



Memorandum

Planning Division
Community & Economic Development Department

To: Salt Lake City Historic Landmark Commission

From: Tracy Tran, Principal Planner

Date: May 14, 2015

Re: PLNHLC2014-000789 - Baddley House Park Strip Structures at approximately 974 E 300 S

Background

On March 5, 2015, the Historic Landmark Commission (HLC) heard a request for structures in the park strip at the Baddley House located at approximately 974 E 300 S. The Baddley House is a local landmark site, which is of exceptional importance to Salt Lake City. The HLC moved to table the request and forward the petition to an architectural subcommittee. Minutes from the March 5, 2015, HLC hearing are also attached for reference - Exhibit C.

On March 16, 2015, the architectural subcommittee and staff met and discussed the proposal with the applicant. Notes from this meeting can be found in Exhibit B. The architectural subcommittee provided several suggestions to the applicant for consideration.

The following points summarize the architectural subcommittee's direction:

- Scale back stone features – focus on the structural and isolated features
- Mulch areas ok – don't need to focus on these areas
- Remove stone tables
- Remove burning areas
- Reduce or remove stone patio areas

On April 1, 2015, the applicant resubmitted a revised conceptual drawing along with an updated project description. These documents can be found in Exhibit A.

Discussion of Second Proposal

The proposal has been modified from the original, with the removal of the stone tables and patio areas, the two stone bench structures along the north park strip have also been trimmed slightly to allow for some additional open space. The applicant stated that the proposed structures are scaled back from the initial design when the applicant first met with the City back in July and that further alterations would change the intention and artfulness behind why he undertook this project in the first place.

Although the proposal reduces the number of stone structures in the park strip, the presence of structures in the park strip remains prominent and is not appropriate for this landmark site.

Staff's findings and analysis for the revised proposal remains unchanged as the from the original Staff Report dated March 5, 2015 (Exhibit D) in that:

- The large park strips are defining features of the historic property
- The structures changes the character of the historic site
- Historically, park strips were not used in the manner proposed
- Open spaces in the park strip characterize the property and the distinctive open space should be preserved
- The structures in the park strip visually compete with the historic structure/Landmark site

Recommendation

Based on the analysis and findings in the original staff report (March 5, 2015), it is Planning Staff's recommendation that the resubmitted proposal does not meet the applicable standards and therefore, recommends the Historic Landmark Commission deny the request.

Motions

Consistent with Staff Recommendation: Based on the analysis and findings listed in the staff report dated March 5, 2015, as well as the testimony from the same meeting, and the staff's report and all testimony heard tonight, I move that the Historic Landmark Commission deny the request for structures in the park strip located at 974 East 300 South.

Not Consistent with Staff Recommendation: Based on the analysis and findings listed in the staff report dated March 5, 2015, as well as the testimony from the same meeting, and the testimony heard tonight, I move that the Historic Landmark Commission approve the request for structures in the park strip at 974 East 300 South. Specifically, the Commission finds that the proposed project does substantially comply with Standards 1, 2, 3, 5, 8, and 9 (Commissioner then states findings based on the Standards to support the motion):

1. **A property shall be used for its historic purpose or be used for a purpose that requires minimal change to the defining characteristics of the building and its site and environment;**
2. **The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;**
3. **All sites, structures and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create a false sense of history or architecture are not allowed;**
4. Alterations or additions that have acquired historic significance in their own right shall be retained and preserved;
5. **Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved;**
6. Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects;
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;
8. **Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment;**
9. **Additions or alterations to structures and objects shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiated from the old and shall be compatible in massing, size, scale and architectural features to protect the historic integrity of the property and its environment;**
10. Certain building materials are prohibited including the following:
 - a. Aluminum, asbestos, or vinyl cladding when applied directly to an original or historic material.
11. Any new sign and any change in the appearance of any existing sign located on a landmark site or within the H historic preservation overlay district, which is visible from any public way or open space shall be consistent with the historic character of

the landmark site or H historic preservation overlay district and shall comply with the standards outlined in chapter 21A.46 of this title.

EXHIBITS:

- A. Applicant information
- B. Architectural Subcommittee Notes
- C. Minutes from March 5, 2015 Historic Landmark Commission
- D. Staff report from March 5, 2015
- E. Additional public comments

EXHIBIT A
Applicant Info/Drawings

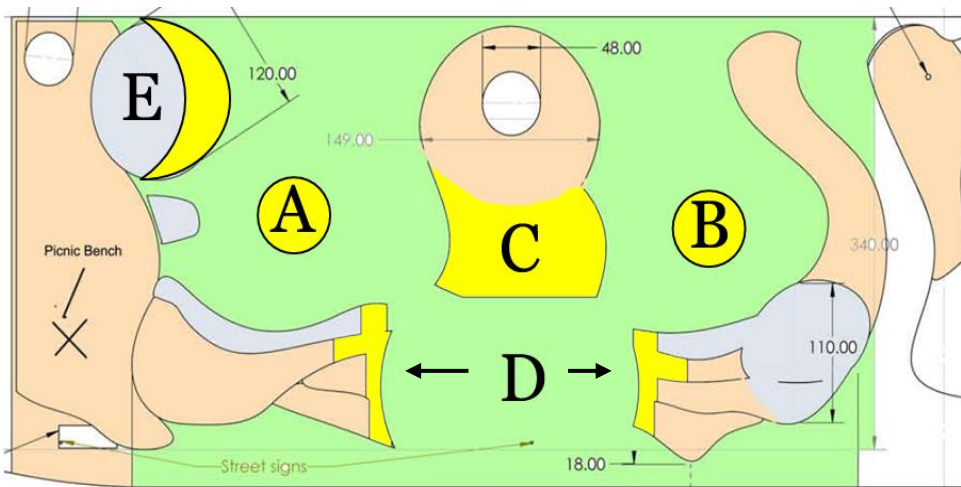
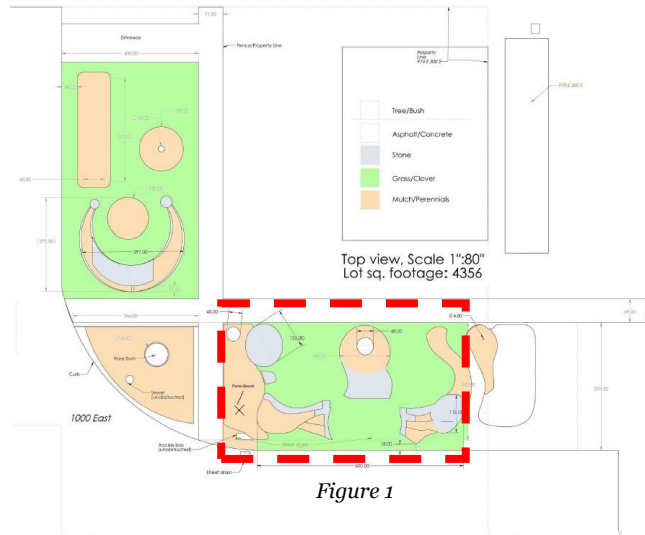
Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Intro/Background:

