

MEMORANDUM

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Historic Landmark Commission

From: Nelson Knight – Senior Planner
801-535-7758 or nelson.knight@slcgov.com

Date: January 6, 2022

Re: Bishop Place Project - Modifications to Conditions of Approval
Petitions PLNHLC2019-01157 & 01158

ACTION REQUIRED:

Vote on modifying the original conditions of approval for the Bishop Place project that was approved by the HLC on October 1, 2020 and extended for one year on September 2, 2021. The specific request is to install vinyl windows on the new buildings instead of the wood windows included as a condition of approval by the HLC in 2020.

The approval granted was for new construction in a historic district for a single-family attached residential development of twenty-four (24) dwelling units and three (3) associated special exception requests located at approximately 432 N. 300 West (Bishop Place – a private street). Two conditions were added to the approval:

1. *Vinyl windows shall be avoided as they are not a durable material and therefore inappropriate for new construction in the City's local historic districts. The applicant will work with Planning Staff to identify a type of window that meets New Construction Standard 21.34.020(H)(6)(c) - Windows and the associated design guidelines highlighted in this staff report prior to the issuance of a Certificate of Appropriateness.*
2. *All windows shall either be wood or wood-clad.*

The applicant requests that the Commission allow windows other than those with wood or wood-clad frames, based on the standards in the zoning ordinance for new construction in historic districts, the associated design guidelines, and the Commission's approval of windows with vinyl or fiberglass frames on other cases.

RECOMMENDATION:

Based on the information and analysis in this memorandum, the September 2, 2020 staff report, and the record of the Commission's September 2, 2020 meeting, Staff recommends that the Historic Landmark Commission modify Condition 2 of the original approval and allow non-wood or wood-clad framed windows for this project.

Staff further recommends that the Commission leave Condition 1 as approved, in order for Planning Staff to work with the applicant to identify a type of window that meets New Construction Standard 21.34.020(H)(6)(c) – Windows, and associated design guidelines. The final window may include a durable frame material such as fiberglass or composite wood. As with the previous approval, the final window design shall be inset approximately three to four inches from the wall plane to the window glass.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Applicant's Request Letter](#)
- C. [Window Pages from Previously Approved Plan Set](#)
- D. [Meeting Minutes – October 1, 2020](#)

- E. [Design Guidelines for Multifamily Buildings – New Construction – Windows](#)
- F. [Public Comment](#)

BACKGROUND/DISCUSSION:

This project has an extensive history with the Historic Landmark Commission dating back several years and with several different property owners. Initial plans to rehabilitate the contributing buildings on the site stagnated after initial approval. Eventually, the Commission reviewed a proposal to demolish the buildings and construct anew on the property. The HLC's demolition review process ended when then-Mayor Biskupski approved the demolition of the buildings in October 2018.

New Construction Review Process – Work Sessions and Revisions:

The Commission's focus then turned to a review of the proposed new construction on the site. The proposal went through several iterations before approval, including revisions based on comments received at two work sessions with the HLC on February 6, 2020, and August 6, 2020. While not the primary items of interest during these work sessions, windows were a topic of discussion. The applicants proposed the use of vinyl framed windows throughout the review process. Staff's comments focused on the proportions and configurations of the proposed windows and the ratio of solids to voids, particularly on the 300 West building. A final comment stated that "windows need to be installed so that they are recessed 3"-4" to avoid a continuous plane flat building facade appearance."

The applicant responded with designs that reflected their willingness and ability to address most concerns raised during the work sessions. The revisions included different window sizes, configurations, and proportions. To recess the windows, the applicant provided a design that included an Amsco "Artesian" series vinyl window, with additional trim around the frame to create the required depth. It should be noted that Staff recommended changes to the window design and material based on the adopted guidelines for windows on new multifamily construction (discussed below).

HLC Review and Approval – October 1, 2020 and Conditions #1 and #2:

HLC reviewed and approved the applicant's final design on October 1, 2020. The full staff report can be accessed here: <http://www.slcdocs.com/Planning/HLC/2020/10%20October%202020/O1157.01158StaffReport.pdf>

Staff recommended approval of the proposal and found that the proposal generally met the standards for new construction outlined in 21A.34.020.H, with the exception of 21A.34.020.H.6.c – Windows, which states "Windows and other openings are incorporated in a manner that reflects patterns, materials, and detailing established in the district and/or setting." Staff's finding on this standard cited Design Guidelines 12.71-12.74 ([Attachment E](#)), with particular emphasis on Design Guideline 12.74 regarding framing materials, and included the following specific findings:

- *Window reveals are required and should be a minimum of 3". Windows are required to be inset into the wall and should be a minimum of at least 3 inches. A reveal should be recessed into the primary plane of the wall and not achieved through the use of window trim to the facade.*
- *The applicant has proposed the use of vinyl windows for the project. Their rationale is that vinyl windows have been permitted by the HLC in the past. Planning Staff would argue that the use of vinyl windows in the past is prior to the adoption of specific window design guidelines highlighted below. Vinyl is not considered a durable material and should be avoided as the guidelines indicate. Planning Staff recommends that the HLC direct the applicant to use windows that are not vinyl, consistent with the condition placed on the project for the Certificate of Appropriateness. Planning Staff suggests composite or fiberglass windows which are more durable materials than vinyl.*

Based on those findings, Staff recommended approval of the project with the following condition (Condition #1):

1. *Vinyl windows shall be avoided as they are not a durable material and therefore inappropriate for new construction in the City's local historic districts. The applicant will work with Planning Staff to identify a type of window that meets New Construction Standard 21.34.020(H)(6)(c) - Windows and the associated design guidelines highlighted in this staff report prior to the issuance of a Certificate of Appropriateness.*

During the hearing, the applicant addressed Staff's condition of approval by noting that the Commission had approved a similar vinyl window with similar design details on two of their previous projects – the Almond Street Condominiums and the Hardison Apartments on South Temple – though these projects pre-date the current ordinance standards and design guidelines. They also mentioned that other new construction projects appeared to also be using vinyl windows.

(Audio may be found on YouTube here: <https://youtu.be/mlJo4C1ZyHk?t=4145> Note that the audio and video are not in sync on this recording – the video lags several minutes behind.)

Later in the hearing, in response to a question from a commissioner, Staff explained that the current design guidelines were adopted after the projects cited by the applicant were approved. In response, the applicant noted that they were happy to work with planning staff to come up with an appropriate window. (Audio here: <https://youtu.be/mlJo4C1ZyHk?t=4377>)

Following further discussion focused on other aspects of the project, Commissioner David Richardson made a motion to approve the project and special exceptions with Staff's recommended Condition #1. During the subsequent dialogue on the motion, Commissioner Paul Svendsen proposed an amendment/substitute to add Condition #2:

2. *All windows shall be either wood or clad-wood.*

The reason stated was “to avoid the composite windows that have gotten approved a couple of times around town that are totally indistinguishable from vinyl.”

(Audio: <https://youtu.be/mlJo4C1ZyHk?t=5599>)

The amendment/substitute passed and is now part of the final approval. Minutes of the meeting are included with this memo as Attachment D

PROPOSED MODIFICATIONS TO CONDITIONS OF ORIGINAL APPROVAL:

Previously Approved:

As detailed above, on October 1, 2020, the HLC approved the new construction and special exceptions with two conditions. Succinctly, Condition #1 was to find a window that was not vinyl, and Condition #2 was that the windows were to be wood or metal clad wood.

