

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
451 South State Street, Room 326
November 6, 2014**

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:29:13 PM](#). Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Thomas Brennan, Commissioners Robert McClintic, Rachel Quist, David Richardson and Charles Shepherd. Vice Chairperson Sheleigh Harding and Commissioner Heather Thuet were excused.

Planning Staff members present at the meeting were: Cheri Coffey, Acting Planning Director; Michaela Oktay, Planning Manager; Thomas Irvin, Principal Planner; Maryann Pickering, Principal Planner; Tracy Tran, Principal Planner; Michelle Moeller, Senior Secretary and Paul Neilson, Senior City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the work session. Historic Landmark Commissioners present were: Robert McClintic and Rachel Quist. Staff members in attendance were Michaela Oktay, Thomas Irvin, Maryann Pickering and Tracy Tran.

The following sites were visited:

- **Gibson Solar Panels** - Staff reviewed the project details stating the panels are visible from the street and this was the only feasible location for the panels.
- **D Street Planter Boxes** - Staff reviewed the proposal, the issues with how they are built and the site lines.
- **Peterson Side Porch Addition** - Staff reviewed the changes and proposed modifications to the property. They discussed specific details of architecture.
- **Wall Street New Construction** - Staff explained the project and requested exceptions. They discussed the lot size and other possible options (variances), design and specifics of residence.

APPROVAL OF THE OCTOBER 2, 2014 MINUTES [5:29:27 PM](#)

MOTION [5:29:38 PM](#)

Commissioner Shepherd moved to approve the minutes from October 2, 2014. Commissioner McClintic seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:29:59 PM](#)

Chairperson Brennan stated he had nothing to report.

DIRECTOR'S REPORT [5:30:15 PM](#)

Ms. Cheri Coffey, Acting Planning Director, stated she had nothing to report.

PUBLIC COMMENT [5:30:26 PM](#)

Chairperson Brennan opened the Public Comment period.

Ms. Cindy Cromer stated the Utah Heritage Foundation Conference would be held in March instead of May which changed the deadline for award nominations to next week. She expressed the need for nominations to be turned in as soon as possible. Ms. Cromer stated it had been a while since the Commission had given out awards.

Chairperson Brennan closed the Public Comment period.

PUBLIC HEARINGS [5:32:37 PM](#)

Gibson Solar Panels at approximately 738 South 600 East - Ken Gardner, contractor, requests approval from the City to install solar panels on the roof of the house at the above listed address in the Central City Historic District. The solar panels will need review from the Historic Landmark Commission because they would be readily visible from the street. The subject property is located in the RMF-30 (Low Density Multifamily Residential) zoning district in City Council District 4, represented by Luke Garrott. (Staff contact: Tracy Tran, (801) 535-7645 or tracy.tran@slcogov.com). Case number PLNHLC2014-00605

Ms. Tracy Tran, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

PUBLIC HEARING [5:34:59 PM](#)

Chairperson Brennan opened the Public Hearing.

Ms Cindy Cromer stated the project was part of the University of Utah's sustainability program and the University was serving as the go between, between the installers and the homeowners. She stated the solar panels were not noticeable from the street, skylights currently exist on that side of the roof and the Commission may want to give Staff more leniency to approve these types of solar panel projects administratively.

Chairperson Brennan closed the Public Hearing.

The Commission and Staff discussed the following:

- If it was possible to give Staff the authority to administratively approve similar petitions, where solar panels are visible from the street.
 - Would require a petition from the Mayor requesting a text amendment to the ordinance. The code currently stipulates that these must go to the Historic Landmark Commission. The language and regulations that would need to be changed to allow Staff to approve similar petitions. Staff agreed to explore a petition initiation with the Mayor's office.

MOTION [5:38:40 PM](#)

Commissioner Quist stated regarding PLNHLC2014-00605, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission approve the request for a minor alteration for the installation of a small solar energy collection system on the roof of the front gable and visible from the public right-of-way for the residence at 738 South 600 East. Specifically, the Commission finds that the proposed project complies with the review standards. Commissioner Richardson seconded the motion. The motion passed unanimously.

