SALT LAKE CITY HISTORIC LANDMARK COMMISSION Meeting Minutes 451 South State Street, Room 326 January 5, 2017

A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at <u>5:33:34 PM</u>. 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 Charles Shepherd; Vice Chairperson Kenton Peters; Commissioners Thomas Brennan, Sheleigh Harding, Robert Hyde and Paul Svendsen. Commissioners Stanley Adams, Rachel Quist, David Richardson and Kim Wirthlin were excused.

Planning Staff members present at the meeting were: Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Katia Pace, Principal Planner; Amy Thompson, Associate Planner, Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Historic Landmark Commissioner present were Robert Hyde and Charles Shepherd. Staff members in attendance were Michaela Oktay, Amy Thompson, Katia Pace and Carl Leith.

The following site was visited:

- 183 Fourth Ave Staff gave an overview of the proposals.
- **638 6th Avenue –** Staff gave an overview of the proposals.
- 35 S 900 East Staff gave an overview of the proposals.
- 715 South 500 East Staff gave an overview of the proposals.

APPROVAL OF THE DECEMBER 1 and DECEMBER 8, 2016 MINUTES. <u>5:35:17 PM</u> Commissioner Peters moved to approve the minutes from the December 1 and December 8, 2016, meetings. Commissioner Brennan seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR 5:35:31 PM

Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Peters stated he had nothing to report.

DIRECTOR'S REPORT

Ms. Michaela Oktay, Planning Manager, reviewed the date change for the Historic Landmark Commission meetings for March 2, 16 and April 20. She reviewed the updates on the Trolley Square rezone, that the Developer had withdrawn the Development Agreement and was currently only requesting the rezone. Ms. Oktay reviewed the recent

changes in Planning Staff.

Mr. Paul Nielson, City Attorney reviewed the process of receiving and consideration of anonymous public comments for petitions.

The Commission and Staff discussed the following:

- How comments are taken and recorded in the public record.
- If Staff could grant anonymity to members of the public.

PUBLIC COMMENT PERIOD 5:43:49 PM

Chairperson Shepherd opened the Public Comment Period.

Ms. Cindy Cromer stated the meeting on December 8, with Trolley Square was great but did not allow for public comment and there were items that needed to be clarified and researched. She stated the comment regarding that there are multiple houses in the city similar to the one proposed to be demolished was in correct and should not be considered.

Chairperson Shepherd closed the Public Comment Period.

5:45:44 PM

Commissioner Svendsen reviewed his former employment at Tracy Aviary and the possible appearance of a conflict of interest. He offered to sit at the table and abstain from voting on the next two agenda items in order for a quorum to be present.

The Commission and Staff discussed the following:

- Potential conflicts of interest on the next items.
- The issues with a quorum if a member recused or abstained from the meeting.

The Commission agreed to allow Commissioner Svendsen to abstain from voting but sit at the table in order to make a quorum.

5:49:43 PM

Minor Alterations at approximately 589 E 1300 South (Tracy Aviary) – A request by Angela Dean, the architect representing Tracy Aviary, for approval of amendments to Tracy Aviary's West Side Master Plan. Tracy Aviary is located within Liberty Park, a Landmark Site at the above listed address. The property is located in the OS (Open Space) zoning district, in City Council District 5, represented by Erin Mendenhall. (Staff contact: Amy Thompson at (801)535-7281 or amy.thompson@slcgov.com.) Case Number PLNHLC2016-00907

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

The Commission and Staff discussed the following:

• The list of Master Plan changes in the Staff Report and the numbering.

Ms. Angela Dean, architect, stated she was available to answering questions.

The Commission, Staff and Applicant discussed the following:

- Item seventeen, in the Staff Report, and if it should be considered in item two on the agenda.
- The stipulation that the office/aquarium building be retained and interpreted in the previous Master Plan approval.
- The language on the interpretation sign should be changed and clarified.
- There needed to be a statement that the Aviary agreed to retain and preserve the aquarium building.

PUBLIC HEARING 5:58:23 PM

Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak, Chairperson Shepherd closed the Public Hearing.

MOTION 5:58:50 PM

Commissioner Harding stated regarding PLNHLC2016-00907 – Tracy Aviary Master Plan, based on the testimony and the plan presented, she moved that the Historic Landmark Commission approve the request for a Certificate of Appropriateness for changes to Tracy Aviary's Master Plan map, petition PLNHLC2016-00907. Commissioner Hyde seconded the motion. Commissioner Svendsen abstained from voting. The motion passed unanimously.