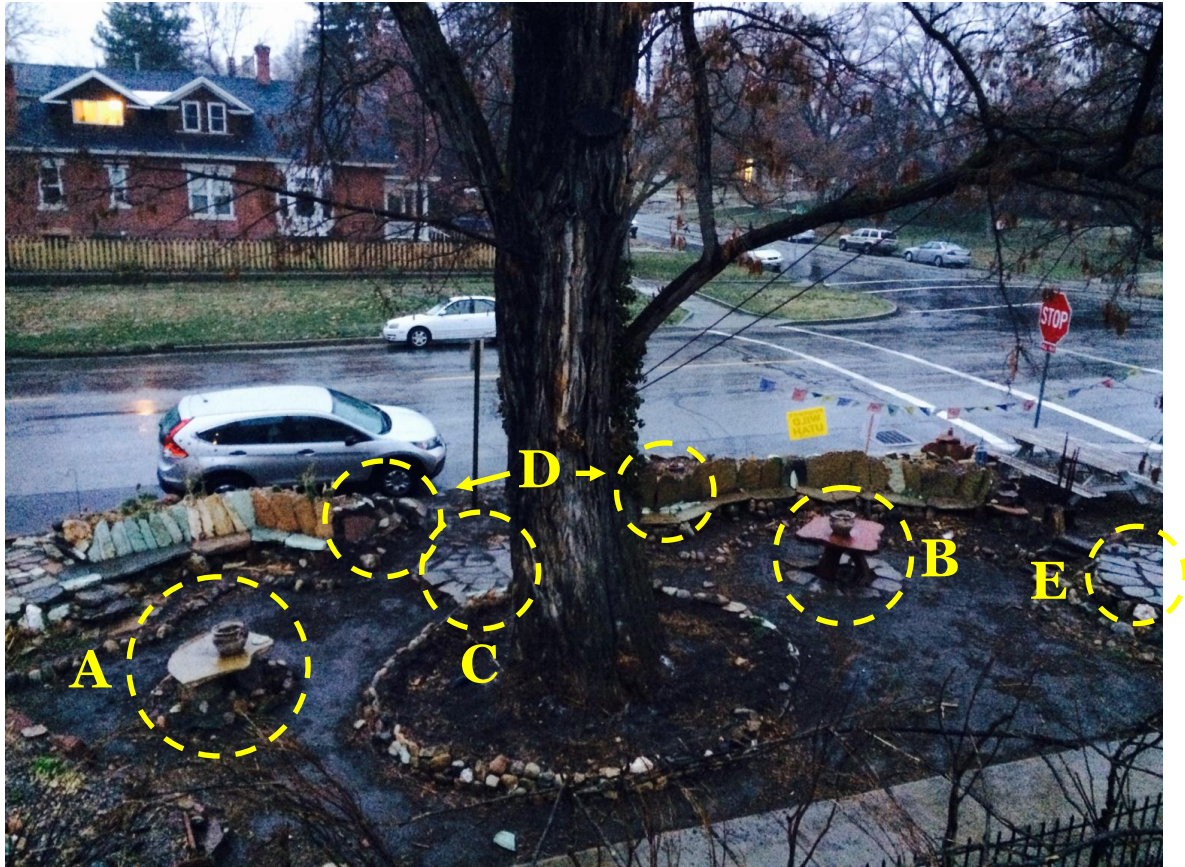
Based on feedback from the meetings regarding the park strip located at 974 East 300 South, the developments made this property appear to have been found satisfactory in that they essentially enhance the facade of the home, do not impede line of sight for transportation, and are of good structural integrity. However, in the interests of accessibility for pedestrians, curb appeal, and of historical neighborhood preservation, the layout of the park strip should be altered. The following proposal illustrates further changes to the original plans that help both integrate the property with the historic intention of park strips, and provide a good precedent for other community landscape improvements.

Design alterations:

The primary focus of this revised proposal is to minimize features that crowd the park strip in order to provide a more spacious area. Outlined in red on figure 1 (right), the north section of the park strip seems to attract the most contention. Some perennials in the other sections will have to be removed to conform with newer vegetation height restrictions, but as far as major alterations to the stone beds, it is necessary to illustrate several future changes to the north section of the property. Figure 2 (below) is labeled where various features will be scaled back. Please refer to this figure when noting the following design suggestions.



Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments



Design change A:

A stone firepit/patio, which is not drawn on the original site plan but is marked on Figure 2, will be removed.



Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Design change B:

A stone table, which is not drawn on the original site plan but is marked on Figure 2, will be removed.



Design change C:

The stone patio will be removed.



Design change E:

It should be noted that the patio marked *E* has already been scaled back roughly 1/3 from the original plan. It is now crescent shaped.



Before

After

Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Design change D:

Although previously removed to meet the requirements of public utilities, these walls on either side of **D** will be scaled back slightly further (~2' each), resulting in a wider access to the park strip as well as a more appealing structure.



The aforementioned design changes are sufficient to give the entire park strip a much more "open" feel, while conserving the essential planter features that give the landscape its character.

Picnic Table:

A picnic table on the northeast corner of the park strip should be allowed to remain. It is a favorite amongst neighbors and pedestrians and does not contribute significant clutter to the park strip such as other outdoor furniture features.



Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Conclusion:

Although this particular park strip incorporates prominent stone features, the proposed agreement would provide more balance to integrate this Xeriscape with some of the more traditional park strips of downtown Salt Lake.

It is noteworthy that many other properties in East Central district and neighboring districts have similar park strip developments. This reflects the community's affinity for these Xeriscape park strips. Also seemingly contrary to the historic theme of park strips, one particular historic property located down the street at 509 East 300 South (pictured below right) was approved for an entire enclosed patio simply because it was for commercial use rather than for gardening.



Three properties in the East Central district with non-traditional park strips

Another consideration is that although this property would be setting a precedent, it is still an individual case previously subjected to approval at a DRT meeting as well as the East Central community board meeting. Any other future project with less structural integrity, line of sight violations, or simply poor curb appeal (for instance) could be denied at such meetings and would not necessarily inundate the planning commission with these discrepancies.



Finally, in addition to the supporting feedback from various agencies (*public utilities, transportation, engineering, forestry*), the significant positive response from the neighborhood/community and the bohemian/agricultural history of the Baddley property (which was established well before historic park strip guidelines) should be respected.

To: Historic Landmark Commission Architectural Subcommittee
 Sheleigh Harding, Kenton Peters, Rachel Quist, Doug Dansie, Michaela Oktay, Tracy Tran

From: David Schutt

Subject: Proposed changes for park strip Xeriscape

This proposal is composed of a rough sketch with the following changes to the Xeriscape:

- Removing stone tables and any area previously used for burning
- Scaling back stone features such as isolated stone patios

The features circled in red will be removed. The other stone features should remain, as they define the essence of the landscape vision. Other areas of the Xeriscape have already been scaled back as well.



EXHIBIT B

Architectural Subcommittee Meeting Notes



Salt Lake City Historic Landmark Commission

Architectural Subcommittee Meeting

Petition: Petition PLNHLC2014-00789, Baddley House Park Strip Structures

Date: March 16, 2015

Time: 12:30 pm

<p style="text-align: center;">Staff</p> <p style="text-align: center;">Doug Dansie, Michaela Oktay, Tracy Tran</p>
<p style="text-align: center;">Commissioners</p> <p style="text-align: center;">Sheleigh Harding, Kenton Peters, Rachel Quist</p>
<p style="text-align: center;">Petitioners</p> <p style="text-align: center;">David Schutt</p>
<p style="text-align: center;">Attendees</p> <p style="text-align: center;">Cindy Cromer</p>

NOTES

Commissioners Harding, Peters, and Quist were present to discuss the issues surrounding the request HLC discussed and tabled on March 5, 2015.

Discussion:

- The proposal could be improved if the stone tables and any area that could be used for burning were removed.
- Picnic table may be ok
- The Commission should consider the proposed ordinance changes and the HLC recommendations in regards to the park strip ordinance landscaping amendments

Architectural Subcommittee Notes for March 16, 2015

- Is it within the HLC's purview to consider these ordinance changes; is the focus just on the historic standards? HLC should consider these changes since the (H) Preservation overlay allows HLC to be more stringent or flexible to allow historic landmarks and districts to be preserved
- The proposed landscaping ordinance changes, which states that structures are only allowed if they serve a public need (ex – utilities) or if they are needed for the functional use of the property (mailbox, stairs).
- This is a landmark and not within an historic district, should they be treated differently?
- This area may be part of the proposed University expansion, but that has not happened yet.
- Decision will set precedent
- Mulch areas are fine, focus should be to scale back the stone features.
- What are the stone patio areas used for? Some sitting, but more part of the art and design of the project. Those could be minimized or taken out.
- Applicant has worked with the various divisions in the revocable permit process and has satisfied the requests from Engineering, Public Utilities, and Transportation.
- Other city departments are focused on “can we do this?”, this committee should focus on “should we do this?”
- Need to remember that because the subcommittee thinks something is appropriate, the other commissioners may not agree
- Applicant has spent many months working with the City and hopes that there can be a mutually beneficial outcome.
- Next steps: Applicant to resubmit designs considering suggestions made from the subcommittee.

Design Suggestions:

- Scale back stone features – focus on the structural and isolated features
- Mulch areas ok – don't need to focus on these areas
- Remove stone tables
- Remove burning areas
- Reduce or remove stone patio areas

EXHIBIT C

Minutes from HLC Meeting – March 5, 2015

Commissioner Peter seconded the amendment. The motion passed unanimously.

[6:05:02 PM](#)

Baddley House Park Strip Structures at approximately 974 E 300 S - David Schutt, property owner, is requesting approval from the City for various structures in the park strip at the above listed address. The property is a historic landmark site and this work requires a Certificate of Appropriateness. Currently the land is used for a single-family home and the property is zoned R-2, Single- and Two-Family Residential District. This type of project must be reviewed as a Major Alterations Application. The subject property is within Council District 4, represented by Luke Garrott. Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case Number PLNHL2014-00789

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 deny the petition.

The Commission and Staff discussed the following:

- If Transportation and Public Utilities had reviewed the proposal and their comments.
 - The plan had gone through the revocable permit process (a DRT review) and items had been changed to comply with City Department technical requests.
- The status of the revocable permit.
 - It was likely pending Historic Landmark approval.
- If the petition were to meet the standards would it get the permit.
 - Yes, likely as similar to other planter box applications.
- The Commission needed to review the standards for approval and determine if the proposal met the standards.

Mr. David Schutt, applicant, reviewed the history of the site, the features of the park strip and how it fit with the history of the home. He reviewed the neighborhood petition and how the park strip enhanced the neighborhood. Mr. Schutt discussed neighbor concerns and historic concerns (copies of all documents are located in the case file). Mr. Schutt explained the structures are sound and have been inspected by a geotechnical engineer, the artistry matches that of the history of the home and that there are no safety issues with the park strip. He explained how the proposal met each standard in the ordinance.