[5:39:32 PM](#)

D Street Planter Boxes at approximately 163 D Street - Susana Kinikini requests approval from the City to allow raised planter boxes in the park strip at the above listed address in the Avenues Historic District. This type of application must be reviewed as a Minor Alteration by the Historic Landmark Commission. The property is zoned SR-1A (Special Development Pattern Residential District) within Council District 3, represented by Stan Penfold. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com). Case number PLNHLC2014-00603

Ms. Maryann Pickering, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission deny the petition.

The Commission and Staff discussed the following:

- The complaint about the planter boxes prohibiting opening car doors along the subject area.
 - Transportation has approved the access to the street outlined in the proposal.

Ms. Susana Kinikini, Ms Teleita Tautoni and Mr. Sione Tautoni, applicants, requested keeping the planter boxes but to move them into comply with the twelve inch setback mentioned. They stated there are other properties that have planter boxes in the area, the boxes are removable and look better than what was previously there.

PUBLIC HEARING [5:45:26 PM](#)

Chairperson Brennan opened the Public Hearing. Seeing no one in the audience wished to speak for or against the petition; Chairperson Brennan closed the Public Hearing.

The Commission and Staff discussed the following:

- If city code dictated the elevations and height regulations along the sidewalk.
 - Staff read the zoning code for the area and stated the petition would be required to obtain a revocable permit to encroach into the public way.
- The two petitions for planter boxes discussed at a DRT meeting for safety and trip hazards.

- Staff reviewed the comments from the DRT meeting stating the boxes were appropriate for the area.
- The pedestrian movement around the boxes and if the Commission could regulate the size and location of the boxes.
- The need for standards and guidelines for park strips.
 - Ms. Coffey reviewed the nature of the boxes and that the planning division was currently looking at the landscape ordinance and that current text amendment changes are in the process of being approved. Staff would bring the ordinance to the commission for their comments at the December meeting. She stated the goal was to have the guidelines approved before the 2015 planting season.
- If the setbacks and size were changed would the subject boxes be more acceptable.
- There are many planter boxes in park strips in historic areas.
- If the petition could be tabled until the ordinance was in place.
 - Staff stated the issue could be tabled but specific reasons a decision should be made based on the standards.
 - Staff reviewed the review standards for such a petition.
- If there were historic areas that planter boxes would be appropriate or not appropriate. The scale may be outside the historic scope. Need to look at the historic precedence for historic planters. Material was another issue. There are two issues, height and slopes and stepping. The subject planter has an upper corner 5-6 inches out of the ground, it was a tripping hazard, setting it back 12 inches was important.
- The materials, size, slope, stepping, height and setbacks from the sidewalks.
 - The Commission would like the boxes to be set at least twelve inches from the edge of the sidewalk to allow pedestrian flow around the boxes.

MOTION [5:56:56 PM](#)

Commissioner Shepherd stated regarding PLNHLC2014-00603, based on the findings listed in the Staff Report, testimony and plans presented, he moved that the Historic Landmark Commission deny the request for a Certificate of Appropriateness for raised planter boxes in the park strip at 163 D Street as requested. The motion died for the lack of a second.

The Commission and Staff discussed if the upcoming ordinance would affect the current petition, what would happen if the petition was denied, the appeal authority and the conditions that could be placed on the petition.

MOTION [6:00:04 PM](#)

Commissioner Shepherd stated regarding PLNHLC2014-00603, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for raised planter boxes in the park strip at 163 D Street as requested with the following conditions:

- 1. That the sidewalk side be relocated a minimum of twelve inches from the side walk.**

2. **The elevation of all planter boxes must be reduced by one course of the timbers.**

Based on the standards two and nine listed in the Staff Report. Commissioner McClintic seconded the motion. Commission Quist abstained from voting. The motion passed 3-1.