5:59:35 PM

New Construction at approximately 589 E 1300 South (Tracy Aviary) – A request by Angela Dean, the architect representing Tracy Aviary, for approval to construct a new holding building to serve a new exhibit housing Keas from New Zealand. The proposed New Construction includes a 1000 square foot structure as well as 1800 square feet of exterior exhibit space and surrounding landscape modifications. Tracy Aviary is located in Liberty Park, a Landmark Site at the above listed address. The property is located in the OS (Open Space) zoning district, in City Council District 5, represented by Erin Mendenhall. (Staff contact: Amy Thompson at (801)535-7281 or amy.thompson@slcgov.com.) Case Number PLNHLC2016-00881

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

Mr. Matthew Utley, Mr. Tim Brown and Ms. Angela Dean, applicants, asked if there were any questions on the proposal.

The Commission, Staff and Applicant discussed the following:

- If there was proposed demolition, modifications or attachments to the office/ historic building. No structural attachments, just the fencing. No modifications to the office house are proposed at this time.
- How the building would be secured.
- What would happen to the old building to make it viable or useable?
- The challenges with preserving/replacing the building.
- The purpose of the proposal and request.

PUBLIC HEARING 6:09:39 PM

Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak, Chairperson Shepherd closed the Public Hearing.

MOTION 6:10:03 PM

Commissioner Brennan stated regarding PLNHLC2016-00881 – Tracy Aviary New Construction, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, he moved that the Historic Landmark Commission approve the request for a Certificate of Appropriateness for New Construction, petition PLNHLC2016-00881, with the following condition of approval:

1. Work with Salt Lake City's Urban Forester on removal of any trees, and any proposed new tree plantings.

Commissioner Peters seconded the motion. Commissioner Svendsen abstained from voting. The motion passed unanimously.

6:11:07 PM

<u>Avenue</u> - A request by Steve DeBois, property owner, requesting the Historic Landmark Commission to review the contributing status of the existing residential building located at the above listed address in The Avenues Historic District. This building is located behind and on the same lot as the home at 181 Fourth Avenue. It was identified as a contributing building in the 1979 Avenues RL Survey, but it was not listed in the 2007 RL survey. The applicant would like to determine that the building is noncontributing to the historic district and subsequently demolish it and build a new garage in its place. The building is zoned SR-1A (Special Development Pattern Residential District). The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Katia Pace at (801) 535 6354 or katia.pace@slcgov.com.)

Ms. Katia Pace, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending the Historic Landmark Commission determine the building was a noncontributing structure in the Avenues Historic District.

Mr. Steve DeBois and Ms. Kristy Ragsdale, property owners, reviewed the history and historic nature of the home. They reviewed the use of the structure and desire to demolish

the structure to construct a garage in its place.

PUBLIC HEARING 6:20:31 PM

Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Mr. Christian Fonnesbeck, Ms. Cindy Cromer, Ms. Bonnie Athas and Mr. Dave Alderman.

The following comments were made:

- Sympathetic to the applicants and appreciate the work they have done on the main home.
- The home contributed to the quaintness of the area.
- If the house was demolished the existing retaining wall may fail causing issues for the neighbors.
- The main house was a great structure but the rear house was an economic hardship.
- Preferred the Commission to consider this applications as an economic hardship and not declare the structure non-contributory.
- The building may not even be a sanitary structure to have in the neighborhood.
- A structural engineer and geological study were needed before the home was demolished to ensure the area remained stable.
- Setbacks should remain the same as the existing home.

Chairperson Shepherd closed the Public Hearing.

The Applicant stated all care will be taken to ensure the safety of the area and this was only the first step in the process.

The Commission discussed and stated the following:

- If the structure was contributory to the area.
- Understood the concerns of the neighborhood and issues would be addressed as future petitions were submitted.
- The next steps to develop the property.
- The structure was always a very simple structure.
- It was more appropriate to deem the structure as an economic hardship.

MOTION 6:34:13 PM

Commissioner Harding stated Determination of Contributing Status of a building at 183 E. 4th Avenue, based on the analysis and findings listed in the Staff Report, testimony and the request received, she moved that the Historic Landmark Commission determine that the rear building on the property was a noncontributing structure in the Avenues Historic District. Commissioner Hyde seconded the motion. The motion passed unanimously.