Proposed Changes to the Approval:

The applicant is requesting to remove both Condition #1 and Condition #2 from the approval and use the Amsco “Artesian” Series vinyl windows on the project, as originally proposed. Vertical sliding, horizontal sliding, and casement configurations would not vary from the design approved by the HLC, nor would the size or placement of the windows. In exchange for the modification to the conditions, the applicant would construct all-electric, solar-powered units in the development.

Reason for the Change:

The applicant has explained the increased cost and logistical issues if they are limited to wood or wood-clad options. In their opinion, the Amsco “Artesian” series window approved for use on their previous projects meets the requirements of the ordinance. In addition, the cost savings would be put into additional energy-saving measures, which is one of the city's preeminent goals and something our preservation program encourages.

Staff Analysis and Basis for Recommendation:

In Staff's opinion, the ordinance standards and design guidelines do not require wood or wood-clad windows on new construction. Ordinance Standard 21A.34.020.H.6.c – Windows, states “Windows and other openings are incorporated in a manner that reflects patterns, materials, and detailing established in the district and/or setting.” Patterns, materials, and detailing reflective of the district or setting are not exclusively wood or metal-clad wood windows, particularly on new construction. This is echoed in the design objective for windows in the Design Guidelines:

The design of a new multifamily building should include window design subdivision, profiles, materials, finishes and details which ensure that the windows play their characteristic positive role in defining the proportion and character of the building and its contribution to the historic context.

The design guidelines for new construction contain many references to windows being key to many of the other standards for new construction in the ordinance, with a focus on values such as human scale, a regular pattern on the facade, proportion, rhythm of openings, solid to void ratio, and other characteristics. In Staff's opinion, these qualities are not exclusive to a particular window frame material.

However, the Design Guidelines do address the need for durable materials in this climate, specifically identifying vinyl as generally not appropriate in Design Guideline 12.74:

12.74 Windows and doors should be framed in materials that appear similar in scale, proportion and character to those used traditionally in the neighborhood.

- *Frame profiles should project from the plane of the glass creating a distinct hierarchy of secondary modeling and detail for the window opening and the composition of the facade.*
- *Durable frame construction and materials should be used.*
- *Frame finish should be of durable architectural quality, chosen to complement the building design.*
- *Vinyl should be avoided as a non-durable material in the regional climate.*
- *Dark or reflective glass should be avoided.*

In addition, 12.73 provides specific guidance addressing window trim and reveal on new multifamily buildings, which conflicts with the applicant's proposal to use applied exterior trim to increase the reveal around the vinyl windows that were proposed:

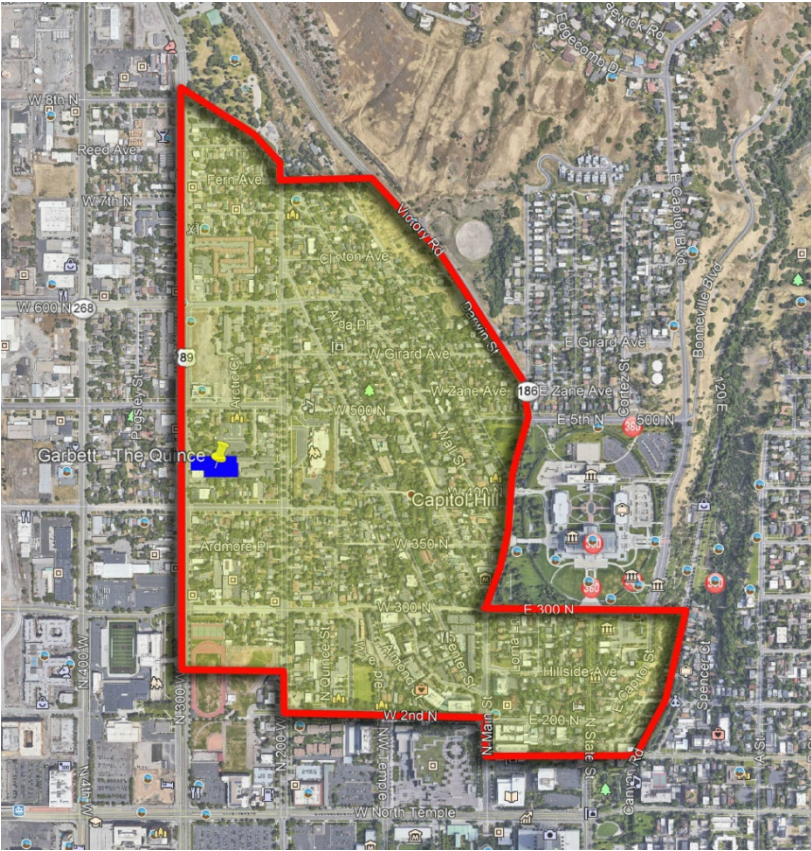
12.73 Window reveals should be a characteristic of masonry and most public facades.

- *These help to express the character of the facade modeling and materials.*
- *Window reveals will enhance the degree to which the building integrates with its historic setting.*
- *A reveal should be recessed into the primary plane of the wall, and not achieved by applying window trim to the façade.*
- *This helps to avoid the impression of superficiality which can be inherent in some more recent construction, e.g. with applied details like window trim and surrounds.*
- *A hierarchy of window reveals can effectively complement the composition of the fenestration and facades.*

Finally, Staff notes that Condition #2 was added without discussion or input from the applicant or Staff, and the rationale given conflicts with the ordinance standards and design guidelines. A recommendation to remove this condition of approval is appropriate.