[6:03:34 PM](#)

Commissioner Richardson recused himself for the next petition.

[Peterson Side Porch Addition at approximately 1126 East 2nd Avenue](#) - Kimble Shaw, representing the owners Dean and Tiffany Peterson, requests approval from the City for major alterations at the above listed address in the Avenues Historic District. The proposal is to 1) extend the existing front porch around the side of the residence, 2) modify the existing covered entry along the west side of the residence at the above listed address and 3) to make other minor site alterations. The property is zoned SR-1A (Special Development Pattern Residential District) within Council District 3, represented by Stan Penfold. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com). Case number PLNHLC2014-00585

Ms. Maryann Pickering, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition.

Mr. Kimble Shaw, applicant, asked for any questions from the Commission.

The Commission and Applicant discussed the following:

- The number of columns proposed for the porch.
 - There would be six full and two partial.
- If the intent was to leave the trim intact on the gable end.
 - The gable may be removed when the porch was wrapped around the corner.
- If there was a photo of the roof structure from the 1970's.
 - The roof structure had not changed over the years.
- If studies were done for a secondary porch element that did not include extending the side porch.
 - No the idea was to add the porch element seamlessly to the existing structure.
- The proposed soffit material.
 - The soffit would be tongue and groove plank.

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

Chairperson Brennan opened the Public Hearing. Seeing no one in the audience wished to speak for or against the petition; Chairperson Brennan closed the Public Hearing.

The Commission discussed the following:

- The wrap around effect of the proposed porch and the need to protect the existing structure.
- The house was set on a narrow lot and did not have a flanking element to it. This was the issue with changing the porch as proposed impacted the porch.
- The proposal would alter a key contributing feature of the building that was distinctive.
- The proposal was respectful and the forms could be replicated to the other end of the porch.
- Addition could be easily removed.
 - Porch would not be removed unless the porch was being replaced.
- The character of the home would not be changed in a negative way.
- If the porch did not exist to start with the issues would be different.
- The proposed porch would change an important feature on the front of the home.
- Structure would remain contributing but the main issue was how to modify the porch appropriately.
- How to preserve the existing architectural elements while allowing the addition of the porch.

MOTION [6:18:03 PM](#)

Commissioner Shepherd stated regarding PLNHLC2014-00585, not consistent with Staff's recommendation, based on the proposal presented, he moved that the Historic Landmark Commission deny the request for a major alteration specifically for the modification of the front porch for the home at 1120 Second Ave, based on the following: that the porch was a significant architectural feature and that the proposed substantial modification did not comply with standards six and two listed in the Staff Report. Commissioner McClintic seconded the motion. The motion passed unanimously.

Motion [6:20:15 PM](#)

Commissioner Shepherd stated regarding PLNHLC2014-00585, consistent with Staff Recommendations he moved to approve the west side façade entry way and the creation of the extended concrete porch and concrete paving in the front yard area for the residence located at approximately 1126 E. 2nd Avenue. Commissioner Quist seconded the motion. The motion passed unanimously.

[6:21:13 PM](#)

[Wall Street New Single Family Home at approximately 757 North Wall Street](#) - Dave Robinson, representing City Block, requests approval from the City to construct a new single family home at the above listed address in the Capitol Hill Historic District. This application is a revision to a previous proposal denied by the Historic Landmark Commission on September 5, 2013. The subject property is currently vacant, zoned SR1-A (Special Development Pattern Residential) and is located in City Council District 3, represented by Stan Penfold. This application must be reviewed by the Historic Landmark Commission because it is considered new construction in a local historic district and requires special exception approvals. (Staff contact:

Thomas Irvin, (801) 535-7932 or Thomas.irvin@slcgov.com).

