

PLANNING COMMISSION STAFF REPORT

YNC YALECREST NEIGHBORHOOD CHARACTER OVERLAY DISTRICT

PLNPCM2010-00448 – Zoning Text Amendment
PLNPCM2010-00461 – Zoning Map Amendment

Public Hearing: August 11, 2010



Planning Division
Department of Community &
Economic Development

Applicant:

Salt Lake City Council

Staff:

Michael Maloy, AICP at 801-535-7118, or
michael.maloy@slcgov.com

Tax ID:

Not applicable

Current Zone:

R-1/7,000 and R-1/5,000 Single-Family Residential
Districts, and YCI Yalecrest Compatible Infill
Overlay District

Master Plan Designation:

East Bench Community Master Plan – Low Density
Residential (published April 1987)

Council District:

District 5 – Jill Remington Love, and District 6 –
J.T. Martin

Community Council:

Yalecrest – George Kelner, Chair

Applicable Land Use Regulations:

- 21A.24.060 R-1/7000 Single-Family Residential District
- 21A.24.070 R-1/5000 Single-Family Residential District
- 21A.34.120 YCI Yalecrest Compatible Infill Overlay District
- 21A.50 Amendments

Notification:

- Notice mailed on July 30, 2010
- Newspaper ad on July 22, 2010
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on July 22, 2010

Attachments:

- A. Proposed Ordinance
- B. Public Comments
- C. Planning Commission Briefing Notes
- D. Historic Landmark Commission Hearing Notes
- E. Department Comments

Request

The Salt Lake City Council has requested that the Administration provide recommendations for proposed regulations in a portion of the Yalecrest neighborhood that include: refining what constitutes a demolition; requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmark Commission; and that the front setback for any new construction or building remodel remain the same as the existing structure. This is a zoning text and map amendment. The Planning Commission is being asked to make suggestions and/or a recommendation to the City Council relating to these petitions.

Potential Motions

Motion to Approve

Based on the discussion and findings contained within the staff report, I move the Planning Commission recommend the City Council approve petitions PLNPCM2010-00448 and PLNPCM2010-00461 to establish the YNC Yalecrest Neighborhood Character Overlay District and amend the Salt Lake City Zoning Map as shown in Attachment A.

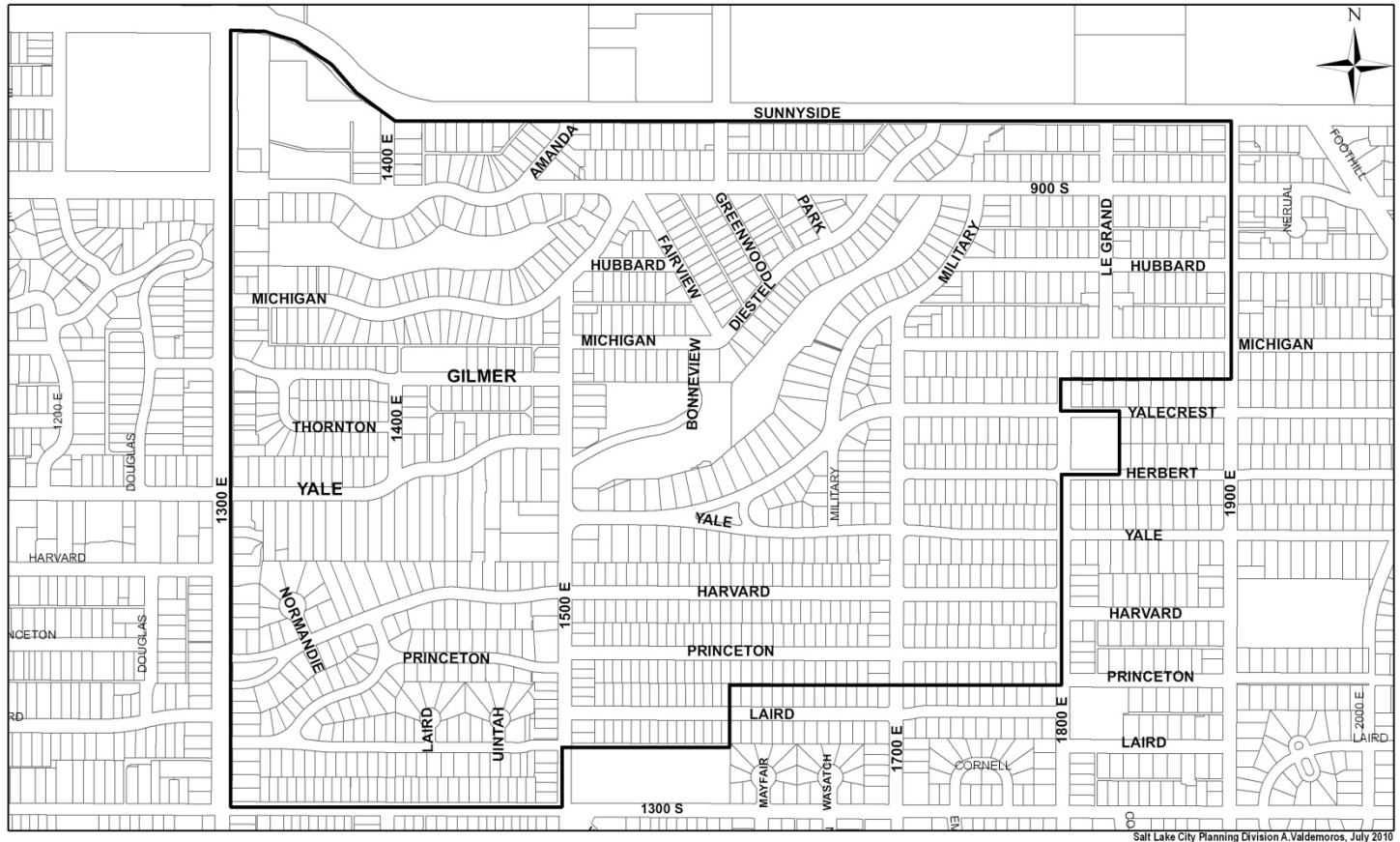
Motion to Deny

Based on the evidence and testimony received, I move the Planning Commission recommend the City Council deny petitions PLNPCM2010-00448 and PLNPCM2010-00461 to establish the YNC Yalecrest Neighborhood Character Overlay District and amend the Salt Lake City Zoning Map as shown in Attachment A.

Motion to Table

Based on the evidence and testimony received, I move the Planning Commission table petitions PLNPCM2010-00448 and PLNPCM2010-00461 to establish the YNC Yalecrest Neighborhood Character Overlay District and amend the Salt Lake City Zoning Map as shown in Attachment A for further review and consideration.

Vicinity Map



Background

Project Description

On March 9, 2010 the Salt Lake City Council passed temporary zoning regulations for the Yalecrest neighborhood. The temporary regulations require that additions, remodels, and new construction be reviewed by the Historic Landmark Commission in accordance with Historic District Overlay regulations and prohibits demolitions. Since passing the temporary regulations, the City Council has been working with the Yalecrest neighborhood on the creation of a Local Historic Preservation District. Through their work with the neighborhood, the City Council has determined that there is an immediate need to preserve the unique collection of pre-World War II architectural styles and the cohesive streetscape patterns that define the neighborhood.

On July 6, 2010 the City Council reduced the area of the Yalecrest neighborhood regulated by the temporary zoning standards. The Council also adopted the following legislative intent:

Within the area of the revised temporary regulations, the Administration, Historic Landmark and Planning Commissions provide recommendations for proposed regulations that include refining what constitutes a demolition, requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmark Commission and that the front setback of the existing structures must remain the same for any proposed building plans for new construction or remodeling. This would be an expedited process to be completed prior to the temporary regulations expiration date on September 10, 2010.

In response to this legislative intent, the Planning Division has drafted a proposed ordinance for review (see Attachment A – Proposed Ordinance).

On July 21, 2010 the Planning Division conducted an “open house” meeting at the Rowland Hall-Saint Marks chapel building located at 720 Guardsman Way (1590 East). Approximately 63 people attended the two hour meeting. Following a presentation by staff on the proposed regulation, numerous individuals spoke in favor and against the proposal; however most attendees were opposed to the proposed zoning amendment (see Attachment B – Public Comments).

Following the open house meeting—and prior to publication of this report—staff received 56 written comments from various individuals. Following a review of these comments, staff estimates that:

- 8 favor the proposed ordinance;
- 35 oppose the proposed ordinance; and
- 13 favor additional regulation, but oppose the proposed ordinance.

In general, residents who oppose the proposed ordinance claim the regulation is excessively bureaucratic, diminishes property rights, and prevents reasonable remodels. Residents who support the petition view the regulation as a tool to limit demolitions of dwelling units that contribute to community character, maintains property values, and improves compatibility or replacement structures (see Attachment B – Public Comments).

On July 28, 2010 the Planning Division provided a “briefing” to the Planning Commission on the proposed ordinance. No public comment was taken during the briefing. During the briefing staff presented the proposed ordinance, identified key areas of concern as expressed by the community, discussed potential amendments to the draft ordinance, and proposed alternatives for future consideration (see Attachment C – Planning Commission Briefing Notes).

On August 4, 2010 the Historic Landmark Commission conducted a public hearing on the proposed ordinance. Based on testimony received during the hearing, approximately 21 residents opposed the proposed legislation while 5 were in favor. Following the hearing, the Historic Landmark Commission voted unanimously to recommend to the Planning Commission and City Council denial of the proposed zoning amendments (see Attachment D – Historic Landmark Commission Hearing Notes).

Proposed Ordinance Overview

In response to the legislative intent adopted by the City Council, the Planning Division has drafted a proposed ordinance that creates regulations for a new overlay district. The new overlay district is being created because the area is regionally known for its visually cohesive collection of early 20th century architectural styles. In order to retain the integrity of the neighborhood, which is important to the architectural history of the City, the proposed ordinance attempts to minimize the demolition of homes that are deemed to be architecturally significant. The ordinance also addresses the importance of the visual streetscape pattern by requiring that the existing front yard setbacks are maintained.

The following provides a summary of the proposed ordinance regulations. The proposed ordinance is attached as Attachment A:

- 1) Define “Demolitions” – the ordinance defines demolition as an act or process which results in the removal or intentional destruction of a principal building further defined as:
 - a) 50% or more of the roof area as measured in plan view;
 - b) 50% or more of the exterior walls of a building as measured contiguously around the exterior of the building walls;

- c) Any exterior wall facing a public street;

The definition goes on further to define what is required to consider a wall a retained wall:

- a) The wall must retain studs or other structural elements and the entire exterior wall finish;
- b) The wall cannot be covered or concealed by a wall that is proposed to be placed in front of the retained wall. Open, covered porches are not considered a concealing wall; and
- c) The retained wall must be attached to an adjacent contiguous wall on at least one corner.

2) Prohibit the demolition of “Significant Structures” unless:

- a) The structure is determined a dangerous building by the Building Official; or
- b) The Historic Landmark Commission finds that demolition is required to rectify a condition of economic hardship (see 6); or
- c) The Historic Landmark Commission determines that demolition is appropriate according to a set of standards (see 5).

3) Determine whether a building is considered a Significant Structure using the following set of standards:

- a) The structure must be at least 50 years old. The Planning Division recommends that the 50 year standard is used because it is the common planning and preservation standard utilized when analyzing a property for its historic contribution to the City.
- b) The building meets at least one of the following criteria:
 - i) The building is historically or architecturally significant because of period, style, method of building construction, or important association with a famous architect or builder; or
 - ii) The building has an important association with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the City; or
 - iii) The building is one whose loss would have a significant negative impact on the historical or architectural integrity or urban design character of the neighborhood;
- c) The original character has been retained since the building was constructed. This includes scale, massing, materials, architectural features, and associated spaces that characterize the structure.

4) Establish a process for determining if a structure is significant. The process includes:

- a) Notification to surrounding property owners and a 30 day public comment period
- b) Review by the Planning Director to determine if the structure meets the standards stated in number 3 above
- c) Review by the Historic Landmark Commission if the Planning Director deems it appropriate

5) Establish standards and process for reviewing applications for demolition of Significant Structures.

- a) The Historic Landmark Commission may approve the demolition of a significant structure if they determine the following:
 - i) The demolition is required to rectify a condition of economic hardship; or
 - ii) The streetscape within the context of the overlay district would not be negatively affected; and
 - iii) The Historic Landmark Commission finds that the reconstruction plan is consistent with a set of standards (see 7); and
 - iv) The site has not suffered from willful neglect.
- b) In making the decision on demolition of a Significant Structure other than cases of economic hardship, the Historic Landmark Commission can approve, approve with conditions, deny, or defer the decision for up to one year to allow time for consideration of designation of the structure as a Landmark Site to the Salt Lake City Register of Cultural Resources.

6) Establish standards and process for determining economic hardship.

- a) The process includes:

- i) Application submittal including all relevant information necessary to determine if the economic hardship standards are met
 - ii) Establishing a three person Economic Review Panel who reviews the evidence submitted by the applicant and submits a report to the Historic Landmark Commission
 - iii) Historic Landmark Commission review of the Economic Review Panel report in a public hearing. The Historic Landmark Commission makes the final decision on the economic hardship application
 - b) The Economic Review Panel and Historic Landmark Commission will review the application to determine if denying the demolition would deprive the property owner of all reasonable economic use or return on the property taking into consideration the following:
 - i) The current level of economic return on the property
 - ii) The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and price asked and offers received, if any, within the previous two (2) years.
 - iii) The infeasibility of alternative uses that can earn a reasonable economic return for the property
 - iv) Economic incentives and/or funding available to the applicant through federal, state, city, or private programs
- 7) Establish standards for reviewing the reconstruction plan associated with the demolition of a Significant Structure.
- a) In reviewing all demolition applications, the Historic Landmark Commission will review and approve, approve with conditions, or deny a reconstruction plan based on a set of standards that address scale and form, composition of principal facades, and relationship to the street in relation to surrounding structures.
- 8) Require that the existing setback between the front property line and the front of an existing building is maintained in order to preserve the character of the streetscape.

Discussion

As mentioned previously, the Planning Commission and staff identified several issues of concern within the proposed ordinance. To facilitate discussion of these issues, staff has provided the following summary:

- What is Intent of Proposed Ordinance?
 - a. Limit the number of “tear downs?”
 - b. Preserve the character of the neighborhood?
- Definition of Demolition.
 - 1. City Code currently defines demolition as 75% of the structure. This has lead to demolition of everything above ground while retaining the basement (i.e. foundation, etc).
 - 2. Proposal to change the definition to clarify the removal of what percentage of the above grade structure would constitute demolition.
 - a. Current proposed ordinance defines demolition as:
 - i. 50% of the above grade walls;
 - ii. 50% of the roof structure; or
 - iii. Removal of any exterior wall facing the street.
 - b. Current proposed ordinance addresses both limiting the number of tear downs and preserving the character of the neighborhood by including the 50% of the roof structure provision in the demolition ordinance.

3. There has been a lot of public comment that 50% removal of the roof structure should not be considered demolition.
 - a. The “lay” person thinks the removal of the building is a demolition—not removal of the roof.
 - b. Current proposal does not specify whether roof removal is allowed on the front or back of the house; so if the roof is removed on the front portion, a second story addition could be built on the front portion of the roof, which would alter the character of the structure yet still meet the regulations.
 - c. Allowing removal of the roof would allow for second story additions of which in some portions of Yalecrest is the only opportunity for adding additional space.
 - d. Allowing second story additions would change the character of the area.
 - e. Planning Commission noted that the 50% of the roof provision could be removed from the demolition definition, but require compliance of second-story additions with specific design principals.
 4. Options.
 - a. No change
 - b. Recommend proposed ordinance (50% of above grade walls; 50% of roof; removal of exterior wall facing street).
 - c. Recommend that 75% (or some other percentage) removal of above grade structure constitutes demolition.
 - d. Recommend that 50% removal of contiguous above grade walls constitutes demolition.
 - e. Recommend that 50% or more of the roof could be removed if the second story addition met certain design principals.
 - f. Other
 5. Should the ordinance be clarified to state that changes to the front façade—such as doors, windows, porches, etc—is allowed? The intent is to allow this type of remodel, and from a technical standpoint, the definition works, but the lay person may not understand what is meant by the phrase “the wall shall retain studs or other structural elements and the entire exterior wall finish.”
- Regulations to Front Setback.
 1. Should an exception to the front yard setback regulation be included in the ordinance in order to change the front yard setback (such as averaging the block face, ensuring compatibility with abutting structures, compliance with original subdivision plat information, etc) rather than just a hard and fast rule with no exceptions (other than a variance)?
 - Demolition Approval Process.
 1. There should be a provision for an unsafe building. Building Official currently has that authority even in historic districts.
 2. There should be a provision for economic hardship to ensure that there is still a reasonable economic use of the property.
 3. There should be a process for approval of demolition where certain criteria are met.
 - a. What should the criteria be?
 - i. Need to be able to evaluate whether the replacement structure is equivalent to or better than the original structure.

