

Stephen C. Pace Zoning Text Amendment Proposal for Historic Carriage House Structures

UPDATED APPLICATION AND NARRATIVE

April 3, 2020

TO: Kelsey Lindquist, Senior Planner, Salt Lake City Planning Division
FROM: Kirk Huffaker, Principal/Consultant, Kirk Huffaker Preservation Strategies
CC: Stephen Pace, Applicant and Property Owner

As of April 2, 2020, the city has chosen not to provide an advance copy of draft language or alternatives for their proposal, so we are not yet in a position to comment on the pros and cons or details of whatever the city's position may be. We are therefore requesting through this updated application to proceed with this application without further additions by the city.

We have not attempted to draft our suggestions in terms of the specific sections of the city code that will satisfy final location of the amendment within the zoning code. In the event that our proposal is carried forward to city council, we believe that this will need to be done under supervision of the city attorney at a later date. Instead we have presented a synopsis below of what we believe provisions in the zoning code should allow for in the reconstruction/rehabilitation/restoration of documented historic carriage houses associated with current or potential National Register of Historic Places-listed sites and located in areas with current multi-family zoning. The narrative highlights reasons why the city should support this measure and what we believe the limited impacts on development could be.

PROPOSED TEXT AMENDMENT

Stephen C. Pace, the applicant, is the owner of 222 4th Ave., Salt Lake City, and desires to rebuild a carriage house associated with the historic William F. Beer Estate. Four structures, including the carriage house, of the estate are listed as a Salt Lake City Landmark Site and listed on the National Register of Historic Places. The following text amendment is submitted to the Planning Division for review and comment. The applicant desires Administrative and/or Planning Commission consideration to resolve a property size issue in the Avenues historic district. The current property is zoned RMF-35 and is located in the Lower (West) Avenues neighborhood. There are three primary issues that

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are not satisfied by any section in the current Zoning Ordinance, including all of the following:

- Two residentially-used structures on the same property where the property owner does not keep a permanent address;
- Allowance for reconstruction of a previously existing structure;
- Allowance to reconstruct without meeting the minimum lot size within the zoning district.

To address these shortcomings, the following draft language is proposed as a text amendment to Chapter 21A.34 Overlay Districts under 21A.34.020 H Historic Preservation Overlay District. It is the desire of the applicant to obtain approval for an application under this text amendment with one review and public process through the Historic Landmarks Commission. Utilizing this process will give the public an opportunity for input before one public commission.

In the H Historic Preservation Overlay District as defined under Chapter 21A.34.020, reconstruction of a historic carriage house is allowed if the following conditions are met:

- 1) The property and address are a Salt Lake City Landmark Site as defined within Chapter 21A.34.020.
- 2) The property and address are listed on the National Register of Historic Places, either individually or as a Contributing structure in a National Register-listed Historic District.
- 3) The property and address in the application currently have, or historically had, a carriage house on the property.
- 4) For the purposes of this text amendment, a carriage house is defined as a physically-detached, secondary structure originally constructed to house horse-drawn vehicles and related equipment, or horses, or used to store grain or shelter animals; all related to serving the private transportation needs of the owner/residents of the primary structure located on the same or adjacent property. Some examples incorporate a hay loft, second story or half-story, or open interior space under a pitched roof in excess of 15 feet from the floor to the roof peak, and may have provided housing for a livery man or house servants.

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5) Previously existing carriage houses proposed for reconstruction must be proven, with the burden of proof on the application, to have previously existed through at least two of the following methods:

- Sanborn maps;
- Historic photographs;
- Planning, zoning or building permit records;
- Identifiable surviving structural elements such as foundations, walls, basements, etc.

6) The site is located within and possesses a multi-family zoning classification.

7) The reconstruction will not exceed the size of the original structure (i.e. built within the historic footprint).

8) Proposed alterations a carriage house – including rehabilitation, restoration, and reconstruction – will meet the Secretary of the Interior’s Standards for the Treatment of Historic Properties and successfully obtain a Certificate of Appropriateness from the Salt Lake City Historic Landmarks Commission.

9) If no adjacent neighbor impacts are determined, the reconstruction will follow original/historic setbacks and thus not be required to meet modern setback standards. If unintended neighbor impacts are determined to be present for adjacent properties, additional buffers may be required.

