awnings over each doorway. The roof of each building would be flat with a small cornice.

Access to each building would come from 200 West, with a shared driveway between the buildings leading to an individual two car garage for each unit (all required parking will be within the garages). The garages are proposed on the interior and would face each other.

Public Comments

A public hearing for this project was conducted by the Historic Landmark Commission on June 6, 2013. Minutes from that meeting are attached as attachment C. Since that time, staff has received no further comment.

Project Details

Ordinance Requirement	Proposed	Comply
Maximum Lot Area: 16,000 square feet,	11,325 square feet.	COMPLIES
Front Or Corner Side Yard: 15 feet	15 Feet	COMPLIES
Interior Side Yard: None Required unless adjacent to a residential zone, then a 7' buffer is required	7 foot buffer provided	COMPLIES
Rear Yard: 10 feet	10 feet	COMPLIES
Height: 25 Feet above established grade	30 feet	Requesting special exception

Discussion: The project meets the minimum requirements for this zoning district with the exception of maximum building height. Section 21A.06.050 of the Zoning Ordinance allows the HLC to grant height exceptions in historic overlays. In order to approve the height exception, the HLC must find that the taller building (30 feet) would be more compatible with the surrounding buildings than a building proposed at the allowed zone height (25 feet). The burden of proof lies with the applicant, who must demonstrate that the design of the building meets this standard.

Analysis and Findings

Proposed Height Exception

Applicable Guidelines for the Height Exception

12.9 Building heights should appear similar to those found historically in the district.

Analysis: The proposed buildings would have a flat roof, and the lot is essentially flat, therefore the five foot height exception would encompass the entire building. The surrounding zoning on the north, west, and east sides of the property is RMF-35, while the zoning on the south is RMF-45. This means that the maximum building height on all sides of the property is at a minimum 5 feet higher than what is proposed by the applicant. Buildings adjacent to the property on the south, east and west are approximately 30 feet or higher. To the north, there is a smaller historic home that is approximately 25 feet in height. The building would be setback approximately 10 feet from the property line of the historic home, with a landscape buffer required between the two buildings. This buffer should mitigate any negative impacts that the additional height would have on the building.

The visual impact of the additional height as it relates to the streetscape will be minimal due to the fact that most buildings in the area are already taller than what the applicant is proposing.

Finding: Staff finds that the proposed height of the buildings is compatible with the height of the surrounding structures in the neighborhood and along the block face.

ZONING ORDINANCE AND DESIGN GUIDELINES

Standards For Certificate Of Appropriateness Involving New Construction Or Alteration Of A Noncontributing Structure: In considering an application for a certificate of appropriateness involving new construction, or alterations of noncontributing structures, the historic landmark commission, or planning director when the application involves the alteration of a noncontributing structure, shall determine whether the project substantially complies with all of the following standards that pertain to the application, is visually compatible with surrounding structures and streetscape as illustrated in any design standards adopted by the historic landmark commission and city council and is in the best interest of the city:

Standard 1: Scale and Form:

- a) Height And Width: The proposed height and width shall be visually compatible with surrounding structures and streetscape;
- b) Proportion of Principal Facades: The relationship of the width to the height of the principal elevations shall be in scale with surrounding structures and streetscape;
- c) Roof Shape: The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape; and
- d) Scale of a Structure: The size and mass of the structures shall be visually compatible with the size and mass of surrounding structure and streetscape.

Applicable design guidelines for standard 1

12.5 A new building should be designed to reinforce a sense of human scale.

- A new building may convey a sense of human scale by employing techniques such as these:
- Using building materials that are of traditional dimensions.
- Providing a porch, in form and in depth, that is similar to that seen traditionally
- Using a building mass that is similar in size to those seen traditionally.
- Using a solid-to-void (wall to window/door) ratio that is similar to that seen traditionally.
- Using window openings that are similar in size to those seen traditionally

12.6 A new building should appear similar in scale to the established scale of the current street block.

- Larger masses should be subdivided into smaller “modules” similar in size to buildings seen traditionally, wherever possible.
- The scale of principal elements such as porches and window bays is important in establishing and continuing compatibility in building scale.

12.7 The roof form of a new building should be designed to respect the range of forms and massing found within the district.

- This can help to maintain the sense of human scale characteristic of the area.
- The variety often inherent in the context can provide a range of design options for compatible new roof forms.

12.8 A front facade should be similar in scale to those seen traditionally in the block.

- The front facade should include a one-story element, such as a porch or other single-story feature characteristic of the context or the neighborhood.
- The primary plane of the front facade should not appear taller than those of typical historic structures in the block.
- A single wall plane should not exceed the typical maximum facade width in the district.

12.11 A new building should appear similar in width to that established by nearby historic buildings.

- If a building would be wider overall than structures seen historically, the facade should be divided into subordinate planes that are similar in width to those of the context.
- Stepping back sections of wall plane helps to create an impression of similar width in such a case.

12.13 Building forms should be similar to those seen traditionally on the block.

- Simple rectangular solids are typically appropriate.
- These might characteristically be embellished by front porch elements, a variation in wall planes, and complex roof forms and profiles.

Analysis: One of the issues addressed at the June 18, subcommittee meeting was ensuring that the architectural composition of the building be a clean interpretation of the scale and pattern of successful apartment buildings in the Capitol Hill Historic District. Commissioners suggested that the petitioner

simplify the design of the building, and consider the design of other structures nearby. In response, the applicant removed the metal siding on the upper floor, and reduced the size of the roof cornice. By doing this, he created a simple design that is not cluttered with complex design elements. The simplistic design is symmetrical and appears to be a design that is common in Capitol Hill as well as other historic districts in the City.

Although the proposed building would be taller than that which is allowed in the CN zone, it will have a similar width and height to the surrounding structures. The proposed structures will be three stories with a height of 30 feet and a width of approximately 80 feet facing 200 North, and 32 feet facing 200 West. The apartment buildings located directly to the east are approximately 35 feet in height, while the apartments located to the west are about 50 feet in height.

The residential building to the north (along 200West) is approximately 25 feet in height and 25 feet in width. The impacts of the new buildings will be mitigated by the fact that the width of the proposed buildings facing 200 West, is similar (32 feet) to the residential buildings. Further, because the height of the surrounding apartment buildings is greater than that which is proposed, the 30 foot building will become a transitional element between the single family and multi family structures.

Finding: Staff finds that the proposed height, scale and mass of the proposed buildings is compatible with the buildings in the immediate neighborhood.

Standard 2: Composition of Principal Facades:

- a) Proportion of Openings: The relationship of the width to the height of windows and doors of the structure shall be visually compatible with surrounding structures and streetscape;
- b) Rhythm of Solids To Voids In Facades: The relationship of solids to voids in the facade of the structure shall be visually compatible with surrounding structures and streetscape;
- c) Rhythm of Entrance Porch And Other Projections: The relationship of entrances and other projections to sidewalks shall be visually compatible with surrounding structures and streetscape; and
- d) Relationship of Materials: The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.

