Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Historic Landmark Commission

From: Kelsey Lindquist, Senior Planner, (385) 226-7227

Date: March 25, 2021

Re: PLNHLC2020-00964 and PLNHLC2021-00010

Minor Alteration and Special Exception

PROPERTY ADDRESS: 68 N. B Street
PARCEL ID: 09-31-454-003-0000
MASTER PLAN: Avenues Master Plan, 1987
ZONING DISTRICT: RMF-35 (Moderate Density Multi-Family)

REQUEST: Kate Little, property owner, is requesting approval of a special exception and a certificate of appropriateness for the installation of three HVAC units and the associated conduit lines along the southern elevation of the subject property. The property is currently under enforcement, as all of the requested items have already been installed. The property is located at 68 N. B Street and is a contributing structure within the Avenues Local Historic District. The property is zoned RMF-35 (Moderate Density Multi-Family Residential).

RECOMMENDATION: Based on the analysis and findings, it is Planning Staff's opinion that the proposal does comply with the applicable standards and therefore recommends that the Historic Landmark Commission approve the request with the following conditions:

1. The custom metal covering system be installed with as little impact to the masonry, as possible.

ATTACHMENTS:

- **A.** Vicinity Map
- **B.** Applicant Information
- **C.** RLS
- **D.** Current Photographs
- **E.** Analysis of Standards
- **F.** Analysis of Special Exception Standards
- **G.** Applicable Design Guidelines
- **H.** Public Process and Comments

BACKGROUND

The subject property, located at 68 N B Street, is a contributing property in the Avenues Local Historic District, a status indicated by the city's 1980 intensive level survey of the district, and confirmed via the

city's 2007-08 reconnaissance level survey of the same area. The structure is a brick post-war 3-flat. The majority of the character defining features on this structure are still present. The structure has had minimal modifications over the years.

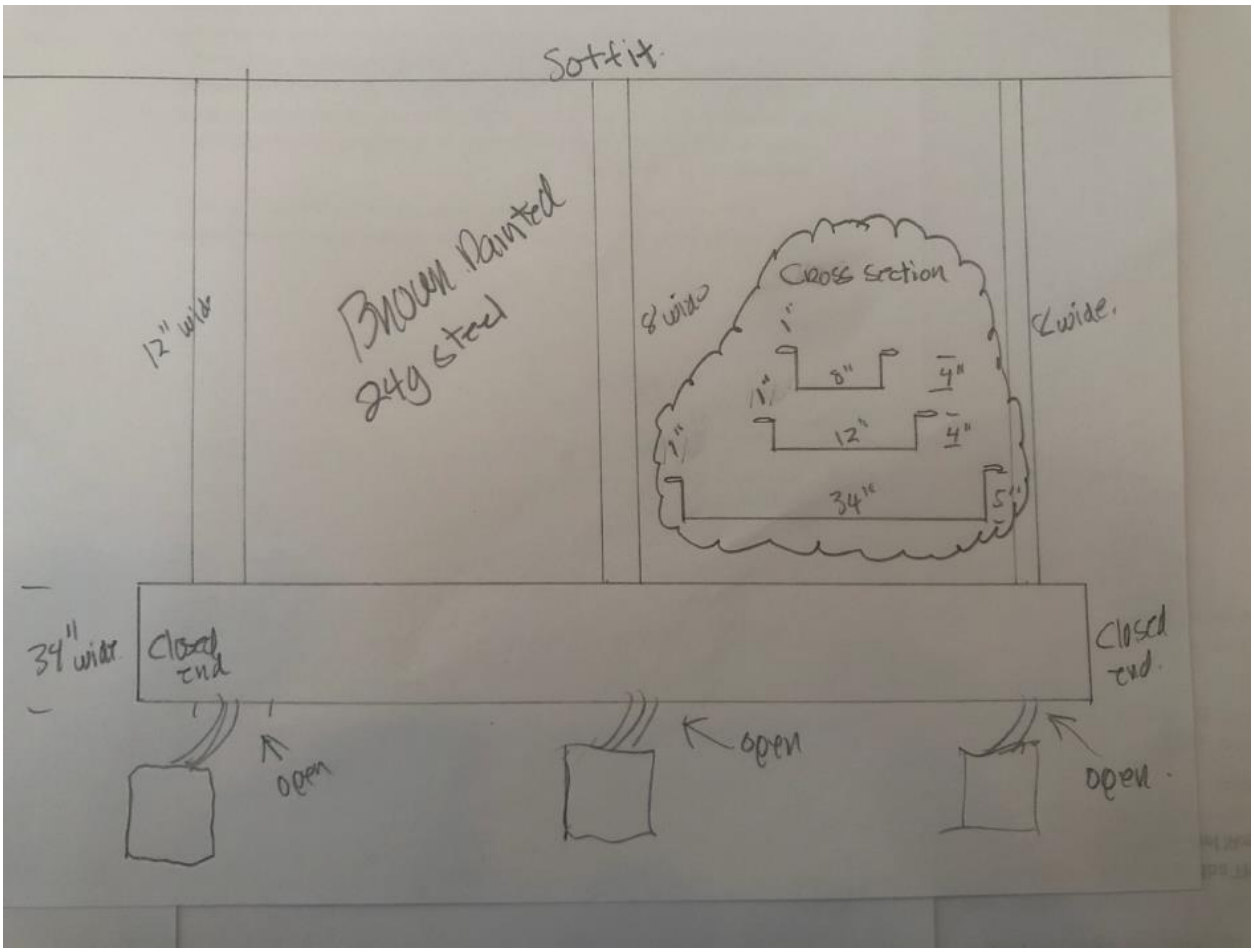
Photo from 2007 RLS

As described in the applicant's narrative, replacing the HVAC for this structure was uniquely complicated by the interior of the building. The applicant explored several solutions and ultimately settled on a mini-split system. Due to the multi-family use, the applicant relied on the contractor to apply and receive the proper electrical and mechanical permits for the work. Please refer to Key Issue 1 for further information on the permitting concerns for the work conducted.