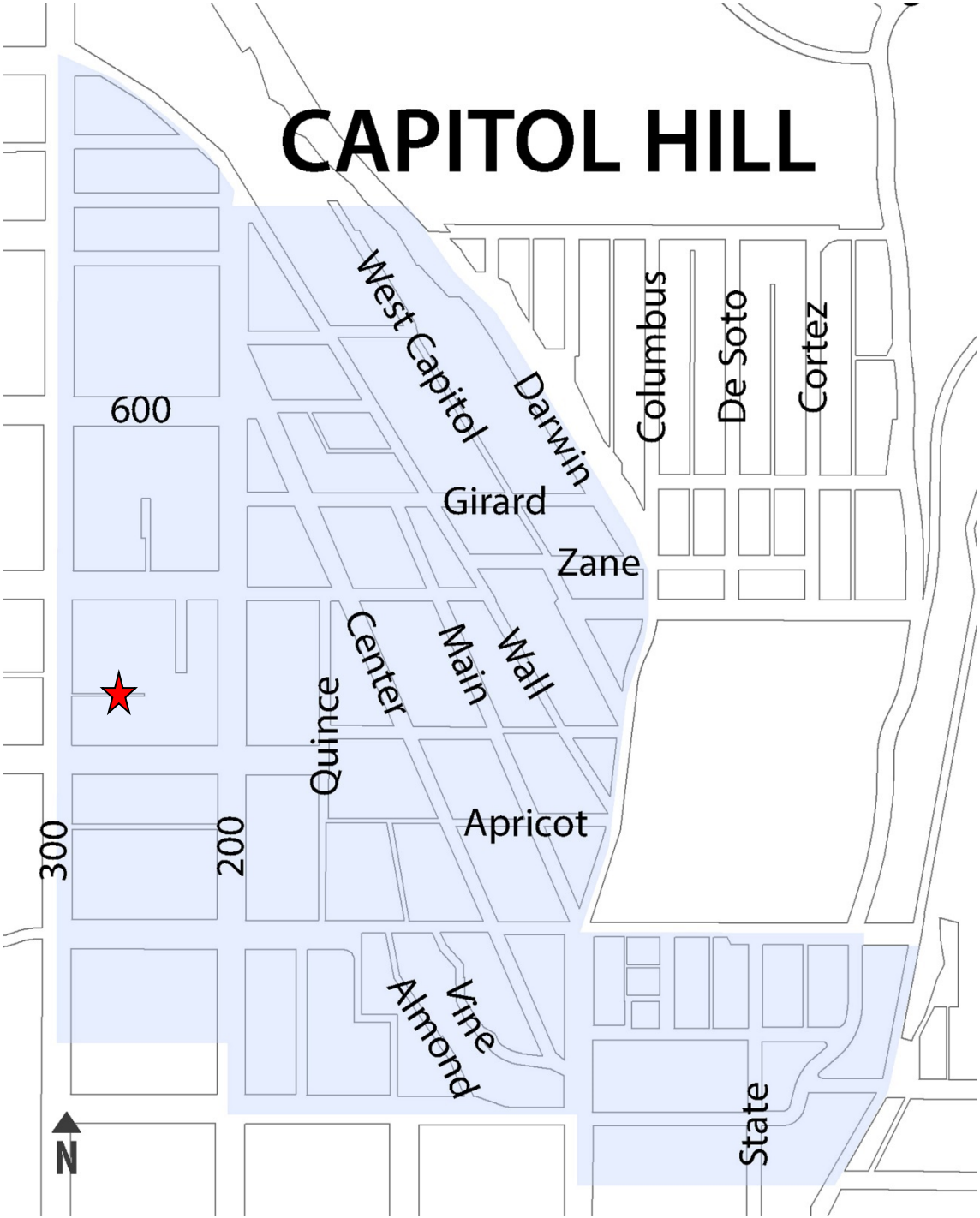
In sum, the Standards and Design Guidelines support a recommendation to remove Condition #2 from the approval for this project. Staff does not recommend changes to Condition #1 but notes that the HLC may find that the project "substantially complies" with the ordinance standards and broader city goals and is in the best interest of the city.

ATTACHMENT A: VICINITY & DISTRICT MAPS



SUBJECT PROPERTIES VACANT PROPERTIES WITHIN BISHOP PLACE

CAPITOL HILL



★ Approximate Project Location

ATTACHMENT B: APPLICANT'S REQUEST LETTER

Garbett Homes

Paul Garbett

273 N. East Capitol Street

Salt Lake City, Utah 84103

Dear Historic Landmark Commission,

On October 1st 2020 I appeared to you presenting a plan for a proposed project; Bishop Place. This project is located at 432 N Bishop Place and is 24 for sale townhomes. The plan that was presented was the result of many revisions, feedback from planning, input from stake holders and this commission. We were excited to share the new and improved project with you and ultimately it was accepted by a 5-1 margin.

However, prior to this vote Commission member Paul Svendsen proposed the following condition:

1. Vinyl windows shall be avoided as they are not a durable material and therefore inappropriate for new construction in the City's local historic districts. The applicant will work with Planning Staff to identify a type of window that meets New Construction Standard 21.34.020(H)(6)(c) - Windows and the associated design guidelines highlighted in this staff report prior to the issuance of a Certificate of Appropriateness.
2. All windows shall either be wood or wood clad.

Ultimately Commissioner Svendsen voted against the project even with the condition attached. The result of this one condition is a significant price increase for each home as wood and or wood clad windows are more than triple the cost of standard windows. This would result in roughly a \$10,000 price increase for each home. All this for a purely cosmetic reason that we believe is not of significant importance to our homeowners, nor the visual integrity of the block face.

We would like to propose an alternative that would be more in line with the demands of buyers and the goals of Salt Lake City and the current administration. Mayor Mendenhall has been an extremely vocal proponent of shifting new building practices to a more energy efficient and sustainable way. We see this desire echoed by our buyers and potential new residents. They want energy efficiency; they want clean energy.

In exchange for being allowed to use Premium vinyl windows and have the previous two conditions removed, we are proposing the following.

1. Bishop Place will be an all-electric community. No gas will be ran in this project so all heating, cooling and cooking needs will be 100% electric and zero emissions.

2. Solar will be included with each home. Each unit will come with a 2-3 panel system that will help offset additional electrical requirements required by the lack of gas heating and appliances.
3. The vinyl windows We would like to use are the AMSCO Artesian Window series. There are several different color options available that we believe would have no negative effect on the streetscape. This series also comes with a number of features and detailing that creates a more premium product. This perception that vinyl windows are poor quality and will not last are based on decades old misconceptions. The new generation of vinyl windows are extremely durable, low maintenance and stay looking as long, if not longer than the other more expensive options. They are also very energy efficient at an affordable price.

We would greatly appreciate your consideration on this request to remove the requirement prohibiting vinyl windows and requiring wood, or wood clad premium windows. We feel that the solutions proposed would create a community that still contributes greatly to the neighborhood, but delivers something more in line with buyers preferences and the goals of the city.

Sincerely

A handwritten signature in blue ink, appearing to read 'Paul Garbett', with a long horizontal flourish extending to the right.

Paul Garbett

**ATTACHMENT C: WINDOWS PAGES FROM
PREVIOUSLY APPROVED PLANS (OCTOBER 1, 2020)**

COLOR SCHEME - 01



ENTRY DOORS
Material: Fiberglass
Manufacturer: TBD
Color: To Match Charcoal Gray

GARAGE DOORS
Material: Aluminum/Glass
Manufacturer: TBD
Color: TBD - Anodized Gray



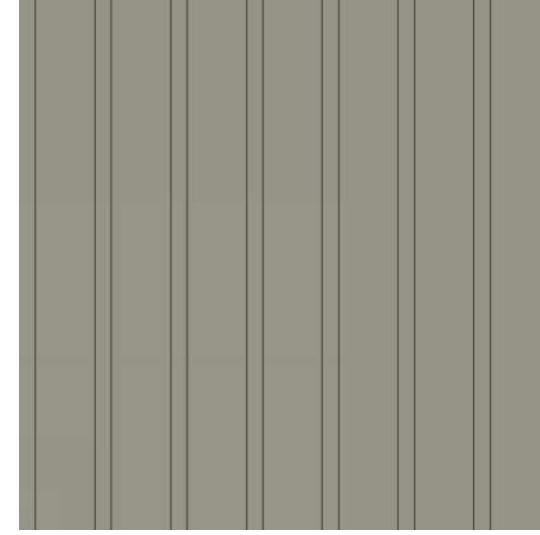
WINDOWS
Material: Vinyl
Manufacturer: TBD
Color: White



CEDAR SIDING
Material: Natural Cedar or Pre-stained Fiber Cement
Manufacturer: TBD
Color: SW3521 Crossroads



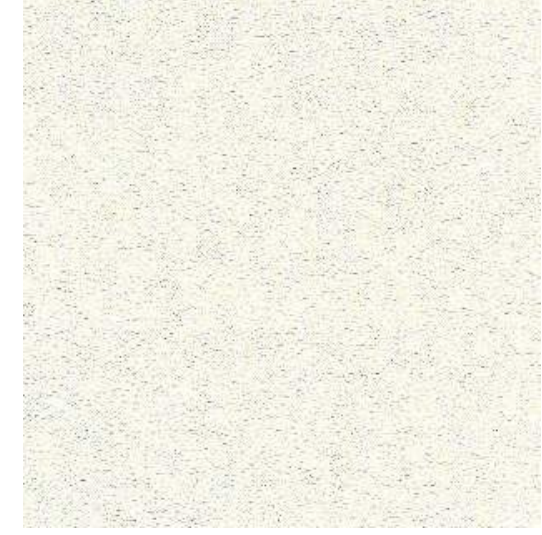
FIBER CEMENT LAP SIDING
Material: Fiber Cement Lap Siding 6" Exposure
Manufacturer: TBD
Color: SW2802 Rookwood Red