Applicable design guidelines for standard 2

12.12 The ratio of wall-to-window (solid to void) should be similar to that found in historic structures in the district.

- Large surfaces of glass are usually inappropriate in residential structures.
- Divide large glass surfaces into smaller windows.

12.15 Overall facade proportions should be designed to be similar to those of historic buildings in the neighborhood.

- The “overall proportion” is the ratio of the width to height of the building, especially the front facade.
- The design of principal elements of a facade, for example projecting bays and porches, can provide an alternative and balancing visual emphasis.

12.16 The pattern and proportions of window and door openings should fall within the range associated with historic buildings in the area.

- Where there is a strong fenestration relationship between the current historic buildings, large expanses of glass, either vertical or horizontal, may be less appropriate in a new building.

12.17 Use building materials that contribute to the traditional sense of human scale of the setting.

- This approach helps to complement and reinforce the traditional palette of the neighborhood and the sense of visual continuity in the district.

12.18 Materials should have a proven durability for the regional climate and the situation and aspect of the building.

- Materials which merely create the superficial appearance of authentic, durable materials should be avoided, e.g. fiber cement siding stamped with wood grain.
- The weathering characteristics of materials become important as the building ages; they can either add to or detract from the building and setting, depending on the type and quality of material and construction, e.g. cedar shingles

12.19 New materials that are similar in character to traditional materials may be acceptable with appropriate detailing.

- Alternative materials should appear similar in scale, proportion, texture and finish to those used historically

12.26 The replication of historic styles is generally discouraged.

- Replication may blur the distinction between old and new buildings, clouding the interpretation of the architectural evolution of a district or setting.
- Interpretations of a historic form or style may be appropriate if it is subtly distinguishable as new.

12.20 Windows with vertical emphasis are encouraged.

- A general rule is that the height of a vertically proportioned window should be twice the dimension of the width in most residential contexts.
- Certain styles and contexts, e.g. the bungalow form, will often be characterized by horizontally proportioned windows.

12.21 Window reveals should be a characteristic of most masonry facades.

- This helps to emphasize the character of the facade modeling and materials.
- It should enhance the degree to which the building integrates with its historic setting.
- It also helps to avoid the impression of superficiality which can be inherent in some more recent construction, e.g. with applied details like window surrounds.

14.8 A new building should be designed to be similar in scale to those seen historically in the neighborhood.

- Throughout Arsenal Hill larger, grander homes reached two-and-half to three stories.
- Front facades should appear similar in height to those seen historically on the block.

14.9 A new building should be designed with a primary form that is similar to those seen historically.

- In most cases, the primary form for the house was a single rectangular volume.
- In some styles, smaller, subordinate masses were then attached to this primary form.
- New buildings should continue this tradition.

Analysis: The subcommittee requested that the petitioner make the windows less commercial in design, and that they be placed in a more uniform manner on the building. The applicant did so by standardizing the window styles and stacking them one above the other on each floor. Additionally, the design of the windows was changed from aluminum commercial style to a more residential style with double hung and casement type windows proposed. The proposed proportion of openings and rhythm of solids to voids is compatible with apartment buildings seen throughout the Capitol Hill Historic District.

The single family homes on the block face have front pedestrian entrances that are more prominent than the proposal, where as the apartment buildings have little to no entry features. The proposed buildings have the primary entrances facing 200 North and 200 West with a metal awning proposed over each entry. These entries are similar in style and design to other multi-family structures in the area. The relationship of materials in the proposal, primarily brick, will be visually compatible with other structures on the block face. The most prominent building material on the block is brick with various material types as accents.

Finding: Staff finds that the proportion of openings, rhythm of solids to voids, rhythm of porch entries and relationship of materials between the proposed building and the surrounding vernacular is significantly compatible and therefore, the proposal meets this standard.

Standard 3: Relationship to Street:

- a) Walls of Continuity: Facades and site structures, such as walls, fences and landscape masses, shall, when it is characteristic of the area, form continuity along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related;
- b) Rhythm of Spacing And Structures On Streets: The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related;

- c) Directional Expression of Principal Elevation: A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its orientation toward the street; and
- d) Streetscape; Pedestrian Improvements: Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the landmark site or H historic preservation overlay district.

Applicable design guidelines for standard 3

12.1 The plan of alleys and streets in a historic district is essential to its historic character and should be preserved.

- Most historic parts of the city developed in traditional grid patterns, with the exception of Capitol Hill which has a more irregular street pattern.
- In Capitol Hill, the street system initially followed the steep topography, and later a grid system was overlaid with limited regard for the topography.
- The grid plan also takes different forms, with for example the much tighter pattern of urban blocks in the Avenues being one its distinctive characteristics and attractions.
- Closing streets or alleys and aggregating lots into larger properties would adversely affect the integrity of the historic street pattern.

12.2 The role of the street pattern, including the layout of the individual block, as a unifying framework and setting for a variety of lot sizes and architecture, should be retained.

- The orientation, scale and form of a building has a role in supporting a coherent street pattern.

12.3 When designing a new building, the historic settlement patterns of the district and context should be respected.

- A new building should be situated on its site in a manner similar to the historic buildings in the area.
- This includes consideration of building setbacks, orientation and open space.
- A new building should be oriented parallel to the lot lines, maintaining the traditional grid pattern of the block.
- An exception might be where early developments have introduced irregular or curvilinear streets, such as in Capitol Hill.

12.17 Use building materials that contribute to the traditional sense of human scale of the setting.

- This approach helps to complement and reinforce the traditional palette of the neighborhood and the sense of visual continuity in the district

14.4 The traditional setback and alignment of buildings to the street, as established by traditional street patterns, should be maintained.

- Traditionally, smaller structures were located closer to the street, while larger ones tended to be set back further

14.6 The front of a primary structure should be oriented to the street.

- The entry should be defined with a porch or portico.

Analysis: The simplified architectural composition of the structure will maintain the continuity of the street and respect the historic settlement patterns of the district. It will be oriented toward the street as other structures on the block face and district. It will have similar setbacks and maintain the street pattern. The subcommittee discussed the importance of moving the primary entrances from the side of the north building to either end of the structure, which was done. This would make the building more traditional in its orientation by facing the front door toward the street.

The proposal shields the impacts of parking by providing all required onsite parking within garages that are located between the two buildings. This will make the building compatible with the historic character of the H historic preservation overlay district, maintaining the pedestrian feel of the street.