PROJECT DESCRIPTION

The modification to the structure that placed this property under enforcement, includes the installation of three HVAC units along the southern side yard and the conduit servicing the units. The three HVAC units were installed approximately 3'5" from the southern property line. Section 21A.36.020B requires HVAC units to be approximately 4' from any side or rear property line. Due to the proximity of the units to the southern property line, a special exception is required for the units to remain in the current location. Additionally, to service the new HVAC units, white vertical and horizontal conduit has been installed on the south elevation which requires a Certificate of Appropriateness.

Proposed Conduit Concealment
The applicant is proposing to install a custom fabricated metal covering over the conduit lines to minimize the appearance and visual impact. The fabricated metal coverings will appear similar to a gutter system on the south elevation. The horizontal run of the metal covering will be near the fence line, which should further minimize the visual appearance of the covering. The fabricator provided the following elevation and sections to illustrate the proposed covering.



As illustrated, the metal covering will adjust in width to the conduit lines. The metal comes pre-colored. The applicant has proposed three color options, which can be found in Attachment B.

KEY ISSUES:
The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Issue 1. Mechanical and Electrical Permits
2. Issue 2. Moving the Conduit Lines
3. Issue 3. Visibility of the Conduit Lines
4. Issue 4. Location of the HVAC Units

Issue 1 – Mechanical and Electrical Permits
The property owner explained that she believed that the HVAC installer had pulled the appropriate and required permits for the work and wasn't informed of the issues until the property was placed under enforcement by an inspector. The following is a chronological list of the permits and enforcement associated with the work conducted on the subject property.

- BLD2020-08310 Electrical Service Change – 9/01/2020. Permit was issued for the electrical service change for the three units. The permit was closed on 11/18/2020.

- BCE2020-10950 Building Code Enforcement opened on 11/04/2020. The BCE case was opened for the mini-split system that was installed without a permit.

- BLD2020-11072 Mechanical Permit – 11/05/2020. The mechanical permit was pulled and issued for the installed mini split system.

    - A subsequent inspection by Talley Lake on 11/13/2020 indicated that zoning review and approval, as well as a certificate of appropriateness were required and made a note that the permit should not have been issued.

- BLD2020-11243 Electrical Permit – 11/11/2020. This electrical permit was issued for interior rewiring.

While permits were pulled, incorrect permits were applied for and received. Through receiving a mechanical permit, the installer went outside the scope of the permit and conducted the described work. Additionally, BLD2020-11072 should not have been issued without zoning review and a Minor Alteration Application. Through these two processes and reviews, the conduit installation could have been addressed and ideally minimized with the assistance of Planning staff. Additionally, the needed Special Exception would have been caught, prior to the installation of the HVAC units.

Issue 2 – Moving the Conduit Lines
The applicant provided a detailed explanation, found in Attachment B, as to why the conduit lines could not easily or readily be moved to an alternate elevation or to the interior of the structure. This is largely due to the configuration of the interior units. Moving the conduit lines to the interior would require significant interior demolition, which is not a path of interest for the applicant. Additionally, the applicant explored consolidating some of the lines. She found that it would be challenging to achieve the angles needed and would likely lead to weakening of the structural integrity of the pipes. The request, with this application, is to leave the conduit lines on the southern elevation but to cover them with the custom fabricated metal covering.

Issue 3 – Visibility of Conduit Lines
The applicant has been working diligently on a solution for the visible conduit lines and has explored several options before deciding on the metal covering proposal. The applicant acknowledges that the visibility of the conduit lines was not intended to be installed in the manner present. The conduit lines, as is, are highly visible and impactful to the historic structure. With the acknowledgement that it would be difficult to move the lines without further damage to the exterior and interior of the structure, the proposed metal covering will offer a visual shield over the conduit lines.