6:35:39 PM

New Rear Addition and Side Porch to Single Family Residence at approximately 638 6th Avenue – Ken Pollard, on behalf of owner James Williamson, is requesting approval of a two story addition with basement to the rear of the existing house and the reconstruction of a new porch to match the original. The house is a contributing building in the Avenues Historic District, is on a corner lot and the addition will face onto J Street. The subject property is zoned SR1-A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Stan Penfold. This proposal is being referred to the Historic Landmark Commission for decision because it is a substantial addition to this residence, and because special exception approval is required for proposals exceeding the SR-1A zone standards. (Staff contact: Carl Leith, (801) 535-7758 or carl.leith@slcgov.com)

- a. Proposed Addition and Porch The proposed addition is situated to the rear and porch along the east side of this original dwelling on a corner lot, both facing onto J Street. Case Number PLNHLC2015-00586
- b. Special Exception Special Exception approval is sought for a section of the proposed porch and stair that is proposed to taper to a maximum of two feet within the side yard setback area, increased lot coverage to 48.4 percent, wall height adjacent to the interior side yard of 9.5 feet, rear yard depth of 15 feet and grade changes in excess of four feet to provide access to the proposed addition in the rear and corner side yard setbacks. Case Number PLNHLC2015-00587

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending the Historic Landmark Commission consider whether a reduction in height and/or bulk would achieve an addition more appropriate to the scale and character of this site and neighboring development, and if the Commission concurred with that conclusion, to table this proposal to allow for revisions accordingly.

The Commission and Staff discussed the following:

- The percentages of lot coverage with and without the porch and in the previous proposal.
- The proposed height of the structure and how it compared to the surrounding area.
- The history of the structure and its contributory status.

Mr. Ken Pollard, architect, reviewed the layout of the proposed structure, changes in the design, the average height of the surrounding structures, the shadow study for the property and how those shadows would affect the neighboring property. He stated the addition was in the proposed location to protect and retain the existing mature historic trees. Mr. Pollard reviewed the reasoning for the height request and roof design.

The Commission and Applicant discussed the following:

- The evolution of the roof design.
- The difference in height between the previous design and the current design.
- The architects preferred design for the home.
- The reason the lot coverage increased in the current proposal.
- The porch was recreating a historic element and extending that element which was contrary to the guidelines and ordinance.
- How to differentiate the new and historic portions of the porch.
- The compatibility of the design with the area and existing home.
- The definition of a sheer wall and how it applied to this proposal.
- The street elevations and how they related to the height of the structure.
- How the proposal addressed the street and the location of the front yard.
- How to mitigate the look of a large concrete wall created by the foundation.
- If there was consideration of lowering the floors to lessen the height of the house.

PUBLIC HEARING 7:30:02 PM

Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Mr. Dave Alderman, Ms. Adrienne Cachelin, Mr. Kirk Henrichsen, Mr. Russell Norvell, Ms. Angela Dean, Mr. Tim Brown and Ms. Brandi Chase.

The following comments were made:

- Supported the statements of Staff regarding a reduction in height.
- Property owners should be allowed to develop their properties but not at the cost of the neighbors.
- Proposed additional height should be denied as it was too large for the area.
- Addition was too large for the home and would overwhelm it.
- The proposed lot coverage should include off street parking.
- The neighboring structure may be of illegal height and needed to be reviewed.
- The proposed addition would dominate the existing home from the north and east.
- Would set a precedent for the area in terms of height.
- Neighbors needed time to review the effects of the proposal on their solar usage.
- Supported the home owner wanting to redo the south addition as it was not safe.
- The height should remain one story to remain compatible with the existing home and not dominate the historic structure.
- Strongly support the excavation of a basement for the addition instead of additional height.
- Proposal asked for five exceptions but was not exceptional in design or need.
- All exceptions were not necessary and did not make the home compatible with the
- Do not table the petition but make a decision to deny or approve the proposal.

- Was the average height taken into consideration?
- The porch extension did not push the lot coverage the addition did.
- SR1A and the historic district were there to protect the neighborhood and exceptions should be made only if the lot pushed the need not the design.
- Proposal would be a detriment to the neighboring home.

Chairperson Shepherd closed the Public Hearing.

The Applicants stated SR1A read 23 feet or the average height which the proposal was under, the compatibility was centering notice on the pioneer home and mitigated the height of whether the structure to the south was legal or illegal. They stated the neighboring building to the south was on the property line, the view of the addition from the east, with the mature trees, would be minimal and the reasoning for the color was to lessen the view of the home and it would not stand out.

Mr. Leith reviewed the definition of sheer height used in the Staff Report and that it was referring to total wall height.

The Commission and Staff discussed the following:

- The average block height and how the front yard was determined.
- If the exception for height was required.
- The side yard setback and why the request was being made.
- How setbacks were regulated in historic districts.