The Commission and Applicant discussed the following:

- What was left of the friendship wall on the corner of 2nd Ave and Alta Street.
- Why was the park strip in front of the Badley house chosen for this project and why the owner bought the home.
 - Because it was his property and they wanted to incorporate community gardens on the park strip.
- If the home owner knew the home was historical when he purchased it.

PUBLIC HEARING [6:32:17 PM](#)

Chairperson Brennan opened the Public Hearing.

The following individuals spoke in favor of the petition: Ms. Laurie Balfe, Mr. Niko Haukebo, Mr. Franz Kofler, Ms. Heidi Keilbough, Mr. Josh Bross, Mr. Paul Etuk, Ms. Jasmine Back, Mr. Chris David, Mr. Jackson Disbrow, Ms. Erika England, Mr. Aaron Johnson, Mr. Paul Overall, Ms. Mary Lee Hall, Mr. Aaron Grimshaw, Mr. Michael Cundick and Ms. Trista Nobel.

The following comments were made:

- The design of the park strip did not deter from the historic house.
- Drew people in and helped to educate them about the historic home and area.
- Structure did not hinder sight lines on the street.
- Added to the home and reflected the history of the neighborhood.
- Structures are sound and safe.
- The addition to the park strip showcased the best way to preserve our history with returning to gardening and community.
- Different crops were grown in the park strip and helped grow the sense of community.
- Preserving the idea of community should be important.
- Garden created a magical place for the community to gather and come together.
- The Garden gives freedom to people and was a great attribute to the community.
- Historical tribute to the historical home.
- Measure of sustainability with growing own food and saving water.
- If it was a matter of compliance, was there a way to work with the homeowner to make the design better fit the area.
- Promoted water wise planting.
- Everyone should work toward a win-win for the community and city.
- Great asset for public engagement.
- Benches and design bring people together.
- Rocks are specifically from Utah and showcase the history of the state.

The following individuals spoke in opposition of the petition: Ms. Cindy Cromer

The following comments were made:

- The Commission needed to decide if they could make findings that could be transferred to other landmark sites and historic districts.
- Respected the craftsmanship and the stones but they are on public property.
- The neighborhood has been proposed as the expansion of the University Historic District since 1991.
- The current four way stop was installed because of hazards at the intersections.
- There was no need for a gathering place as there are two public parks in very close proximity to the property.

- The intersection was very busy and the garden was a distraction to the traffic in the area.
- Some of the items could remain but the types of uses, gatherings and parties that have occurred in the park strip were not appropriate.
- The current visual intensity distracted from the house.

The Commission received cards from the following individuals in support of the project who did not wish to speak: Ms. Bonnie Macri, Mr. Mark Spicer, Mr. Johnny Spicer, Ms. Debbie Highsmith, Mr. Evan Schutt, Mr. Rad Hegbloom, Ms. Evana Maurant and Mr. David Spicer.

Chairperson Brennan closed the Public Hearing.

Mr. Schutt, applicant, thanked his supporters and stated if anyone had issues with the project he would be happy to address them.

The Commissioners and Staff discussed the following:

- If a subcommittee should be held to modify the design to better fit the standards.
- Gardening and zeroscaping is allowed in the park strip.
- What the issues were and what the Commission was reviewing.
 - The structures
 - The ability to traverse the park strip.
 - Sight lines
 - Gardening is allowed
 - Grass is not a requirement
 - Height of plants
 - Health of the street trees.
- What existed that could be approved and how could the Commission address those issues.
- The standards for approval and what was historical.
- The Commission has tried, with other projects, to keep the plants and structures under the heights of plants while working with the properties.
- The Commission reviewed the standards for approval.
- The park strip design did not compete with the historical home.
- The history of park strips.
- What distinctive features, finishes or construction techniques needed to be preserved from the original park strip.
 - The open space.
- This is a landmark site, it is not located in a historic district so there was a little more difficulty in determining what standards applied to the petition.
- The property lines.
- The process the Applicant would have to go through for the revocable permit and the standards for that permit.

- The text amendment, reviewed by the Planning Commission, regarding structures and plants in the park strips. The Historic Landmark Commission also provided recommendations.
- How the design fit and did not fit the standards.

The Commissioners made the following observations:

- The basis for the historical concern was the fact that it was not a grass park strip and so it was not historical but how historical were grass park strips.
- It would be nice to have a Commissioner that was a landscape architect.
- Neighboring properties could potentially host the park strip design but because the house was historic it may not be allowed due to the standards
- The positive was that it could be removed.

The Commission and Applicant discussed if they were willing to hold a Subcommittee meeting to review the petition in greater detail and to find ways to address the concerns of Staff and the Commission.

Commissioner Harding stated the opinion of the subcommittee cannot not reflect the Commission's or City's opinion as a whole but it could be a step forward.

Commissioners Quist, Peters and Harding volunteered to be on the subcommittee.

MOTION [7:30:38 PM](#)

Commissioner Richardson moved to table the petition to allow for a Subcommittee meeting to address the concerns of Staff and the Commission. Commissioner Harding seconded the motion. The motion passed unanimously.

[7:31:07 PM](#)

Salt Lake Country Club and Golf Course at approximately 2375 South 900 East - The State Historic Preservation Office (SHPO) is soliciting comments from the Historic Landmark Commission regarding listing the Salt Lake Country Club and Golf Course (Forest Dale Golf Course) to the National Register of Historic Places. The property is in the OS (Open Space) zoning district located within Council District 7, represented by Lisa Adams. (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com.)

Ms. Oktay stated the Applicant had to leave the meeting but wanted Staff to state that the club house was currently on the local register and the application completed the landscape and its history.

Mr. David Gellner, 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 as presented.

EXHIBIT D

Staff Report – March 5, 2015

**HISTORIC LANDMARK COMMISSION
STAFF REPORT**



Planning Division
Department of Community and
Economic Development

Structures in Park Strip
PLNHLC2014-00789
974 E 300 S
Meeting Date: March 5, 2015

Applicant: David Schutt,
property owner

Staff: Tracy Tran
tracy.tran@slcgov.com
(801)535-7645

Tax ID: 16-05-184-001

Current Zone: R-2, Single and
Two-Family Residential

Master Plan Designation:
Central Community Master Plan
- Low Density Residential

Council District:
District 4 – Luke Garrott

Lot Size:
4,300 square feet

Current Use:
Single Family Residential

**Applicable Land Use
Regulations:**

- 21A.34.020(G)

Notification:

- Notice mailed 2/19/2015
- Sign posted 2/23/2015
- Posted to the Planning Division & Utah Public Meeting Notice websites 2/19/2015

Attachments:

- A. Site Plan
- B. Photographs
- C. Related Diagram
- D. Public Comments
- E. Departmental Comments

Request

This is a request by David Schutt, the property owner, to allow for structures consisting of natural stone planter benches various structures in the park strip at approximately 974 E 300 S.

Staff Recommendation

Based on the analysis and findings of the staff report, it is the Planning Staff's opinion that overall the project does not meet the applicable standards and therefore, recommends the Historic Landmark Commission deny the request.

Potential Motions

Consistent with Staff Recommendation: Based on the findings listed in the staff report, testimony and plans presented, I move that the Historic Landmark Commission deny the request for a Certificate of Appropriateness for structures in the Park Strip at 974 E 300 S as requested.

Not 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 a Certificate of Appropriateness to allow structures in the Park Strip at 974 E 300 S as requested based on the following findings (Commissioner then states findings based on the Standards 1, 2, 3, 5, 8, and 9) as listed on the following page, to support the motion).