10) The reconstructed carriage house will result in a maximum of one new dwelling unit on the property.

11) The reconstruction will only be for residential use.

12) The design of the reconstruction and will meet all applicable design review standards and criteria through the Historic Landmarks Commission review process

13) The site has a clean record, such that buildings on the property were not built or subdivided illegally.

14) The site will be restricted from further subdivision at any time in the future.

The following conditions are not required by this text amendment to allow for reconstruction:

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- 1) That the property owner be required to keep a permanent address at the site of the reconstruction.
- 2) Meeting the current minimum lot size.
- 3) Meeting off-site parking standards.

Submitted on February 4, 2020

This application and accompanying narrative for zoning text amendment is submitted on behalf of Stephen Pace, property owner for 222 4th Avenue, Salt Lake City. The applicant desires Administrative, Planning Commission, and City Council consideration of and prompt action on the application to resolve multiple zoning issues with the subject property that prevents the owner from achieving his goal of adaptive use/reconstruction of a historic carriage house. This former carriage house was one of the four primary structures of the historic William F. Beer Estate, which was listed in the National Register of Historic Places (NRHP) in 1977 and is an individual landmark site in the Salt Lake City Cultural Register.

According to historic research, the Beer Estate residence and carriage house date to circa 1899. Both were constructed according to design by architect Richard K.A. Kletting. Kletting also served as architect for a house and carriage house with similar details for Albert Fisher (Fisher Mansion and Carriage House) at 1206 West 200 South in 1893. The Beer Estate carriage house is described in the NRHP nomination as follows:

Area residents describe it as originally a two-story brick structures with a “steeple” top. Dimensions were approximately 47’ x 40’ and it was used to shelter (at least) nine draft/riding horses, cattle, chickens, rabbits, etc., two buggies, and as a residence for the caretakers. The structure was cut in half about World War I, for use as a garage. Current condition is deteriorated.

Since 1977 when the paragraph was written, the carriage house has continued to deteriorate. Current site conditions exhibit severe structural deficiency but original brick and stone foundations, wood floors, and wood framing and walls are present.

The owner desires to rebuild the carriage house within the original footprint and according to the original design. Use of the carriage house is proposed to be single-family residential with a single-car garage. Due to the cost of material salvage, architectural

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replication, and construction, and given that the project is entirely privately funded, the housing unit is not proposed to be affordable housing. Some original materials have already been salvaged for reuse, and the owner desires to reuse as much of the existing material and structure as possible in the reconstruction. The proposed design for reconstruction of the carriage house has been completed and initially submitted for discussion with the city.

The property at 222 4th Ave. is zoned RMF-35 and is located in the Lower (West) Avenues neighborhood and Avenues Historic District. There are three primary issues that are obstacles to adaptive use and reconstruction and not satisfied by any section in the current zoning ordinance, including:

- Allowance for two residentially-used structures on the same property where the property owner does not keep a permanent address;
- Allowance for reconstruction of a previously existing structure;
- Allowance to reconstruct without meeting the minimum lot size within the zoning district.

In addition, we believe that these issues will not be resolved by the Adaptive Reuse Ordinance (in process), revisions to the RMF-30 zoning classification (in process), and are not addressed through the Accessory Dwelling Unit ordinance.

Therefore, to address the shortcomings, the following supportive documentation and zoning text amendment draft language are proposed for Chapter 21A.34 Overlay Districts under 21A.34.020 H Historic Preservation Overlay District. As a point of application process, it is acceptable to the applicant to utilize the city's existing process for Conditional Use to obtain approval for use of the property. We believe that utilizing the Conditional Use process along with Historic Landmarks Commission review for design will adequately give the public two opportunities for input before two separate commissions. However, if the Planning Division can determine another acceptable application and review process that would only involve review before one commission and administrative review, the applicant would be open to receiving information about this possibility. The applicant reserves the right to approve or deny any proposed process change.

The goals of this application to address the three current deficiencies and well supported by the city's wide range of plans and guiding documents, including those that are

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neighborhood-specific, for historic preservation, and for housing. The following is a summary list of those plans and supportive statements from each.