- ii. Can the City have specific standards without having “design guidelines” on which to base the decision?
- b. Should there be a waiting period for all demolition requests to allow time to look at whether there are other options to demolition (sell the property, designate the property as historic, etc.)?
 - i. If the goal is to preserve the existing building—probably yes
 - ii. If the goal is to ensure compatible development in order to preserve the character of the neighborhood—maybe not.

Comments

Public Comments

The proposed ordinance was presented in a public open house meeting on July 21, 2010. Written comments from open house attendees and all other sources (received to date) have been attached for review (see Attachment B – Public Comments).

City Department Comments

On July 15, 2010, the Salt Lake City Planning Division solicited comments from all applicable City Departments and Divisions. All responses received prior to publication of this staff report are attached (see Attachment E – Department Comments).

Analysis and Findings

Zoning Text Amendment

Section 21A.50.050 – A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making its decision concerning a proposed text amendment, the city council should consider the following factors:

- 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;**

Finding: The properties affected by the proposed overlay district are located in the East Bench Community Master Plan (EBMP) area. The Urban Design section of the Master Plan makes the following statement regarding the Harvard-Yale area, which is within the proposed overlay district:

The older Harvard-Yale area contains many buildings of architectural and historical significance. Conditions may warrant creating a conservation or historic district in this area where the city would review all new buildings, additions, or alterations for compatibility with established neighborhood character (EBMP, page 14).

While the proposed ordinance is not creating a conservation or historic district, it has been developed to ensure that the existing character of the neighborhood is preserved by regulating demolitions and preserving existing front yard, streetscape setbacks. Staff finds that the proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated in the East Bench Community Master Plan.

- 2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;**

Finding: Salt Lake City Code provides the following purpose statement for the zoning ordinance:

21A.02.030: Purpose and Intent. *The purpose of this title is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act, title 10, chapter 9, of the Utah Code Annotated or its successor, and other relevant statutes. This title is, in addition, intended to:*

- A. Lessen congestion in the streets or roads;*
- B. Secure safety from fire and other dangers;*
- C. Provide adequate light and air;*
- D. Classify land uses and distribute land development and utilization;*
- E. Protect the tax base;*
- F. Secure economy in governmental expenditures;*
- G. Foster the city's industrial, business and residential development; and*
- H. Protect the environment.*

The proposed zoning amendment is intended to “promote safety...order, prosperity and welfare of the present and future inhabitants of Salt Lake City.” Furthermore, the proposed legislation is intended to “protect the tax base” and “protect the environment” through the limitation of demolitions of character defining structures within the Yalecrest neighborhood.

In addition to the overall purpose of the Zoning Ordinance, the specific purpose of the residential zoning districts is to:

“... provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans.” (Section 21A.24.010A, SLC Zoning Ordinance)

The proposed zoning amendment is intended to “promote the harmonious development” of the Yalecrest neighborhood by preserving the homes and streetscape setbacks that define the unique character of the neighborhood. The proposed ordinance also “ensures compatible infill development” by requiring that, in the event a significant structure is demolished, the replacement structure is compatible with surrounding homes.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

Finding: The proposed overlay district is located within the existing YCI Yalecrest Compatible Infill Overlay District. Salt Lake City Code 21A.34.120 provides the following purpose statement:

21A.34.120.A YCI Yalecrest Compatible Infill Overlay District—Purpose Statement: The purpose of the Yalecrest compatible infill (YCI) overlay district is to establish standards for new construction, additions and alterations of principal and accessory residential structures within the Yalecrest community. The goal is to encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood. The YCI overlay district promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character. The standards allow for flexibility of design while providing compatibility with existing development patterns within the Yalecrest community.

Through the limitation of demolitions and maintenance of existing streetscape building setbacks, the proposed zoning amendment will “encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood.” Furthermore, the proposal “promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments...and neighborhood character” as stated previously.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Finding: The primary purpose of the proposed text amendment is to protect the Yalecrest neighborhood from demolitions and additions that harm character defining features that are broadly recognized and valued by the community. Character defining features are building architecture, mass, scale, construction materials, and spatial relationships. Based on a 2005 survey that studied the quantity and quality of existing character defining features, the Yalecrest neighborhood was successfully registered in 2007 as a National Historic District recognized by the National Parks Service under the Secretary of the Interior. Furthermore, Salt Lake City is currently engaged in discussions with local property owners, architects, and preservation consultants on whether or not to designate the neighborhood as a local historic district. Current professional practice recognizes preservation of neighborhood aesthetics and property values—which is promoted by the proposed zoning amendment—is as valid as ensuring public safety, health, and welfare.

Zoning Map Amendment

Section 21A.50.050 - A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment to the Zoning Map, the city council should consider the following factors:

1. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City;

Finding: As stated previously, the properties affected by the proposed overlay zoning district are located in the East Bench Community Master Plan area. The Urban Design section of the East Bench Master Plan makes the following statement regarding the Harvard-Yale area:

The older Harvard-Yale area contains many buildings of architectural and historical significance. Conditions may warrant creating a conservation or historic district in this area where the city would review all new buildings, additions, or alterations for compatibility with established neighborhood character (EBMP, page 14).

While the proposed ordinance is not creating a conservation or historic district, it has been developed to ensure that the existing character of the neighborhood is preserved by regulating demolitions and preserving existing front yard, streetscape setbacks. Staff finds that the proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated in the East Bench Community Master Plan.

2. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;

Finding: The purpose of the proposed overlay district is to preserve the character of existing development in the neighborhood by regulating demolitions and preserving existing front yard, streetscape setbacks.

3. The extent to which the proposed amendment will adversely affect adjacent properties;

Finding: The proposed overlay district will not increase density, impact traffic, change land uses, or existing development patterns. The intent of the proposed overlay district is to “protect” properties “by minimizing the demolition of homes that significantly define the character of the Yalecrest neighborhood and...preserve streetscape building setbacks.”

4. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and

Finding: As stated previously, the proposed overlay district is located within the existing YCI Yalecrest Compatible Infill Overlay District. Salt Lake City Code 21A.34.120 provides the following purpose statement:

***21A.34.120.A YCI Yalecrest Compatible Infill Overlay District—Purpose Statement:** The purpose of the Yalecrest compatible infill (YCI) overlay district is to establish standards for new construction, additions and alterations of principal and accessory residential structures within the Yalecrest community. The goal is to encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood. The YCI overlay district promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments, safety, privacy, and neighborhood character. The standards allow for flexibility of design while providing compatibility with existing development patterns within the Yalecrest community.*

Through the limitation of demolitions and maintenance of existing streetscape building setbacks, the proposed zoning amendment will “encourage compatibility between new construction, additions or alterations and the existing character and scale of the surrounding neighborhood.” Furthermore, the proposal “promotes a desirable residential neighborhood by maintaining aesthetically pleasing environments...and neighborhood character” as stated previously.

5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

Finding: The proposed overlay district would not increase density in the neighborhood or change the existing development pattern. Staff finds that the proposal would have no impact on roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater or refuse collection.

Attachment A – Proposed Ordinance

DRAFT
July 20, 2010

21A.34.125 YNC Yalecrest Neighborhood Character Overlay District

A. Purpose Statement: The area included in the Yalecrest Neighborhood Character Overlay District (YNC) is known regionally for its importance in the residential development of the East Bench and the unique and irreplaceable, visually cohesive collection of early 20th century architecture of the City. The purpose of the Yalecrest Neighborhood Character Overlay District is to protect, preserve, and retain the historic integrity of this residential neighborhood by minimizing demolitions and maintaining the cohesive patterns which define the character of the neighborhood.

B. Overlay District Boundary: The YNC overlay district applies to all property located within the area defined on Figure 21A.34.XXX except those properties located within an H Historic Preservation Overlay District.

C. Definitions: The following terms used in this section shall have the following meanings:

1. “Demolition” means an act or process which results in the removal or intentional destruction of a principal building more particularly described as:

- a. Fifty percent (50%) or more of the roof area as measured in plan view;
- b. Fifty percent (50%) or more of the exterior walls of a building as measured contiguously around the exterior of the building walls;
- c. Any exterior wall facing a public street;

2. “Retained Wall” means an exterior wall that is not included in a demolition calculation. A wall shall meet the following minimum standards to be considered a retained wall:

- a. The wall shall retain studs or other structural elements and the entire exterior wall finish;
- b. The wall shall not be covered or otherwise concealed by a wall that is proposed to be placed in front of the retained wall. Open, covered porches shall not be considered a concealing wall; and
- c. The retained wall must be attached to an adjacent contiguous wall on at least one corner.

3. “Economic Hardship” means the application of the standards and regulations of this section deprives the applicant of all reasonable economic use or return on the subject property.

4. “Significant Structure” means a principal structure that contributes to the character of the YNC Overlay District pursuant to subsection E of this section.

D. Demolitions: In the YNC, no Significant Structure shall be demolished unless:

1. The structure is determined a Dangerous Building by the Building Official according to the process and standards stated in Chapter 18.48 of this Title; or

2. The Historic Landmark Commission determines that demolition is appropriate pursuant to subsection F of this section; or

3. The Historic Landmark Commission finds that the demolition is required to rectify a condition of economic hardship, as defined and determined pursuant to the provisions of subsection K of this section.

E. Determination of Significant Structure: In the YNC a principal structure shall be considered a Significant Structure in accordance with the following standards and procedures:

1. Standards for Determination of Significant Structure:

a. The structure is fifty (50) years in age or older. The age of the building shall be determined according to Salt Lake City building permit records. In the event that building permit records cannot be found, the Planning Director may use other relevant and verifiable records to make the determination; and

b. The building meets at least one of the following criteria:

(1). The building is historically or architecturally significant because of period, style, method of building construction, or important association with a famous architect or builder; or

(2). The building has an important association with one or more historic persons or events, or with the broad architectural, cultural, political, economic, or social history of the City; or

(3). The building is one whose loss would have a significant negative impact on the historical or architectural integrity or urban design character of the neighborhood; and

c. The original integrity and character has been retained and preserved since the building was constructed. This may include original scale, massing, materials, architectural features, and associated spaces that characterize the structure.

2. Application for Determination of Significant Structure: An application for a Determination of Significant Structure shall be made on a form prepared by the planning director and shall be submitted to the planning division. The planning director shall make a determination of completeness pursuant to section 21A.10.010 of this title.

a. Materials Submitted With Application: The application shall include photographs, drawings, and other documentation specified on the application form or deemed necessary to consider the application properly and completely.

b. Notice of Application and Public Comment Period: Upon receipt of a complete application, the Planning Director shall mail notice to any recognized or registered

organization pursuant to [title 2, chapter 2.62](#) of this code and to all property owners within 300 feet of the subject property that an Application for Determination of Significant Structure is being considered. The notice shall state that the public has thirty (30) days to provide written comment regarding the application.

c. Standards for Determination: The application shall be reviewed according to the standards set forth in subsection E1 of this section.

d. Review and Decision by the Planning Director: Following the public comment period and on the basis of written findings of fact, the planning director shall approve, deny or forward the application to the Historic Landmark Commission for consideration. The decision of the planning director shall be issued in writing and shall be effective at the time the decision is made.

e. Referral of Application by Planning Director to Historic Landmark Commission: The Planning Director may refer any application to the Historic Landmark Commission due to the complexity of the application.

f. Appeal of Administrative Decision To Historic Landmark Commission: The applicant, any owner of property located within the YNC, or any recognized or registered organization pursuant to [title 2, chapter 2.62](#) of this code, aggrieved by the administrative decision, may appeal the decision to the Historic Landmark Commission within ten (10) calendar days following the date on which a decision is issued. The filing of the appeal shall stay the decision of the Planning Director pending the outcome of the appeal.

g. Appeal of Historic Landmark Commission Decision to Land Use Appeals Board: The applicant, any owner of property located within the YNC, or any recognized or registered organization pursuant to [title 2, chapter 2.62](#) of this code, aggrieved by the historic landmark commission's decision, may object to the decision by filing a written appeal with the land use appeals board within ten (10) calendar days following the date on which a record of decision is issued. The filing of the appeal shall stay the decision of the historic landmark commission pending the outcome of the appeal.

F. Standards for Demolition of a Significant Structure in the YNC Overlay District: In considering an application for demolition of a Significant Structure as determined pursuant to subsection E of this section, the historic landmark commission shall consider and may approve a demolition based on the following factors:

1. Standards for Zoning Approval for Demolition:

a. The streetscape within the context of the YNC District would not be negatively affected;

b. The reconstruction plan is consistent with the standards outlined in subsection I of this section;

c. The site has not suffered from willful neglect, as evidenced by the following:

- (1) Willful or negligent acts by the owner that deteriorates the structure,
- (2) Failure to perform normal maintenance and repairs, and
- (3) Failure to secure and board the structure if vacant.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The historic landmark commission shall make a decision based upon the standards of approval stated in subsection F1 of this section. The Historic Landmark Commission may approve, approve with conditions, deny, or defer the decision for up to one (1) year to allow time for consideration of designation of the structure as a Landmark Site to the Salt Lake City Register of Cultural Resources.

G. Final Decision for Permit for Demolition Following One Year Deferral: Upon the completion of the one year period, the historic landmark commission shall approve, approve with modifications or deny the application for demolition.

H. Recordation Requirement for Approved Permit for Demolition: Upon approval of a permit for demolition of a significant structure, the historic landmark commission shall require the applicant to provide archival quality photographs, plans or elevation drawings, as available, necessary to record the structure(s) prior to its demolition.

I. Standards for Demolition Reconstruction Plan: In considering an application for a reconstruction plan in association with an application for demolition of a Significant Structure the historic landmark commission shall determine whether the project substantially complies with all of the following standards, as well as all applicable zoning standards, that pertain to the application and is in the best interest of the city:

1. Scale and Form:

a. Height and Width: The proposed height and width shall be visually compatible with surrounding structures and streetscape;

b. Proportion of Principal Facades: The relationship of the width to the height of the principal elevations shall be in scale with surrounding structures and streetscape;

c. Roof Shape: The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape; and

d. Scale of A Structure: The size and mass of the structures shall be visually compatible with the size and mass of surrounding structure and streetscape.

2. Composition of Principal Facades:

a. Proportion of Openings: The relationship of the width to the height of windows and doors of the structure shall be visually compatible with surrounding structures and streetscape;

b. Rhythm of Solids To Voids In Facades: The relationship of solids to voids in the facade of the structure shall be visually compatible with surrounding structures and streetscape;

c. Rhythm of Entrance Porch And Other Projections: The relationship of entrances and other projections to sidewalks shall be visually compatible with surrounding structures and streetscape; and

d. Relationship of Materials: The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.

3. Relationship to Street:

a. Walls Of Continuity: Facades and site structures, such as walls, fences and landscape masses, shall, when it is characteristic of the area, form continuity along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related;

b. Rhythm Of Spacing And Structures On Streets: The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related;

c. Directional Expression Of Principal Elevation: A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its orientation toward the street; and

d. Streetscape; Pedestrian Improvements: Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the YNC Overlay District.

J. Definition and Determination of Economic Hardship: The determination of economic hardship shall require the applicant to provide evidence sufficient to demonstrate that the application of the standards and regulations of this section deprives the applicant of all reasonable economic use or return on the subject property.

1. Application For Determination Of Economic Hardship: An application for a determination of economic hardship shall be made on a form prepared by the planning director and shall be submitted to the planning division. The application must include photographs, information pertaining to the historic significance of the significant structure

and all information necessary to make findings on the standards for determination of economic hardship.