1. A property shall be used for its historic purpose or be used for a purpose that requires minimal change to the defining characteristics of the building and its site and environment;
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;
3. All sites, structures and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create a false sense of history or architecture are not allowed;
4. Alterations or additions that have acquired historic significance in their own right shall be retained and preserved;

	<ol style="list-style-type: none">5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved;6. Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects;7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;8. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment;9. Additions or alterations to structures and objects shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiated from the old and shall be compatible in massing, size, scale and architectural features to protect the historic integrity of the property and its environment;10. Certain building materials are prohibited including the following:<ol style="list-style-type: none">a. Aluminum, asbestos, or vinyl cladding when applied directly to an original or historic material.11. Any new sign and any change in the appearance of any existing sign located on a landmark site or within the H historic preservation overlay district, which is visible from any public way or open space shall be consistent with the historic character of the landmark site or H historic preservation overlay district and shall comply with the standards outlined in chapter 21A.46 of this title.
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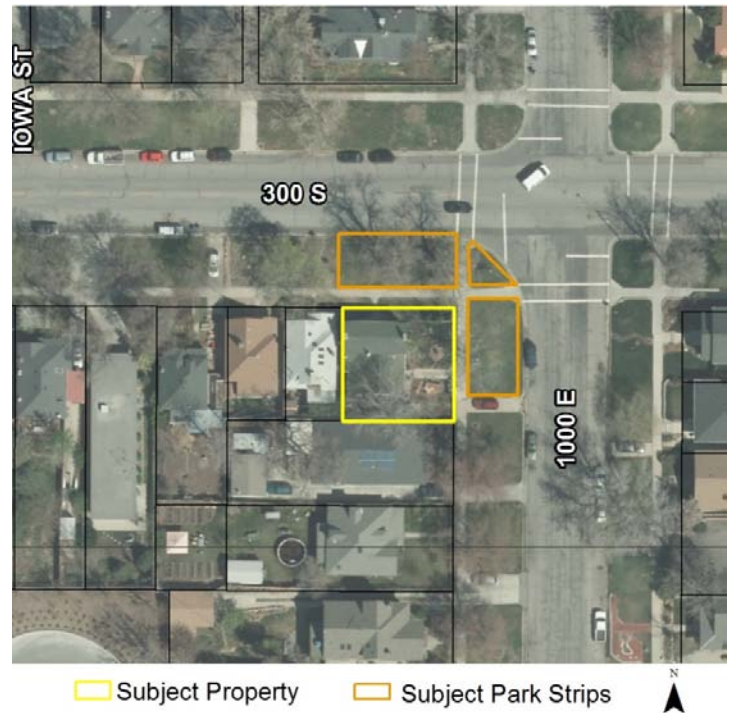
BACKGROUND

Context

The subject corner property is situated on the southwest corner of 300 South and 1000 East. The property sits on approximately 4,350 square feet and is adjacent to three park strip areas. Access to the driveway of the subject property is to the east of the property, on 1000 East.

The house is a two-story simple federal style house built around 1871, and is identified as the George Baddley house. The subject property is a local historic landmark site and is characterized by a side gabled roof, symmetrical windows with shutters, stuccoed adobe and a centered front door. The rounded front porch and shutters were added later. The subject property is not located within a local historic district.

Mr. Baddley was a Utah pioneer of 1850. He was given land after his arrival and he raised fruit trees, grapes, and other farm products on his land. Mr. Baddley and his first wife were potters in England and continued this work in Utah. The Baddley's also built a wine press and distillery. Mr. Baddley helped in the development of the Southern Utah wine industry.



Project Description

The applicant is requesting a certificate of appropriateness for stone benches, stone structure/formations, stone planters, and outdoor furniture in the park strip. The purpose of these structures according to the applicant is to provide community gathering space and to provide garden beds for growing vegetables.

The stone benches and stone planter areas are constructed with a variety of natural stone including: sandstone, river rock, granite, green marble, white calcite, rhyolite, and oolite.

These stones are from Utah and most have been found in Salt Lake County. The proposed outdoor furniture consist of a picnic table with benches and a stone table, the picnic table and benches are constructed of wood and the stone table is constructed with stone. The park strips would contain a total of three stone benches that include areas for plantings. The stone benches will range from 8" to 36" in height to the back of the bench, with the actual seating areas measuring 10" to 16" in height. (See Attachment A for plan details) These structures have been stamped by an engineer that ensured that the improvements are structurally sound. There are six other planter areas proposed that would be used for mulch and perennials, and another stone planter than will contain a rose bush. Some furniture pieces, including a picnic table with benches, are also proposed to be placed within the park strip.



The park strip located south of the property on 300 South contains two (2) mature street trees and the park strip located east of the property on 1000 E contains one (1) mature street tree. The parking strip on 300 South contains a utility access box and sewer access. Both park strips are adjacent to an intersection with a 4-way stop.



Planter bench structure on north park strip



Planter bench structure on east park strip looking north

Current Status

A Certificate of Appropriateness has not been issued for the structures and the work done in the park strip. An enforcement case was opened on the matter (Case #HAZ2014-01923). Additional approval requires obtaining a revocable permit for structures within the public right-of-way. Up to this point, the applicant has received preliminary approval from the *Public Utilities, Transportation, and Engineering Divisions*. At the time of this report, issuance of the revocable permit is pending the outcome of Certificate of Appropriateness approval.

The City does not have a set of historic landscaping design guidelines and the analysis for this proposal was completed based on zoning standards, the Residential Design Guidelines, standards relating to the H Historic Preservation Overlay and on recent Historic Landmark Commission discussions relating to a pending ordinance amendment for park strip treatment citywide.

Previous HLC Decisions and Draft Park Strip Landscaping Ordinance

Currently, the zoning ordinance is not clear on whether planter boxes and other structures are allowed in the park strips, in any location in the City, and decisions relating to them have been made on a case by case basis. An issue with the current ordinance is the ambiguity as to criteria outlining when structures are acceptable. The issue is that the language says that they are prohibited unless otherwise allowed by a revocable permit. In 2013, the City Council asked the Planning Division to make revisions to the Landscaping Chapter of the Zoning Ordinance. On December 4, 2014, the Historic Landmark Commission was briefed on the draft text amendment and provided the following input:

- Park strips are part of the character of the historic districts, they may be able to evolve but the ordinance should emphasize continuity and simplicity.
- Need to make sure the park strip does not detract from the home.

On February 25, 2015, the Planning Commission forwarded a positive recommendation to the City Council to amend the zoning ordinance relating to park strips to further clarify that:

- Structural encroachments in park strips are generally limited because they block access from the street to sidewalk
- That they should be for a general public need (power lines, utility boxes, etc.)

- That they should be necessary for the functional use of the adjacent property (mailbox, for retaining walls on a sloping lot or a fence behind a sidewalk, etc.)
- That they could be allowed in cases when is no other location on the adjacent private property.
- That any raised structure, rock, retaining wall be set back 18” from the curb
- That utility boxes and outdoor dining be regulated through a separate planning process.

The Historic Landmark Commission reviewed two planter box proposals this past August and November and granted a certificate of appropriateness for both cases. As part of that approval the Historic Landmark Commission identified certain things to look at when analyzing the appropriateness of planter boxes in the park strip within historic districts. These included encouraging urban gardening in the park strips, which is allowed without a planter box structure, but discouraging “obtrusive” structures in the park strips. The Historic Landmark Commission also noted that design guidelines should be developed to address the issue of park strip landscaping for Landmark sites and properties within local historic districts.

If the City Council determines that planter, garden boxes, and/or other structures should be allowed in the park strip throughout the City, the Planning Staff will work toward developing specific design guidelines for planter or garden boxes in park strips of historic districts. Until that time, when these requests are made, the Planning Staff will continue to forward the requests for Certificates of Appropriateness to the Commission for its review and decision and analyze the proposals according to the standards of the zoning ordinance.

COMMENTS

Public Comment

Key Themes from Public Comment: (ATTACHMENT C)

- Structures on park strip do not fit in with neighborhood and are poorly constructed
- Not true to its historic roots

General comments not specifically related to historic aspect of the project:

- Structures make it difficult to see people in the crosswalk
- Concerns about what would happen if person responsible for the changes to the park strip were to lose interest in the project
- Heavy weather events could create a dangerous situation
- Poor maintenance of yard space
- House and park strips attract transients
- Persistent open burning occurring on property

Project Review

Zoning Ordinance Considerations

21A.48.060 Park Strip Landscaping: The intent of these requirements is to maintain the appearance of park strips, protect the users of park strips by prohibiting the use of materials that may cause harm or injury to pedestrians or vehicles, provide for safe and convenient access across park strips to and from vehicles that may park at the curb, expand landscape design flexibility while not unreasonably inhibiting access for repair and maintenance of public utilities, encourage water conservation through the use of water conserving plants and generally to improve environmental conditions along the city's streets.

21A.48.060(E)(7) Prohibited Materials

b. Thorn Bearing Plants: Plants which have thorns, spines, or other sharp, rigid parts are hazardous to pedestrians and bicyclists, and are difficult to walk across. Limited use of thorn bearing flowers, such as roses, may be acceptable subject to the approval of the zoning administrator.

d. Retaining Walls, Fences, Steps, and Other Similar Structural Encroachments: Retaining walls, fences, steps, and other similar structural encroachments in park strips are prohibited unless they are specifically approved through the city revocable permit and review process (not an automatic approval). These structural encroachments are generally prohibited because they limit access from the street to sidewalks and create obstructions to, and increase the cost of, performing maintenance of public improvements and utilities within the park strip.

e. Plants And Objects Within Sight Distance Areas: Except for street trees, no plant, boulder, monument, or other object which is over eighteen inches (18") in height shall be planted or located within sight distance areas.

Table 21A.48.060 Park Strip Design Standards

Park Strip Materials	Standards
Annual and perennial flowering plants	Permitted – not to exceed 18 inches in height at maturity when located within sight distance areas at street intersections, alleys or driveways. Annual and perennials, up to 36 inches in height, may be used as individual specimens or accent plants when not located within sight distance areas. These plants shall not be planted at a spacing that would result in a visual barrier between the street and the sidewalk.