Avenues Master Plan

Housing and Neighborhood Improvement Planning Goal: Continue to encourage private restoration and rehabilitation efforts in the Avenues Community through financial assistance and supportive zoning and building code enforcement. (pg. 3)

Historic Preservation Planning Goal: Encourage preservation of historically and architecturally significant sites and the established character of the Avenues and South Temple Historic Districts. (pg. 4)

Future land use map indicates Medium-Density 8-20 Units per Gross Acre (pg. 7)

Property is situated between an urban trail (A Street) and within one block of two Collector streets (B Street and Second Avenue), as well as a half-mile from the Central Business District, therefore meeting this plan's and many other plan's goals of proximity to transportation and for walkability.

Urban Design Planning Goal: Design public facilities to enhance the established residential character of the Avenues, and encourage private property improvements that are visually compatible with the surrounding neighborhood. (pg. 10)

Residential Design Guidelines

The applicant's overall goal is most closely defined as Rehabilitation in the Salt Lake City Design Guidelines, but could also be viewed as a combination of strategies, including Reconstruction. Rehabilitation is defined in Part I, page 3:5:

“Rehabilitation is the process of returning a property to a state which makes a contemporary use possible, while still preserving those portions or features of the property which are significant to its historic, architectural, and cultural values. Rehabilitation may include the adaptive reuse of the building, and major or minor additions may also occur. Most good preservation projects in Salt Lake City may be considered rehabilitation projects.”

A definition for Reconstruction is provided in the Appendix, pg. C:3, and states that Reconstruction is:

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“The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, or object, or a part thereof, as if [sic] appeared at a specific period of time.”

Accessory Structures (Part II 9:1)

This application follows the guidelines in Chapter 9: Accessory Structures, including the Context & Character, Design Objective, Preserving or Rehabilitating Historic Accessory Structures, and subsections with the headings:

- Preserve a historic accessory building when feasible.
- New accessory buildings should be constructed to be compatible with the primary structure.
- Attaching garages and carports to the primary structure should be avoided.

The Avenues (Part III 13:1-14)

This application complies with the stipulations on page 13:12 under the heading Accessory Structures within the specific chapter for The Avenues:

- Most secondary structures were built along the rear of the lot, accessed by the alley, if one existed. This should be continued.
- Garages, as well as driveways, should not dominate the streetscape; therefore, they should be detached from the main house and located to the rear of the house, if possible.
- Historically, garages and carriage houses in the Avenues were simple wood structures covered with a gabled or hipped roof.
- A new secondary structure should follow historic precedent, in terms of material and form.

Community Historic Preservation Plan

“The need to preserve the unique character of the City’s urban neighborhoods, while allowing for modifications to existing homes to meet today’s current living standards for space and convenience are important City policies.” (pg. 1-8)

The CHPP references the city’s Community Housing Plan (II-7,8), and while those references are supportive of this application, they are not from the city’s most current housing plan. The city adopted the Growing SLC Housing Plan in 2018 and references

from that plan are included in a later section. However, the CHPP does reference goals of the city's Strategic Plan and Futures Report on pages II-10 and II-11. Those that are also supportive of this application include:

- Enforce preservation strategies for buildings and neighborhoods.
- Our historical heritage, including historic buildings and neighborhoods, is recognized as a vital component of an exciting, livable city. Preserve historic structures, streets, and other landmarks in all new development strategies.
- Assist property owners with solving the challenges of adaptive reuse.

Policies and Actions Relating to Regulations

3.3l Encourage amendment of the building development code to clearly enable appropriate historic renovation and remodels as well as adaptive reuse of historic structures.

3.3k Support modifications of existing historic resources to allow for changes in use that will encourage the use of the structure for housing or other appropriate uses in historic districts in an effort to ensure preservation of the structure.

Regulatory Incentives

Two sections that support this application are Flexibility in Zoning Regulations (III-31), and Adaptive Reuse of Historic Buildings (III-32). These are further supported by:

3.4a Continue to broaden the range of regulatory tools available to encourage the preservation of historic properties.

3.4c Modification to lot, bulk and signage standards should be allowed in local historic districts and to Landmark Sites where the modification would allow for better compliance with the historic preservation standards than the underlying zoning standard would allow.

3.4d Adaptive Reuse of Historic Structures should be allowed for a variety of uses in appropriate locations where it is found that the negative impacts can be mitigated and where the uses do not require significant alterations to the historic integrity of the interior of the structure.