FIBER CEMENT BD & BATT SIDING
Material: Fiber Cement Board and Batt Siding
Manufacturer: TBD
Color: SW2821 Downing Stone



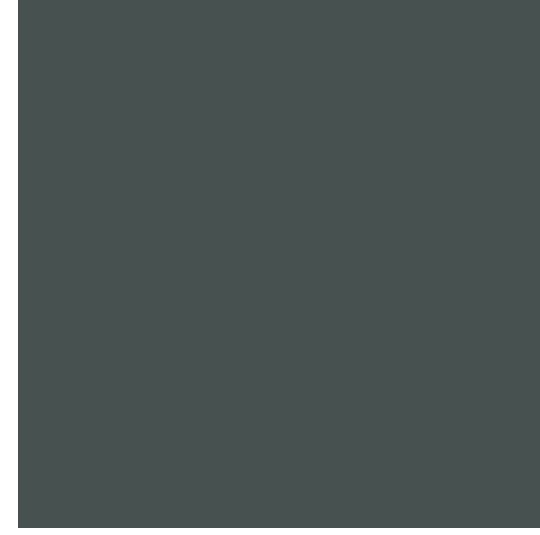
BRICK VENEER
Material: Thin Brick
Manufacturer: Interstate
Color: Midnight



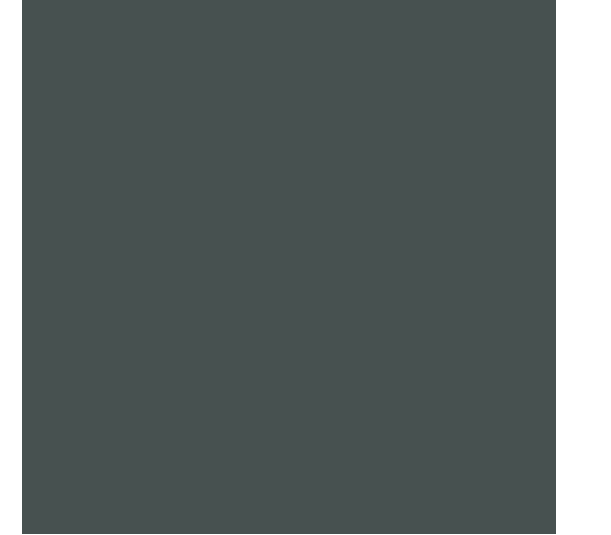
STUCCO-1
Material: Stucco
Manufacturer: Western One-Coat
Color: Bright White
DRYVIT, SENECA



ROOFING
Material: Asphalt Shingle
Manufacturer: GAF Timberline or Equal
Color: Charcoal



STEEL COLUMNS/BEAMS
Material: Painted Steel
Manufacturer: TBD
Color: Match to Charcoal Fascia/Parapet Cap



FASCIA/TRIM/PARAPET CAP/DRIP EDGE
Material: Fiber Cement/MTL
Manufacturer: TBD
Color: Charcoal 379 (Gentek)

COLOR SCHEME - 02



ENTRY DOORS
Material: Fiberglass
Manufacturer: TBD
Color: To Match Charcoal Gray

GARAGE DOORS
Material: Aluminum/Glass
Manufacturer: TBD
Color: TBD - Anodized Gray



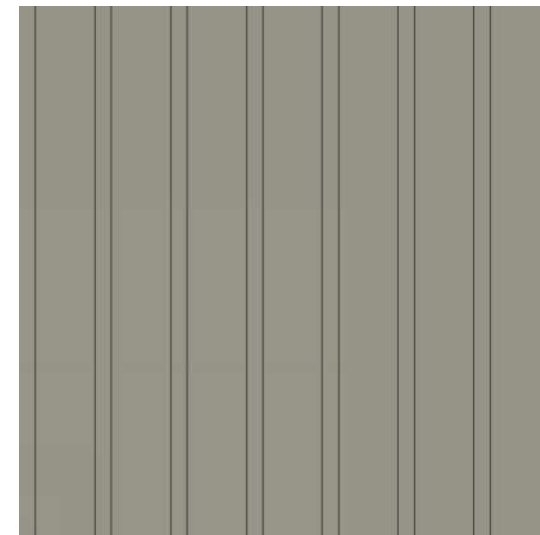
WINDOWS
Material: Vinyl
Manufacturer: TBD
Color: White



CEDAR SIDING
Material: Natural Cedar or Pre-stained Fiber Cement
Manufacturer: TBD
Color: SW3541 Harbor Mist



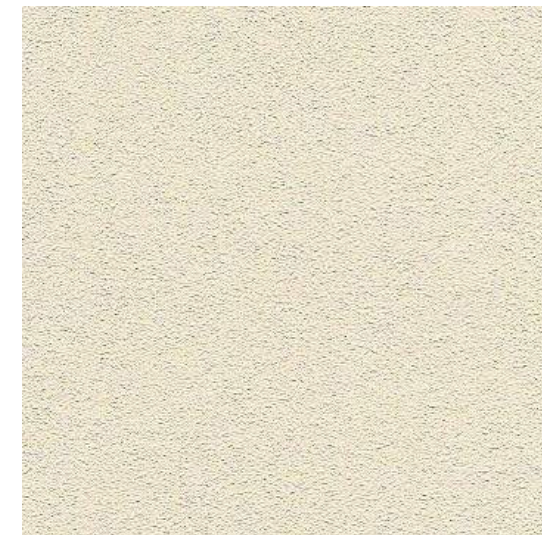
FIBER CEMENT LAP SIDING
Material: Fiber Cement Lap Siding 6" Exposure
Manufacturer: TBD
Color: SW6680 Friendly Yellow



FIBER CEMENT BD & BATT SIDING
Material: Fiber Cement Board and Batt Siding
Manufacturer: TBD
Color: SW2821 Downing Stone



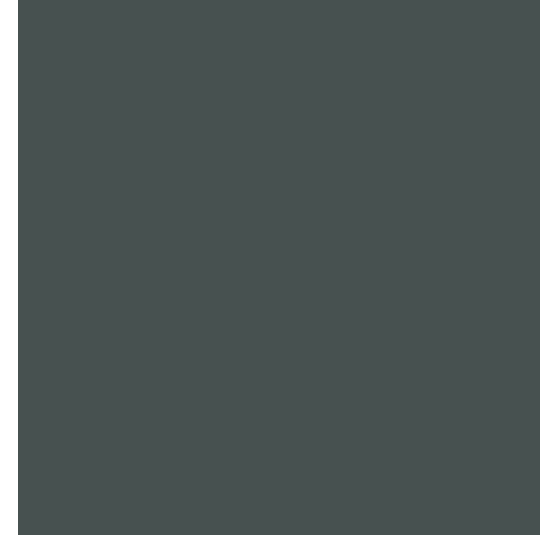
BRICK VENEER
Material: Thin Brick
Manufacturer: Interstate
Color: Cedar