Issue 4 – Location of the HVAC Units

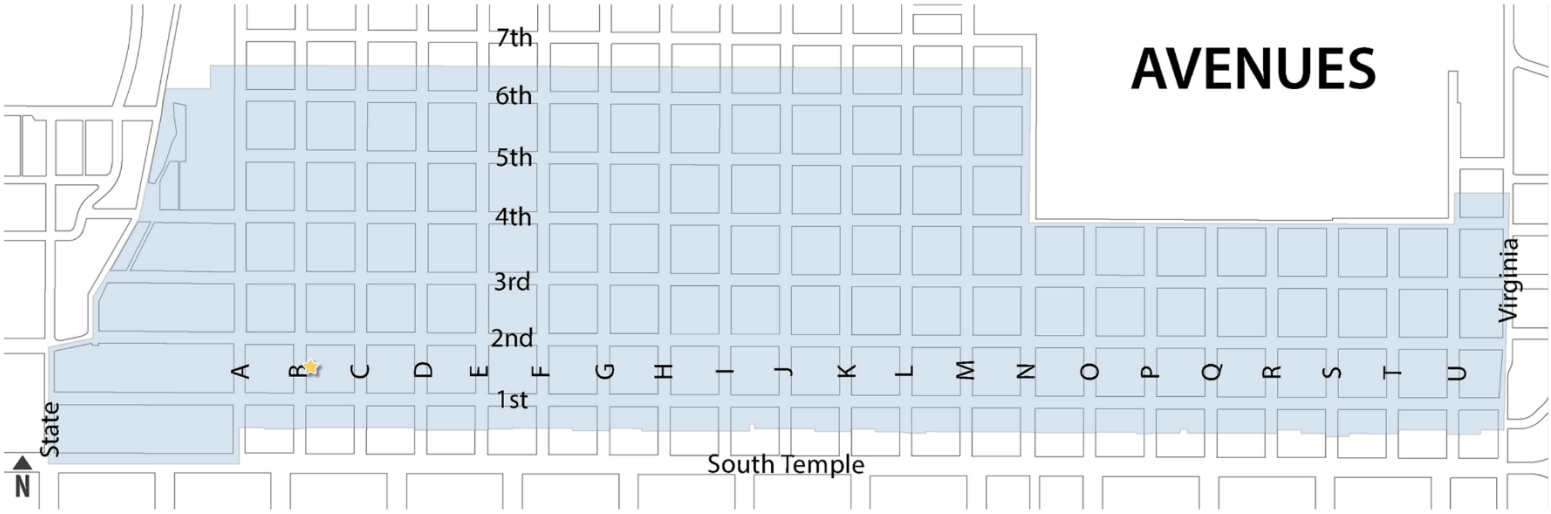
Due to the current location of the HVAC units, 3'5" from the southern property line a special exception is required. It is not uncommon for the Planning Staff to review HVAC units within 4' of a subject property line. This is due to the common narrow nature of properties throughout Salt Lake City. The applicant has provided detailed explanations as to why the units couldn't have been located within the northern side yard and the rear yard. The northern side yard is an existing narrow driveway, which would have further diminished in size with the installation of the units. Additionally, the rear yard would have caused maintenance issues with the units, as well as conduit line accessibility.

NEXT STEPS:

If the request for a COA and special exception approval is granted by the Historic Landmark Commission, the applicant may proceed with the project as represented in this Staff Report and will be required to obtain all necessary approvals and permits for the proposed addition.

If the Historic Landmark Commission disagrees with Staff's recommendation and the project is denied, the applicant would not be issued a COA for the request and any new proposal would require submittal of a new application. Any denied special exception application must wait a minimum of 12 months to resubmit a similar request.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: APPLICANT INFORMATION

68 B Owners' Statement
for
Salt Lake City Historic Landmarks Commission

April 1, 2021

Submitted in support of applications for
Special Exemption and Certificate of Appropriateness

BACKGROUND

In the winter of 2019 it became apparent that the original steam furnace (approx. 90 years old) for 68 B Street, while currently providing good heat for the building, risked complete failure, primarily due to rust issues. The question was not if, but how soon, and the furnace would be impossible to repair.

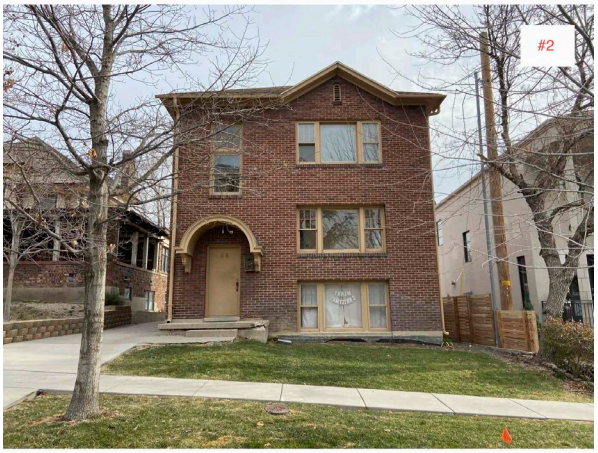
Over the next year we reviewed the problem of retrofitting a heat system for the 3-unit building with 7 different contractors, considered 6 different solutions, and received 5 unique bids.

Ultimately we chose a Mini-Split HVAC system, as this solution would provide both heat and AC with individual apartment control. It would also require only an electrical upgrade, avoiding additional plumbing upgrade for the building that all other considered solutions required. We chose the company Black Diamond Experts, as they were the only bidder who could provide both HVAC and electrical work, allowing them to coordinate the full project within their business.

CHOICE OF CONDENSER LOCATION

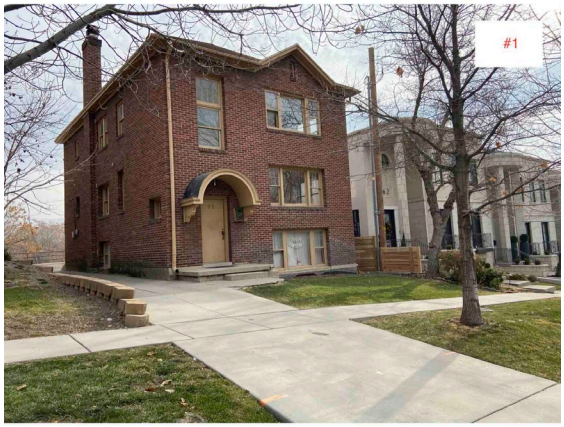
The installation location was chosen through a process of elimination.

(1) The *west face* was rejected because this is the front of the building, facing the street.



West (street) face

(2) The *north face* was rejected because it borders the already narrow driveway, and would have reduced the width from 8 feet 4 inches to 8 feet 0 inches at the narrowest points. Additionally, without space for fencing or trees, it would have been impossible to obscure the view of the HVAC system from the street.