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Economic Development

6.4c Historic preservation is identified as an important means of providing employment opportunities for local crafts persons and skilled workers which keep money in the local economy.

Housing

6.5a Ensure zoning supports the retention and reuse of existing historic apartment and non-residential buildings.

6.5b Support the renovation and use of historic apartment buildings and the adaptive reuse of historic non-residential buildings for residential units.

6.5e Allow the development of additional dwelling units as an incentive for preservation of historic structures.

Growing Salt Lake Housing Plan

Goal 1: Increase Housing Options

Objective 1: Review and modify land-use and zoning regulations to reflect the affordability needs of a growing, pioneering city.

1.1.1 Develop flexible zoning tools and regulations, with a focus along significant transportation routes.

1.1.2 Develop in-fill ordinances that promote a diverse housing stock, increase housing options, create redevelopment opportunities, and allow additional units within existing structures, while minimizing neighborhood impacts.

Objective 2: Remove impediments in City processes to encourage housing development.

Goal 3: Equitable & Fair Housing

Objective 2: Align resources and invest in strategic expansion of opportunity throughout all neighborhoods of the city and access to existing areas of opportunity.

Objective 3: Implement Life cycle Housing principles in neighborhoods throughout the city.

3.3.1 Support diverse and vibrant neighborhoods by aligning land use policies that promote a housing market capable of accommodating residents throughout all stages of life.

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The SLC Comprehensive Housing Policy (2016) also includes supportive statements for this proposal:

1. Foster and celebrate the urban residential tradition;
2. Respect the character and charm of predominantly residential districts, including those with historic character and qualities, while also providing opportunities for the provision of local goods and services easily accessed by neighborhoods;
4. Develop new housing opportunities throughout the City;
7. Recognize that residents, business owners, and local government all have a role to play in creating and sustaining healthy neighborhoods.

Plan Salt Lake

Under Sustainable Growth & Development on page 9, the paragraphs on Placemaking and Density, and those that reference Compatibility and Green Building on page 10, are supportive of this application.

On page 14, supportive Guiding Principles of Plan Salt Lake include the following:

- 2) Growing responsibly while providing people with choices about where they live, how they live, and how they get around.
- 3) Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.
- 8) A beautiful city that is people focused.
- 9) Maintaining places that provide a foundation for the City to affirm our past.
- 10) Vibrant, diverse, and accessible artistic and cultural resources that showcase the community's long standing commitment to a strong creative culture.

Under Chapter 1 - Neighborhoods, the supportive Initiatives on page 17 include:

1. Maintain neighborhood stability and character.
4. Support neighborhood identity and diversity.
6. Incorporate artistic elements and support cultural events on a neighborhood scale to reinforce neighborhood character and identity.

Under Chapter 2 - Growth, the supportive Initiatives on page 19 include:

1. Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors
3. Promote infill and redevelopment of underutilized land.
6. Accommodate and promote an increase in the city's population.

Under Chapter 3 - Housing, the supportive Initiatives on page 21 include:

2. Increase the number of medium density housing types and options.
4. Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.
6. Promote energy efficient housing and rehabilitation of existing housing stock.

Under Chapter 6 - Natural Environment, the supportive Initiatives on page 27 include:

3. Practice responsible waste management by: reusing and repurposing materials, including promoting the reuse of existing buildings over demolition.

Under Chapter 8 - Beautiful City, the supportive Initiatives on page 31 include:

5. Support and encourage architecture, development, and infrastructure that: reflects our diverse cultural, ethnic, and religious heritage.
7. Reinforce and preserve neighborhood district character and a strong sense of place.

Under Chapter 9 - Preservation, the supportive Initiatives on page 33 include:

1. Preserve and enhance neighborhood and district character.
2. Encourage the incorporation of historic elements into buildings, landscapes, public spaces, streetscapes, neighborhoods, and districts where appropriate.
3. Retain areas of structures of historic and architectural value.
4. Integrate preservation into City regulation, policy, and decision making.
5. Balance preservation with flexibility for change and growth.

Under Chapter 13 - Government, the supportive Initiatives on page 41 include:

2. Provide opportunities for public participation, input, and engagement throughout the decision-making process.