STUCCO-1
Material: Stucco
Manufacturer: Western One-Coat
Color: Buckskin
DRYVIT, SENECA



ROOFING
Material: Asphalt Shingle
Manufacturer: GAF Timberline or Equal
Color: Charcoal



STEEL COLUMNS/BEAMS
Material: Painted Steel
Manufacturer: TBD
Color: Match to Charcoal Fascia/Parapet Cap



FASCIA/TRIM/PARAPET CAP/DRIP EDGE
Material: Fiber Cement/MTL
Manufacturer: TBD
Color: Charcoal 379 (Gentek)

COLOR SCHEME - 03



ENTRY DOORS
Material: Fiberglass
Manufacturer: TBD
Color: To Match Charcoal Gray

GARAGE DOORS
Material: Aluminum/Glass
Manufacturer: TBD
Color: TBD - Anodized Gray



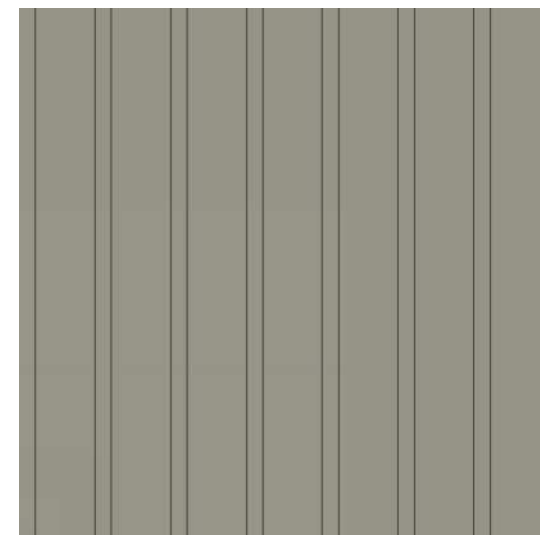
WINDOWS
Material: Vinyl
Manufacturer: TBD
Color: White



CEDAR SIDING
Material: Natural Cedar or Pre-stained Fiber Cement
Manufacturer: TBD
Color: SW3504 Woodridge



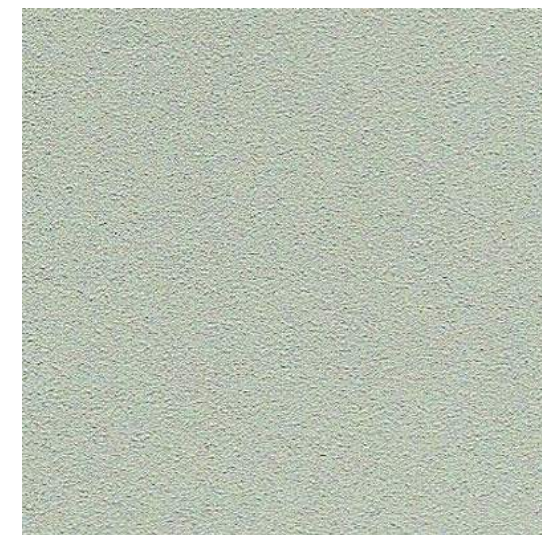
FIBER CEMENT LAP SIDING
Material: Fiber Cement Lap Siding 6" Exposure
Manufacturer: TBD
Color: SW7623 Cascades



FIBER CEMENT BD & BATT SIDING
Material: Fiber Cement Board and Batt Siding
Manufacturer: TBD
Color: SW2821 Downing Stone



BRICK VENEER
Material: Thin Brick
Manufacturer: Interstate
Color: Ironstone



STUCCO-1
Material: Stucco
Manufacturer: Western One-Coat
Color: Gray Barn
DRYVIT, SENECA



ROOFING
Material: Asphalt Shingle
Manufacturer: GAF Timberline or Equal
Color: Charcoal



STEEL COLUMNS/BEAMS
Material: Painted Steel
Manufacturer: TBD
Color: Match to Charcoal Fascia/Parapet Cap

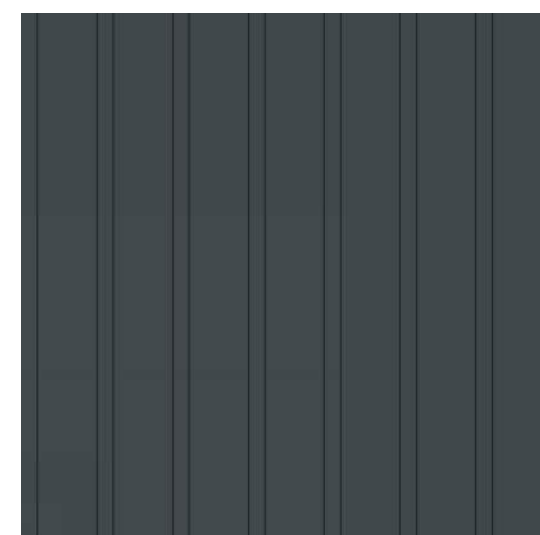


FASCIA/TRIM/PARAPET CAP/DRIP EDGE
Material: Fiber Cement/MTL
Manufacturer: TBD
Color: Charcoal 379 (Gentek)

COLOR SCHEME - 02b For Use on 3 Story Units



FIBER CEMENT LAP SIDING
Material: Fiber Cement Lap Siding 6" Exposure
Manufacturer: TBD
Color: SW9051 Aquaverde

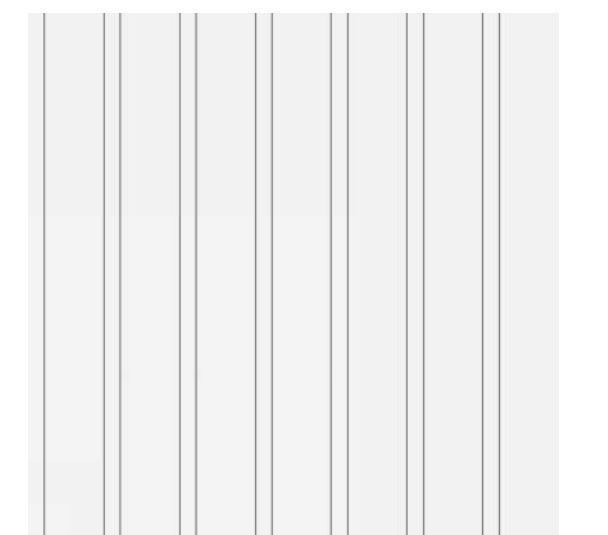


FIBER CEMENT BD & BATT SIDING
Material: Fiber Cement Board and Batt Siding
Manufacturer: TBD
Color: SW7076 Cyberspace

COLOR SCHEME - 03b For Use on 3 Story Units



FIBER CEMENT LAP SIDING
Material: Fiber Cement Lap Siding 6" Exposure
Manufacturer: TBD
Color: SW2802 Rookwood Red



FIBER CEMENT BD & BATT SIDING
Material: Fiber Cement Board and Batt Siding
Manufacturer: TBD
Color: SW7006 Extra White