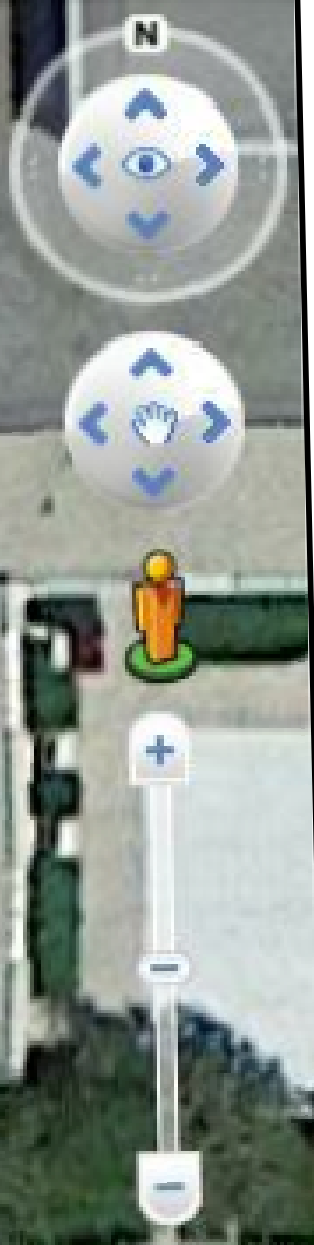
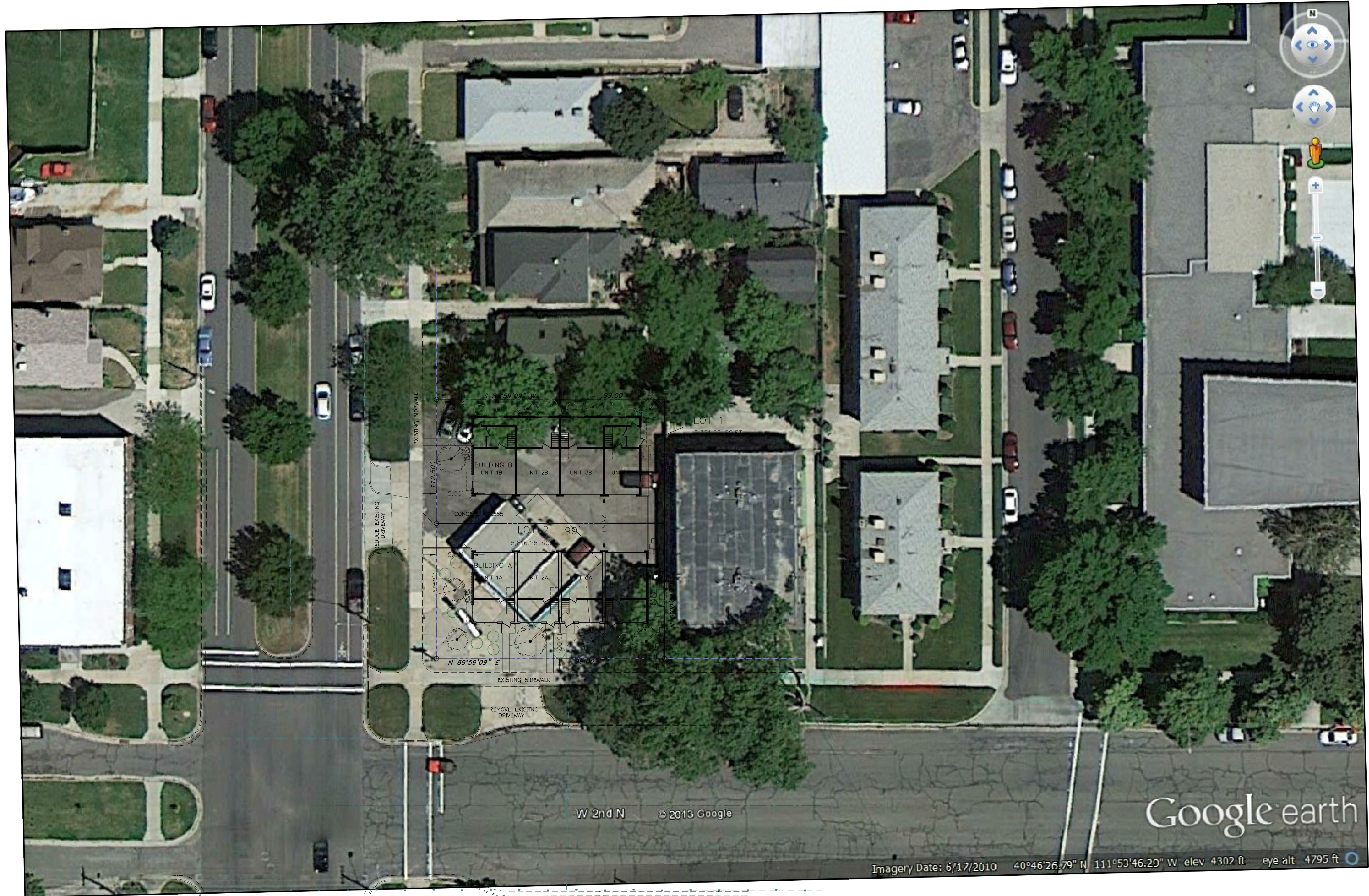
Finding: Staff finds that the location of building provides a transition from larger apartment uses to residential along 200 West. Staff finds that moving the primary entrances to the front of the building makes the design architecturally compatible with the traditional design of apartment buildings in the Capitol Hill Historic District. Staff finds that the relationship between the pedestrian and the building will be enhanced by the placement all onsite parking within parking garages located on the internal area of the building.

Standard 4: Subdivision of Lots: The planning director shall review subdivision plats proposed for property within an H historic preservation overlay district or of a landmark site and may require changes to ensure the proposed subdivision will be compatible with the historic character of the district and/or site(s).

Analysis: If this petition is successful, the applicant proposes to subdivide the property into two separate lots, one for each building. This petition will be submitted and reviewed prior to the issue of any building permit.

Finding: Staff finds that the proposed design meets this standard.