2. Standards For Determination Of Economic Hardship: The historic landmark commission shall apply the following standards and make findings concerning economic hardship:

a. The current level of economic return on the property as considered in relation to the following:

(1) The amount paid for the property, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant, and the person from whom the property was purchased,

(2) The annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service, if any, for the previous three (3) years,

(3) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, during the previous three (3) years,

(4) Real estate taxes for the previous four (4) years and assessed value of the property according to the two (2) most recent assessed valuations by the Salt Lake County assessor,

(5) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property,

(6) The fair market value of the property immediately prior to its designation as a significant structure and the fair market value of the property as a significant structure at the time the application is filed,

(7) Any state or federal income tax returns on or relating to the property for the previous two (2) years;

b. The marketability of the property for sale or lease, considered in relation to any listing of the property for sale or lease, and price asked and offers received, if any, within the previous two (2) years. This determination can include testimony and relevant documents regarding:

(1) Any real estate broker or firm engaged to sell or lease the property,

(2) Reasonableness of the price or rent sought by the applicant, and

(3) Any advertisements placed for the sale or rent of the property;

c. The infeasibility of alternative uses that can earn a reasonable economic return for the property as considered in relation to the following:

(1) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation,

(2) Estimate of the cost of the proposed construction, alteration, demolition or removal, and an estimate of any additional cost that would be incurred to comply with the decision of the historic landmark commission concerning the appropriateness of proposed alterations,

(3) Estimated market value of the property in the current condition after completion of the demolition and proposed new construction; and after renovation of the existing property for continued use, and

(4) The testimony of an architect, developer, real estate consultant, appraiser, or other professional experienced in rehabilitation as to the economic feasibility of rehabilitation of the existing structure on the property;

d. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

3. Procedure For Determination Of Economic Hardship: The historic landmark commission shall establish a three (3) person economic review panel. This panel shall be comprised of three (3) real estate and redevelopment experts knowledgeable in real estate economics in general, and more specifically, in the economics of renovation, redevelopment and other aspects of rehabilitation. The panel shall consist of one person selected by the historic landmark commission, one person selected by the applicant, and one person selected by the first two (2) appointees. If the first two (2) appointees cannot agree on a third person within thirty (30) days of the date of the initial public hearing, the third appointee shall be selected by the mayor within five (5) days after the expiration of the thirty (30) day period.

a. Review Of Evidence: All of the evidence and documentation presented to the historic landmark commission shall be made available to and reviewed by the economic review panel. The economic review panel shall convene a meeting complying with the open meetings act to review the evidence of economic hardship in relation to the standards set forth in subsection J2 of this section. The economic review panel may, at its discretion, convene a public hearing to receive testimony by any interested party; provided, that notice for such public hearing shall be in accordance with chapter 21A.10, "General Application And Public Hearing Procedures", subsection [21A.10.020E](#) and section [21A.10.030](#) of this title.

b. Report Of Economic Review Panel: Within forty five (45) days after the economic review panel is established, the panel shall complete an evaluation of economic hardship, applying the standards set forth in subsection J2 of this section and shall forward a written report with its findings of fact and conclusions to the historic landmark commission.

c. Historic Landmark Commission Determination of Economic Hardship: At the next regular historic landmark commission meeting following receipt of the report of the economic review panel, the historic landmark commission shall reconvene its public hearing to take final action on the application.

(1) Finding Of Economic Hardship: If after reviewing all of the evidence, the historic landmark commission finds that the application of the standards set forth in subsection J2 of this section results in economic hardship, then the historic landmark commission shall issue zoning approval for demolition.

(2) Denial Of Economic Hardship: If the historic landmark commission finds that the application of the standards set forth in subsection J2 of this section does not result in economic hardship then the zoning approval for demolition shall be denied.

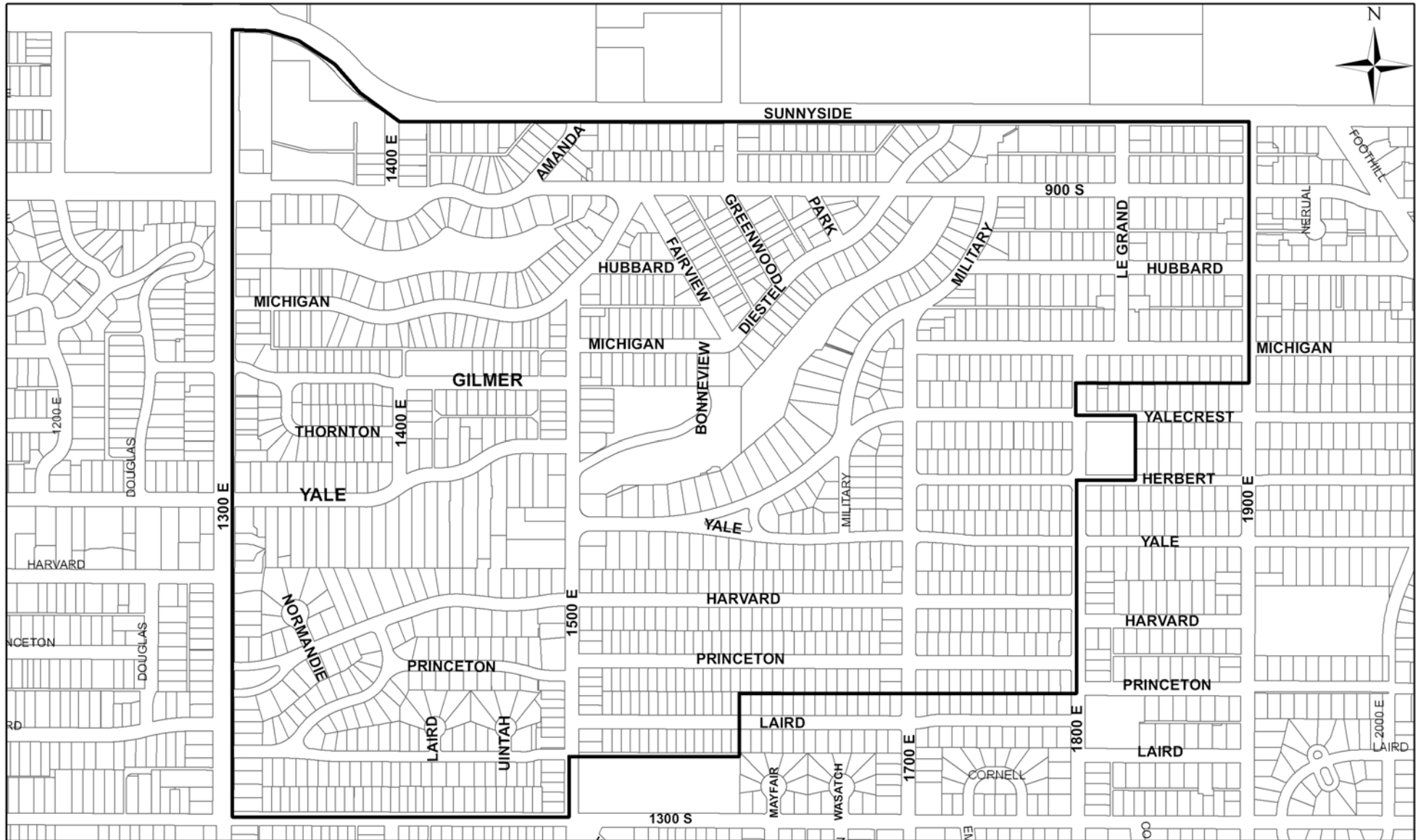
(3) Consistency With The Economic Review Panel Report: The historic landmark commission decision shall be consistent with the conclusions reached by the economic review panel unless, based on all of the evidence and documentation presented to the historic landmark commission, the historic landmark commission finds by a vote of three-fourths ($\frac{3}{4}$) majority of a quorum present that the economic review panel acted in an arbitrary manner, or that its report was based on an erroneous finding of a material fact.

4. Appeal of Historic Landmark Commission Decision to Land Use Appeals Board: The applicant, any owner of property located within the YNC, or any recognized or registered organization pursuant to [title 2, chapter 2.62](#) of this code, aggrieved by the historic landmark commission's decision, may object to the decision by filing a written appeal with the land use appeals board within ten (10) calendar days following the date on which a record of decision is issued. The filing of the appeal shall stay the decision of the historic landmark commission pending the outcome of the appeal.

5. Review By City Attorney: Following the filing of an appeal to the land use appeals board of a decision of the historic landmark commission to deny or defer zoning approval for demolition, the planning director shall secure an opinion of the city attorney evaluating whether the denial or deferral of a decision of the demolition would result in an unconstitutional taking of property without just compensation under the Utah and United States constitutions or otherwise violate any applicable constitutional provision, law, ordinance or regulation.

K. Front Yard Setback: The minimum depth of the front yard for all principal buildings in the YNC District shall be equal to the depth of the front yard setback of the existing principal building measured at the closest point from the front property line. In the case of demolition of a principal building, the minimum front yard setback of the replacement structure shall be equal to the principal building being replaced. The front yard setback shall be measured from the front property line to the finished surface of the building or to the front of any post supporting a roof. Obstructions allowed in the front yard as indicated in Table 21A.36.020B shall not be included in the front yard setback calculation.

Proposed Yalecrest Neighborhood Character Overlay District



Attachment B – Public Comments

Yalecrest Historic Preservation Meeting July 21, 2010
Rowland Hall-St. Marks, Chapel Building
Public Comments taken by Cheri Coffey on white board

Can I change windows on front of house?

Can I change up to 10%?

1 year deferral time frame is too long.

Front yard setback – Have an average don't penalize if the house is further than neighbors.

50 yr. point – There are not many homes built after 1960, therefore almost all will have to go to the HLC.

Looks like this ordinance is the Historic District rules

Thinks only 1-2 blocks in the area are historic

Why does 50% roof removal = Demolition? Small house-hard to remodel without changing 50% of the roof. A lot of homes in the area are small. Hard to get a stairway up with only removing 50%.

How much information do you need initially for the City to make a decision on an ordinance? (Do you need architecture & engineering plans up front? – cost).

Why isn't 1942 year not defensible? Was the 50 years based on History? (Conservation, Hist. etc?) did you just change the term "Historic" to "Significant"?

Para. I.I. not F.I.

Approval of Demolition – Do you have to meet all 3 criteria?

How much change to your home equals not significant status?

Don't need more quantifiable criteria?

Just wants front porch – where are the plans in the process? Can a person put a front porch, change window to door on the front? The regulations are taking value from his property,.

Consider allowing seismically unfit structures to be demolished.

Why were some areas excluded from area?

Retained walls – only look at those and not the 50% roof criteria. Other cities say have to keep 3 walls

Demolition seems like it would be getting rid of the houses. Increasing the size of a home by going up ro out is not demolition.

Look at the comments that were gathered during the 4 units school meetings.

City hasn't done any "polling" to determine what the majority of property owners want.

People want to eliminate tear downs but they don't mind "pop ups" – people in homes 1500 ft. or less want to preserve – but enlarge.

Waterdown version of Historic District. Property owners are opposed to Historic Preservation District.

This proposal is more restrictive than a historic district in terms of being able to build additions from the roof.

The map the city council did is inaccurate. The rental properties are all green. Don't trust that the rental owners wanted to show support.

This ordinance is another way of hist. If 50% of roofline is there, can't remodel - not fair to small home owners.

Support what is proposed. Keep scale of home. Don't go too high that would block the views of trees and mountains.

Out of neighborhood – Enjoys Yalecrest, supports preserving character.

Majority of comments are opposed. Only a few have voiced support. Why not take a vote?

These meetings tend to bring out people opposed. He is in support, knows that many people in the neighborhood are supportive of the local historic district.

Against using historic preservation in Harvard Yale. Need to control scale and monster homes. Compatible Infill regulations go a long way to do that. Don't want a committee deciding how you can remodel house.

Many people are unaware of what these regulations would do. Many young people are busy with kids, etc. and want to remodel but don't know of these regulations.

Wants to be able to change the backdoor. If her home is not historic, why would rules apply to her?

In general, she would like the integrity of the neighborhood to be preserved but rules are difficult.

All about size of structure. Most people try to build something that is sympathetic to the neighborhood. City needs to look at just the size of the buildings.

7.21.10 Meeting

Vote 11 for, 39 opposed (one person represents 14 structures = 53 opposed)

Sense of security in a Historic District that character of neighborhood will remain the same.



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OPEN HOUSE - JULY 21, 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: James C. Perchmann (Seismologist, University of Utah)
Address: 1846 Sunnyside Ave.
Phone: 801-582-5339
Email: _____
Comments/Suggestions:

I am opposed to the ordinance as drafted - although it does appear to be an improvement over the historical district designation. I don't believe that most of the Yalecrest area requires special protection beyond the current "compatible infill" zoning overlay. The vast majority of the additions and rebuilds are tastefully done already, and are in character with the neighborhood. That said, if the Planning Dept. is going to recommend an amended version of this ordinance to the City Council, I recommend the following changes:

1. An exception to the demolition prohibition should be allowed for structures that are seismically unsafe. Such structures would include all unreinforced masonry structures which are common in the Yalecrest neighborhood.

2. Homeowners should be allowed to add second stories to their homes - within existing zoning guidelines.

Some of the homes in the Yalecrest area are quite small.
3. The area to which the ordinance applies should be significantly reduced to exclude areas with few genuine historical or unique structures - such as Sunnyside Ave. and 9th South. My block is already about half apartment buildings!

Finally, as many speakers tonight commented, this ordinance should not be rushed through on the timeline proposed - or any other ordinance as sweeping as this one. Use back side if needed...

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streetscape building setba

Help make process/regulation in general (whether in or out of district) better throughout the city.

Opposed to new regulations. Concentrate on fixing/revising the compatible infill regulations.

How do you get your house out of the "area"?

1800 block of _____ Art modern – taken from area but is the most historic.

Should have several options/variations that are presented.

Community needs to be able to see various drafts that address different things.

Take the time to do this right, take 6-8 months to review, don't just do this by Sept. 10th.

Short time frame for a permanent ordinance that permanently affect property rights - Don't rush this proposal!

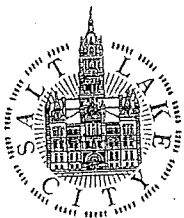
This is a big issue to be decided in such a short time. Same as Historic but different name. This ordinance would lead to decreased property values. Some homes are not attractive.

Amend Compatible infill for adjacent neighbors to sign off on plans, why should people far away have a say?

In favor of some regulation, not the historic district. This draft is too restrictive but would like some regulation before 9.10.10 to avoid demolition but want to get closer to a middle ground.

Sustainability will collide with Historic Preservation. Many sustainable things don't jive with historic preservation rules (windows is an example). Solar, seismic – reinforce on exterior). Future more important than past. People more important than objects. Environment more important than saving the past.

Sustainable materials are not materials that are necessarily approved in Historic District.



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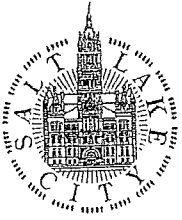
COMMENT CARD

Name: Judy Pechmann
Address: 1846 Sunnyside Ave
Phone: 801-582-5379
Email: jlp@pechmann.comcast.net
Comments/Suggestions:

I appreciate and agree with the City Council's
desire to have a new ordinance in place to replace
the temporary one which expires 9/10. However, I feel
the scope of the proposed draft is too broad,
approaching that of a ~~lot~~ Local Historic District. (LHD)
The LHD proposal met significant opposition
within the neighborhood, so it seems the city council
is trying to accomplish the same goal by a
different route. This was not at all clear in the
letter & email we received about the new overlay
proposal. It was only apparent from discussion
at this meeting. I hope that there will be more
of an effort to put the proposal before the public
before the council votes on it.

Use back side if needed...

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COMMENT CARD

Name: Susan H. Patten
Address: 1601 Yalecrest
Phone: 801 585 8825
Email: SusanHPC@C.L.A.M.A.I.L. .com
Comments/Suggestions:

I feel that working with the
existing Yalecrest Overlay is a much
better option. As a property
owner, I have no further interest
in having an LHD or the Proposed Overlay.

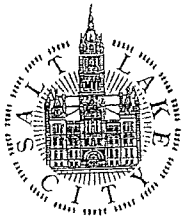
I am in favor of restricting
Total terrace downs, but do not want any
additional regulations that have
not been set forth in the Yalecrest
Overlay.