2 views of 68 B driveway & north face

(3) The *east face*, or rear, of the building was rejected for a complex series of reasons.

East face (rear of building)

The only location with sufficient space to mount the condenser units would have been the vertical space of brick between the door and the doublewide windows that open into the back stairwell. This causes several problems, as advised by the contractor:

> If condensers were placed here, their conduit would run through the stairwell and require an excess number of tight bends, thus complicating installation and reducing the efficiency and the life of the system.
>
> Ceiling joists run north-south in the building, complicating any internal installation of east-to-west running conduit.
>
> If run from the rear of the building, conduit would exceed manufacturer's maximum recommended length to reach the front rooms of the building.

Rear installation of the condensers in vertically stacked formation would complicate future maintenance and repair of the HVAC system.

(4) Installation of the HVAC system on the *south* face of the building solves several problems posed by the other building faces, as advised by the contractor.

South face as seen from B street

The driveway remains functional, and fencing, trees and shrubbery have been installed to obscure the condensers, and eventually the conduit, from street view.

As recommended by the manufacturer, conduit can be installed with the most efficient route from external condenser to internal heat/AC heads, thus avoiding excess bends created by a through-the-stairwell install.

Any interior conduit runs parallel to and between ceiling joists, thus avoiding potential weakening of ceiling joists.

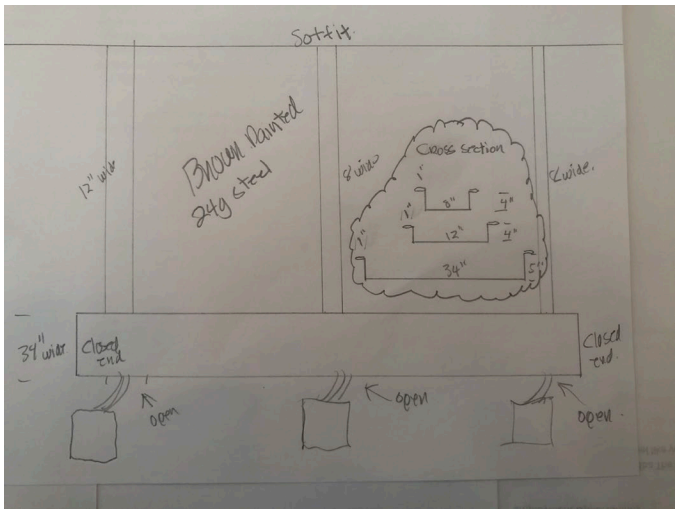
Conduit remains within manufacturer's recommended installation length.

In sum, when considering the location of the HVAC retrofit, the south face of the building presented the only practical location for installing the system. Furthermore, the condensers which run at about 50 decibels and which are covered by fencing and shrubbery, can be neither heard nor seen from the street.

PLACEMENT OF CONDUIT

In designing the layout of the conduit from exterior condensers to interior heads, the contractor worked to (1) minimize conduit length, (2) minimize conduit bends, and (3) keep conduit profile low on the brick wall. These considerations maximize system efficiency and sturdiness.

As per manufacturers recommendations, in order to protect the conduit and its insulation from UV exposure and abrasion, and as per HLC guidelines, to obscure conduit from public view, we have considered 3 different methods to cover the conduit. Of these, we propose a 24-guage custom manufactured steel sheath, painted to blend with the building.



Design for custom conduit sheath

The question has been raised as to whether or not, prior to sheathing, some of the conduit could be re-bent and re-aligned (moved), e.g. stacking individual conduits on top of each other, in order to improve visual aesthetic. Such moving causes certain problems, as advised by our contractor.

> Re-bending the conduit weakens it and introduces the possibility of a reduced lifetime due to failure.
>
> Re-bending the conduit introduces ripples and kinks that impede flow of the refrigerant, which in turn reduces the efficiency and longevity of the system.
>
> Stacking individual conduits on top of each other trades a higher & narrower profile for a wider & flatter profile, which may or may not improve the aesthetic. Stacking also reduces the security of the conduit attachment.
>
> Conduit paths can only be re-aligned if the installation is removed and replaced with new un-used conduit. This involves a multi-day process of also removing and replacing the refrigerant, both expensive and time-consuming while producing questionable benefit.

CONCLUSION

We are requesting the Special Exemption and Certificate of Appropriateness late in the design and installation of the HVAC system. As owners, we apologize to the city and neighbors for our part in this lapse of oversight in this complex project.

As owners and appreciators of historic architecture, we seek to maintain the historic integrity of this space-constrained building, while concurrently meeting home-environment expectations of renters. We believe the current installation and shrouding proposal provides a reasonable balance in meeting these two aesthetic and functional goals. Having discussed this project and its technical details with multiple contractors, we believe that if the permitting process had occurred prior to the start of work, an approved retrofit of a mini-split HVAC system at 68 B Street would not have significantly differed from the work that has occurred.

We request that the project is approved as is with the proposed steel sheath covering the conduit.

PLNHLC2020-00964

OVERALL DESCRIPTION

68 B Street is a non-descript, non-contributing brick building (c. 1938) within the Avenues Historical District. This project replaces the original boiler & radiant heat system with a contemporary HVAC system. The only external changes to the building include installation of three wall-mounted HVAC units and a new electric panel, all on the south face. These alterations will be obscured from street view with fencing and vegetation. This project is comparable to the neighboring HVAC project at 86 B Street, the Caithness apartments, which was installed several years ago.