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BISHOP PLACE

LOTS 3 & 8, BLOCK 121, PLAT "A" ~ 432 N. 300 W.
SALT LAKE CITY, UTAH

MATERIAL/COLOR BOARD

D501

28 AUG. 2020

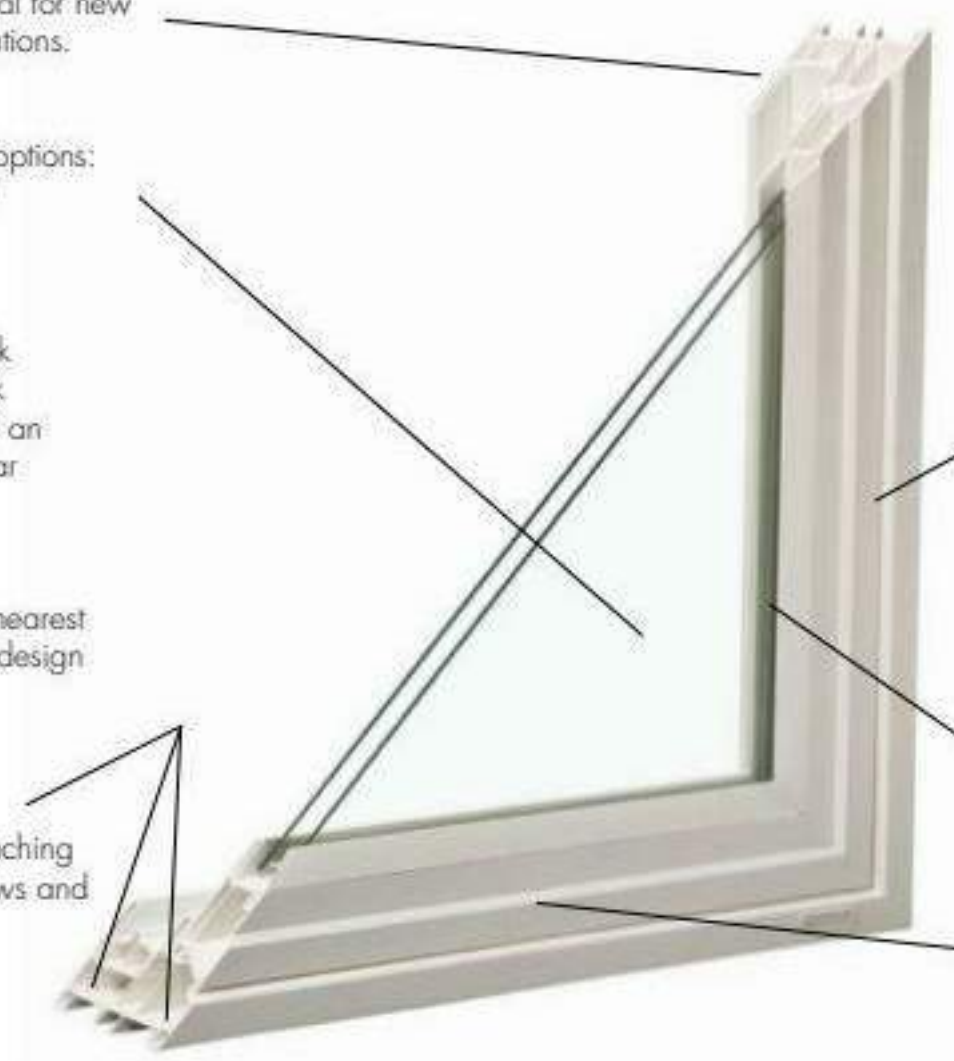
Frame Size
Large 3-1/4" frame width is ideal for new construction and retrofit applications.

Glass Options
The best in performance glass options: CozE, CozE Tint and CozE HV energy-efficient glass.

Secure Locking
With AMSCO's new SentryLock magnetic-action, automatic lock you'll enjoy secure locking with an easy one-touch motion and clear visual unlocked indicator.

Custom Sizing
Can be custom-ordered to the nearest 1/8 inch to fit any architectural design or custom window.

Hidden Accessory Groove
The unique hidden accessory groove zips out for ease of attaching accessories and joining windows and creates a clean profile when not needed.



Hardware
Color matching hardware comes standard. Or, customize your look with plated options available on Casements and Awning.

Grids
Add a distinctive touch with 5/8" flat and 1" sculptured grids sealed between the glass for easy cleaning or 1" beveled simulated divided lite for a more traditional look.

Lasting Color
New SuperCapSR color technology resists scratching and chalking and won't chip, peel or fade like paint. Choose from six colors: White, Almond, Taupe, Autumn Red, Evergreen and Bronze.

Warm-Edge Technology
3/4 inch warm-edge spacer technology reduces thermal transfer and condensation.

Unique Design
The unique beveled design creates depth and interest not found in typical vinyl windows. Equal sight lines add an additional architectural pleasing element.

PROPOSED AMSCO ARTESIAN WINDOW

WITH THIS WINDOW THE NAILING FLANGE IS BROUGHT TO THE FRONT FACE OF THE WINDOW FRAME, THIS HAS THE EFFECT OF PUSHING THE WINDOW FURTHER BACK FROM THE FINISHED FACE OF THE BUILDING, CREATING MORE OF A RECESSED LOOK. THIS IS FURTHER ACCENTUATED BY ADDING TRIM AROUND THE WINDOWS TO PROVIDE ADDITIONAL DEPTH.



1 Inch Nail Fin Set-Back

Integral 1 inch nail fin setback, a common frame style for new construction applications.