SHP

Keep Current Yalecrest
Overlay & Amend to read
No Full Terrace Downs

Use back side if needed...

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COMMENT CARD

Name: Kim Childs
Address: 1655 E 900 S
Phone: 801-581-1933
Email: kjchilds@aol.com
Comments/Suggestions:

I grew up on Harvard Ave since 1962 when my parents purchased their home. Now I live on 900 South. I love the area, thus wanting to stay in it. The reason for this "love" is the character of the area. I see a lot of people opposed to the historic district designation who have been much more recent neighbors moving in who don't seem to care about the neighborhood as a whole, but rather what's in it for "M.E." They think they need a larger home. It's all about them. In the past, if a family outgrew their home, they moved somewhere else to a larger home. Why doesn't this still seem to be an option?

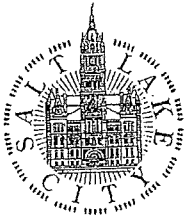
Preservation is important. A historic district will enable the neighborhood to remain "special" and this will ensure that property values do ~~not~~ not go down.

I'd like to see the people who feel they need a larger home to go find one somewhere else. There will always be people who appreciate the area (and perhaps the smaller home) to replace them.

Enact the historic districts. Maybe then the lovers of cheap new trendy looks will go find them elsewhere rather than continue to pollute this treasured neighborhood with them.

Use back side if needed...

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COMMENT CARD

Name: Janine Sheldon

Address: 1784 Yalecrest

Phone: 510 917 7143

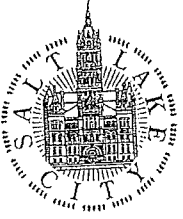
Email: _____

Comments/Suggestions:

I am very concerned that Mc Mansions will destroy the beauty of our neighborhood. There are generally accepted principles of good architecture that should be reflected in any new building. We aren't talking about subjective opinion; we are talking about time-honored principles of good design and aesthetics. If people don't understand these and want to build whatever they want, they should move to Sandy or Lehi. Government is not necessarily bad, regulation isn't necessarily bad. We need wise leaders who will protect our community from the self-interest of a vocal minority. Please preserve the integrity of the neighborhood - it's unique and valuable. Of course we need to find ways to maintain good architecture while incorporating sustainable design and materials. It is government's role to ensure minorities are heard and respected. ... Sorry so rambling

Use back side if needed...

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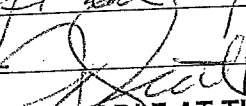
COMMENT CARD

Name: Scott Brown
Address: 1861 Milburn Avenue
Phone: 801-918-7414
Email: scott@plchlawyers.com
Comments/Suggestions:

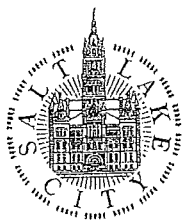
I am against the new proposed "demolition" ordinance. It is too vague and restrictive. It is an attempt to implement the historic district standards by using different terms. Please see #1 of the proposed ordinance.

It is inappropriate to rush through this ordinance. The ordinance is dated July 20, 2010 and not circulated w/ the notice regarding this meeting which is dated June 12, 2010. ~~It~~ It appears that notice of this very intrusive ordinance is ~~was~~ not adequate.

The information and the comments made at this meeting should be thoroughly discussed and analyzed by the neighborhood. Trying to get this approved prior to September again shows that the City Council is not taking the views of the neighborhood.

~~The~~ City Council/planning division need to wait for the neighborhood meetings, then draft the appropriate amendments to the current overlay ordinance.  Use back side if needed...

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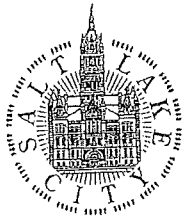
Name: SID SPENCER
Address: 1355 LAIRD AVE
Phone: 801 581-1500
Email: ~~CBSK~~ CBSK-SPENCER@HOTMAIL.COM
Comments/Suggestions:

Opposed to the Draft as presented.
PAGE 4, 5 are overkill. You can handle
Demolition, and ReBuild as individual ordinances
without so many restrictions - Violation
of Property Rights. Need more time to
come up with reasonable Draft.

[Signature]

Use back side if needed...

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COMMENT CARD

Name: Dale ZABRISKIE
Address: 1551 Michigan Ave
Phone: 801-581-0041
Email: dale@zabriskie.com
Comments/Suggestions:

Small step in right direction away from
historical district, but not enough.

Substitutes "historic" with "significant".

Still unnecessary intrusion into
~~property~~ property rights.

We need to see further revision w/
less restrictions

Dale Zabriskie

Use back side if needed...

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COMMENT CARD

Name: RUSSELL P. BURNS
Address: 1140 SOUTH 1700 EAST
Phone: (801) 582-6191
Email: _____
Comments/Suggestions:

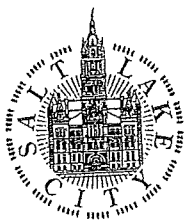
I AM IN ACCORD WITH CURRENT PROCESS FOLLOWED BY SALT LAKE CITY
PLANNING DIVISION AND SALT LAKE CITY COUNCIL IN THEIR EFFORTS
TO EFFECT YALECREST NEIGHBORHOOD'S INPUT INTO HISTORIC ZONING.

I AM IN FAVOR OF ESTABLISHING YALECREST NEIGHBORHOOD AS A ZONE,
OR DISTRICT, FOR HISTORICAL PRESERVATION.

THANK YOU,

Use back side if needed...

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COMMENT CARD

Name: MONTY T. LIKER

Address: 14524 GILMER DRIVE

Phone: 801-583-2003

Email: N/A

Comments/Suggestions:

PLEASE DON'T PUNISH THE 1,000 FAMILIES LIVING IN THIS HISTORIC DISTRICT, BY ALLOWING THE 100 FAMILIES WHO ARE COMPLAINING TO SUCCEED WITH THIS NEW PLAN.

PEOPLE HAVE BEEN LIVING IN THIS AREA AND FIXING UP THEIR HOMES FOR 100 YEARS, WITH LITTLE GOVERNMENT INTERFERENCE. SO WHY CREATE THIS VERY INTRUSIVE PROGRAM FOR THE 100 PEOPLE WHO ARE COMPLAINING.

① WHY WAS NO VOTE TAKEN AT THE MEETING FOR OR AGAINST THIS NEW PLAN?

② HOW DID THE CITY FOCUS ON THIS AREA TO MAKE IT HISTORIC?

Use back side if needed...

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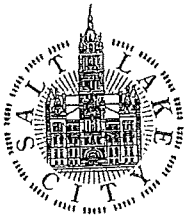
COMMENT CARD

Name: Mary Ellen Elggren
Address: 1428 E. 900 S.
Phone: 801-541-6937
Email: meelggren@comcast.net
Comments/Suggestions:

I prefer to amend the current ^{overlay} ordinance to just require
adjacent neighbor ^{notification} agreement to demolition + plans for
the replacement structure, just as it is currently
required for the addition of an out building.

Use back side if needed...

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COMMENT CARD

Name: Robert E Crandall
Address: 857 LeGrange ST SLC, UT 84105
Phone: 801 582 4449
Email: Re.Crandall@yahoo.com
Comments/Suggestions:

I would vote against The establishment of
a Yalecrest Historic District or a so called Yalecrest
Neighborhood Character Overlay and request that
my wishes be made known to each member of
the city council and Mayor Becker

Robert E Crandall

Use back side if needed...

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OPEN HOUSE - JULY 21, 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: RICK OLIVER
Address: 1411 LAIRD CIR
Phone: 801 583-7938
Email: OLIVER.RICHARD@COMCAST.NET
Comments/Suggestions:

I AM OPPOSED TO THIS PROPOSAL, I WOULD AGREE
TO KEEPING REMOVALS IN CHARACTER WITH THE
NEIGHBORHOOD. THIS PROPOSAL SEEMS TO BE SLID
IN IN A SNEAKY MANNER. A REINSTATEMENT OF THE CURRENT
OVERLAY WOULD BE MORE APPROPRIATE.

Use back side if needed...

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OPEN HOUSE - JULY 21, 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: Barber
Address: 997 So. Military Dr.
Phone: 25829260
Email: brandonbarber@comcast.net
Comments/Suggestions:

50% or more of A Root Area should be considered
A Demo.

Many smaller homes, who would like to add A 2nd
story wouldn't be able to based on this overlay.

If you are on A small lot with no room to the
side & no room to the back you can only go
up!

Use back side if needed...

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District

COMMENT CARD

Name: Curtis Pons
Address: _____
Phone: _____
Email: Curtispons@gmail.com
Comments/Suggestions:

Once again the city has come to the wrong conclusion about what most of the yalecrest neighbors want.

This is a size issue and that is what we all can get behind. Extremely rare would a historically significant house be demo'ed because it doesn't make financial sense.

Don't regulate demos, regulate size. That is what we all can get behind.

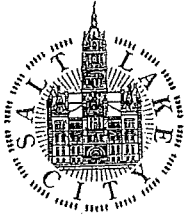
How can we be asked to support your definition of "demolitions" without public comment on what Yalecrest neighbors think "demo" means.

Once again - if you focus on size of new houses you will have great support!

That is the main issue!

Use back side if needed...

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OPEN HOUSE - JULY 21, 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: GREG & KRIS ALISTER
Address: 1403 MICHAELAN AVE.
Phone: (801) 582-8643
Email: g.alister@comre.com
Comments/Suggestions:

WE BELIEVE THAT AN OVERLAY DISTRICT ZONING
CHANGE IS NEEDED, BUT THIS PROPOSAL IS
OVERKILL. WE DO NOT LIKE THIS PROPOSAL.

USING AN HISTORIC DISTRICT DESIGNATION IS
WRONG. BAD IDEA FOR 1,000 REASONS. WRONG TOOL.

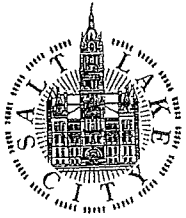
ALL BUT TWO TO THREE BLOCKS WITHIN THIS
ENTIRE DISTRICT MAY JUST MAYBE BE
HISTORIC RELEVANCE.

Thank you -

Greg & Kris Alister

Use back side if needed...

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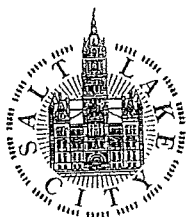
COMMENT CARD

Name: Steven Whitehead
Address: _____
Phone: (801) 328-3600
Email: swwhitehead@kmcclaw.com
Comments/Suggestions:

The proposed ordinance should exclude institutional uses, such as schools, community centers, libraries, churches, etc. These buildings serve the community and will need from time to time to be upgraded and or remodeled to be seriously safe and fit to accommodate the needs of the community. The proposed ordinance will make necessary remodels or reconstruction cost prohibitive to many community and faith based groups. This will have a significant detrimental and adverse affect on the community. The City should encourage institutions (community groups, schools, churches, etc.) to provide up to date facilities and services to the community. The ordinance should not discourage groups from providing community services or result in exorbitant costs on these groups. If there is an overlay district it should ~~not~~ apply to residential zone districts, and then not to any institutional uses.

Use back side if needed...

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OPEN HOUSE - JULY 21, 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: Dave McConkle
Address: 1789 Hubbard Ave.
Phone: 801-582-2241
Email: mcconkle@comcast.net
Comments/Suggestions:

100% against historical district! And this comes from the person living across from the garage-mem-hall.

Also, why were Barbara Madsen's homes (Downey, Evan + Barbara Madsen, Jared Madsen) left out of the historical district. If the map can "bend" based upon complaints, then I want to complain too. Please leave 1789 Hubbard Ave out of the historical district.

It's funny how the historical map was modified based upon who complains the most.

Use back side if needed...

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OPEN HOUSE - JULY 21, 2010
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COMMENT CARD

Name: Jim Robinson
Address: 1749 MICHIGAN AVE
Phone: (801) 801-582-9322
Email: ~~jimjoelle~~ jimjoelle@yahoo.com
Comments/Suggestions:

Definition of ~~Feasible~~ Demolition is against the
spirit of ~~it~~ being ok ~~to~~ to add a second story

Does ~~it~~ getting a new roof constitute a Demolition

This process is too fast.

How much ~~for~~ ARCH Drawings are required

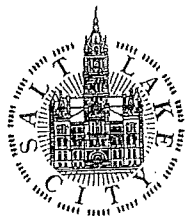
Unclear about small changes... like new window

What guidelines does Historic Commission use?

We need to allow a second story additions

Use back side if needed...

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COMMENT CARD

Name: Chris Lind / Colleen Lundstrom
Address: 852 Diestel Rd
Phone: 801-582-4179
Email: chris.lind@ptc.utah.edu
Comments/Suggestions:

While we understand the concern over the demolition and then construction of disproportionately larger homes in the Yalecrest neighborhood, we believe the proposed character overlay district is bureaucratic overkill.

Rather than prevent or regulate demolition, we encourage the creation of new construction parameters which would define the scale and character of new homes, rather than impose plans to demolish, renovate or add on to existing structures.

We are therefore opposed to the creation of the Overlay District.

We would support ordinances which define and limit the size of building footprints, roof height, setback requirements.

Use back side if needed...

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PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: MaryDelle Gunn
Address: 1598 S. 1300 E.
Phone: 202-6216
Email: bethechange too@gmail.com
Comments/Suggestions:

This ordinance is a long time coming. This is what we needed
Five years ago, so thank you for putting this together, at last.
I fully support the adoption of this ordinance, city wide.
What will the process be to apply this to other historic
neighborhoods? Specifically the area from 1300 S to 1700 S
+ 1300 E to 1700 E. roughly Wasatch Hollow, where I live &
where the infill ordinance was never applied, even though residents voted for it.
If a demolition is determined necessary, for whatever reason,
the salvageable elements of the house, i.e., windows, flooring, brick
doors, tile, bathroom fixtures, molding, stained and/or leaded
glass, radiators, must be salvaged. Not only will this keep
these materials out of the landfill, it is a travesty
that complete demolition of a historic structure is allowed.
Most of the homes have some old growth timber - this too
should be salvaged if possible.
If the structure is historically significant, it should be
documented by a historic preservationist before demolition
is allowed.

Use back side if needed...

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YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: Brian Jackson
Address: 1803 Midway Ave
Phone: 801-582-3339
Email: brian.jackson@comcast.com
Comments/Suggestions:

1. My wife and I are of the opinion that neither a historic district designation nor a demolition ban are in the best interest of the neighborhood.
2. We support reasonable zoning setbacks, etc. But "historic" designation is a very different set of issues that should be reserved for areas of greater historic value than our neighborhood (at least, more than my own block of Midway 17th-18th East).
3. A well-organized vocal minority of pro-historic-preservation residents has dominated the discussion so far.
4. Please commission a non-biased survey of resident opinions before instituting restrictions. Town hall hearings are not enough - ~~young~~ young families with children are under-represented at these hearings and are more commonly opposed to proposed restrictions.

Thank you,
Brian Jackson

Use back side if needed...

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① Should be able to make as to front of
home - Allow it to go to the far consideration

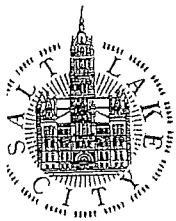
② ~~Home set back~~ so far back -
has not back yard - Should be
able to move front

Pain Clauson

1619 yakecrest

phclausone

comcast.net



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OPEN HOUSE - JULY 21, 2010
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YNC Yalecrest Neighborhood Character Overlay
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COMMENT CARD

Name: DANIEL BROWN
Address: 1858 S. 1500 E.
Phone: 801-281-4565
Email: andrew@comcast.net
Comments/Suggestions:

1 of 2

not having seen the draft posted today please excuse any
comments that are included in the draft. Since 1978

from the SLU public access website, a total of 5 ea.
buildings have been demolished. Actual numbers vary
by residents observations as twelve - twenty homes.
there are some 100 homes in the district so
demolitions represent about 10% - 15% over
some 90 years depending on when homes were
built.

The temporary ordinance outlawing demolitions
and the "counterbalancing" ordinance is not justified.

also recently portions of the proposed LHC have
been arbitrarily removed. Even though the National
Historic Register included this area. Any "protection"
offered by the LHC are not available to the affected
home owners.

While I support historic preservation in general,
those who want to tear down & rebuild must necessarily
co-exist with those who want to maintain homes
as they are. (over)

Use back side if needed...