The new mini-split units provide individual controls for heat and air-conditioning to each apartment. The project required bringing the building's original electrical system up to code, which has been done.

The SLC electrical permit is BLD2020-11243.
The SLC mechanical permit is BLD2020-11072.
All work is performed by contractor Black Diamond Experts.

All relevant documentation and descriptions as requested by the communicating senior planner (e-mail 12/9/20) have been submitted.

ATTACHMENT DESCRIPTION

Three HVAC units are attached to the building as per manufacturer's instructions: to create a compact fit, manufacturer's brackets are anchored into brick with concrete anchors (image #5).

UNIT DESCRIPTION

The 3 external HVAC units are identical. Each measuring 42" wide, 41"high (including mounting bracket), and project 21" from the building (including mounting bracket). The top of each unit is between 60 and 66 inches above the ground.

Each exterior unit is a Fujitsu 36000 BTU Multi Zone system with low ambient temperature operation. Model AOU36RLXFZH.

Each apartment has, inside, 4 heat exchanger units, each 9000 BTU. The first floor has 3 wall units model, ASU9RLF1, and one floor mount unit, AGU9RLF. The second and third floor apartments each have 4 wall units, model ASU9RLF1.

More complete specs and details can be found at the fujitsu catalog entries below:

AOU36RLXFZH Info with pics:
https://www.fujitsugeneral.com/us/products/multi/2-3-4rooms/aou36rlxfzh.html
ASU9RLF1 Info with pics:
https://www.fujitsugeneral.com/us/products/split/wall/asu9rlf1.html

PHOTO DESCRIPTIONS

#1. North & west sides, including driveway.

#2. West (street) face, including utility pole and fence.

#3. South property line, including new electric panel, HVAC units attached low to side of building, utility pole, and fence.

#4. South & west sides, including fence and vegetation.

#5. Close-up of mounting bracket.

#6. Close-up of electric panel.

#7. Close-up of HVAC unit.

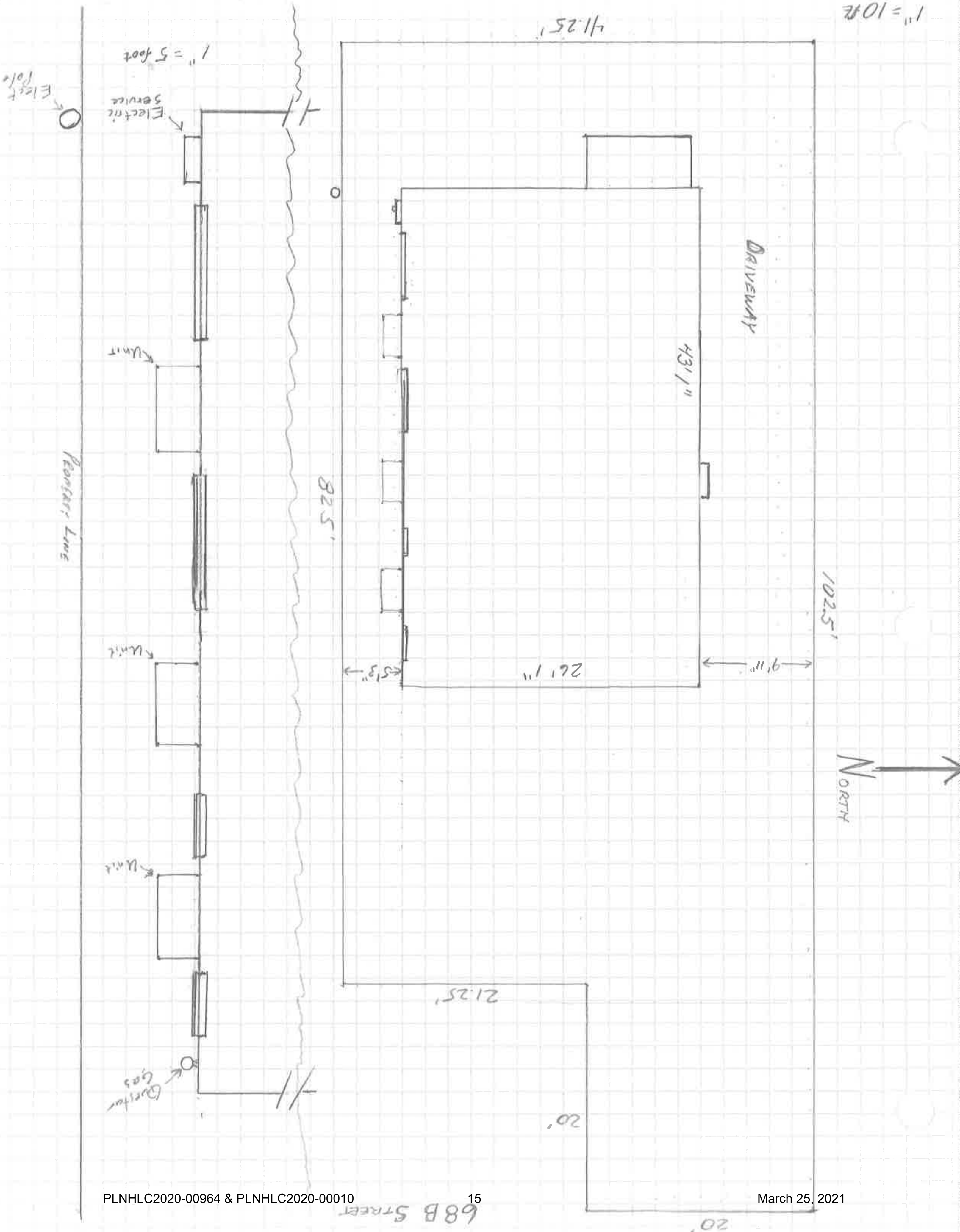
#8. East side (rear).