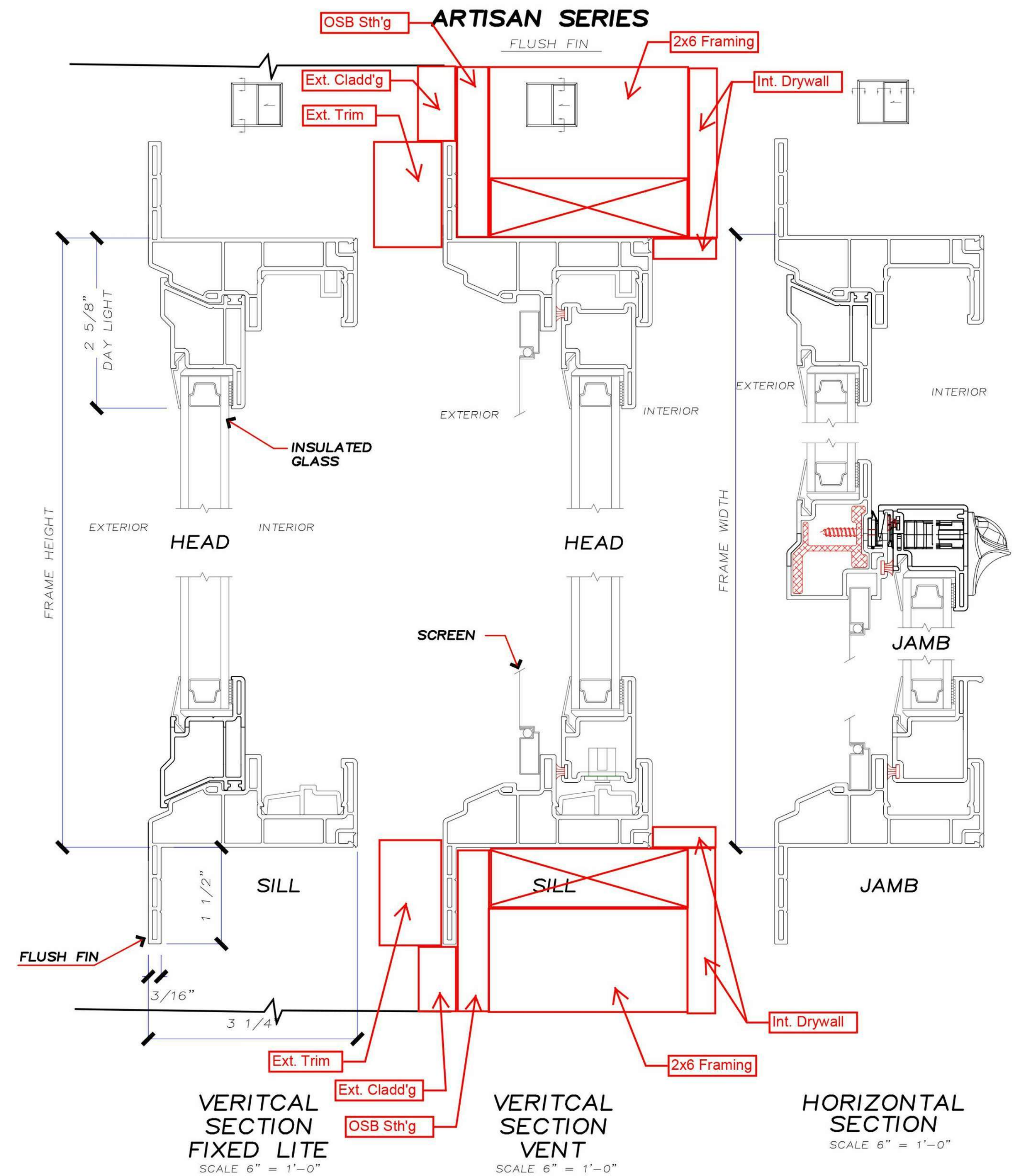
TYPICAL STANDARD VINYL WINDOW

WITH THIS WINDOW THE NAILING FLANGE IS SET BACK 1"+ FROM THE FACE OF THE WINDOW FRAME, THIS HAS THE EFFECT OF BRINGING THE WINDOW FRAME AND GLASS MORE IN LINE WITH THE FINISH FACE OF THE BUILDING MATERIALS, MAKING THE WALL LOOK FLAT.



HORIZONTAL SLIDER

DETAIL SECTIONS



ATTACHMENT D: HLC MEETING MINUTES – OCTOBER 1, 2020

[6:23:23 PM](#)

Bishop Place (Formerly The Quince) New Construction & Special Exceptions at approximately 432 North 300 West - Garbett Homes, has submitted applications for new construction in an historic district for a single-family attached residential development of twenty-four (24) dwelling units and three (3) associated special exception requests located at approximately 432 N. 300 West (Bishop Place – a private street). Currently, the properties associated with the proposed development are occupied by abandoned structures that have been approved for demolition.

- a. **New Construction** - This project request requires approval for new construction in an historic district. **Case number PLNHLC2019-01157**
- b. **Three Special Exceptions:**
 - i. The applicant requests a modification to the minimum lot width requirement. The applicant is requesting a minimum lot width of nineteen feet (19'). The minimum lot width in the SR-3 Zone for single-family attached dwellings is twenty-two feet (22').
 - ii. The applicant requests a modification of the rear yard setback. The applicant is requesting a ten foot (10') rear yard setback. The rear yard setback in the SR-3 Zone is 20% of the lot depth but not less than fifteen feet (15') and not to exceed thirty feet (30').
 - iii. The applicant is requesting modification to maximum building/wall height for certain units located on the interior of the development. The maximum building height in the SR-3 zone is twenty-eight feet (28') and wall height is twenty feet (20'). The applicant is requesting a building height of thirty-six feet (36') and a maximum wall height of twenty-eight feet (28') for eight (8) of the units. **Case number PLNHLC2019-01158**

The subject property is zoned SR-3 (Special Development Pattern Residential District) and is located within Council District 3 represented by Chris Wharton (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com)

Lex Traughber, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Historic Landmark Commission approve the requests with the conditions listed in the staff report.

Paul Garbett, applicant, provided a presentation with further design details.

The Commission, Staff and Applicant discussed the following:

- Clarification on use for community garden

PUBLIC HEARING [6:45:35 PM](#)

Chairperson Peters opened the Public Hearing;

Cindy Cromer – Stated she thinks the diversity, materials, and colors will help with wayfinding as people look for their friends units. The diversity she sees in this historic district is amongst the residence and the type of architecture and she doesn't see this level of diversity in materials and colors, especially in multiple unit buildings. She would dial back 1 material per unit and 1 color change per unit.

Ashley Patterson – Provided an email comment stating her support of the request.

Seeing no one else wished to speak; Chairperson Peters closed the Public Hearing.

The applicant addressed the public comments.

The Commission made the following comments:

- I'm surprised to see black roofs in this time of climate change and global warming
- I like the modifications to the entry way of the building
- I agree with the use of the materials
- The applicant is only proposing to exceed the height limit of 25% or 8 of 24 buildings, and the way they're scattered throughout the development, reads nicely
- I really like what they've done

MOTION [7:00:35 PM](#)

Commissioner Richardson stated, based on the analysis and findings in the staff report that the standards for a Certificate of Appropriateness involving new construction in a local historic district have been substantially met, testimony and the proposal presented, I move that the Commission approve the request for new construction located at approximately 432 N 300 West (Bishop Place), subject to the following condition:

1. Vinyl windows shall be avoided as they are not a durable material and therefore inappropriate for new construction in the City's local historic districts. The applicant will work with Planning Staff to identify a type of window that meets New Construction Standard 21.34.020(H)(6)(c) - Windows and the associated design guidelines highlighted in this staff report prior to the issuance of a Certificate of Appropriateness.

Motion to approve the Special Exceptions:

Based on the analysis and findings in the staff report that the standards for Special Exceptions have been substantially met, testimony and the proposal presented, I move that the Commission approve the request for the three (3) Special Exceptions located at approximately 432 N 300 West (Bishop Place).

SUBSTITUE MOTION [7:02:54 PM](#)

Commissioner Svendsen stated, the substitute motion is Commissioner Richardson's motion verbatim except with a revision that the Commission specify that the windows need to be wood or wood clad.

Commissioner Richardson accepts the substitute motion.

Commissioner Vela seconded the motion with amendment. Commissioners Maw, Petro-Eschler, Hyde, and Vela voted "Aye". Commissioner Torres-Mora abstained from voting. Commissioner Svendsen voted "Nay". The motion passed 5-1.

[7:06:57 PM](#)

~~Addition, New Garage & Associated Special Exceptions at approximately 1218 3rd Avenue – Jeff Schindewolf, Architect, on behalf of the property owners, Scott and Jen Provost, is requesting approval from the City to construct an addition to the rear of the existing single-family residence, demolition of the existing garage, and construction of a new garage in a new configuration in the same location. The house is a contributing building within the Avenues Historic District and is zoned SR-1A (Special Development Pattern Residential District). This proposal requires review and approval of the following petitions:~~

- ~~a. Certificate of Appropriateness for Minor Alterations to a contributing structure, and~~

**ATTACHMENT E: DESIGN GUIDELINES FOR MULTIFAMILY
BUILDINGS – NEW CONSTRUCTION – WINDOWS**

WINDOWS

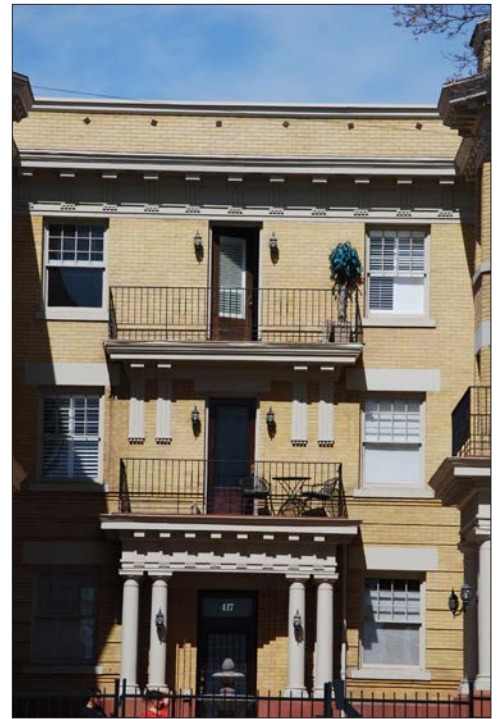
Of the many architectural characteristics of the design of a building façade, the design of the windows is perhaps the most important. Window openings provide a considerable degree of modeling and detail to the facades, with the window reveals creating a distinctive recess of the plane of the reflective window from the plane and texture of the wall.