The Commission discussed and stated the following:

- What are the benefits of this proposal to the community?
- The design changed but was still pushing the edges.
- If the design was a benefit to the area that required all of the exceptions.
- The standards, listed in the Staff Report that were not met.
- The massing and scale of the addition was not appropriate.
- The previous design met the standards better than the current design.
- There are guidelines and compatibility issues that needed to be addressed.
- Tabling the petition was a better idea than denying it.
- Leave the porch on the historic portion of the home and do not add it to the addition.
- The addition needed to be subordinate to the historic home.
- The modern form and aesthetic were appropriate for the design.

MOTION 8:08:45 PM

Commissioner Harding stated regarding PLNHLC2015-00586 Major Alterations PLNHLC2015-00587 Special Exception, based on the analysis and findings listed in the Staff Report, the testimony and the proposal presented, she moved that the Historic Landmark Commission table the petition to allow for revisions to achieve an addition more appropriate to the scale and character of this site and neighboring development.

The Commission discussed the following:

- The difference between tabling versus denying the petition.
- The direction the applicant could go to make the proposal met the standards
- Holding a work session or a subcommittee to review the petition.

Commissioner Hyde seconded the motion. The motion passed unanimously.

8:11:24 PM

The Commission took a short break.

8:18:24 PM

New Construction and Special Exceptions at approximately 35 S 900 East - Dustin Holt, who represents the property owner, is requesting approval from the City to construct a three story multi-family apartment building in the South Temple Local Historic District. The base zoning for the property is RMF-35 (Moderate Density Multi-Family Residential). The subject property is located within Council District 4, represented by Derek Kitchen. (Staff contact is Amy Thompson (801) 535-7281 or amy.thompson@slcgov.com)

- a. New Construction In order to build the proposed apartment building a New Construction application must be approved by the Historic Landmark Commission. Case Number PLNHLC2016-00771.
- b. Special Exception In order to construct the development as proposed, special exception approval is sought for an encroachment of 5 feet into the required front yard to accommodate the proposed design of the main entry. Case Number PLNHLC2016-00925

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

The Commission and Staff discussed the following:

- If the portion of the building, not under the Historic Landmark Commission's purview, could be changed prior to the building permit being issued.
- The Commission's purview over the building and if conditions could be put on the entire project.
 - The Commission could not address compatibility of the non-historic area.
- The proposed modifications to the windows.
 - Staff would like direction from the Commission on the windows.

Mr. Dustin Holt, Mr. Heath Gregory, Mr. Benj Baird, applicants, reviewed the changes to the design, and stated the intent was to make the entire building compatible with the historic district. They reviewed the history of the property and proposal, how the comments from the November work session were incorporated into the current design and asked the Commission for approval on the proposal.

The Commission and Applicant discussed and stated the following:

- The plans for the second and third floors of the proposal.
- The window layout on the main level.
- Where the grand entry lead.
- The accessibility to the units.
- The Applicant supported the suggestions made by Staff as outlined in the Staff Report.
- The changes to the front entry and how it addressed the street.
- The layout of the interior of the structure.
- If the overhang on the main entry could become a balcony for the second floor.
- Changing the windows on the north and south elevations to a single double hung style.
- Was a plus that the front of the building did not look like the back of the building.
- The option to split the building in half and that the current proposal was preferred to protect the existing trees.
- The suggestions from Staff to reinforce the streetscape.
 - The intent was to keep the consistent look and feel of the entire building.
- Narrowing the drive to allow additional landscaping buffers.

PUBLIC HEARING 8:56:58 PM

Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Ms. Cindy Cromer, Ms. Maddie Hansen, Mr. Scott Hansen and Ms. Betsy Kleba.

The following comments were made:

- Supported the proposal and the project highlighted the elements of the historic district.
- Proposal highlighted the benefits of being in a historic district.
- Was a great proposal and should be used as an example for how to develop in a historic district.
- Parking and additional traffic on 900 East would be an issue.
- Was a great structure but was in the wrong place.
- Other apartments in the area have had issues with selling all of their units and this
 would be additional empty housing.
- The building was too modern for the area.
- Would prefer the structure only be a two story building.
- Proposal was better than the previous one but it was massive and would create an issue for the area.
- The developments in the area were not compatible and deteriorated the historic nature of the area.

- East elevation needed more articulation and attention to become more compatible with the adjacent neighborhood.
- Proposal was in better than the previous proposal.
- Concerned over the mass of the structure.
- Adding congestion to an already congested area would create issues but narrowing the lane would help slow down the traffic.

Chairperson Shepherd closed the Public Hearing.

The Applicant stated they agreed with the comments about parking and narrowing the drive, the units were rentals and not owner occupied, reviewed other buildings they owned in the area and how they have tried to make all of the units viable. They stated they were providing more parking than required by the ordinance, they agreed the nature of the east elevation was different than the west elevation and therefore, the design was different. The applicants stated the new proposal was better keeping with the historic nature of the area.