Exhibit A
Proposed Elevations and plans



W 2nd N © 2013 Google

Imagery Date: 6/17/2010 40°46'26.79" N 111°53'46.29" W elev 4302 ft eye alt 4795 ft

Google earth

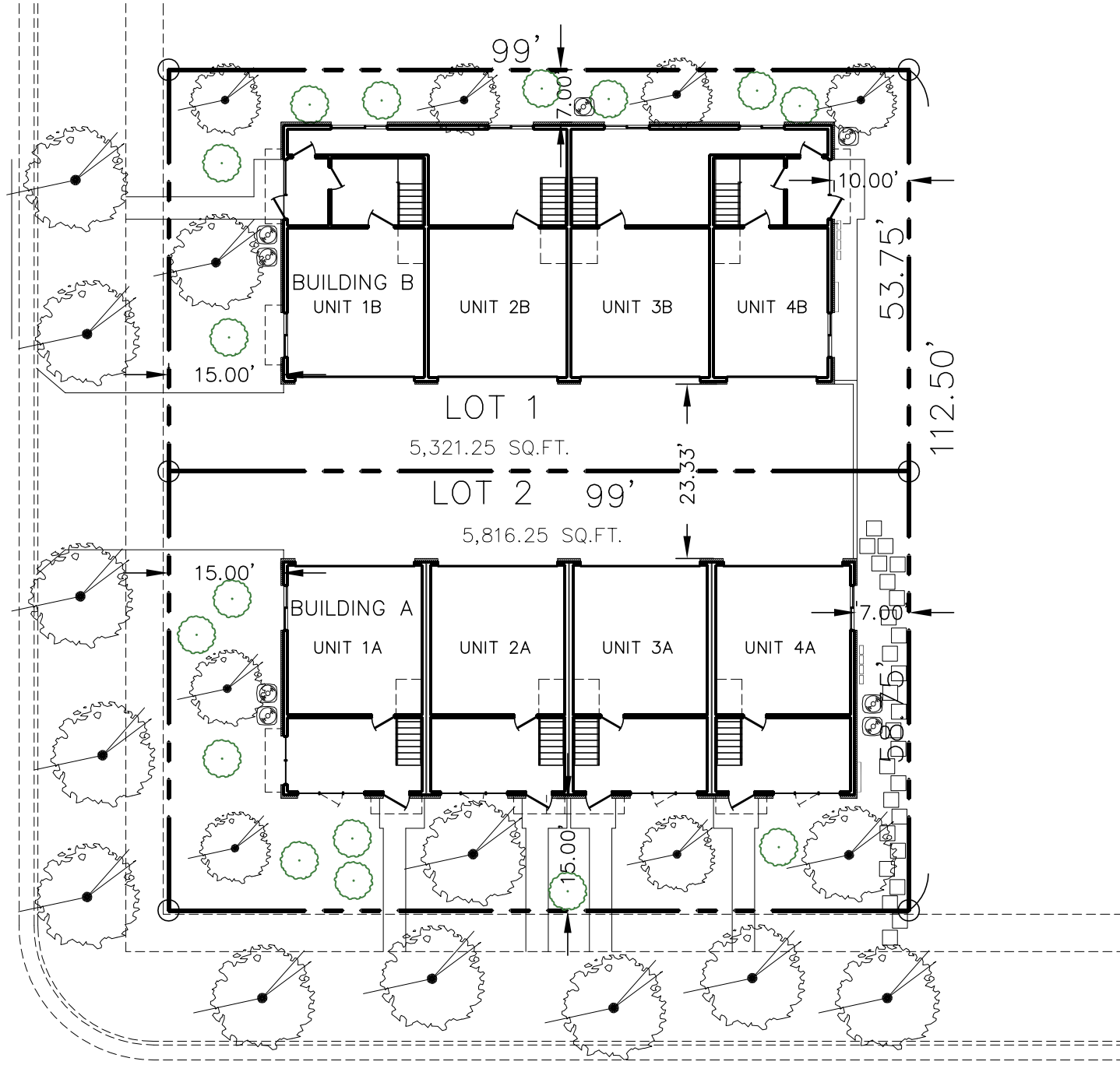
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1' = 20' SCALE:
D.R.W. DRAWN:
CHECKED:



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P.O. BOX 2775
ST. GEORGE UTAH 84770
(435) 628-2377 (435) 673-3580 fax
www.mrwdesign.com

CONCEPTUAL SITE PLAN
MATT MUSGRAVE
206 NORTH 200 WEST
SALT LAKE CITY, UTAH

PRELIMINARY
NOT FOR CONSTRUCTION
6/20/2013



6/20/2013
DATE:

1" = 20'
SCALE:

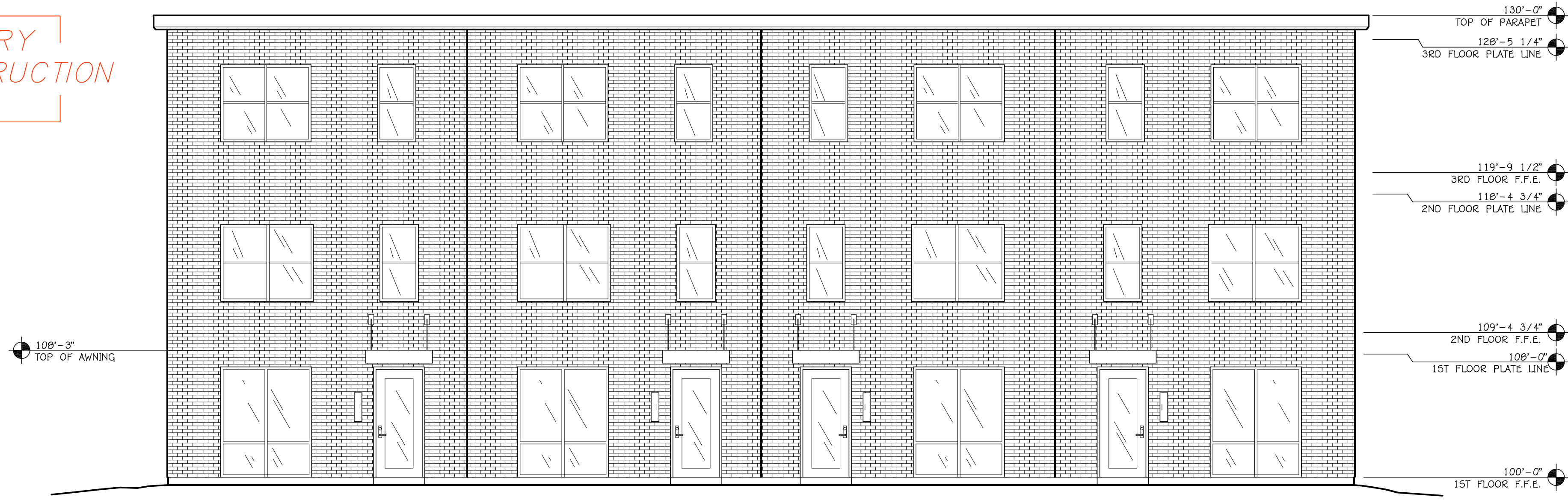
DESIGN
ASSOCIATES INC.
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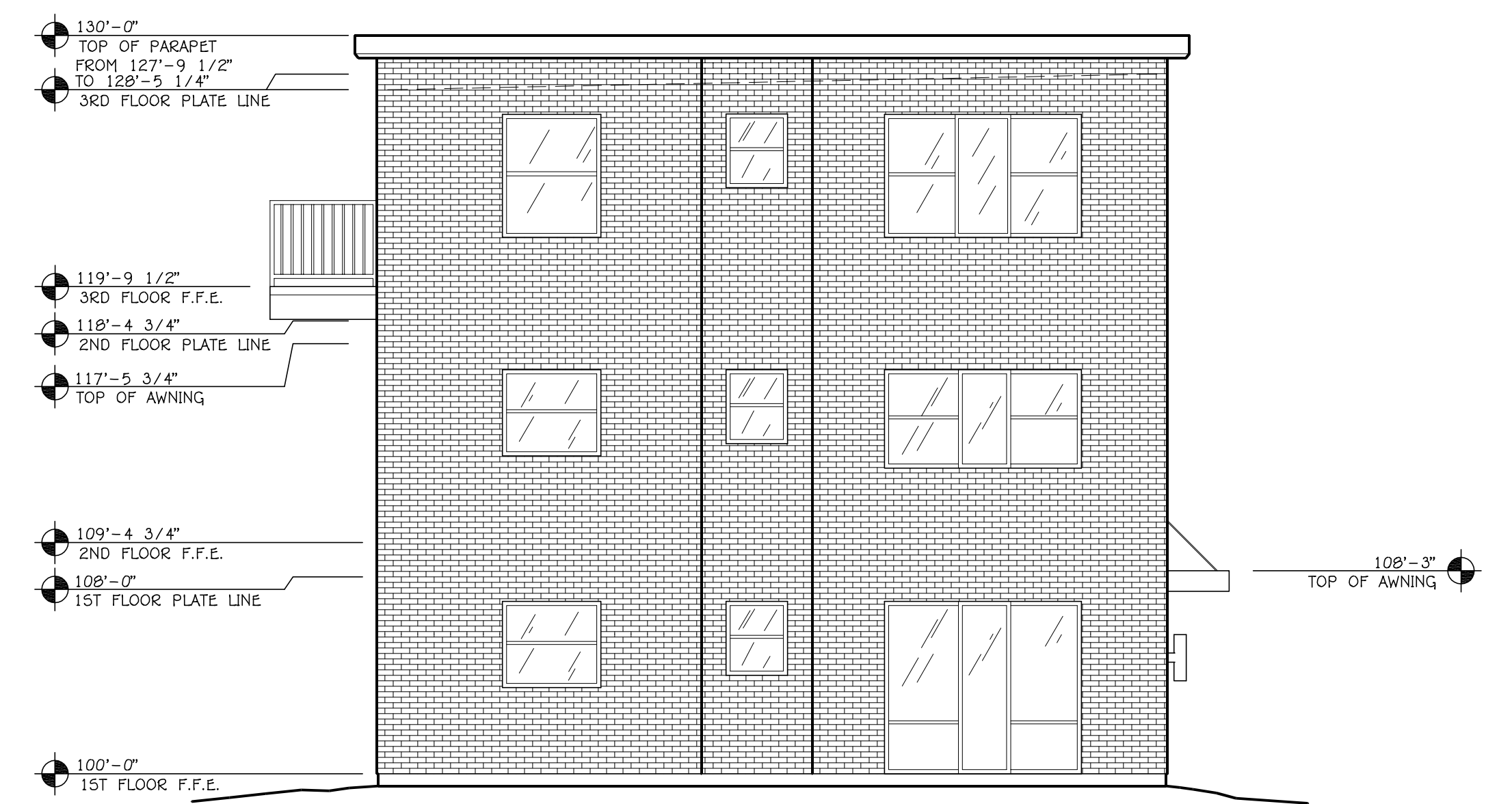
CONCEPTUAL SITE PLAN
NEW 200 APARTMENTS FOR MATT MUSGRAVE
206 NORTH 200 WEST
SALT LAKE CITY, UTAH 84103

A1.1
SHEET:

PRELIMINARY
NOT FOR CONSTRUCTION
6/20/2013



SOUTH ELEVATION - BUILDING A
SCALE: 3/16" = 1'-0"



WEST ELEVATION - BUILDING A
SCALE: 3/16" = 1'-0"

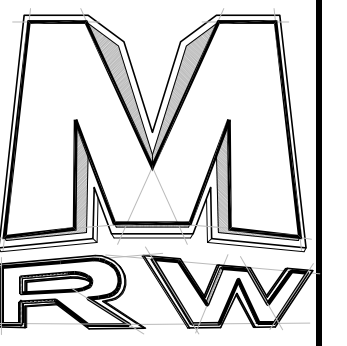


EAST ELEVATION - BUILDING A
SCALE: 3/16" = 1'-0"



NORTH ELEVATION - BUILDING A
SCALE: 3/16" = 1'-0"

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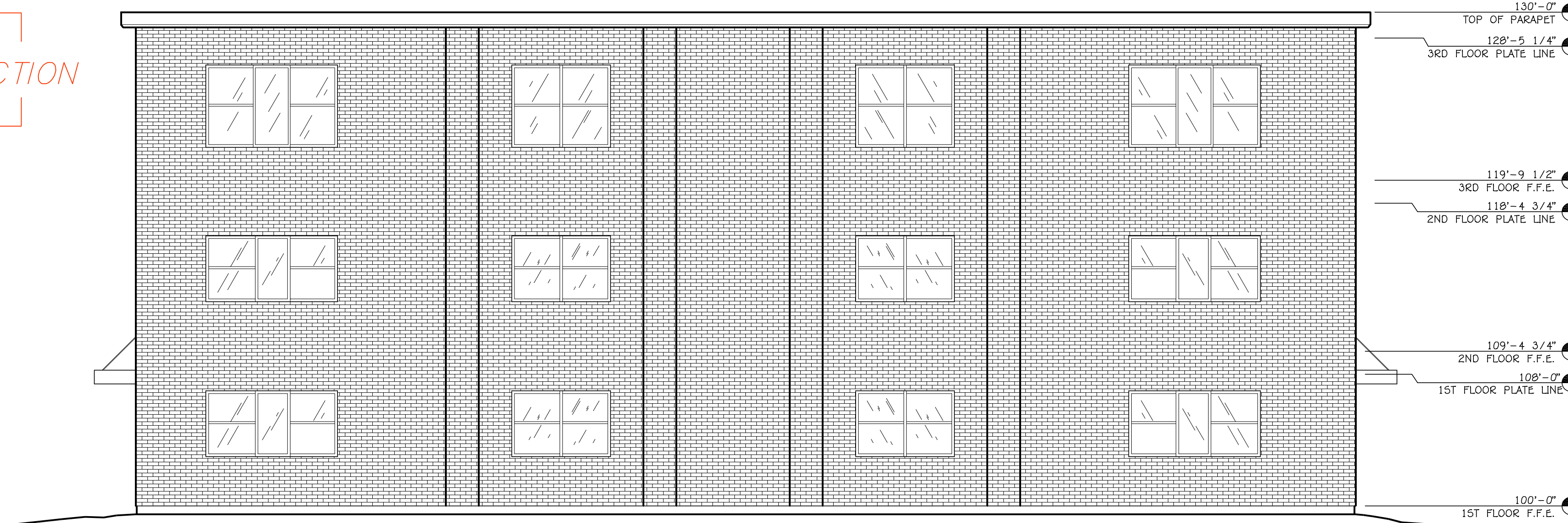