- a. New Construction- The proposed new residence requires a Certificate of Appropriateness. Case number PLNHLC2014-00730**
- b. Special Exceptions- In order to build the project mentioned above, a special exception is required to exceed the height limit by approximately two feet, lot coverage by approximately 23%, rear yard setback by approximately 11 feet and the front yard setback by approximately five feet in the SR-1A zoning district. Case Number PLNHLC2014-00628**

Mr. Thomas Irvin, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve the petition.

Mr. Dave Robinson, applicant, reviewed the history of the parcel, stated it had been a challenge to develop and asked the Commission to approve the petition as presented.

Commissioner Shepherd asked what the lot coverage percentage was.

Staff stated in the zoning district one was only allowed to cover the parcel 40% percent with structures, in the proposal the Applicant was requesting 63% percent lot coverage, which would be 23% percent over the allowable coverage. Staff stated most of the homes in the area do not have onsite parking and the Applicant was being required to provide it, thus the reason for the request for additional lot coverage.

Commissioner Shepherd asked if the requirement for onsite parking had been appealed or if other options were reviewed for the purposes of addressing the parking.

Mr. Robinson stated other parking options had not been considered as they had considered the parking as a requirement and incorporated it into the design. He reviewed the requirements for two car parking for the proposal and the issues it created for lot coverage.

The Commission, Applicant and Staff discussed the options for onsite or offsite parking, the property lines and the lot coverage percentage for the proposal.

Staff stated there was no relief under the ordinance to avoid onsite parking for a single family home.

Ms. Michaela Oktay, Planning Manager, stated the lot coverage Special Exception was put in place for these types of lots, where you have to meet current code requirements but to still acknowledge the fact that lots are oftentimes undersized.

Staff stated no, they couldn't waive the requirement to provide required parking, but there was discussion about allowing tandem parking and qualify it as two car parking which was considered as part of the previous proposal.

The Applicant stated they had submitted plans with tandem parking but were denied and told it had to be side by side parking. He stated the massing and size of the home would create a functioning home that would address the property and meet the needs of the future homeowners.

The Commission and Applicant discussed the balcony on Reed Ave.

The Applicant stated the dropped down feature allowed for privacy and had worked well at other developments.

The Commission and Applicant discussed the landscaping for Reed Ave, the roof form and if there was a different design option for the structure, the wall mass along Wall Street and how it had not changed from the previous design.

Staff stated the wall on the interior side yard had been moved back one foot and met the required setback.

The Commission, Staff and Applicant discussed the average setback for the area; it was measured from a consistent point such as the sidewalk. They address the solid to void aspects of the proposal.

PUBLIC HEARING [6:52:12 PM](#)

Chairperson Brennan opened the Public Hearing.

The following individuals spoke in favor of the petition: Ms. Greta O' Brien.

The following comments were made:

- The proposal was an improvement to the lot and would be wonderful as it was currently an eyesore.
- The design fit the area as all the homes were different and a mixture of architecture.
- Design was beautiful.
- The wall of glass added to the eclectic nature of the area.

The following individuals spoke in opposition of the petition: Ms. Heidi Belka.

The following comments were made:

- Photos are deceiving as there would not be a yard for the property.
- Home sat too close to the neighboring homes.
- Site lines for traffic would be hindered.
- Home was too big for the area and was an incredibly small lot for this home.
- Would not benefit the neighborhood.
- Parking was an issue for the area and additional cars would cause more issues.

Chairperson Brennan read a card from Ms. Karleen Broadwater stating she was in opposition to the proposal.

Chairperson Brennan closed the Public Hearing.