Analysis: Staff has reviewed the zoning requirements for park strip landscaping as they relate to this application. The Park Strip Landscaping ordinance describes the intent of the requirements. These include maintaining the appearance of park strips, providing safe and convenient access across park strips to and from vehicles, and expand landscape design flexibility while not unreasonably inhibiting access for repair and maintenance of public utilities. New structures may change the appearance of park strips and the size of the proposed structures may limit the convenience of access across park strips to and from cars as these new structures will take up space within the park strip [21A.48.060]. The raised stone benches, stone planters, and outdoor furniture introduce a new structural encroachment into the park strip which conflicts with the zoning ordinance is prohibited without a Certificate of Appropriateness from the Historic Landmark Commission and a revocable permit [21A.48.060(E)(7)d].

Annual and perennial plants are permitted not to exceed eighteen inches (18”) in height at maturity when located within sight distance areas at street intersections, alleys, or driveways. Annuals and perennial plants, up to 36” in height, may be used as individual specimens or accent plants when not located within sight distance areas. These plants should not be planted at a spacing that would result in a visual barrier between the street and sidewalk. [21A.48.060] These maximum heights for these plants are measured from the ground.

The proposed planter benches will have some areas that contain mulch and/or perennials. Any plants grown within these areas cannot exceed the 18” maximum, measured from the existing grade. Therefore, if plants are grown within the raised planter bench at a height of 8”, the height of the plant cannot exceed 10” to comply with the 18” height limit. Plants up to 36” in height (measured from the existing grade, not from the height of the planter areas) may be used as individual specimens or accent plants when not located within sight distance

areas. Any proposed plantings must not be spaced in a way that results in a solid mass, creating a visual barrier between the street and sidewalk.

Currently, an existing rose bush sits along the smaller adjacent corner park strip. This area is within the site distance and plants within this area must not be taller than 18". [21A.48.060(E)(7)b] The applicant has stated he will maintain the height of this plant to be under 18".

Finding: For the reasons outlined in the analysis, the proposal does not meet the standards of the Park Strip Landscaping ordinance. The rose bush located within the site distance area in the adjacent corner park strip can meet the ordinance once the singular thorn bearing plant is approved by the zoning administrator and the plant is no taller than 18". The stone planter benches, stone planter areas, and outdoor furniture are a structural encroachment that limits access to and from the street to the sidewalk. Structural encroachments are prohibited unless they are approved through the city's revocable permit and review process. Revocable permit approval for this project is pending the outcome of Certificate of Appropriateness approval of the various structures.

ANALYSIS AND FINDINGS

Standards of Review

21A.34.020.G Historic Preservation Overlay District: Standards for Certificate of Appropriateness for Altering of a Landmark Site or Contributing Structure: In considering an application for a Certificate of Appropriateness for alteration of a landmark site or contributing structure, the Historic Landmark Commission shall find that the project generally complies with all of the general standards that pertain to the application and that the decision is in the best interest of the City.

Standard 1: A property shall be used for its historic purpose or be used for a purpose that requires minimal change to the defining characteristics of the building and its site and environment;

Analysis: The use of the structure will remain single family residential. No change is proposed. However, the large park strips are a defining feature of the property. Prior to this proposal for alterations, the park strips contained grass and minimal landscaping and maintained the open public space that is characteristic to the site. The addition of various stone planter benches, planters, and furniture pieces changes the defining characteristics of the site and the environment.

Finding: The standard is not met. The proposed structural encroachments change the defining characteristics of the site and environment.

Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;

A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City

Design Objective 1.1 Historically significant site features should be preserved

Design Objective 1.13 Historically significant planting designs should be preserved.

Analysis: Prior to the structural changes made to the site, the site contained grass, 3 large trees, and minimal landscaping. Although the subject property is a landmark site and not within a historic district, many of park strips nearby are relatively similar with grass covered park strips. These simple grass park strips characterize the property and environment.

The addition of the proposed planter benches, stone planters, and furniture in the park strip along both street frontages of the residence changes the historic character of the property. The main feature of the home is the unique architectural style, design of the building and the large simple park strips.

The three (3) mature trees located within the adjacent north and east parks strips will be preserved. These trees are historically significant as their size displays, which enhances the historic nature of this landmark site.

Finding: The standard is not met. The installation of planter benches, stone planters, and furniture alters the park strips that characterize the property.

Standard 3: All sites, structure and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create a false sense of history or architecture are not allowed;

Analysis: The proposed planter benches, planter areas, and furniture pieces are composed of natural stone and natural wood. It's unlikely these structures in the park strip would be confused that the park strip was historically configured this way. It is obvious that it is a new addition of objects and structures. However, the original park strips were not used or configured in this manner and the addition of these structures in the park strips have no historical basis.

Finding: The standard not met. The park strip was not historically configured or used in this manner.

Standard 4: Alterations or additions that have acquired historic significance in their own right shall be retained and preserved.

Analysis: This standard does not relate to this proposal. The planter benches are newly constructed and have not acquired historic significance in their own right.

Finding: The standard is met.

Standard 5: Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved;

A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City

Design Objective 1.1 Historically significant site features should be preserved

Design Objective 1.13 Historically significant planting designs should be preserved.

Analysis: The distinctive features of the historic property include the unique architectural style and the site in which the property sits. The park strips, prior to alterations, consisted of grass, large trees, and minimal landscaping which characterized the historic landmark site. The open space located on the park strip characterizes the property and these should be preserved. The addition of various planter bench structures, planter areas, and outdoor furniture does not preserve the open space within the park strips.

The large mature trees will be preserved, which preserves a distinctive feature of the property.

Finding: This standard is not met. The addition of various structures changes and does not preserve the distinctive features of the park strip and open space.

Standard 6: Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition,

design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects;

Analysis: The proposal does not include replacement or repair of deteriorated architectural or existing features. This standard does not relate to this proposal.

Finding: The standard does not apply.

Standard 7: Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;

Analysis: The proposal does not include treatments of existing historic materials. This standard does not relate to this proposal.

Finding: The standard does not apply.

Standard 8: Contemporary designs for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment;

A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City

Design Objective 1.1 Historically significant site features should be preserved

Design Objective 1.13 Historically significant planting designs should be preserved.

Analysis: In as much as this standard relates to site features, the proposed alterations to the park strip introduce a structural element to the park strip which competes with the historic structure. The structural additions to the park strip do not affect the historic building on the property and the primary structure on the property is of cultural, historical, and architectural significance. The new alterations to the park strip are compatible as the natural stones proposed ties in with the stone foundation of the historic home in both color and material. The size, scale, and the presence of various structures in the park strip is not compatible with the character of the property as it competes with the historic structure.

Although outdoor furniture may not have been historically prevalent in park strips, the outdoor furniture pieces can easily be moved. The proposed picnic table and benches are made of natural wood and the stone table is made of a stone. These materials are appropriate for this historic property.

Finding: This finding is met in part. The proposed structures do not destroy significant cultural, historical, architectural, or archaeological material related to the primary structure. The materials are compatible with the character of the property, but structures in the park strips, changes to the site, and the visual impact of park strip objects and the general design is not compatible with the character of the property.

Standard 9: Additions or alterations to structures and objects shall be done in such a manner that if such additions or alteration were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiated from the old and shall be compatible in massing, size, scale and architectural features to protect the historic integrity of the property and its environment;

A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City

Design Objective 1.1 Historically significant site features should be preserved

Design Objective 1.13 Historically significant planting designs should be preserved.

Analysis: The proposed alterations to the park strip could be reversed and these park strips could be reinstated with grass. The introduction of the proposed structures to the park strip does not affect the form or integrity of the primary structure. However, the structures visually compete with the primary structure on the site. Generally, parks strips are simple and open space is a feature of the historic site. The addition of these structures does not preserve the historic integrity of the open space of the park strip.

Finding: This standard is met in part. The proposed structures park strip does not affect the form or historic integrity of the primary structure, but the addition of the structures in the park strip does not preserve the historic integrity of the site as a whole.

Standard 10: Certain building materials are prohibited including the following: Vinyl or aluminum cladding when applied directly to an original or historic material;

Analysis: The proposal does not include the use of vinyl or aluminum cladding applied to original or historic material.

Finding: The standard does not apply.

Standard 11: Any new sign and any change in the appearance of any existing sign located on a landmark site or within the H historic preservation overlay district, which is visible from any public way or open space shall be consistent with the historic character of the landmark site or H historic preservation overlay district and shall comply with the standards outlined in part IV, Chapter 21A.46 of this title;

Analysis: Signage is not part of this proposal.

Finding: The standard does not apply.