DESIGN
ASSOCIATES INC.
ARCHITECTURE &
CONSULTING ENGINEERS

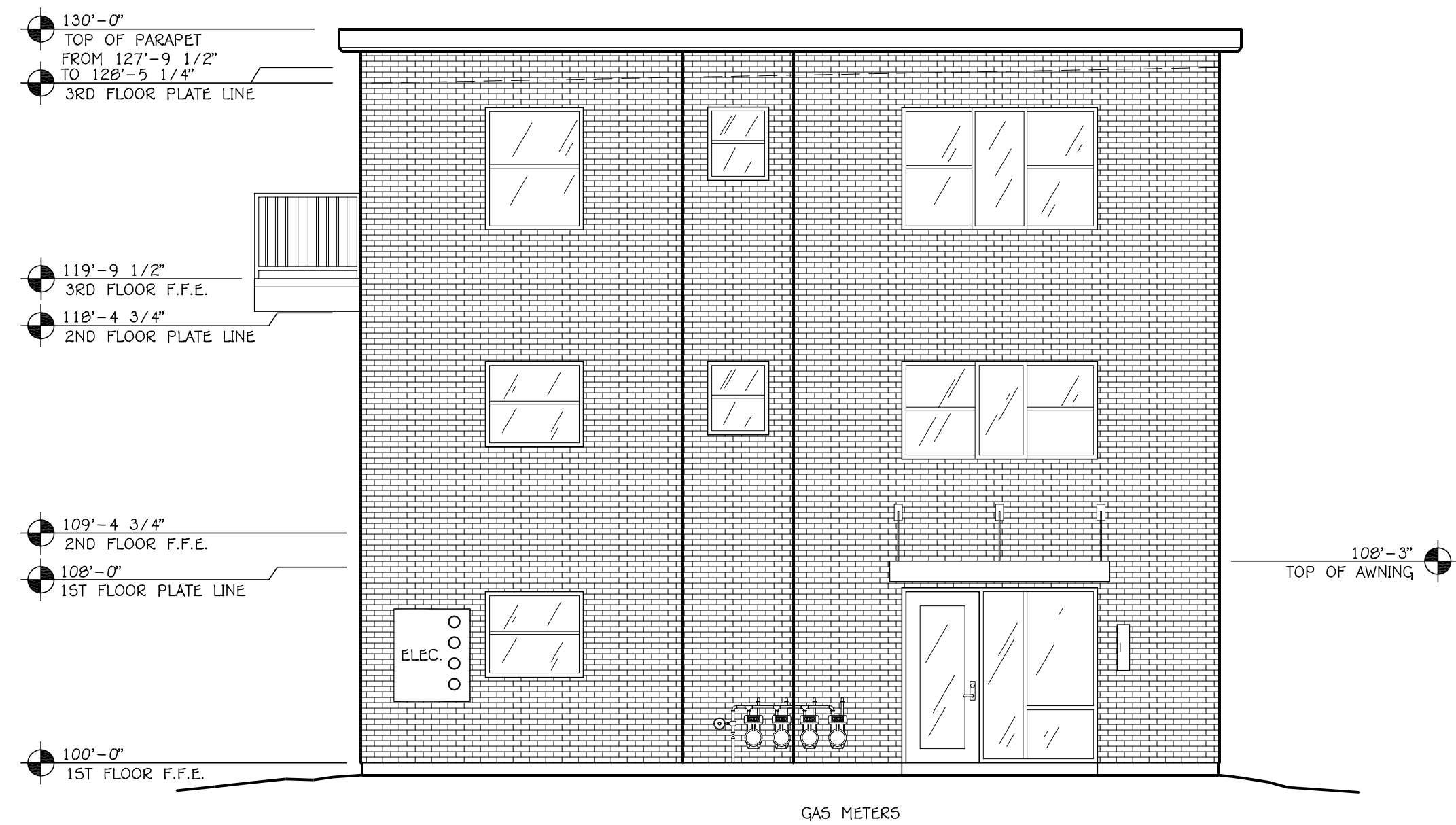
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ELEVATIONS - BUILDING A
NEW 200 APARTMENTS FOR MATT MUSGRAVE
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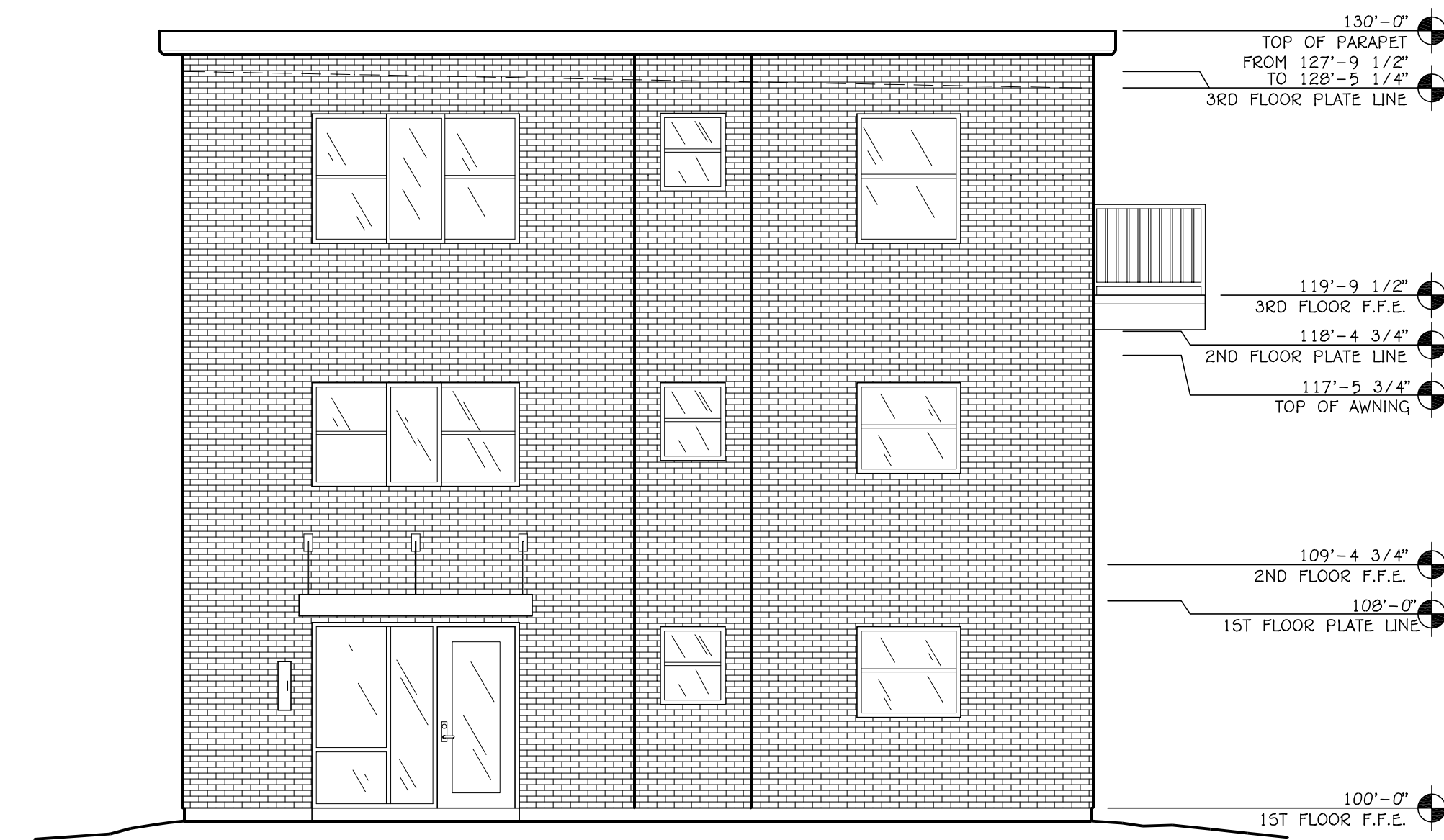
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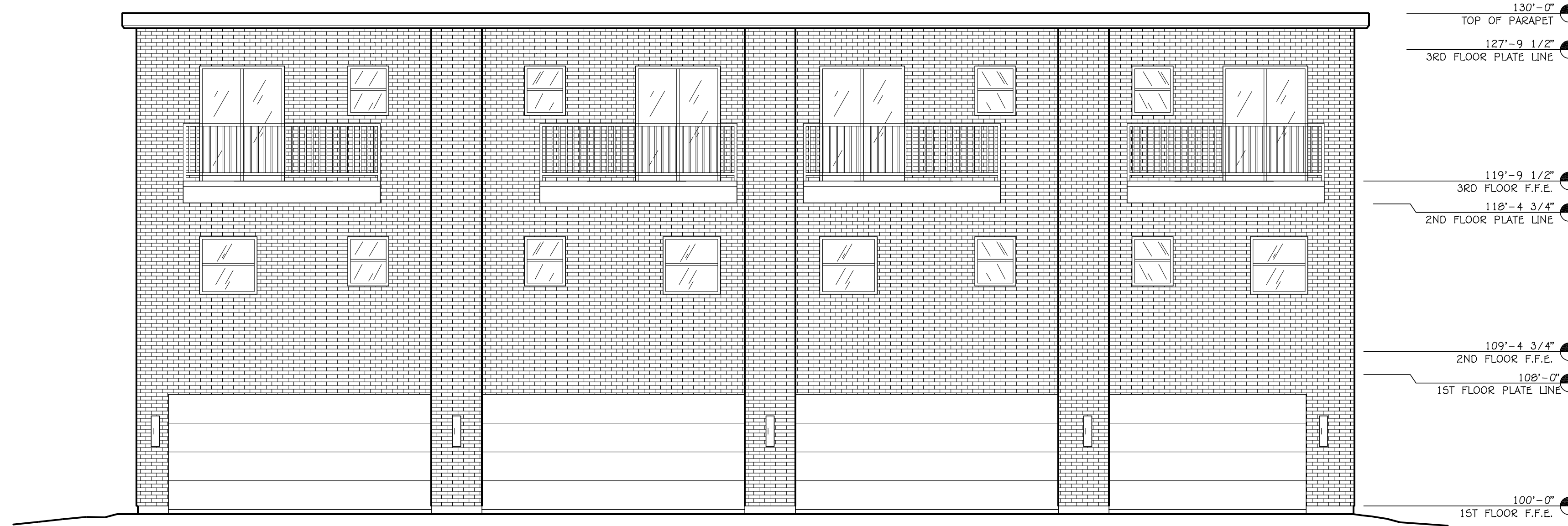
NORTH ELEVATION - BUILDING B
SCALE: 3/16" = 1'-0"