Various Commissioners made the following observations:

- The height of the building had changed and the building was depressed into the ground.
- It was an incredibly challenging lot, putting a triangle house on a triangular lot.
- The proposal was not the solution for the site-Height has changed, house dropped down, but still not the right solution as proposed. Large glass planes of window at the pedestrian level were off, sunken porch wasn't an appropriate solution.
- The Commission raised substantial concerns at the previous meeting and minor response was given to those concerns.
- Exceptions could be made but the Applicant needed to rethink the design and see what other options were available.
- The sunken porch was not appropriate for the neighborhood and was awkward for the design. Building as proposed was lining up with the porch on the neighboring property, but you can see through the neighboring porch, the proposal doesn't allow that transparency. Needs to respond better to neighborhood.
- Do not oppose the modernity of the architecture in a historic neighborhood.
- The setback on Reed Ave needed clarified. Ordinance requires averaging along the block face. If measuring along a common consistent point was fine.
- The onsite parking requirement in a historic neighborhood should be allowed to be changed despite the current code which requires new construction to park to code requirements
- The average size of a home in this neighborhood was not as great as what was being proposed.
- Proposal did not respond to the neighborhood as well as it could.
- If the wall of glass was modified it would be approvable, mass along Wall Street was a fairly large flat wall, other than lowering the building, it hadn't changed from the previous proposal.
- The proposal would fit with the eclectic nature of the neighborhood.
- The need to have the full context of the neighborhood was essential to see how this project fit with the surrounding neighborhood. A sketch-up model and streetscape drawing would be helpful. Doesn't require a lot of detail but will help illustrate the mass. As an alternative, a ghosted image on the street, to scale can also do to show mass.
- A three dimensional model of the project would help to give a better understanding of the proposal.
- Something that showed the other homes and this proposal with the elevations was necessary.
- The height of the building was not an issue.

The Applicant asked for an architectural subcommittee meeting to help move the project

forward instead of denying the petition.

The Commission stated they would be open to holding a subcommittee discussion for the proposal.

Staff stated the Commission needed to be very specific with the concerns they would like addressed at the architectural subcommittee meeting.

The Commissioners stated they would like clarification and information on the following:

- The setback from Reed Ave and information to understand what the building setback and porch setbacks were from both Reed and Wall Ave.
- The contextual presentation regarding the streetscapes, relative scale and mass of the proposed project with the adjacent structures.
- Alternatives for the fenestration north elevation.
- Any ways around parking, tandem alternative.
- Overall mass and square footage of the structure, footprint and lot coverage.

MOTION [7:17:49 PM](#)

Commissioner Richardson stated regarding PLNHLC2014-00730 and PLNHLC2014-00628, he moved to table the petition pending an architectural subcommittee meeting to review the following items:

- **The setback from Reed Ave and information to understand what the building setback and porch setbacks were from both Reed and Wall Ave.**
- **The contextual presentation regarding the streetscapes, 3-D component, showing relative scale and mass of the proposed project with the adjacent structures.**
- **Alternatives for the fenestration north elevation.**
- Any ways around parking, tandem alternative.
- **Overall mass and square footage of the structure, footprint and lot coverage.**

Commissioner McClintic seconded the motion. The motion passed unanimously.

Subcommittee members will be Commissioners David Richardson, Rachel Quist and Charles Shepherd.

[7:18:58 PM](#)

The Commissioners discussed giving Staff the authority to approve solar panel petitions with the exception of those that require panels on front façades of structures or petitions where Staff was uncomfortable with the design. The Commission stated they are interested in seeing only petitions with highly visible panels.

Staff stated they would draft a letter for the Mayor to sign initiating a petition allowing Staff to propose changes to the ordinance and bring it to the Commission for comments before it went to the City Council.

The Commission discussed the evolution of solar energy.

MOTION [7:24:11 PM](#)

Commissioner Richardson stated in so much that a solar panel had the life span equivalent to a roof; he moved that the Historic Landmark Commission request Staff propose language to the City Council giving Staff more latitude to approve solar panel projects on the secondary façades of buildings. Commission McClintic seconded the motion. The motion passed unanimously.

The Commission discussed if there was a need to further address planter boxes in the park strips. They decided to wait for the upcoming guidelines before making any decisions.

Ms. Coffey stated Staff would present the proposed text amendment language for landscaping in the park strips at the December meeting.

The meeting adjourned at [7:35:03 PM](#)