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OPEN HOUSE - JULY 21, 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: David Brewer
Address: 1858 S 500 E
Phone: 801-789-4565
Email: _____
Comments/Suggestions:

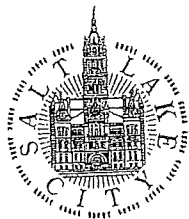
Joey

The challenge then, is to make sure replacements
are consistent with the character of the neighborhood.

Suggest handrails are required to be replaced
with architectural styles included in the National
Register of Historic places. As approved by the HLC
Board.

Use back side if needed...

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YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: SUSAN Taylor
Address: 1721 Leeward Ave., SLU
Phone: 949-633-8701 801-583-0383
Email: taylordeugr@cox.net
Comments/Suggestions:

1515 Princeton Ave

I find your draft proposal to be worse
than your initial presentation.

I do not support a regulation that
demands 50% roof plan or demolition.
It would make expansion of a 1000 sf home
an impossibility.

I believe this proposal is wrong
I believe the historic overlay is not appropriate
I bought my property with the understanding
that I was in control of my own property.

I have a large home and one small
home. The small home was purchased
with the intent of a remodel. ~~With~~ With
the draconian new proposal, there will
be no opportunity to remodel.

I was given 24 hours notice for this
meeting. I have sent numerous email
to city council and find all of the public
response by the council to be one sided.

Susan Taylor

Use back side if needed...

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Harriet th Ordinance / larger - Temp Young

July 6 -

Dear Wayne,

I am a resident of the Yalecrest area for which petition PLNPCM2010-00448 is being proposed. What does it mean to "preserve existing streetscape building setbacks"? I am particularly concerned that preserving existing streetscape building setbacks means that homeowners will be unable to build second level additions to their homes, if these additions can be viewed from the street. Is this proposed zoning amendment akin to making the area an historic district, in that second level additions will be prohibited?

Thank you for your time,

Amy Davis

Amy J. Davis, PhD
Associate Director
The Brain Institute at the University of Utah
383 Colorow Drive, 3rd floor
Salt Lake City, UT 84108

801.587.1222 office
801.746.9255 mobile
801.585.5375 fax

Amy J. Davis, PhD
Associate Director
The Brain Institute at the University of Utah
383 Colorow Drive, 3rd floor
Salt Lake City, UT 84108

801.587.1222 office
801.746.9255 mobile
801.585.5375 fax

amy.davis@utah.edu
<http://brain.utah.edu>

From: John Diamond [john@diamondphillips.com]
Sent: Wednesday, July 14, 2010 10:49 AM
To: Mills, Wayne
Subject: yalecrest

Categories: Other

Wayne,

Thank you for sending the information regarding the public hearings. I hope all is well for you.

John D. Diamond
diamond phillips
944 EAST 200 SOUTH SALT LAKE CITY, UTAH 84102
TELEPHONE: 801.363.0604 FACSIMILE: 801.363.6688

From: Rick Oliver [oliverrichard@comcast.net]
Sent: Wednesday, July 14, 2010 2:46 PM
To: Mills, Wayne; Maloy, Michael
Subject: Open House

Categories: Other

I could not download the map attached to the email regarding the open house July 28, 2010 Can you send me a copy of the map?

Rick Oliver
1411 Laird Cir
Salt Lake City, UT 84105

Tel 801 583-2938
Cel 801 232-6798
oliverrichard@comcast.net

From: Richard Butler [richard_butler@comcast.net]
Sent: Wednesday, July 14, 2010 4:55 PM
To: Mills, Wayne
Cc: Maloy, Michael
Subject: PROPOSED ZONING AMENDMENTS: YALECREST NEIGHBORHOOD

Categories: Other

Mr. Mills:

Will you please send me a copy of the complete text of the proposed zoning amendments for the Yalecrest neighborhood, or tell me where on the City's website I can download them?

Thanks very much.

Richard H. Butler

1578 East 900 South
Salt Lake City, UT 84105

Phone: 801.583.3435
Cell: 801.891.0393
Email: richard_butler@comcast.net

From: Bryan Brown [btbrown57@gmail.com]
Sent: Wednesday, July 14, 2010 7:03 PM
To: Mills, Wayne; michael.maloy@slscgov.com
Subject: Petition PLNPCM2010-00448

Categories: Other

Dear Gentlemen:

I support Petition PLNPCM2010-00448 to preserve the single-family residential character of a portion of the Yalecrest neighborhood. As a 16-year resident of the neighborhood, this amendment is sorely needed.

I will not be able to attend any of the meetings you have planned, but I ask that you read this communication into the public record at them for me.

Thank you for your consideration.

sincerely,

Bryan Brown
1015 South 1400 East
Salt Lake City, UT 84105
801.583.2146

From: JAMES PARRY [jeppwp@msn.com]
Sent: Tuesday, July 20, 2010 1:33 PM
To: Mills, Wayne; Maloy, Michael
Subject: Petition PLNPCM2010-00448

Categories: Other

What does this mean? We see that some neighborhoods are not now considered for what we assume is still the Historic District designation. How did they get out of it? And, is that what the new zoning overlay district is all about? The flyer we got during the last two weeks (which we just saw after being out of town for that time period) is really not clear as to what is being planned. And, we cannot attend the July 21 & 28 meetings.

We would like to know what this all means to us on Sunnyside, etc. & how some properties are not now being considered as they were on the original maps we received.

Thank you, Jim & Peggy Parry

From: Lindsey Christensen [lindsey_christensen@yahoo.com]
Sent: Tuesday, July 20, 2010 9:23 PM
To: Mills, Wayne; Maloy, Michael

Categories: Other

Dear Wayne and Michael,
 I have a newborn baby, so I cannot attend the meeting. I am including my thoughts and I hope you will read and consider them.

I do not think the Harvard/Yale area should be slotted as an historic area (so, I do not want it to pass) and here are my reasons why.

- 1) Most all of the houses in that area ARE the hold historic type, and that will never change (unless someone has a trillion dollars and influence over everyone and they buy the entire area and develop it all with cheep similar houses....which won't happen).
- 2) If the plan passes, you will be changing the demographics of the area...only older couples with no kids, or single people will move here. Families that LOVE the area and want to upgrade their homes to fit their lifestyles won't be able to, so they will move south. That would be unfortunate.
- 3) there are a LOT of junky old awful houses that NEED to be redone.....it would be so much nicer if they were able to be redone.
- 4) you will be employing architects for upgrades.....and bigger construction jobs (instead of little redos on small houses where they simply add a stucco blob on the back..yuck).
- 5) hopefully there will be something about tasteless redos...that don't limit size (not all people will do a dumb redo like that firehouse/garage house on Hulbert...or whatever that road is...around 1750 east).
- 6) there have been endless redos that are in good taste with the neighborhood and maintain the historic look to a house.
- 7) let people stay in the area and upgrade their homes instead of spreading out to the outskirts of town...its very non-environmental to do that

I'm not sure if you've been to the Palo Alto area in California (s. of San Fran) but it is a wealthy area with small lots. PReTTY much everyone has redone their homes (a lot are big) and it is BEAUTIFUL. They are the type that have pretty yards (as are the people that live in the Harvard/Yale area. Don't make people move! Families don't like to live in tiny houses anymore....(there SHOULD be a lot size/house size ratio limit)

Thanks so much
 Lindsey

From: Schylar@comcast.net
Sent: Tuesday, July 20, 2010 11:05 PM
To: Mills, Wayne
Subject: proposed amendement to overlay

Categories: Other

I live at 1719 Michigan Avenue. Although I am happy to see the willingness to make changes to try and reach some type of accommodation in our area, I am having a very difficult time with the proposed demolition changes. It seems to me that it is very arbitrary to select a year and limit demolitions based on that. I have no plans to demolish my home, however, I find it very limiting to any future options I may have. Mine, like many of the homes are included simply because of the year they were built, they are not good examples of the period, they were simply tract homes of the time. As I attempt to keep up on the normal repairs on the home I can understand why demolitions occur. Under the proposed ordinance I understand my house would have to basically be condemned or I have an extreme economic hardship (whatever that means.) I am for preserving the "character of our area", the trees (which by the way cannot be replace with similar trees when they die, or like in front of my house, was removed years ago), the walkability of the area, the neighbors, the mix of people, young and old, across socio-economic groups. I have a really hard time seeing what any of these proposals have to do with preserving the character. They are what they are, focused on preserving structures, structures that will get more and more run-down, except for those that have already been added on, or are frankly of greater significance.

Find ways to preserve the character, provide incentives for people to preserve structures where appropriate, and allow this dynamic area to evolve the way it has for the last 80+ years. If I have to use original materials on the facade of my house, why can't I use original landscaping, by this I mean the park strip trees, if they were not here I don't believe this discussion would be happening.

I have a hard time having what I see as draconian restrictions being placed on my property after I have been a resident in this area simply because of it's age.

I keep hearing that this path was started down to stop the demolitions and McMansions. I think I would hear from you that it is preserve wonderful areas of our city. I think we can find a way, but I do feel that this is in some ways a run-away process that so many people feel that they have expended so much energy on that we cannot abandon it without doing something.

I encourage you to find ways to strike a balance between preservation and "character".

Thank you

Schylar Frampton
 (801) 652-0711

From: KARL BARBARA LIBSCH [libsch@msn.com]
Sent: Wednesday, July 21, 2010 6:57 AM
To: Mills, Wayne
Subject: zoning overlay

Categories: Other

I live in the Douglass Park amended subdivision. Two questions:

1. How does the proposal differ (or does it) from the historic district previously discussed?
2. Where do I get acopy of the proposal?

Valdemoros, Ana

From: Mills, Wayne
Sent: Wednesday, July 21, 2010 12:12 PM
To: 'Michael Krieger'
Cc: Coffey, Cheri; Maloy, Michael; Valdemoros, Ana
Subject: RE: Overlay
Attachments: YNC Boundary Map.jpg; Yalecrest Neighborhood Character Overlay Ordinance_Draft_7-20-10.pdf

Thank you for your comments Mr. Krieger. I have attached the current draft of the proposed ordinance for your review.

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

From: Michael Krieger [mailto:mkrieger@kmclaw.com]
Sent: Wednesday, July 21, 2010 10:16 AM
To: Mills, Wayne; Maloy, Michael
Subject: Overlay

I will not be able to attend the meeting tonight, but I am very opposed to any more restrictions on construction or destruction of existing buildings in our neighborhood. I live in the Douglas Park part of the map and my name is Mike Krieger.

Michael F. Krieger



60 East South Temple, Suite 1800
Salt Lake City, Utah 84111
Telephone: 801.321.4814
Facsimile: 801.321.4893
Toll Free: 866.867.5135
E-mail: mkrieger@kmclaw.com

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Valdemoros, Ana

From: Mills, Wayne
Sent: Wednesday, July 21, 2010 12:17 PM
To: 'khardy@xmission.com'
Cc: Coffey, Cheri; Maloy, Michael; Valdemoros, Ana
Subject: RE: Yale Overlay
Attachments: Yalecrest Neighborhood Character Overlay Ordinance_Draft_7-20-10.pdf; YNC Boundary Map.jpg

Thank you very much for your comments. They will be included in the information that will be forwarded to the Planning Commission, Historic Landmark Commission and City Council. I have attached a copy of the current draft of the proposed regulations for your review. Please contact me if you have questions.

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

-----Original Message-----

From: khardy@xmission.com [mailto:khardy@xmission.com]
Sent: Wednesday, July 21, 2010 10:38 AM
To: Mills, Wayne
Subject: Yale Overlay

Hello

I live in this area. I am in favor of stopping houses from being built that are too big for their lots however, there are times that some houses should be torn down. That doesn't mean big should be built, but people should have the ability or option of tearing a place down if they can construct something that fits in. The people behind this committee have all put additions on their homes or done extensive remodeling, the way they wanted. Now they want control of what others do. I don't buy it. A lot of people don't have pockets that are as deep as JT Martin or others on the committee. I live next to a house which is totally uninhabitable and has been for 30 years. This will prevent anyone from being able to do anything with this house. My neighbors, as well as myself would like something done with it. It is a total eye sore. Please just oversee peoples requests to remodel as opposed to making it a historic district. Thank you.

Kim Hardy
1337 Michigan Ave

Valdemoros, Ana

From: Mills, Wayne
Sent: Wednesday, July 21, 2010 12:23 PM
To: Yalecrest CC Chair
Cc: Coffey, Cheri; Maloy, Michael; Valdemoros, Ana
Subject: RE: Question about proposed demo ordinance
Attachments: Yalecrest Neighborhood Character Overlay Ordinance_Draft_7-20-10.pdf; YNC Boundary Map.jpg

Hello-

I'm sorry that I was not able to get this to you earlier than today. The current draft of the proposed ordinance is attached. Please contact me if you have questions or comments.

Thank you.

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

From: GEORGE CATHY KELNER [mailto:kelnergeo@msn.com]
Sent: Thursday, July 15, 2010 12:40 PM
To: Mills, Wayne; Maloy, Michael
Subject: Question about proposed demo ordinance

I'm the chair of the Yalecrest Neighborhood Council and I and many of my neighbors are wondering whether this proposed change in the demolition ordinance for our neighborhood will have a tighter definition of what constitutes a demolition. As you probably know, the infamous house on Hubbard Avenue lovingly nicknamed the garage mahal was, by the current definition, a remodel rather than a teardown. My understanding is that currently 75% of a home may be demolished and called a remodel rather than a demolition. If this proposed new ordinance is going to preserve any Yalecrest character I believe a new tighter definition is required. Is there any language for the new ordinance that you could share with me? thanks

George Kelner

Valdemoros, Ana

From: Mills, Wayne
Sent: Wednesday, July 21, 2010 12:26 PM
To: 'James.gibb@pharm.utah.edu'
Cc: Coffey, Cheri; Maloy, Michael; Valdemoros, Ana
Subject: Proposed Yalecrest Ordinance
Attachments: YNC Boundary Map.jpg; Yalecrest Neighborhood Character Overlay Ordinance_Draft_7-20-10.pdf

Hello Dr. Gibb-

Thank you for your phone call today. I have attached the current draft of the proposed Yalecrest Ordinance for your review. Please contact me if you have questions or comments.

Thank you.

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

Valdemoros, Ana

From: Mills, Wayne
Sent: Wednesday, July 21, 2010 12:27 PM
To: 'mariaandtom@comcast.net'
Cc: Coffey, Cheri; Maloy, Michael; Valdemoros, Ana
Subject: Proposed Yalecrest Ordinance
Attachments: Yalecrest Neighborhood Character Overlay Ordinance_Draft_7-20-10.pdf; YNC Boundary Map.jpg

Hi Maria-

Thank you for your phone call today. I have attached the current draft of the proposed Yalecrest Ordinance for your review. Please contact me if you have questions or comments.

Thank you.

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

From: Amy J. Davis [amy.davis@utah.edu]
Sent: Wednesday, July 21, 2010 12:52 PM
To: Mills, Wayne
Cc: Coffey, Cheri; Maloy, Michael; Valdemoros, Ana
Subject: Re: Petition PLNPCM2010-00448

Categories: Other

Hello Wayne,
 Thank you for the information. I just read the Yalecrest Neighborhood Character Overlay District proposal, and I have to admit that being neither an architect nor a city planner, I am unable to interpret what this proposal, if passed, would mean to me. I plan to come to the open house this evening, but I am wondering what your advice is re: having a particular property and renovation plan reviewed in this strange time of moratoriums, zoning amendments, and historic district considerations. I am in the midst of a significant life-changing event, and would like to know what is possible, or what will be possible when the moratorium expires in September, with a renovation. Are there mechanisms for a resident to invite a city planning official to look at the home and renovation sketches, and offer informal advice before filing an official application?
 Amy

On Jul 21, 2010, at 12:05 PM, Mills, Wayne wrote:

Hello Ms. Davis-

In response to your question regarding "preserve existing building setbacks", the regulations in the draft proposed ordinance would not allow an addition to be built closer to the front property line than the setback of the existing building. This would not impact the construction of a second level; however, there are other regulations in the proposal that would require Historic Landmark Commission review of a 2nd story. The proposed regulations define a demolition as the removal of 50% or more of the existing roof for structures that are determined "significant". The Historic Landmark Commission would have the authority to review demolition applications according to a set of standards. I have attached a copy of the current proposal for your review. Please review the proposed regulations and provide comments or contact me if you have questions.