Window reveals enhance the sense of visual strength of the facade, conveying an impression of the depth, solidity and permanence of the wall. The difference in plane between window and wall surface also creates distinctive light, shadow and reflection which will change with the time of day, and also with the season. This recess also helps to shelter the window and the window frame, and helps to moderate solar gain.

Window openings and design are the focus of finer frame detailing and craftsmanship, in the past using classical frame profiles, decorative subdivided or leaded lights and often stained glass. The form, the subdivision and the profiles of the window framing, their finishes and colors, play a major role in creating the modeling, detailing, quality and richness, and consequently the perceived scale of the building.

Design Objective

The design of a new multifamily building should include window design subdivision, profiles, materials, finishes and details which ensure that the windows play their characteristic positive role in defining the proportion and character of the building and its contribution to the historic context.



Window reveals and frame detailing designed as part of the facade composition.



The window frame pattern and profiles effectively used to embellish facades and screen parking decks.



The design of the facade can effectively employ a hierarchy of windows reducing in stature on the upper floors, and establishing the actual or symbolic importance of levels and spaces.

12.71 Windows should be designed to be in scale with those characteristic of the building and the historic setting.

- Excessive window scale in a new building, whether vertical or horizontal, will adversely affect the sense of human scale and affinity with buildings in the district.
- Subdivide a larger window area to form a group or pattern of windows creating more appropriate proportions, dimensions and scale.

12.72 Windows with vertical proportion and emphasis are encouraged.

- A vertical proportion is likely to have greater design affinity with the historic context.
- It helps to create a stronger vertical emphasis which can be valuable integrating the design of a larger scale building within its context.
- See also the discussion of the character of the relevant historic district and architectural styles (PART I).



Window proportion and detailing are accentuated by rising, projecting balcony tiers, and their decorative structural ironwork.



Contrasting fenestration providing 'hole in the wall' definition in one facade, and framed by decorative sculptural brickwork in others.

12.73 Window reveals should be a characteristic of masonry and most public facades.

- These help to express the character of the facade modeling and materials.
- Window reveals will enhance the degree to which the building integrates with its historic setting.
- A reveal should be recessed into the primary plane of the wall, and not achieved by applying window trim to the façade.
- This helps to avoid the impression of superficiality which can be inherent in some more recent construction, e.g. with applied details like window trim and surrounds.
- A hierarchy of window reveals can effectively complement the composition of the fenestration and facades.

12.74 Windows and doors should be framed in materials that appear similar in scale, proportion and character to those used traditionally in the neighborhood.

- Frame profiles should project from the plane of the glass creating a distinct hierarchy of secondary modeling and detail for the window opening and the composition of the facade.
- Durable frame construction and materials should be used.
- Frame finish should be of durable architectural quality, chosen to compliment the building design.
- Vinyl should be avoided as a non-durable material in the regional climate.
- Dark or reflective glass should be avoided.
- See also the rehabilitation section on windows (PART II, Ch.3) as well as the discussions of specific historic districts (PART III) and relevant architectural styles (PART I).

Design Guidelines for New Construction



Stone window reveals and mullion subdivision contrast with the dark brickwork of the facade wall.



Deeply recessed windows and doors on lower floors create a strong sculptural base for the articulation of the facade above.

ATTACHMENT F: PUBLIC COMMENTS

Public Comment

Planning Staff received several written comments regarding the proposal which are included in this staff report.

From: [Knight, Nelson](#)
To: [Casey McDonough](#)
Subject: Re: (EXTERNAL) Re: PLNHLC2019-01157 & PLNHLC2019-01158 - Public comments...
Date: Thursday, December 23, 2021 10:31:13 AM

I will pass them on. Thanks, and enjoy the holidays!
Nelson

NELSON W. KNIGHT
Senior Planner

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

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Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Casey McDonough [REDACTED]
Sent: Thursday, December 23, 2021, 9:23 AM
To: Knight, Nelson
Subject: (EXTERNAL) Re: PLNHLC2019-01157 & PLNHLC2019-01158 - Public comments...

Nelson,

Please share my public comments with the Historic Landmark Commissions members, thanks!

Casey

Commissioners,

Seeing the request for modifications to conditions your body gave for the approval of the Bishop Place Project, I wanted to let you know how I feel as a resident of the city regarding this request.

This project has always been a contentious one. When you gave your approval for this project, the specific condition that wood or wood clad windows be used became in my opinion a primary and

significant one as it was in essence in trade for saving any of the historic structures of Bishops Place. The developer had the opportunity to appeal this condition, but as far as I can tell they did not or did and failed as the requirement looks to still be in effect.

Now they come back to you, asking that they be able to use vinyl windows, and I would strongly encourage you to deny this request. They knew full well what they would have to do so that they could move forward with their project, so that they could tear down all the historic fabric of Bishops Place, and build new. But they were not just building new anywhere in the city, they were building new in a City Historic District, and the condition of wood or wood clad windows was the cost for them to be able to do that.

They are now coming back and are asking for something that I can only determine is a change that would offer them more profits on this project, and profits that would be to their sole benefit. A change from wood or wood clad windows offers no benefit to the neighborhood, offers no benefit to the historic district, and offers no benefit to the trade we made for the loss of historic structures in exchange for their new development.

Please do not remove this condition. I believe you made the correct decision when the condition for wood or wood clad windows was made for this project and I believe you should make them stick to that condition.

Thank you for your time and consideration.

Casey O'Brien McDonough

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [Charles Rosier](#)
To: [Historic Landmark Comments; Knight, Nelson](#)
Subject: (EXTERNAL) Bishop Place PLNHLC2019-01157 &01158
Date: Monday, December 27, 2021 4:29:00 PM

Dear Historic Landmark Commission,

I'm writing to encourage the Commission and Salt Lake City to reject any further modifications to the approval for the Bishop Place Project. Mr. Garbett should never have purchased property in the historic district, if he was not prepared to follow the guidelines contained in the SR-3 (Special Development Pattern Residential District and Chapter 12 of the *Residential Design Guidelines*. At minimum the requirement to use wood windows in the new construction will help give the new dwellings a somewhat historic feeling and appearance, that cannot be obtained with cheap vinyl windows.

Furthermore, Mr. Garbett was already given permission by former Mayor Biskupski to demolish the 9 eligible and contributing dwellings that made up Bishop Place. This slimy deal by the mayor should never have occurred. Any replacement dwellings should be carefully reviewed by the planning division and landmark commission to ensure the development does not detract visually from the historic district, which contains many of the oldest homes remaining in Salt Lake City.

Many residents live in this area, because of the historic architecture.

Thank you

Charles Rosier



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