EAST ELEVATION - BUILDING B
SCALE: 3/16" = 1'-0"



WEST ELEVATION - BUILDING B
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION - BUILDING B
SCALE: 3/16" = 1'-0"

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DESIGN
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ELEVATIONS - BUILDING B
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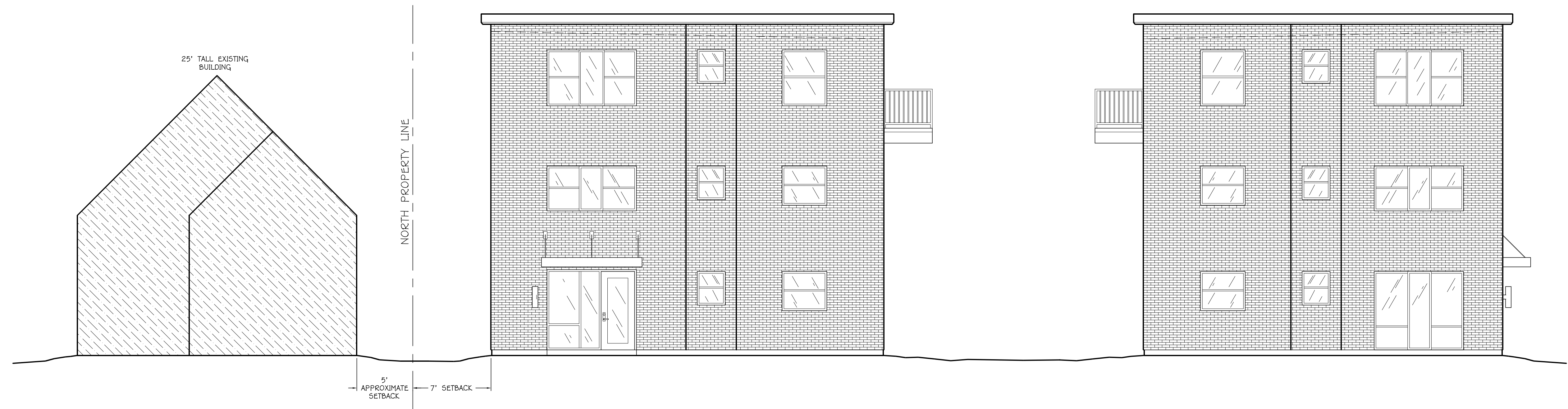
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BUILDING COMPARISONS
NEW 200 APARTMENTS FOR MATT MUSGRAVE
206 NORTH 200 WEST
SALT LAKE CITY, UTAH 84103