Thank you.

Wayne Mills
 Senior Planner
 Salt Lake City Planning Division
 451 S. State Street, Room 406
 PO Box 145480
 Salt Lake City, UT 84114-5480
 Phone: 801-535-7282
 Fax: 801-535-6174

From: Amy J. Davis [mailto:amy.davis@utah.edu]
Sent: Wednesday, July 21, 2010 9:20 AM
To: Mills, Wayne
Cc: Card, Quin
Subject: Petition PLNPCM2010-00448

Maloy, Michael

From: brandonbarber@comcast.net
Sent: Wednesday, July 21, 2010 7:32 PM
To: Maloy, Michael
Subject: Fw: Overlay

Categories: Other

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: brandonbarber@comcast.net
Date: Thu, 22 Jul 2010 01:02:54
To: <wayne.mills@slcgov.com>
Reply-To: brandonbarber@comcast.net
Subject: Overlay

I would like to voice my opinion on the overlay. My concern is the 50 percent or more roof area is considered a demo.

Many smaller homes, who would like to add a 2nd story would not be approved bases on the overlay.

This is too restrictive. If you are on a small lot with no room to the side or no room to the back what can you do? Go up. Not according to this overlay.

The 50 percent of exterior walls seems too restrictive as well.

I am ok with everything except with the 50 percent of roof area and 50 percent of exterior walls. And any exterior wall facing the public street.

I hope this opinion is heard.....

Sent from my Verizon Wireless BlackBerry

Maloy, Michael

From: Boyd Anderson [Boyd@StakerCompany.com]
Sent: Thursday, July 22, 2010 8:41 AM
To: Mills, Wayne; Maloy, Michael
Subject: Yalecrest

Categories: Other

Wayne & Michael,

I am writing to let you know that I do not support the proposed overlay ordinance. I do not support a no demolition policy. I do not support an ordinance which effectively defaults to an historic district. I do not support the lock down on setbacks. I believe this is too broad. For example, it would prohibit minor improvements to front porch overhangs. I think the overlay should either be scrapped or re-written. Additionally, I would like to see an end to the vigilante code enforcement being done by people who do not work for the City. These people trespass on every construction project with their tape measures and cameras. They cost owners thousands of dollars in delays and additional expenses associated with their architects and engineers. Some of the details of the overlay are ambiguous but I believe that City staff, acting in good faith, is well capable of approving and monitoring construction projects.

Please send this on to each member of the City Council.

Cheers - Boyd

Maloy, Michael

From: Ryan Bell [rbell@rqn.com]
Sent: Thursday, July 22, 2010 10:44 AM
To: Mills, Wayne; Maloy, Michael
Subject: Status of the Yalecrest Neighborhood

Categories: Other

Hello Mssrs. Mills and Maloy,

As a resident on 900 South at 1850 East, I have followed the discussions regarding the proposed historic district in the Yalecrest Neighborhood with great interest. I am strongly opposed to any such development, and have attended many meetings in the last few months to make sure my opinions were heard by the relevant decision-makers.

After returning from a long vacation at the beginning of the week, however, I see the landscape has changed somewhat dramatically, and I haven't yet been able to discern what is now being proposed. My wife was able to go to part of the meeting last night, but was also unclear on the current status of the proposals. I'm trying to cut through the hearsay and find a good source who can tell me what's really going on. I'm told that we are still on track to have small neighborhood meetings on these issues, but others have told me that by the time those meetings take place, the larger decision about the geographic boundaries of the new overlay will already have been established. There is very, very little support for the historic district in my smaller area, and I would find it very suspect if our neighborhood were included in the historic district overlay despite this lack of support. It is also suspicious that those areas where the most vocal opponents of the proposal live have now been cut out, giving the appearance that the city has just attempted to remove the most vocal opponents so as to easily conquer the rest of the neighborhood.

I am a concerned citizen who has given a lot of time and effort to trying to keep up to speed with this process and it is frustrating to now suspect that decisions may soon be made without any opportunity for real input. The other frustration comes from the fact that I can't seem to find reliable information on the true status of the process at the moment. Please let me know if either of you is available for a telephone conversation, or whether there is someone better qualified to speak to me about these issues.

Thank you for your help.

Ryan Bell

Ryan B. Bell | Ray Quinney & Nebeker P.C. | 36 South State Street, Suite 1400 | Salt Lake City, Utah 84111
Direct: 801-323-3383 | Facsimile: 801-532-7543 | www.rqn.com

IRS Rules of Practice require us to inform you that advice, if any, in this email (including any attachments) concerning federal tax matters is not intended to be used, and cannot be used or relied upon for the purpose of avoiding penalties under the Internal Revenue Code, nor for promoting, marketing or recommending any transaction or matter addressed herein. This e-mail is sent by a law firm and contains information that may be privileged and confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately.

Maloy, Michael

From: Toni Seely [tonis@kengarff.com]
Sent: Thursday, July 22, 2010 4:52 PM
To: Maloy, Michael
Subject: FW: Yalecrest overlay

Categories: Other

Michael Maloy,

Toni Seely
Customer Relations Manager
Ken Garff Mercedes-Benz
(801) 257-3036
tonis@kengarff.com

From: Toni Seely [mailto:tonis@kengarff.com]
Sent: Thursday, July 22, 2010 4:46 PM
To: 'michael.maloy@slcgov.com.'
Subject: FW: Yalecrest overlay

Toni Seely
Customer Relations Manager
Ken Garff Mercedes-Benz
(801) 257-3036
tonis@kengarff.com

From: Toni Seely [mailto:tonis@kengarff.com]
Sent: Thursday, July 22, 2010 3:25 PM
To: 'wayne.mills@slcgov.com'
Subject: Yalecrest overlay

Wayne Mills,

My husband and I had planned on attending the meeting last night but my father is in the hospital. We have lived at 1610 Yale Ave since 1978. We have discussed this issue with every neighbor we have and no one is in favor of the Historic designation. However, everyone seems to feel as we do that we have no say. We completely support a new Overlay District as proposed in the notice we received July 20.

Thank you,

Paul and Toni Seely
1610 Yale Ave
Salt Lake City , UT. 84105

Toni Seely
Customer Relations Manager
Ken Garff Mercedes-Benz

Maloy, Michael

From: Coffey, Cheri
Sent: Monday, July 26, 2010 1:22 PM
To: Maloy, Michael
Subject: FW: Yalecrest Demolition Overlay

Categories: Other

To forward to PC, HLC etc.

From: Gust-Jenson, Cindy
Sent: Monday, July 26, 2010 1:15 PM
To: Historic District
Subject: FW: Yalecrest Demolition Overlay

From: Love, Jill
Sent: Monday, July 26, 2010 1:12 PM
To: DeMordaunt, Craig (GE Comm Fin)
Cc: Martin, JT; Christine DeMordaunt; Jardine, Janice; Card, Quin; Tarbet, Nick; Gust-Jenson, Cindy
Subject: Re: Yalecrest Demolition Overlay

Thank you so much. You've made some really great suggestions. I encourage you to forward these to our planning commission and landmarks board. I appreciate your thoughtfulness and effort to help us understand what we could do to fix it. Do you mind sharing your address? Jill

Sent from my iPhone

On Jul 26, 2010, at 11:01 AM, "DeMordaunt, Craig (GE Comm Fin)" <Craig.DeMordaunt@ge.com> wrote:

JT Martin and Jill Love,

I have submitted the following for public comment regarding the proposed "Demolition" legislative intent draft for the Yalecrest YNC Overlay. If you would like to discuss further I would love to schedule a meeting. I am sorry if it is repetitive but I will also be sending an email to the city council email address: council.comments@slcgov.com

Thanks,

Craig DeMordaunt

First, I would like to comment on the current proposal and then add for public comment what I consider a better solution to the current draft. In summary, the current draft defines a demolition too restrictive and then gives the Historic Landmark Commission (HLC) an inordinate amount of power to decide whether a home is significant to be demolished. Giving the HLC this decision power is a round about way of creating a "partial" Local Historic District (LHD). It doesn't give the HLC authority to tell individuals how to design their remodel except for the general items listed in subsection I of the draft legislation but through the definition of "demolition", forces homes to be defined as "significant" and subject to an independent

review board, the HLC. In my mind, these are two very different concepts and objectives that the legislation is trying to intertwine together.

Comments on the draft legislation:

Definition of Demolition: The current draft defines a demolition as either removing 50% of a house as seen from the roof plan, the exterior wall facing a public street, or the elimination of 50% of the exterior retaining walls. I believe this is too restrictive and is missing the mark with its goal. The community has been opposed to complete tear-downs as it relates to "demolitions." I would propose the definition reflect such by defining a demolition as the removal of 3 or more exterior retaining walls. In order to tear-down a structure, a contractor would need to remove 3+ walls. The 50% roof plan concept is not addressing tearing-down a home but rather defining restrictions to potential enhancements (second-story additions) to a home owner. Remember, the goal is to define "demolition," I think the definition should reflect such, and stick to what the intent of a demolition really is; the "removal" of the current structure.

Front Yard Set-backs: I generally don't have an issue with this legislative intent, and I don't think most of our neighbors do as well. I believe however, the language should allow a home to be moved forward to the same set-back as their next door neighbors, if their home was set-back further for some reason. Allowing a homeowner to move forward to the same set-back as their neighbors, enables an entire row of homes to be at the same set-back. Legislation shouldn't restrict individuals from being on par with their neighbors. In addition, I think the legislation should comment on front porches and make sure it is clear that a front porch is not where a set-back begins and that homeowners would be able to construct front porches.

Significant structure and HLC Decision/Determination: First, I am puzzled why this is part of the draft legislation. My understanding is that the city council decided to organize smaller neighborhood groups to debate whether structures are "significant" and what remodel/design changes are allowed. The city council said they wanted smaller neighborhoods to determine whether a LHD, Conservation District, or nothing would be the preservation tool for their neighborhood. I believe the city council made this decision because there has obviously been "NO" type of consensus from the neighborhood. In fact, from the meetings I have attended the majority of the citizens have vocally opposed a LHD). Therefore, in my humble opinion, intertwining the definition of significant structures and review by the HLC with a demolition definition, is undermining the neighborhood groups future decisions and potential future demolition rights if this legislation were to pass as drafted. I believe the entire concept of significant structures and review by the HLC should be removed from the legislation. I believe the city council included the "significant structure" definition because preservation of the Yalecrest character is at the heart of what they are intending to achieve. As a resident of this neighborhood, I want to preserve the visual cohesive collection of structures that define the Yalecrest neighborhood. Since the city council wants us to discuss this in our neighborhood groups I will actively voice my opinion on how that can be properly achieved. Again, my public comment would be to remove the definition of significant structures, and HLC decision/determination.

As I mentioned above, preservation is important to me and the neighborhood. That is why we chose to live in here. Below is a solution I hope, the city council and planning commission consider for the entire Yalecrest Neighborhood and what I will be personally promoting within my neighborhood review group. I personally believe it would unite the neighborhood in preservation rather than dividing neighbor against neighbor like the LHD discussion has done.

Solution: An influential Yalecrest Design Guideline: I would propose the HLC act as the Yalecrest architectural review board, reviewing all remodels additions, and demolition plans. This review board, which is already in place, would develop "architectural and preservation guidelines" that Yalecrest residences should consider when pursuing a remodel/addition or any architectural change. The HLC could use the guidelines presented by the U.S. Secretary of Interior Guidelines for repair, rehabilitation and alteration for Historic Districts. (I believe these are the same guidelines used by Local Historic Districts) The definition of "significant" structures presented in the draft legislation could be used however, the decision/determination of the HLC would only be recommendations and advisory to homeowners. Some might say a recommendation from an review board would not go far enough to preserve the historic character of the community. I completely disagree, and have listed ways the HLC review board would achieve its goal and even promote "non-significant" structure to want to be historic in their architecture. Yes, this doesn't stop teardowns like a LHD designation does, but it ensures that new structures are in

keeping with the historic nature of the community and I believe promotes growth, vitality, energy, and most of all mutual respect in the community.

- The HLC should hold annual or bi-annual meetings for local architects and developers to promote design guidelines. (The architects who work in this area would want to attend and promote the guidelines because becoming an expert in a certain area of one's field without fail yields more demand and more business) The reputation of developers and architects who work on homes in the Yalecrest area will be at stake with every home remodel or demolition.
- The HLC could post a 2-4 hr training session, (on u-tube) for homeowners, developers, and architects to understand and promote historic preservation and the HLC "guidelines". This training could be required for any plans submitted in the Yalecrest area. The HLC can provide a certification document for all architects/developers who complete this course to give them greater credibility in doing work in the area. The course would not be an incremental cost to all parties if presented on u-tube.
- If our community is still concerned about "mega-mansions", the HLC should review the current overlay district restrictions that controls lot coverage ratios, height, side and rear set-back rules.
- The HLC should evaluate and present awards for projects that reflect excellence in historic preservation. The HLC should also recognize landscaping design and outdoor beautification with awards. Builders and architects should be publically recognized and awarded for remodels through mailers, newspaper articles, a preservation dinner etc.. The HLC Board can encourage attractive and compatible new remodels, additions by sponsoring annual or quarterly neighborhood house-walks.
- I would support a public notice of 30 days for any major remodel or demolition. Nearby neighbors should be able to comment on major remodels that could effect their own property rights. I believe respectful neighbors will understand one-another's impact with remodels and demolitions. They might not agree on everything, however, with the influence of neighbors, architects and developers. I believe the right decisions will prevail.

I am sure other steps can be taken to promote and ensure that Yalecrest "guidelines" are maintained without a commission or review board, like the HLC, dictating what is and is not allowed under a LHD Designation. I believe the above steps would properly motivate homeowners, architects and developers to construct remodels/additions with a historic preservation focus, yet, not restrict homeowners property rights, or ability to grow within the neighborhood. Architects and developer who abide by the HLC "guidelines" will develop reputations that keep our neighborhood historic and will motivate non-historic homes to think about constructive changes to their homes because the recognized developers and architects become proponents for such structures. Some structures that don't look historic will be changed because people will want to be like the rest of the neighborhood. It only takes one bad architect/developer to build a bad "garage-mahall" to basically run them out of the neighborhood.

I am of the mindset that if you properly incent or motivate people they will deliver more than what was expected. I believe that is what makes this state, city and community so great. An example I am familiar with that exemplify this concept is the University of Utah. The University of Utah is such an amazing technology creation University. (Recently ranked #1 in efficiency in starting companies, #1 in over all companies started, #2 in inventions generated.) The reason the University has been so successful is because it has created an environment with amazing professors, first class research facilities, and capital resources to grow new ideas. The University did not put restrictions or limits on individuals creativity or ideas. By empowering people with good ideas, (good "guidelines"), having the smartest experts, (HLC members) and the local financial resources, the Yalecrest Neighborhood will look better than it does now. It is about promoting the correct behavior not forcing people to behave as you want.

Last but not least, I want everyone to know my family and I moved to SLC about 1-year ago. We moved here from Glen Ellyn, IL, a city established in 1834 that is very historic and has had several movies filmed there because of it's historic charm. The city has a local historic district in the downtown area, however, for general residences they rely upon a strong and influential Architectural Review Board to ensure the historic character of the town is maintained. I can attest that the above solution works. The community takes pride in maintaining and preserving historic homes by imploring several of the steps I have listed above. Over the years, individuals use certain architects and developers because they are the ones respected by the locals for their preservation concern. It works, it is not the only town that has chosen to follow a Design Guideline approach. I am sure you were aware it was one of the solutions presented by

the Yalecrest Neighborhood Council and the solution, I believe we should be considering for the entire Neighborhood.

I hope you see I have tried to be proactive in providing concrete suggestions, and reasons the city council and city planning commission should consider these comments. I hope we can work together to achieve the same goal. I would be available to meet and discuss further at any time.

Thank you for your consideration.