ATTACHMENT A

Site Plan and Description

Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Intro/Background:

The improvements made to the property located at 974 East 300 South consist of elaborate planter-benches on both the east and north sections of the park strip. Lined with stone handpicked from Utah, the "Xeriscape" improvements not only beautify the property and revitalize the neighborhood, but are likely to be similar to the historic intention when the property was developed by George Baddley in the late 19th century.

Historic ties:

In 1851 George Baddley located on 10th East where George had about four acres of land. In 1864 after his mission in Dixie he returned to his home in Salt Lake. In the years he had spent in Southern Utah, George had done much in the building and development of the communities in which he lived.

- Baddley discovered clay on his property located between 10th and 11th East and he established a pottery business there where he made dishes. His wife Eliza, from her past experience, was able to paint all the finished pottery items.
- A portion of their property was planted in fruit trees. He owned a distillery at the time and from this fruit he made delicious wine and fruit juice
- George built a molasses mill, and raised his own sugar cane for the harvest.
- There was a large fresh water spring on his property, and to supply cool spring water for his home on the adjoining block, George built a small ditch from the spring. It proved to be very valuable during the cold winter months, because the spring water did not freeze. The majority of the pioneer families had to secure water from these irrigation ditches for their culinary water.

<http://gladdenfamilyhistories.blogspot.com/2008/07/george-baddley-1825-1875.html>

From the historic agricultural roots of this property down to the artistry within the George's household, improvements such as ours seem congruent with the historic landscape of the Baddley house (in my opinion, the parallel is uncanny).

A relevant historic development in Salt Lake City is the Friendship Wall, on 1315 E 2nd Avenue. Built in 1935 by Katie and Russell Tracy, the wall is made of assorted unique rocks gathered from Utah and surrounding lands. At the time of its construction, the Friendship Wall was visible to passersby on 2nd Avenue; but now it is located behind two houses built after Russell Tracy died and the Tracy estate was sold and subdivided; currently addressed as 1289 E. 2nd Avenue and 1295 E. 2nd Avenue, Salt Lake City.

Tracy's unique and quaint monument gained attention and respect from passerby as well as historic recognition. Although the Friendship Wall was built within the Tracy estate rather than on the park strip, the improvements on the park strip of 974 east 300 South has garnered similarly positive response from neighbors and local media. Not only is the facade of the Friendship Wall similar to our planter benches, but the location is such that the George Baddley home was probably a close neighbor at the time the Friendship Wall was erected, given the fact that historically this property stretched for over 4 acres.

<http://www.examiner.com/article/salt-lake-s-friendship-wall>

Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

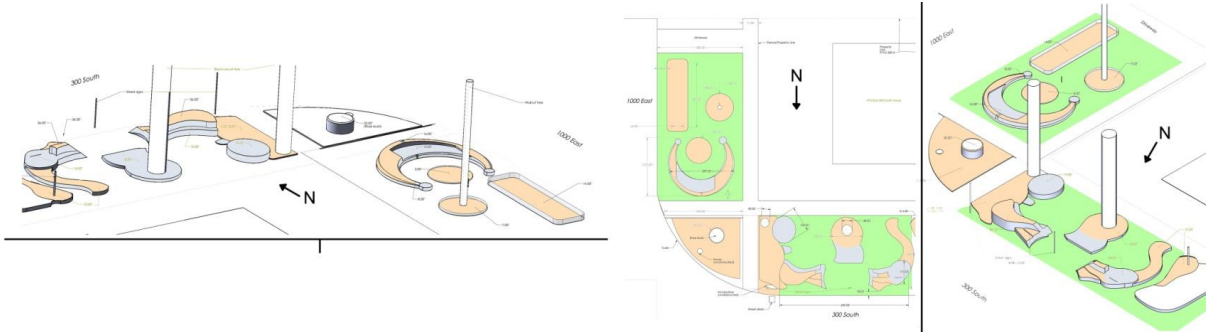


A Salt Lake Tribune article presents the monument (top left), various rocks comprise the Friendship Wall (top right), The Catalyst magazine covers the development of the 974 east 300 South park strip (bottom left), a section of the 974 east park strip (bottom left)

Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Design:

The east facing park strip consists of a 1 foot high planter box (25' long x 5' wide), and a 2 foot high crescent planter/bench (25' wide).



The north facing park strip prominently featured a 50' planter/bench, but has been reduced to a pair of 16' planter benches to ensure accessibility and safety as per requested by Public Utilities. These benches are no higher than 36" and are setback a minimum of 18" from the curb as per 21.A.48. Forethought has been taken to ensure accessibility between the street and sidewalk, as well as ease of getting in and out of parked vehicles. Also since the current ordinance prohibits plants over 18" above grade, alterations have been made accordingly.

There is also a picnic bench located on the east end of the northern park strip.



Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Materials:

The features of this park strip are constructed entirely of rock and soil (no mortar, clay, or other building materials) and have been evaluated for integrity by a geotechnical engineer.

The variety of stone include

- Sandstone
- River rock
- Granite
- Green marble (Great Salt Lake)
- White Calcite
- Rhyolite
- Oolite (Spring City)



These stones are from Utah, most of which have been found in Salt Lake county. The facade of the planter-benches compliments the exposed foundation of the house both in color and in species of stone.



Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Neighborhood Integration:

The improvements made to the park strip are not vastly different than similar properties in the East-Central district, and neighboring districts, who have similarly used rocks and boulders to develop a Xeriscape park strip.



The landscaping has garnered positive feedback from countless families and pedestrians passing by. Visitors of the Tenth East Senior Center often stop by and lighten up throughout the week. Overall, the neighborhood experiences a greater sense of community by convening on the park strip for purposes such as gardening, healthy living workshops, teaching, learning and artistic landscaping.

Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments

Conclusion:

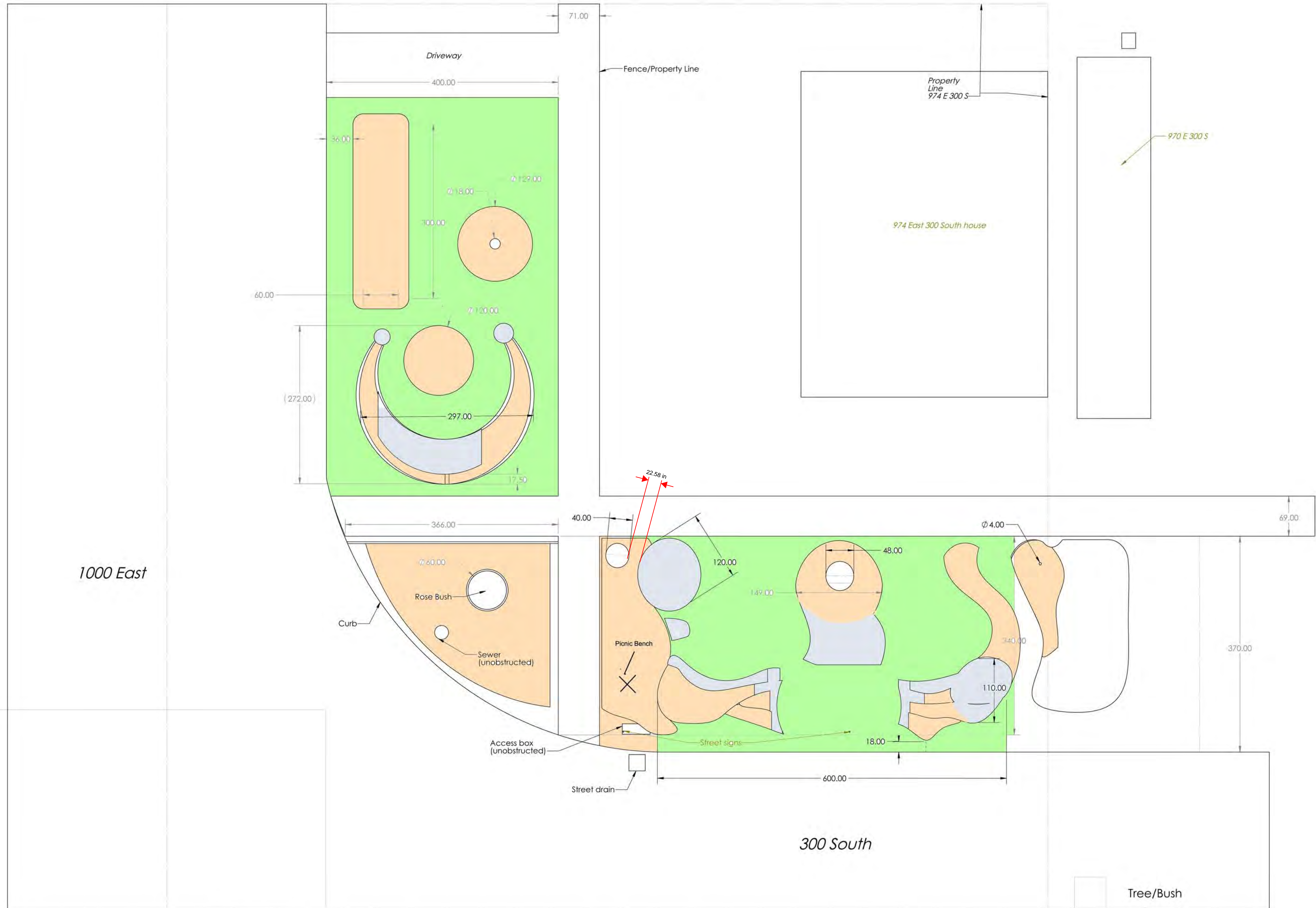
As this historic property was one of the earliest developments in the neighborhood, the home has required significant exterior upkeep for the sake of historical preservation. Great care has been taken to restore the face of the home to a pristine and historically accurate condition, and the same degree of care and forethought has been carried out in landscaping the yard and park strip.