#9. East and north sides, showing narrow driveway.

#10. South side, looking east to west, showing existing utilities in corridor.

#11. West and south sides of 86 B Street showing comparable HVAC installation.

#12. North (street.) side of 86 B Street showing comparable HVAC installation.

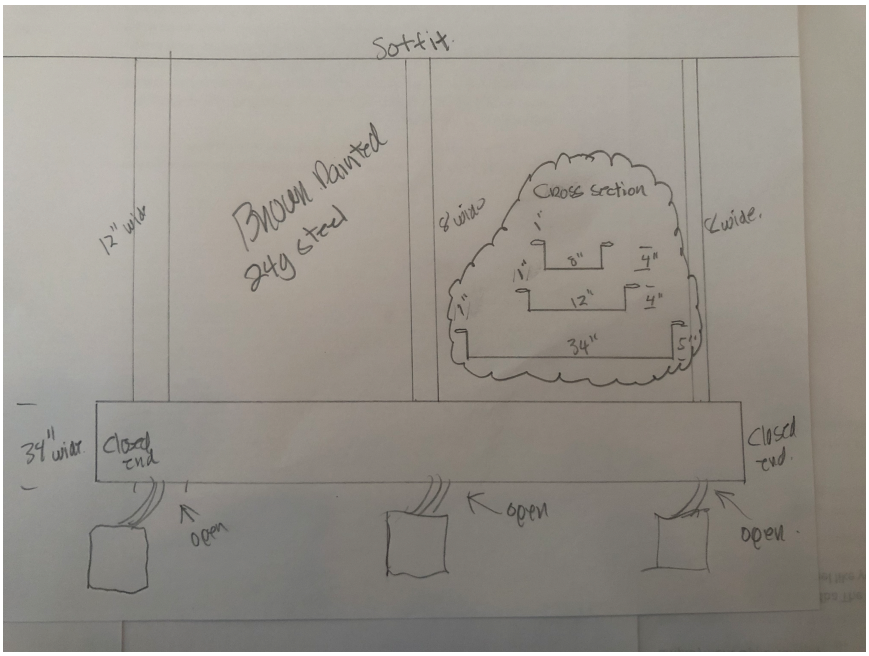

1" = 10 ft
41.25'
1" = 5 foot
Electric Pole
Electric service
Unit
Unit
Unit
Property Line
82.5'
Driveway
43'1"
26'1"
5'3"
9'1"
102.5'
North
21.25'
20'
20'
Overhead Gas
68B Street

To: Kelsey Lindquist, SLC Planning
Date: 2/19/21
From: Kate Little

Regarding: Minor Alteration Permit #PLNHLC2020-00964
Special Exemption #PLNHLC2021-00010

68 B Street owners seek to cover HVAC conduit on the south face of the building with a metal sheath to obscure view of conduit from the street.

Vertical and horizontal rectangular covers custom made from 24 gauge steel. Dimensions in diagram.
Attached to building with Drive Pin concrete anchors.
Painted reddish-brown to blend with building.
Face of horizontal piece will have flanged openings (not shown in diagram) to expose 2 electrical boxes.
Installation tentatively scheduled for latter part of March.



Special Exception
NOTICE OF APPLICATION

SALT LAKE CITY PLANNING

☐ Planning Commission ☐ Historic Landmark Commission

OFFICE USE ONLY			
Project #:	Received By:	Date Received:	Zoning:

Project Name:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Type of Special Exception Requested:
Edge of AC a few inches less than 4 feet to property line

Address of Subject Property:
68 B Street, Salt Lake City

Name of Applicant:	Phone:
Black Diamond Experts (Jason Shade)	801-649-3599

Address of Applicant:
2001 North Warm Springs Road, Suite B, SLC, UT, 84116

E-mail of Applicant:	Cell/Fax:
jason@bdexperts.com	

Applicant's Interest in Subject Property:

☐ Owner ☑ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):
Ron Tharp

E-mail of Property Owner:	Phone:
fnidiot@hotmail.com	406-600-6923

Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

WHERE TO FILE THE COMPLETE APPLICATION

Apply online through the **Citizen Access Portal**. There is a **step-by-step guide** to learn how to submit online.

REQUIRED FEE

Filing fee of **$265**, plus additional cost of postage for mailing notice to abutting property owners and tenants

SIGNATURE

If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent:	Date:
Jason Shade	12/22/2020

SUBMITTAL REQUIREMENTS

Staff Review

1. **Project Description** (please electronically attach additional sheets)

☐ ☐ Written description of your proposal and special exception you are requesting; with how the proposal meets the requirements in the list of standards found in Section 21A.52 of the ordinance (or Section 21A.06.050 if in the local historic district or landmark site).