Craig DeMordaunt

932 Military Drive, SLC UT 84108

tel: 801-657-5510

Maloy, Michael

From: fijifan@cox.net
Sent: Monday, July 26, 2010 1:50 PM
To: Maloy, Michael
Subject: petition to change historic zoning

Categories: Other

We are joint owners of the property at 1883 Herbert Ave. It has been in our family for many years. We wish to submit our opinion against overturning the current zoning, turning the area we are in into a historical zone. It is not possible for us to attend the upcoming meeting but we would like our names added to those against changing the zoning of yalecrest as it now stands. Historical zoning areas do not work for all people. thank you Dr. John Adams & David Brown fijifan@cox.net

WILFORD H. SOMMERKORN
PLANNING DIRECTOR

PATRICIA COMARELL
ASSISTANT PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING DIVISION

RALPH BECKER
MAYOR

FRANK B. GRAY
COMMUNITY AND ECONOMIC
DEVELOPMENT DIRECTOR

July 27, 2010

Mr. Harry Cagle
1766 Yalecrest Avenue
Salt Lake City, UT 84108-1840

Dear Mr. Cagle:

Thank you for calling me to express your position on the proposed YNC Yalecrest Neighborhood Character Overlay District. Based on our conversation, it is my understanding that you support the proposed zoning amendment subject to proper City inspections of new construction.

Thank you for your time and consideration in this matter.

Sincerely,



Michael Maloy, AICP
Principal Planner
(801) 535-7118

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 9:51 AM
To: Maloy, Michael
Subject: FW: Ordinance

Categories: Other

I just forwarded this to the Planning Commission

From: Joanne Outzen [mailto:outzenj@hotmail.com]
Sent: Tuesday, July 27, 2010 8:37 AM
To: Planning Web Site Comments
Subject: Ordinance

Dear Members of the Planning Commission,

We absolutely object to the new ordinance being proposed. The council needs to work **with** us to preserve the neighborhood so that we as homeowners do not give up our property rights.

Joanne and Michael Outzen
1677 Yalecrest Avenue

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 9:54 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Coffey, Cheri; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: proposed ordinance-Yalecrest
Categories: Other

From: Christine Jackson [mailto:bcjackson8@msn.com]
Sent: Monday, July 26, 2010 11:28 PM
To: Planning Web Site Comments
Subject: proposed ordinance-Yalecrest

Dear Planning Commission Members:

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area. Judging from the meetings I have attended, there is a clear majority (70+%) who do not want any additional restrictions placed on building in our neighborhood. It is frustrating to see the city trying to impose this ordinance on our neighborhood when the majority of us have clearly stated that we don't want any additional regulation. Any actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,

Christine Jackson
1803 Michigan Ave

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 9:54 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Coffey, Cheri; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Tear Downs and Major Remodels should be approved

Categories: Other

From: Lynda Arnell [mailto:lyndaarnell@gmail.com]
Sent: Tuesday, July 27, 2010 7:51 AM
To: Planning Web Site Comments
Subject: Tear Downs and Major Remodels should be approved

I live in the Yalecrest neighborhood and do not agree with the proposal for no tear downs or major remodels.

I urge you to vote against this proposal.

Sincerely,

Lynda Arnell
1732 Hubbard Ave.

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 10:06 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana
Subject: FW: Oppose proposed ban on demolitions and remodels
Categories: Other

From: Larry Wall [mailto:lswall46@gmail.com]
Sent: Tuesday, July 27, 2010 9:56 AM
To: Planning Web Site Comments
Subject: Oppose proposed ban on demolitions and remodels

Dear Sir/Madam:

I am a homeowner in the Yalecrest neighborhood. I **do NOT support** the Planning Commission's proposed ban on teardowns and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,
Lawrence Wall

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 10:35 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana
Subject: FW: yalecrest

Categories: Other

From: butch adams [mailto:butch@butchadams.com]
Sent: Tuesday, July 27, 2010 10:21 AM
To: Planning Web Site Comments
Subject: yalecrest

Members of the Planning Commission,

As a long-time home owner and resident of the Yalecrest area I am strongly opposed to the Demolition Ordinance and/or Historical Designation of the Yalecrest area.

Over 60% of the houses in the Yalecrest area are 1000 to 2000 sq. ft., and have no option to expand except to add a second level. The restrictions in the ordinance are too severe for most of the homes in our neighborhood, and will have a net negative effect on the area.

When JT Martin and Jill Love conducted the neighborhood meetings, their presentations were very biased towards having a Historical District. I asked them directly why the meetings seemed so in favor of Historical Designation. Jill responded that she, JT and the city had no agenda, and that they would only vote

according to the wishes of the majority of the residents.

At the City Council meeting at the end of June, Jill Love admitted that she was highly in favor of Historical Designation but was tired of the heavy opposition by the neighborhood residents and felt the City Council should lift the temporary restrictions and start over. Instead of lifting the moratorium, the City Council asked the City Planning Division to draft a new, even more restrictive ordinance. Then, the City Council sent out an email summarizing the new ordinance in very innocuous terms, masquerading the ordinance as the long-awaited tool to prevent tear-downs. What they didn't call out in their summary was that the word demolition has taken on entirely new and unexpected meanings. To add to the surreptitious behavior of certain City Council members, this ordinance has been drafted in haste, and is set to be reviewed and approved in an unrealistic timeline to beat the ticking clock that marks the expiration of the moratorium. All of this is taking place in a condensed time frame, in the months of July and August, when many people in the area are on summer vacations and are not present to voice their dissent!

Over 70% of the residents who attended the neighborhood and City Council meetings in the past couple months are against historical designation! How can the City Council, in good conscience, be trying to push this agenda through anyway?

I urge you to lift the temporary restrictions now and vote against the Demolition Ordinance!

butch adams

www.butchadams.com

butch@butchadams.com

Maloy, Michael

From: Debra K. Hill [dkhephill@hotmail.com]
Sent: Tuesday, July 27, 2010 11:49 AM
To: Maloy, Michael
Subject: demolition ordinance

Categories: Other

Dear Historic Landmarks Commission c/o Michael Maloy,

We own a home in the Yalecrest neighborhood. We do not support the Planning Commission's proposed ban on teardowns and major remodels in our area. We feel that the current definition of demolition is too restrictive and may prevent much needed updates of homes on our street, including possible second story additions. (We are bordered on the East and West by one story homes that have been in disrepair and multiple violation of city codes for more than *a decade* and would much prefer them to be replaced by entirely new structures than continue as they currently are. We feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and we urge you to vote accordingly.

Sincerely,
Dr. Robert D. and Debra K. Hill
1876 East Herbert Avenue

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 1:21 PM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Proposed Planning and Zoning
Categories: Other

From: Todd Tanner [mailto:todd@tannergroup.com]
Sent: Tuesday, July 27, 2010 12:22 PM
To: Council Comments; Martin, JT; Love, Jill
Cc: Zuck, Cecily; Planning Web Site Comments
Subject: Proposed Planning and Zoning

I want to make sure you are aware that I am against the proposed zoning ordinance. Except for a very few exceptions (and we can all point them out), the teardowns and major remodels have dramatically improved the quality of our neighborhood. I would encourage the proposed Planning Department "solution" be tossed and a new envelop criteria be established. I am deathly afraid this entire area, and especially my street, will become a rental graveyard. Rentals destroyed my previous neighborhood (Garfield Avenue) in the 70's and 80's. Over the last 20 years, the few rentals on my section of Harvard rapidly deteriorated to the point of being an eyesore and a blight. Luckily, the majority have now been sold and the new occupants have immediately made major investments and improvements. However, most of the new owners I have spoken to anticipated the ability to add a second floor in the future, this will be impossible under either the proposed zoning or the original Historical District designations. This whole scheme will have major unintended consequences. I wonder what I can rent my home for as it falls apart over the next ten or twenty years, because these 1930 style homes take an inordinate amount of maintenance and care. Something renters rarely have the resources to do.

By the way, five to ten years ago a large two story addition was added to the home kitty-corner to me and has blocked my view of the mountains. Overall, it is a nice home with a young family who probably need the extra room. It has turned once since the original "construction", the first family moved when he finished his medical residency. I do not know who the new family is but I can hear them laughing and playing across the fences. I am glad to have them, view or not.

Todd Tanner
1742 Harvard Avenue
Salt Lake City, Utah 84108
todd@tannergroup.com
801-582-8100
801-580-0966 mobile

Maloy, Michael

From: Hasenberg, Angela
Sent: Tuesday, July 27, 2010 1:22 PM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Yalecrest
Categories: Other

From: Cook, Todd [mailto:todd.cook@wellsfargoadvisors.com]
Sent: Tuesday, July 27, 2010 12:25 PM
To: Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT
Subject: Yalecrest

Dear City Council Members,

As I have attended most of the public meetings or watched on TV the public meeting of July 6th, I feel **I am an informed resident of the Yalecrest Neighborhood**. I want you to know how disappointed I am with the process and the leadership involved in the process. This doesn't reflect well on our local government at all and has caused so many harsh feelings in the neighborhood!

I want you to know that I am extremely **opposed** to the "newest" demolition ordinance. I ask that you please **postpone your voting** and take additional time to **listen to the people** as they are becoming more informed and have additional ideas for you to consider.

Although I am **against** the creation of a Yalecrest Historic District, I am willing to work with those who are in favor to reach a solution for an agreement. Mostly, I believe in the process of working with the people who are my neighbors to discuss and find a way to resolve this matter.

I have lived in the Yalecrest neighborhood for more than 27 years and have parts of my home which need repair. I currently have an application in process for a structural repair and change to the front of my house. I started the process over a year ago with an architect. He completed the drawings within the guidelines of the existing ordinances and I have received permission and approval from all of my neighbors. As a long time property owner, I would like you to consider a "GRANDFATHER CLAUSE", thus allowing my drawings to be approved!

I would like to know that my property rights as a homeowner would always be equal to each of my neighbors, especially those whom have already completed their remodels!

Regards,

Todd J. Cook
Senior Vice President - Investment Officer
Wells Fargo Advisors, LLC
201 South Main Street, Suite 160
Salt Lake City, Utah 84111
Tel 801-531-3921 direct
Fax 801-535-4099
Toll-free 800-662-3733

Maloy, Michael

From: Leith, Carl
Sent: Tuesday, July 27, 2010 4:51 PM
To: Gust-Jenson, Cindy; Planning (All)
Subject: FW: Avenues Historic District experience

Categories: Other

A note relating to HD experience in the Avenues HD, relative to questions asked in more than one recent YC meeting.

Thanks,

Carl

-----Original Message-----

From: Jim Jenkin [mailto:jim.jenkin@hsc.utah.edu]
Sent: Tuesday, July 27, 2010 4:41 PM
To: Leith, Carl
Cc: Dave Van Langeveld; Card, Quin
Subject: Avenues Historic District experience

Carl,

It was a pleasure talking to you today. I understand that the Avenues' experience with the Avenues Historic District has been questioned at several community meeting regarding the proposed Yalecrest District. In my experience the Avenues Historic District is integral to the success of the Avenues as a community and to the retention of real estate value in the area. Simply stated, homes that are renovated in conformity with the requirements of the Avenues Historic District hold their value, sell quickly (therefore remaining occupied) and protect the value of the surrounding properties. Further, Historic Landmarks Commission oversight provides a necessary further check against abuses of the zoning ordinances. This will be enhanced by giving the HLC the ability to propose ordinance changes. While there are always some rough spots and dissatisfaction (particularly with design standards and delays in process) the cumulative effect is to produce a stable, more predictable neighborhood, increasing the quality of life for all.

Please share these comments with the HLC, Planning Commission and City Council Staff, and with others as you see fit. I look forward to discussing this again after I return from Alaska.

Sincerely yours,

Jim Jenkin
Chair
Greater Avenues Community Council

Maloy, Michael

From: Sommerkorn, Wilford
Sent: Tuesday, July 27, 2010 5:08 PM
To: Maloy, Michael
Subject: FW: Propsed Ban on Teardowns & Major Remodels

Categories: Other

Wilf Sommerkorn
Director
Salt Lake City Planning Division

From: Gust-Jenson, Cindy
Sent: Tuesday, July 27, 2010 2:01 PM
To: Historic District
Subject: FW: Propsed Ban on Teardowns & Major Remodels

From: Council Comments
Sent: Tuesday, July 27, 2010 1:52 PM
To: City Council Members
Cc: ccFront Office; City Council Liaisons; Jardine, Janice
Subject: FW: Propsed Ban on Teardowns & Major Remodels

Good Afternoon,

Below is a comment from Backie Winston, a homeowner in the Yalecrest neighborhood. She is strongly opposed to the Planning Commission's proposal and urges the Council to be in accordanance with the prevailing opinions of the affected homeowners.

Thanks,

Mellisa Ridgeway
Staff Assistant
City Council Office
(801) 535-7615

From: beekiewinston@aol.com [mailto:beekiewinston@aol.com]
Sent: Monday, July 26, 2010 10:44 PM
To: Beckiewinston@aol.com
Subject: Propsed Ban on Teardowns & Major Remodels

I am a homeowner in the Yalecrest neighborhood and I am strongly opposed to the Planning Commission's proposed ban on teardowns and major remodels in my area. I think that the actions of the Planning Commission and City Council should be in accordance with the prevailing opinions of affected homeowners and I urge you to vote accordingly.

Sincerely,

Maloy, Michael

From: Sommerkorn, Wilford
Sent: Tuesday, July 27, 2010 5:22 PM
To: Maloy, Michael
Subject: FW: Yalecrest Overlay

Categories: Other

Wilf Sommerkorn
Director
Salt Lake City Planning Division

From: Sue Hiller [mailto:lucindadog510@hotmail.com]
Sent: Tuesday, July 27, 2010 12:20 PM
To: Sommerkorn, Wilford
Subject: Yalecrest Overlay

Dear Mr. Sommerkorn:

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area!!!! No way, no how!!!! I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly. After all the neighborhood support AGAINST the proposed LHD, why are you and the council trying to STILL push rules/guidelines which are too restrictive. I think it is very interesting Mr. Martin was able to remodel his house without any flack, yet now the City is trying to prohibit us from making worthwhile improvements. Why are you people SO interested in pushing something through which does not benefit the MAJORITY of homeowners?

Sincerely,
S. Osten
862 S. Diestel RD
Salt Lake City 84105

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)

Maloy, Michael

From: Hasenberg, Angela
Sent: Wednesday, July 28, 2010 10:42 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Yalecrest Overlay
Categories: Other

From: michael osten [mailto:moglass@comcast.net]
Sent: Tuesday, July 27, 2010 5:54 PM
To: Planning Web Site Comments
Subject: Yalecrest Overlay

Dear Planning Commission:

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area!!!! No way, no how!!!! I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly. After all the neighborhood support AGAINST the proposed LHD, why are you and the council trying to STILL push rules/guidelines which are too restrictive. I think it is very interesting Mr. Martin was able to remodel his house without any flack, yet now the city is trying to prohibit the rest of the Yalecrest community from making worthwhile, and much needed improvements. Why are you people SO interested in pushing something through which does not benefit the MAJORITY of homeowners? The MAJORITY of homeowners are shocked at the level of interference by your department and the city. What's next, gates?

Sincerely,
M. Osten
862 S. Diestel RD
Salt Lake City 84105

Maloy, Michael

From: Hasenberg, Angela
Sent: Wednesday, July 28, 2010 10:44 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Proposed Planning Commission regulations on demolitions
Categories: Other

From: Meiling Yang [mailto:myling888@yahoo.com]
Sent: Tuesday, July 27, 2010 6:07 PM
To: Planning Web Site Comments; Zuck, Cecily
Subject: Proposed Planning Commission regulations on demolitions

As a practicing sociologist whose publications have appeared in journals for more than two decades, I can say this: the function of a bureaucracy is to perpetuate itself. That is, the bureaucratic process inherent in the proposed Planning Commission regulations on demolitions will interpose itself between those of us in the Yalecrest Community and our homes. According to my experience, those regulations would prevent us from being masters of our own homes. I urge you to vote against them.

-- Ernest Volinn
1603 E. Princeton Ave.
Salt Lake City , UT 84105

Maloy, Michael

From: Hasenberg, Angela
Sent: Wednesday, July 28, 2010 10:44 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: yalecrest overlay---against.
Categories: Other

From: Jim Joelle [mailto:jimjoelle@yahoo.com]
Sent: Tuesday, July 27, 2010 8:57 PM
To: Planning Web Site Comments
Subject: yalecrest overlay---against.

a few comments about the Yalecrest Overlay.....simply...**I am against it.**

My name is Jim Robinson.
I live at 1749 Michigan Ave, and own the home.

I attended the planning session last week and am too busy with my family to attend Wednesday's meeting.