There is no line of sight violation, and accessibility and structural integrity have been evaluated and approved at the DRT meeting by engineering, utilities, transportation, and urban forestry. It should be less important that the developments are in the park strip rather than within the fence line, and more important that the developments enhance the historical attraction of the property and neighborhood.



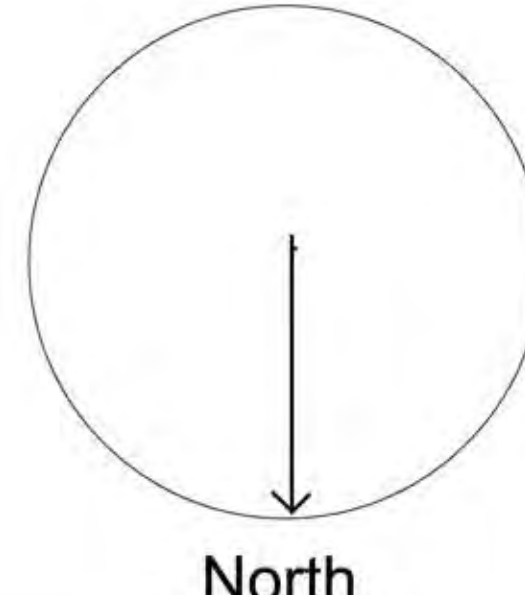
Historic Landmarks Commission meeting regarding 974 East 300 South park strip developments





1000 East

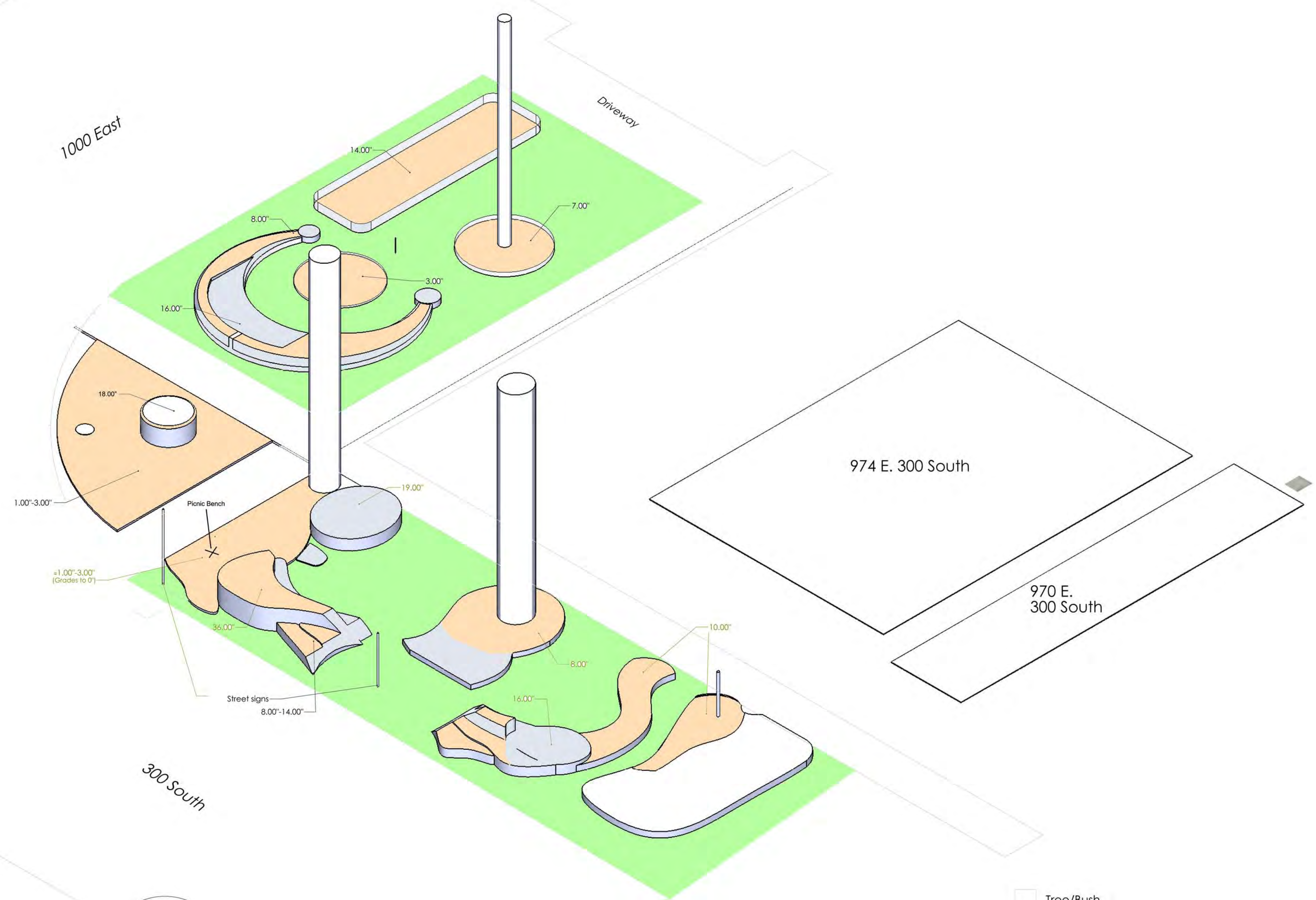
300 South



974 east 300 South park strip

Top view, Scale 1":80"
 Lot sq. footage: 4356

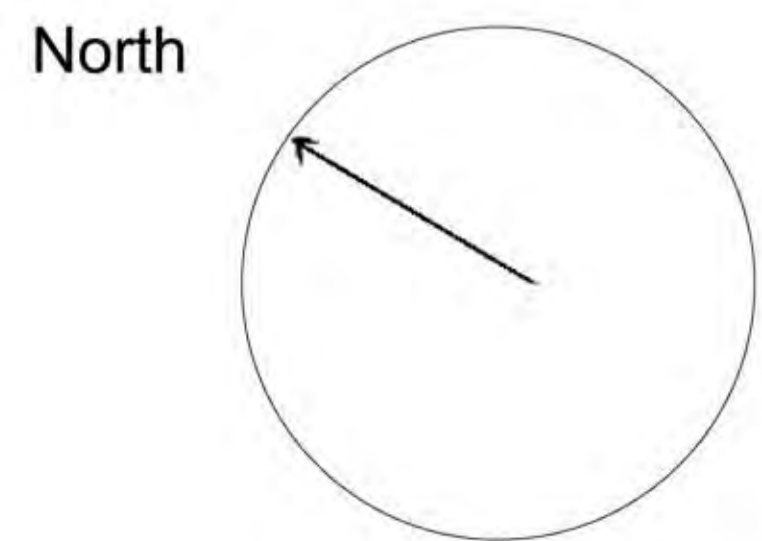
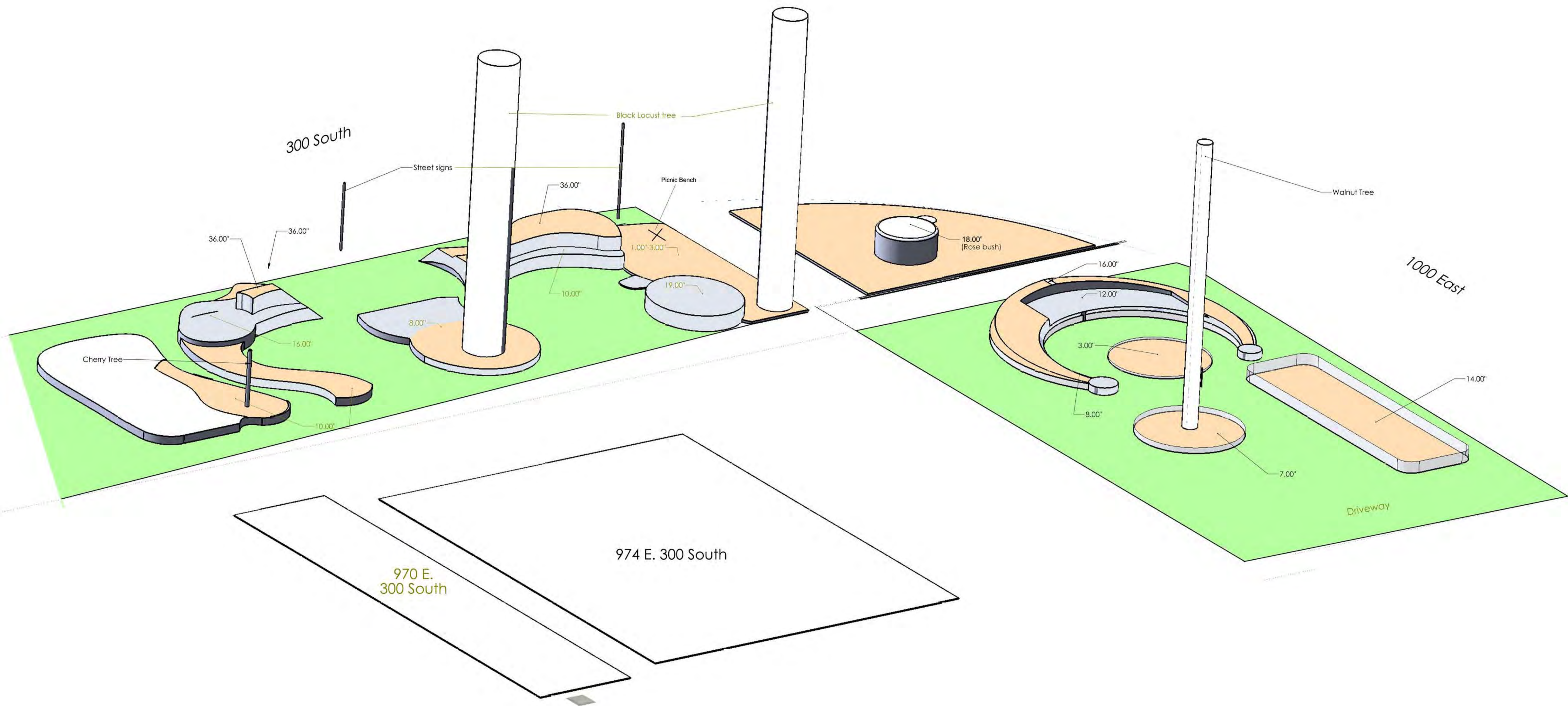
-  Tree/Bush
-  Asphalt/Concrete
-  Stone
-  Grass/Clover
-  Mulch/Perennials