2. **Minimum Plan Requirements**

☐ ☐ A digital (PDF) copy of each plan and elevation drawing

3. **Site Plan**

☐ ☐ Site plan (see *Site Plan Requirements* flyer for further details)

4. **Elevation Drawing** (if applicable)

☐ ☐ Detailed elevation, sections and profile drawings with dimensions drawn to scale

☐ ☐ Type of construction and list the primary exterior construction materials

☐ ☐ Number, size, and type of dwelling units in each building, and the overall dwelling unit density

AVAILABLE CONSULTATION

➔ Planners are available for consultation prior to submitting this application. Please email zoning@slcgov.com if you have any questions regarding the requirements of this application.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

_____ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

ATTACHMENT C: RLS

"B" STREET

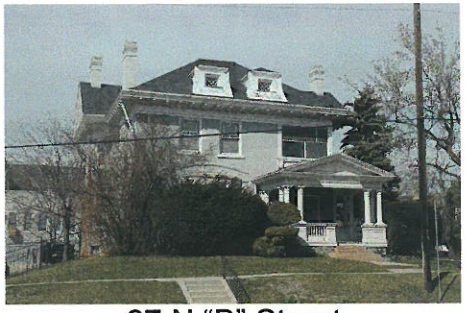
61 N "B" Street
B (aka 239 E 1st Ave)

67 N "B" Street
B

68 N "B" Street
B

76 N "B" Street
A

80-82 N "B" Street
A



87 N "B" Street
B

107 N "B" Street
D

116 N "B" Street
B

119 N "B" Street
B

121 N "B" Street
A

"B" Street — Avenues Historic District (SLC Landmark District)

Address/ Property Name	Eval./ Ht	OutB N/C	Yr.(s) Built	Materials	Styles	Plan (Type)/ Orig. Use	Survey Year RLS/ILS/Gen	Comments/ NR Status
124 N B STREET	B	0/0 2	1901	REGULAR BRICK	VICTORIAN ECLECTIC	SIDE PASSAGE/ENTRY SINGLE DWELLING	07	DETACHED ROW HOUSE N04
126 N B STREET	B	0/0 2	1883	REGULAR BRICK	ARTS & CRAFTS VICTORIAN ECLECTIC	DOUBLE HOUSE / MULTIPLE DWELLING	07	O.M. ENGDAHL, 1908 ADDITION; 126-128 N N04
129 N B STREET	B	0/0 2	1890	SHINGLE SIDING REGULAR BRICK	VICTORIAN ECLECTIC SHINGLE STYLE	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	 N04
132 N B STREET	B	0/0 2	1901	REGULAR BRICK	VICTORIAN ECLECTIC	FOURSQUARE (BOX) SINGLE DWELLING	07	 N04
135 N B STREET	B	1/0 1.5	1889	REGULAR BRICK	VICTORIAN ECLECTIC	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	 N04
140 N B STREET	A	0/1 2	1892	REGULAR BRICK	VICTORIAN ECLECTIC	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	DALLAS & HEDGES/SHAW & ROAKIDG; CARRIAGE HOUSE IN REAR N04
157 N B STREET BARTON HOUSE	A	1/0 1.5	1860	STUCCO/PLASTER ADOBE BRICK	GOTHIC REVIVAL	CENTRAL PASSAGE SINGLE DWELLING	07	WILLIAM BARTON?, UHF ESMT; SLC REGISTER N04
163 N B STREET	B	0/0 2	1908	REGULAR BRICK	VICTORIAN: OTHER	SIDE PASSAGE/ENTRY SINGLE DWELLING	07	DE DART N04
167 N B STREET	B	1/0 2	1900	REGULAR BRICK	VICTORIAN ECLECTIC	DOUBLE HOUSE / MULTIPLE DWELLING	07	DC DART; 167-169 N N04
173 N B STREET	B	0/1 1.5	1887	REGULAR BRICK SHINGLE SIDING	VICTORIAN ECLECTIC	DOUBLE HOUSE / MULTIPLE DWELLING	07	173-175 N N04

ATTACHMENT D: CURRENT PHOTOGRAPHS

Eastern Elevation

Southern Elevation

Northern Elevation

West and South Elevation

ATTACHMENT E: ANALYSIS OF STANDARDS

H Historic Preservation Overlay District – Standards for Certificate of Appropriateness for Altering of a Landmark Site or Contributing Structure (21A.34.020.G)

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 substantially 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	Finding	Rationale
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;	Complies	The use of the structure will remain multi-family residential. No change of use is proposed.
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;	Complies	The historic character of the property has not been altered by the installation of the HVAC units or the conduit lines. The installation occurred on a secondary façade and did not alter character defining features. While Staff acknowledges that the installation is visually intrusive to the historic character of the property, with a proper covering the alteration could be minimized.
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.	Complies	Planning Staff believes that it was not the intention of the applicant to create a false sense of history with the conduit installation. Staff is generally quite flexible with HVAC, mechanical and general property upgrades that need to occur. That said, Staff will often assist and ensure that the alterations that occur, as part of general upgrades, meet the Residential Design Guidelines. Due to the permitting issues associated with this project, Staff did not become involved until after the enforcement case was opened. The current conduit lines are in conflict with the guidelines. That said, with the proposed covering, Staff believes that the visual impact could be significantly reduced with the proposed metal covering. The installation of the HVAC units is not in conflict with the guidelines.
Standard 4: Alterations or additions that have acquired historic significance in their own right shall be retained and preserved.	Not Applicable	No additions have recently occurred to the property. This standard does not apply.
Standard 5: Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.	Complies	The installation of the HVAC units and the associated conduit lines do not alter any distinctive features, finishes and construction techniques of the historic property.