1
OF SHEETS

VIEW FROM NORTH 200 WEST, SALT LAKE CITY UTAH ALONG NORTH PROPERTY LINE



RELATIONSHIP BETWEEN EXISTING & NEW BUILDING
SCALE: 3/16" = 1'-0"

Exhibit B
Minutes from June 6

[7:36:15 PM](#)

The 200 Apartments at approximately address 206 North 200 West - Matt Musgrave is requesting approval from the City to demolish an existing non-contributory building and develop 2 four unit apartment buildings which will be 30 feet high with 16 parking spaces at the above listed address. Currently the existing building is vacant and is zoned Neighborhood Commercial (CN). This type of project requires approval of demolition, a special exception for additional building height, and a Certificate of Appropriateness for New Construction in a Local Historic District. The subject property is within Council District 3, represented by Stan Penfold (Staff contact: Ray Milliner at (801) 535-7645 or ray.milliner@slcgov.com).

- a. **MINOR ALTERATION.** In order to build the project noted above, a Certificate of Appropriateness for the demolition of a non-contributory building is necessary in order to demolish the existing building to make way for the proposed new construction (Case number PLNHLC2013-00241).
- b. **SPECIAL EXCEPTION FOR ADDITIONAL BUILDING HEIGHT.** In order to build the project noted above, a Special Exception for additional height is required. The maximum height allowed in the Neighborhood Commercial (CN) zone is 25 feet. The proposed buildings measure 30 feet from established grade. This would allow the petitioner to reach desired ceiling heights and accommodate parking within the buildings (Case number PLNHLC2013-00240).
- c. **NEW CONSTRUCTION.** In order to build the project noted above, the petitioner will need a Certificate of Appropriateness for New Construction in a Local Historic District is required. The proposed buildings must be reviewed and approved for compliance with all applicable design standards listed in the Salt Lake City Zoning Ordinance (Case number PLNHLC2013-00239).

Mr. Ray Milliner, Principal Planner reviewed the petition as presented in the Staff Report (located in the Case File). He stated Staff was recommending the Historic Landmark Commission approve the petition as presented.

The Commission and Staff reviewed why metal paneling was not approved on some building and was allowed for this project. Staff stated metal siding was not usually found on single family residential structures.

The Commission and Staff discussed the orientation of the units on the lots and to the neighboring properties. They discussed the site plan, the CN Zone setback requirements and the proposed setbacks for the project.

Mr. Matt Musgrave, Applicant, stated the building was thirty feet from the street. He reviewed the site plan and explained the DRT review preferred the parking be located on the interior of the lot. Mr. Musgrave stated the Community meetings reflected that parking was important in the area.

The Commission and Mr. Musgrave discussed if there was parking for guests.

The Commission and Applicant discussed the setbacks for the proposal and lot configuration. They discussed the roof form and the expression of the roof. The Applicant explained a variance on the height was being requested therefore, they were not asking for changes to the roof. The Commission discussed the roof design and if it could be redesigned to break up the space. They discussed the use of the structure and if retail space would ever be allowed on the lower level of the structure. The Commission and Applicant discussed the design of the doors on the building. The Applicant stated the doors would be glass with a steel frame.

The Commission and Staff discussed if there should be two applications since the lot was being split.

Mr. Nielson, City Attorney, said it was not necessary to have two applications.

PUBLIC HEARING [8:01:20 PM](#)

Chairperson Harding opened the Public Hearing.

The following persons spoke to the proposal: Ms. Marilyn Kingsbury, Ms. Erlinda Davis and Mr. Colin Kingsbury

The following comments were made:

- Traffic is busy in the area and the drive way, in its proposed location, would cause more traffic issues
- Height of the building would block single family structure in
- Would the setbacks be adhered to with the proposed overhang
- Height blocked light to neighboring properties
- During the LDS conference or concerts parking overflows into the area
- Windows facing north would eliminate privacy to neighboring properties
- Turn the building 90 degrees to lessen the site lines to neighboring properties

Chairperson Harding closed the Public Hearing.

Mr. Musgrave stated the overhang was allowed to encroach twenty five inches into the setback. He stated adhering to the twenty five foot height requirement would require lowering the building into the ground. Mr. Musgrave reviewed the design elements associated with the height request, such as vaulted ceilings.

DISCUSSION [8:07:45 PM](#)

Commissioner Hart disclosed her involvement in community meetings and the receipt of emails regarding the proposal. She stated her involvement in the meetings was strictly fact not opinion and she deleted the emails without reading them.

The Commission agreed Commissioner Hart did not have a conflict of interest.

The Commission asked Staff if there was a requirement for a graphical presentation detailing the height of the neighboring structures. Staff explained the requirement was for the proposal to be compatible with surrounding structures and if the Commission preferred a survey of the property heights could be done. They discussed how the building heights could be presented allowing the Commission to see the neighboring structures in relation to the proposal.

The Commission discussed the height and how it could be mitigated with design. They discussed the oriented of the northern building to the street. It was stated units needed to address the street not the neighboring properties. They discussed the orientation of surrounding structures and revising the proposal to matching those structures. The Commission discussed how the window scale was always an issue in projects of this scale and that the proposed windows may always be covered which was a detriment to a neighborhood.

The Commission discussed moving toward an Architectural Subcommittee to address the concerns.

The Applicant stated the CN zone requires 40% of the structure face be glass therefore, the size of windows met the requirements.

The Commission and Applicant discussed holding an Architectural Subcommittee. They discussed if the Commission could modify the glass requirements. The Commission and Staff discussed the City's view of developing this area into a commercial zone. Staff gave a history of the property and the zoning changes.

Vice Chairperson Hart reviewed the reason the zoning changes were requested by the Community. She stated the goal was to preserve the existing structure to be used as a community business.

The Commission discussed what would be addressed at the Architectural Subcommittee meeting.

MOTION [8:27:37 PM](#)

Commissioner Hart stated in regards to The 200 Apartments at approximately address 206 North 200 West, She moved to table the proposal to a future meeting after a Architectural Subcommittee was held. Commissioner Funk seconded the motion. Commissioners Brennan, Funk, Hart, James, Thuet and Shepherd voted "aye". Commissioner Bevins voted "nay". The motion passed 6-1.

Commissioners James, Brennan and Shepherd stated they would like to be on the Subcommittee.

The meeting stood adjourned at [8:28:40 PM](#)

Exhibit C
Photos