974 east 300 South park strip

Isometric view depicting elevations, Scale 1":60"

- Tree/Bush
- Asphalt/Concrete
- Stone
- Grass/Clover
- Mulch/Perennials



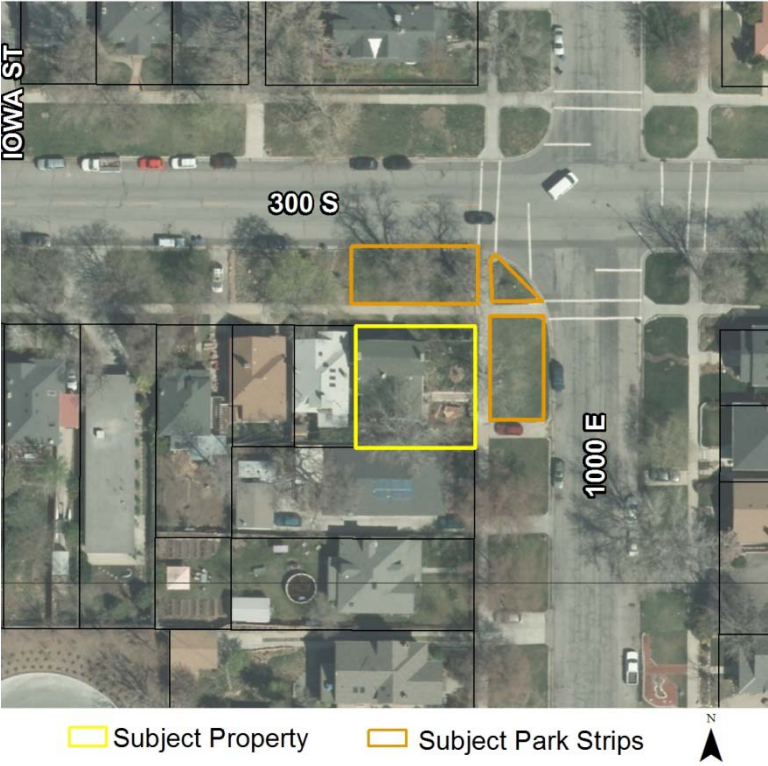
974 east 300 South park strip

Isometric view depicting elevations, Scale 1":50"

- Tree/Bush
- Asphalt/Concrete
- Stone
- Grass/Clover
- Mulch/Perennials

ATTACHMENT B

Photographs



North Park Strip – looking northeast, bench will be reduced to allow utility access



North Park Strip – looking north



North Park Strip, looking northwest



East Park Strip – looking northeast



East Park Strip – looking north



East Park Strip – looking south



ATTACHMENT C

Public Comments

To: Tracy Tran

From: Ann and John O'Connell
352 South 1000 East

Re: Baddley House Park Strip Structures at Approximately 974 East 300 South
Case Number PLNHLC2014-00789

We have lived at our current address since 2007. The elderly gentleman who lived at the above address died some time after we moved in and evidently David Schutt has then owned the property most of the time we have lived here. I was surprised to learn that from him a few months ago when he came by with a petition since it was the first time I had ever seen him and the house has had many different, basically transient, residents over the years. Each of them has had a different vision for the house and yard with projects started and eventually abandoned as residents move on.

I told David at that time that as much as I did not like to be a complaining neighbor (We have never complained to the city), I could not sign his petition but that there were some things he could do to make me feel better about the current projects. He seemed agreeable but has not followed through.

I suggested to him that that the numerous garbage cans not be stored on the parking strip. I presume that is illegal. My other complaint was about the persistent open burning. I know that it is legal to have a fire pit in Salt Lake, but not in yellow and red air conditions and not for trash. We have tried to speak about unreasonably frequent and large fires and the burning of trash to the different people we see in the yard, but have gotten nowhere. We replaced our swamp cooler with air conditioning as a direct result of their burning practices. The swamp cooler would regularly fill our second floor with smoke. At the moment the fire pit is gone, temporarily I believe, but the garbage cans remain along with other debris.

I presume that the Certificate of Appropriateness would mean that the rocks, dirt, and furniture, etc. would remain as they are or could be increased. There are two problems with these structures. I think there is more than a chance that whoever is involved with this project will lose interest, or move out and leave a serious problem behind. Who would be responsible for removing the rocks and soil? Heavy rain or snow could create a serious if not dangerous debris flow as well as an eyesore. A future resident would be unlikely to even know what to do with it all.

Most of our neighbors take reasonable care of their yards. Most of us are live and let live people. I very much approve of urban farming, like xeriscaping, chickens and bees, and have removed most of my lawn and plan to "strip my strip". But what I see at the Badderly house is a history of poor maintenance, frequent turnover of both residents and projects and a general indifference to neighbors.

It seems to me that if the City issues a Certificate of Appropriateness for the parking strip project at the corner of 3rd South and 10th East, the City should also require something in return:

1. Compliance with city ordinances: keeping garbage cans reasonably out of site, removing an abandoned car, clearing sidewalks, etc.
2. Complying with open burning regulations
3. Posting a bond for removal of the soil and rocks if the project can no longer be maintained.

Ann O'Connell

Hi Ms Tran,

I was writing as a concerned neighbor to the Baddley House property - case # PLNHLC2014-00789. We live near the property and have been very concerned about the structures that have been constructed there. They certainly don't fit with the neighborhood and are poorly constructed at best. The large seating area attracts many people who often are not neighbors and often are there at all hours. There are many times when we have seen large parties with underage drinkers and marijuana smoking etc. I think having this seating area here attracts transient people that cause problems. The police are often called. We know the owner - David and he is very often not present at these events to supervise. The heaped up structures also make it difficult to see people in the crosswalk as well as when you are making a turn onto 1000 east.

The "group" that lives there have tried to raise some plants and have tried to take care of that part of it. However they have broken at least 2 large limbs of the old and established trees on the park strip that have lived there for generations. I think this is negligent and wrong. There is a beautiful walnut tree on the SE corner of the property that is really struggling due to abuse and lack of water- this is one of the trees that the limbs were broken on and it is now listing badly.

I have lived in this neighborhood for 17 years and moved here because of the historic nature of this area. The Baddley house was one of the first homes around that was on the historic register and inspired us to get our home on the register as well. We knew the previous owners and always appreciated that they kept their home true to its historic roots. It is not that way now.

We hope you will consider these aspects when you make your decision.

Sincerely,
Sandra A Phillips

EXHIBIT E

Additional public comments

One call was received from a neighbor. Caller stated that the park strip structures are not historically appropriate and are out of context with the historic home. Additionally, the proposal is very different and odd.