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.	Complies	The installation of the HVAC units and the associated conduit lines do not alter any deteriorated architectural features. Deteriorated features were not repaired or replaced as part of this project.
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.	Not Applicable	The proposal does not include treatments of existing historic materials. This standard does not relate to this proposal.
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.	Complies	The proposed metal covering is a contemporary solution to the conduit lines. The metal covering will likely read as a vertical gutter system. The proposed covering will not destroy or impact the architectural integrity of the historic structure.
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 differentiate 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.	Complies	The installation of the conduit and the HVAC units, if desired, could be removed in the future. Additionally, the proposed metal covering for the conduit lines could also be removed with minimal damage to the historic structure.
Standard 10: Certain building materials are prohibited including the following: vinyl, asbestos, or aluminum cladding when applied directly to an original or historic material.	Not Applicable	This proposal does not include the use of vinyl or aluminum cladding.
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.	Not Applicable	Signage is not part of this proposal. This standard does not apply.

ATTACHMENT F: ANALYSIS OF SPECIAL EXCEPTION STANDARDS

21A.52.060: General Standards and Considerations for Special Exceptions:
No application for a special exception shall be approved unless the planning commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

Standard	Finding	Rationale
A. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.	**Complies**	The requested special exception for the installation of the HVAC units approximately 3'5" from the southern property line is generally in harmony with, and does not hinder, the overall intent of the zoning ordinance found in 21A.02.030. The purpose statement of the RMF-35: *"The purpose of the RMF-35 Moderate Density Multi-Family Residential District is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty five feet (35'). This district is appropriate in areas where the applicable Master Plan policies recommend a density of less than thirty (30) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood."* The HVAC units were installed on the southern elevation, due to site constraints of the east and north elevations. The south elevation was the most accessible for maintenance and did not impact the existing narrow driveway. Staff finds that this standard has been met.
B. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.	Complies	The subject property abuts residential uses to the south and north and an institutional use to the west. The installation of the HVAC units 7 inches closer to the southern property line should not impact the existing residential uses. Staff has found no evidence indicating that the HVAC units would

		diminish or impair the property value in the neighborhood.
C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.		The property owners are requesting approval for the current location of the HVAC units. The HVAC units are a mini-split in a relatively low profile. The units are mostly below the fence line and will not be readily visible from the public way to the south. Staff regularly reviews and approves HVAC units within required side yards. Staff finds that the proposal would not have a material adverse effect upon the character of the area or the public health, safety and general welfare. This standard is met.
D. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.	Complies	The request for the HVAC units to be 7 inches closer to the southern property line is compatible with the development of the neighboring properties. The subject property is located within the Avenues Local Historic District, which is an older area of Salt Lake City. Often properties are narrow or undersized for the existing structures and uses. This property contains three existing multi-family units. The subject property is arranged so that the driveway is on the north. The existing driveway is quite narrow and wouldn't have been conducive for the installation of the units, due to vehicular traffic. Additionally, the eastern elevation would have required each unit to be installed on the exterior of each level. This would have created maintenance issues. The applicant settled on the southern elevation, due to access and less conflicts. The request for HVAC units to be closer to the side or rear property lines is not unusual and is not in conflict with this standard. Staff finds that the project complies with this standard.
E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.	Complies	Staff finds that the installation of the HVAC units does not result in any destruction, loss or damage of natural scenic or historic features.
F. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.	Complies	Even though the Salt Lake County Noise Ordinance does not apply to residential HVAC units, the applicant provided the manufacturers information on decibel range. The units are reasonably quiet and should not cause or contribute to noise pollution. This standard is met.

G. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.	Complies	The table in Attachment E finds that the proposal complies with the standards found in 21A.34.020G. Staff finds that the project is in compliance with all of the applicable standards.

ATTACHMENT G: APPLICABLE DESIGN GUIDELINES

The following are applicable historic design guidelines related to this request. The following applicable design guidelines can be found in *A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City*.

Historic Residential Properties & Districts in Salt Lake City, Chapter 11: General Issues
Mechanical Equipment
New technologies in heating, ventilating and telecommunications have introduced mechanical equipment into historic areas where they were not seen traditionally. Satellite dishes and rooftop heating and cooling equipment are among those that may now intrude upon the visual appearance of historic districts. Wherever feasible, the visual impacts of such systems should be minimized such that the historic character is not negatively affected. Locating equipment so that it is screened from public view is the best approach.

11.2 The visual impacts of mechanical equipment as seen from the public way should be minimized.

- Mechanical equipment should be screened from view.
- Ground mounted units should be screened with fences, walls, or hedges.
- Where roof top units are visible, provide screening with materials that are compatible with those of the building itself.
- Window air conditioning units should not be located on a primary facade.
- Use low-profile mechanical units on rooftops to avoid visibility from the street or alley.
- The visual impacts of utility connections and service boxes should be minimized.
- Use smaller satellite dishes, mounted low to the ground, and away from front yards, significant building facades or highly visible roof planes when feasible.
- Muted colors on telecommunications and mechanical equipment should be used to minimize appearance and blend with the background.

11.3 Locate and attach standpipes and other service equipment and pipework such that they do not damage historic facade materials.

- Cutting channels into historic facade materials damages the historic building fabric and should be avoided.
- Keep such equipment and service connections away from the primary facades wherever feasible.

ATTACHMENT H: PUBLIC PROCESS AND COMMENTS

The Historic Landmark Commission Notice was mailed on March 18, 2021.

The subject property was posted on March 19, 2021.

Public comments have been provided from the abutting neighbor to the south and are attached.

Prior to the publication of this staff report, one verbal was received.

- The verbal comment was provided by the property owner of 268 2nd Avenue. He expressed support of the request and acknowledged that the installation of the HVAC units was challenging with this structure.