The Commission, Applicant and Staff discussed the following:

Adding landscaping on the east elevation.

The Commission discussed and stated the following:

- The conditions listed in the Staff Report.
- Very pleased with the project and its development through the process.
- Allow the Staff and Applicant to work on the windows

MOTION 9:15:22 PM

Commissioner Brennan stated regarding New Construction -PLNHLC2016-00771 Special Exception-PLNHLC2016-00925, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, he moved that the Historic Landmark Commission approve the request for a Certificate of Appropriateness for New Construction petition PLNHLC2016-00771, and associated Special Exception, petition PLNHLC2016-00925, with the following conditions of approval:

- 1. The landscaping/screening details for parking area be delegated to Staff.
- 2. Windows (on the north side of building) be revised as per the direction of the Commission, to match the treatments that are on the front of the building, and final details be delegated to Staff.
- 3. Balcony doors be revised as per the direction of the Commission, matching the double hung windows on the rest of the structure and final details be delegated to Staff.
- 4. Any other final details are delegated to Planning Staff for final approval.

Commissioner Hyde seconded the motion. The motion passed unanimously.

9:17:00 PM

New Single Family Dwelling at approximately 715 South 500 East - A request by

Jordan Atkin, Fifty-Fifty Real Estate, LLC, for approval from the City to construct a single family residence at the above address. The lot is currently vacant and is zoned RMF-30 (Low Density Multi-Family Residential) and lies within the Central City Historic District. The request requires approval from the Historic Landmark Commission for new construction in an historic district. The subject property is within Council District 4 represented by Derek Kitchen. (Staff contact: Carl Leith at (801)535 7758 or carl.leith@slcgov.com.) Case number PLNHLC2016-00800

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending the Historic Landmark Commission approve the petition as proposed.

The Commission and Staff discussed the following:

- The property lines of the surrounding properties.
- The access to the properties.
- If there was a landscaped side yard for the proposal.
- The parking for the triplex and existing home.

Mr. Jordan Atkin, property owner, reviewed the landscaping and parking for the proposal.

The Commission and Applicant discussed the following:

- The adjacent properties and their property lines.
- The subdivision of the lots.
- If all of the ceiling heights were lowered could the overall building height of the structure could be lowered.
- Increasing the window size on the lower level.
- The windows on the proposal and how to make them fit the area and the structure.
- The addition of a useable front porch to activate the street.

PUBLIC HEARING 9:36:02 PM

Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Ms. Cindy Cromer

The following comments were made:

- The site proof fence was inappropriate for the neighborhood safety and security.
- This was a remarkable streetscape that should be included in the proposal to ensure compatibility.

Chairperson Shepherd closed the Public Hearing.

The Applicant stated the fence on the property was strictly for construction purposes and would be changed with the construction of the development.

The Commission, Applicant and Staff discussed the following:

- Visualization was key for proposal such as this.
- If the Applicant would be willing to table the petition and revise some of the concerns expressed by the Commission.
- Presenting the site plan as a whole to include the surrounding structures.

The Commission discussed the proposals and made the following comments:

- The west elevation read as a commercial building and not a residence.
- The proposal looked like a first draft and needed to be improved.
- The massing and compatibility with the streetscape needed to be adjusted.
- The west façade was incomplete and needed more depth.
- There are commercial buildings in the area that the proposed west facade would blend with.
- The windows on the west could be changed to reflect the streetscape.
- The style of the window was out of character with the area and could be changed to make a huge difference.
- Refinements could be made to the materials, eave, overhang and the transition of the materials to make the building better fit the area.
- Building elements, such as awnings, could be added to the south façade to aid with the shade during the summer and visual interest.
- To table, deny or approve the petition.

The Commission stated the following should be reviewed in the design:

- Development of hierarchy and windows on the west elevation.
- Refinement of the west elevation in general.
- Evolution of the south façade to address the window selection and articulation of shading of the windows to add depth and visual interest to the façade.
- Window type and window operation.
- The overall height needed to be evaluated and the form of transition between the wall and the roof.
- Review historic commercial structures and other examples in considering revision and refinement of the design.

MOTION 9:54:10 PM

Commissioner Brennan stated regarding PLNHLC2016-00800 New Construction, based comments from the Commission, he moved that the Historic Landmark Commission table the petition to allow the applicant to further review the details and aspects of the proposal as suggested. Commissioner Harding seconded the motion. Commissioners Brennan, Harding, Shephard and Peters voted aye. Commissioners Hyde and Svendsen voted nay. The motion passed 4-2.

The meeting adjourned at $\underline{9:57:42\ PM}$