- The definition of a demolition will limit second story additions...I am against that.
- The currently ordinance (which has had little review) is anti-family...We need more families in the neighborhood.
- The process is rushed!!!! please let's do this slowly.

Please, do your part to get consensus from the community before this gets voted on.

Thank you

Jim

Maloy, Michael

From: Hasenberg, Angela
Sent: Wednesday, July 28, 2010 10:44 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Do Not Support Ban on teardowns
Categories: Other

From: Kristyn Efstratis [mailto:kmefstratis@gmail.com]
Sent: Tuesday, July 27, 2010 9:12 PM
To: Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT; Mayor
Subject: Do Not Support Ban on teardowns

Dear Members of the City Council,

I am a homeowner in the Yalecrest neighborhood. I do NOT support the Planning Commission's proposed ban on teardowns and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,

Kristyn & Nick Efstratis

1874 Michigan Avenue

Maloy, Michael

From: Hasenberg, Angela
Sent: Wednesday, July 28, 2010 10:45 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: From Jonathan and Suzette Baird 1816 Michigan Ave
Categories: Other

From: Jon Baird [mailto:jon@bwfin.com]
Sent: Tuesday, July 27, 2010 9:20 PM
To: Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT; Mayor
Subject: From Jonathan and Suzette Baird 1816 Michigan Ave

To Whom It May Concern,

We, Jonathan and Suzette Baird, your neighbors, DO NOT support the Planning Commission's proposed ban on teardowns and major remodels in my area. We live on 1816 Michigan Avenue and love love our street. Our street has been referenced to several times in these ongoing debates. Also if you look at how beautiful our street is, it is because these homes on Michigan Ave HAVE been majorly remodeled and torn down. All the building has only made our street more beautiful and desireble.

We just got back from touring neighborhoods very similar to ours in Palo Alto, CA and the Piedmont neighborhood between Oakland and Berkley. These neighborhoods have remained beautiful and vibrant and VERY DESIREABLE to live in because they have allowed themselves to remodel and tear down. If they had passed a restriction on all teardown/remodels their neighborhoods would have become less desireable and my wife and I certainly would not have been touring their beautiful neighborhoods.

Please do not make the terrible mistake of thinking that limiting tear downs and add-on's will make our neighborhood a more desireable place to live. All you will accomplish is to age our neighborhood and to flood it with renters. Please allow our neighborhood to contine as it is. I would be okay with creating a system of guidelines to keep our homes within an agreed upon style and limiting them to a certain size percentage of their lots to avoid neighbor encroachment and over-sizing. But to ban tear downs and major remodels will AGE this area, drive down VALUES, drive out FAMILIES and create a transiet rental pool that will substantially hurt our beautiful area.

Please vote against this proposed ban.

Jonathan & Suzette Baird
1816 Michigan Ave

Maloy, Michael

From: Hasenberg, Angela
Sent: Wednesday, July 28, 2010 10:49 AM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Support limiting teardowns and major remodels
Categories: Other

From: Elisabeth Barry [mailto:elisabeth_barry@hotmail.com]
Sent: Tuesday, July 27, 2010 9:36 PM
To: Zuck, Cecily; Planning Web Site Comments; landmarks@slcgov.com; Council Comments
Subject: Support limiting teardowns and major remodels

Dear Representatives of the City Planning Commission, City Council and Historic District Committee:

I am a homeowner in the Yalecrest neighborhood. I support the proposed ban **limiting** teardowns and major remodels. I support limits, not total bans, where exceptions can be heard and considered on a case-by-case basis.

Actions by the Planning Commission and City Council should reflect the prevailing opinions of affected homeowners, and I urge you to vote accordingly. Thanks for trying to take the pulse of the community.

Sincerely,

Elisabeth and Dave @ 1049 Military Drive

Confidentiality: Contents of this email, my email address and any attachments are intended solely for you, the recipient. Do not forward any part without asking. If you've been forwarded this email by someone other than me, please notify me.



Planning Division
Department of
Community &
Economic
Development

OPEN HOUSE - JULY 28 2010
PETITION PLNPCM 2010-00448
YNC Yalecrest Neighborhood Character Overlay
District

COMMENT CARD

Name: BROOKE TEW
Address: 1187 So. 1500E.
Phone: 801-243-0015
Email: brocta@sina.com
Comments/Suggestions:

TO - PLANNING Commission / CITY COUNSEL

I JUST RECEIVED AN EMAIL INFORMING ME OF THE PROPOSED CHANGES TO THE YALECREST OVERLAY. I WAS ESPECIALLY TROUBLED BY THE DEFINITION OF WHAT WOULD CONSTITUTE A DEMOLITION. THE NEW PROPOSAL WOULD NOT ALLOW ANYTHING OVER 50' OF THE ROOF STRUCTURE TO BE CHANGED (AS I UNDERSTAND IT). THIS IS A SIGNIFICANT HARDSHIP AND, IN MY OPINION, A BREACH OF THE PROPERTY OWNERS RIGHTS TO THEIR "Pursuit of HAPPINESS" AS FAR AS THEIR HOME IS CONCERNED. THEY SHOULD HAVE THE RIGHT TO TASTEFULLY & ARCHITECTURALLY ALTER OR DEMO & RE-BUILD SOMETHING THAT WILL ENDOURE STRUCTURALLY AND COMPLY WITH REASONABLE SIZE CONSTRAINTS. I AM IN FAVOR OF RETAINING THE CHARM & SCALE OF THESE NEIGHBORHOODS. I AM NOT IN FAVOR OF TRAMPLING OVER THE DREAMS OF A LONG TERM HOME OWNER THAT HAS FINALLY REACHED THE POINT OF BUILDING THEIR DREAM. JUST SO THE POWERS THAT BE SAY NO. Use back side if needed.

PLEASE RETURN THIS CARD WITH COMMENTS BACK TO THE TABLE AT THE FRONT ENTRANCE OF THE CHAPEL WHERE IT WAS PICKED UP. YOUR COMMENTS WILL BE FORWARDED TO THE PLANNING COMMISSION FOR CONSIDERATION.

Maloy, Michael

From: Kevin Curtis [kcurtis@gmail.com]
Sent: Tuesday, August 03, 2010 1:43 PM
To: Martin, JT
Cc: Maloy, Michael; Mills, Wayne
Subject: proposed yalecrest amendment

Categories: Other

Councilman Martin

I am writing to view my opinion AGAINST the proposed amendment. I believe the overlay already in place is sufficient and to impose additional restrictions on homeowners is unwarranted.

For the majority of homeowners who have made improvements, they have been in good taste. For others not in good taste, some do not even meet current requirements and accidently passed the inspection process e.g. Hubbard house in the 1700 block.

I see this amendment too restricting and unnecessary.

If I were a council member I would not vote for this proposal and will not vote for any council member who does.

Thank you

Kevin Curtis
1912 Michigan Ave

Maloy, Michael

From: Nadine Ward [nadineward1356@gmail.com]
Sent: Tuesday, August 03, 2010 2:01 PM
To: Maloy, Michael; Mills, Wayne
Subject: Petitious PLNPCM2010-00448 and PLNPCM2010-00461

Categories: Other

Dear Sirs;

After much consideration and attending several of the preservations meetings, I believe the Historic Preservation concept is too restrictive for owners of these homes. My house is almost 100 years old and is beginning to show it's age. I have lived in this home over 40 years and all the remodeling we did when we moved here, needs to be redone. (no we did not change the outside of the house but we did add a two car garage.) I do not want a committee to tell me what kind windows I can buy and what other changes I can make. I have different life style needs now than 40 years ago. I love this neighborhood and hope to preserve the character of it by people exercising good judgment in what they do.

I know young people who would come to buy these homes want different home styles and should be able to remodel to make the homes work for them. They can be given guidelines and directions but not be dictated to on all details. These committees will just burden the home builder and delay action to their remodeling. I also understand that it is more costly to remodel an old home than to tear down and rebuild. My concern is that the restrictions will discourage anyone from buying theses home. If young people do not want to buy them and remode, who will buy them? The middle age or elder will not because of the three level living required by these large homes.

Is there not some middle ground that will limit the size of the house to the size of the lot? keep the traditions of the Tudor or character of the homes in the area. (avoid the garagemahall and shoebox)

Can't the over lay that is in place become more comprehensive? It need to be able to prohibit these monstrosities and still give some freedom if a house need to be replaced. There is a good example of a house that was replaced and fits in to the neighborhood and lot size on Uintah Circle. The neighbors do not mind it and it meets the needs of the new owner who are young.

Thank you for your attention to these comments.

Nadine Ward

Maloy, Michael

From: Michael F. Jones [mjones@mfjlaw.com]
Sent: Friday, July 30, 2010 6:23 PM
To: Maloy, Michael
Cc: 'Warren Lloyd'; Mills, Wayne
Subject: FW: HLC Agenda August 4; Planning Commission Agenda August 11, 2010

Categories: Other

Mike,

I'm forwarding this to you in Wayne's absence.

Mike

Michael F. Jones | Michael F. Jones, P.C. | Wells Fargo Center | 299 South Main Street, Suite 1300, Salt Lake City, Utah 84111
T 801.582.2400 | F 801.582.4353 | mjones@mfjlaw.com | www.mfjlaw.com

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From: Michael F. Jones [mailto:mjones@mfjlaw.com]
Sent: Friday, July 30, 2010 16:08
To: 'Warren Lloyd'; 'wayne.mills@slcgov.com'
Cc: 'GEORGE CATHY KELNER'; 'dmgib@xmission.com'; 'virginiahylton@gmail.com'; 'sally.patrick@gmail.com'; 'Kirk Huffaker'
Subject: HLC Agenda August 4; Planning Commission Agenda August 11, 2010

Warren and Wayne,

I've read the HLC Staff Report. I didn't bother to attend the public input meeting, because I wanted to see the demo overlay ordinance, and I considered that the meeting would be more or less a waste of time, notable only for Phil Winston-motivated complainers. From the Staff Report's discussion of the comments made, it seems my expectation was met.

If the ordinance is to be successful in achieving the neighborhood preservation goal, then it's presently insufficient. It needs at least two more things. First, it needs to bar changes to the streetscape façade of the houses, so that second floor additions will not be permitted. Second, it needs to bar changes to the existing side yard setbacks for the houses, so that small houses on large lots can't become much larger houses in light of the current relatively nominal setbacks (by taking off, say, the rear wall and one of the side walls, and blowing them both way out).

The Yalecrest Infill Ordinance passed some years ago has been an abject failure in protecting my Yalecrest neighborhood, of which I'm a 28-year resident in the same house. If you fail to include the two noted items, then this overlay will again be a failure, and you will have participated in it. Please take responsibility for protecting the neighborhood, which is the express charge of the HLC under the Salt Lake Zoning Ordinance.

Best,
Mike

Maloy, Michael

From: Hasenberg, Angela
Sent: Monday, August 02, 2010 10:55 AM
To: Angela Dèan; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Infill Overlay Change
Categories: Other

From: Larry.Maxfield [mailto:Larry.Maxfield@accessdevelopment.com]
Sent: Sunday, August 01, 2010 3:37 PM
To: Hasenberg, Angela
Subject: Yalecrest Infill Overlay Change

Please forward to City Planning Commission Board Members:

Yalecrest Half-Baked Half-a-House Plan

The most recent proposal from Salt Lake City Council Members Love and Martin (prepared by the Landmarks Commission at the Council's request) is further evidence they are not listening to will of their constituents and are on a myopic mission to stop demolitions in the Yalecrest neighborhood. The most recent proposed zoning change would prohibit residents from demolishing more than 50% of their home or roof. What? Can you imagine how ridiculous your home would look if you cut it in half and put a new addition behind it or to the side of it?

This is just the latest half-baked plan hatched by the Salt Lake City Council in the absence of resident input and without a clear understanding of what Yalecrest residents want. Years ago, the City embarked on a mission to turn the Yalecrest neighborhood into a Local Historic District. They did not hire an independent survey to identify resident concerns or create a task force of residents representing all the diverse interests within the neighborhood. Instead the city pursued a plan to expand the Local Historic District using the mantra "stop mega mansions" to justify imposing LHD regulations on residents.

The battle cry to "stop mega mansions" was widely popular among residents until they learned the 202 page Historic Design Guidelines micro-managed the facades of their homes restricting changes to anything that can be seen from the street and dictated historic materials must be used for everything from windows to doors and exterior surfaces. Moreover, the Local Historic District denied demolitions eliminating the opportunity for residents to build new homes with superior materials, better insulation and to meet seismic safety standards. Seismic safety is of key concern to residents given the homes are primarily built of unreinforced brick, are located adjacent to the Wasatch Fault and cannot be affordably insured.

In four successive, well-attended neighborhood meetings, a vote was taken from citizens in attendance with the majority opposing the Local Historic District. Yet, Councilman Martin forged ahead refusing to acknowledge he had delivered the wrong solution to the wrong problem. He claimed the purpose of the meetings was to "build a dialog". But rather than listening and taking the majority vote in these public meetings as a mandate to find a better solution, Martin pushed his agenda ahead. Now he and Councilwoman Love are putting forth this new zoning ordinance as a last ditch effort to permanently extend the demolition moratorium. Ironically, prohibiting 50% roof demolition is more restrictive than the LHD proposal and nothing in the new ordinance addresses "mega mansions".

As constituents we deserve better solutions than half-baked, half-a-house, arbitrary policies imposed against our will by elected officials.

Larry Maxfield

23 Year Yalecrest Resident
1755 E Princeton Ave, Salt Lake City, UT 84108
801-581-0634

Larry Maxfield, CEO
Access Development
larry.maxfield@accessdevelopment.com
(800)781-6123

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Maloy, Michael

From: Scott Parkinson [sparkinson@summitmpi.com]
Sent: Monday, August 02, 2010 12:47 PM
To: Mills, Wayne
Cc: Maloy, Michael
Subject: Proposed Yalecrest overlay

Categories: Other

Dear Messrs. Mills and Maloy

1. I am homeowner and 29 year resident of the Yalecrest neighborhood. I am strongly **OPPOSED** to the proposed amendment restricting major remodels in our neighborhood – particularly on Hubbard Avenue above 1700 East. The proposed restrictions appear to be more restrictive than LHD restrictions which the homeowners (above 1700 East) have overwhelmingly indicated opposition in the recent public meetings.

On Hubbard Avenue between Military Drive (1700 E.) and 1900 East, two blocks, there are 37 dwellings (both sides of the street). Of the 37 dwellings, 3 are duplexes, 4 are complete rebuilds from demolitions, 14 have already had major remodels or significant additions, 6 are small footprint 2 story homes (including mine) – leaving 10 single level homes. Therefore the proposed restriction would **UNFAIRLY** burden and restrict those homeowners from reasonably enlarging their homes like many have already done. Many of the single story homes are owned by younger growing families with hopes of staying in and enlarging their homes. If they are not allowed to add reasonably sized 2nd story, then were are at risk of losing those families from the neighborhood. If those homes are severely restricted from reasonable enlargement the demand for those properties will certainly go down and thus will the values and the mix of the neighborhood.

The defined “demolition” in the proposed changes is too broad and most of the other changes are too restrictive, and do not make sense to apply to the “tract homes of their day” above 1700 E. Incidentally, of the 4 demolitions on Hubbard, 3 are very very well done and add to the neighborhood. The only objection is, of course, the “garagemahall” house which won’t change with any new ordinance and could not be built within the current ordinance.

1. Why does the proposed map not exclude Hubbard and Michigan like it does Yalecrest and Herbert (East of 1800 E.)? All of those streets should be excluded from the changes.

Scott Parkinson
1872 E. Hubbard Ave.

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Jodi L. Howick
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August 4, 2010

Salt Lake City Planning Commission
Attn: Angela Hasenberg
451 S. State, Rm. 406
Salt Lake City, UT 84111

RE: Proposed Yalecrest Neighborhood Character Overlay District

Dear Planning Commission Members:

I have been retained to represent the rights of the Yalecrest Preservationists for Property Rights, a group of neighbors who have strong support from many residents living in the area of the City's proposed Yalecrest zoning overlay district. These residents of Council Districts 5 and 6 are concerned that the City is rushing to impose new zoning requirements that will severely restrict their personal property rights and the growth and economic well-being of their neighborhood. Many of them have raised questions and expressed concerns without receiving information from the City in return. They now want to again advise you of some of the detrimental effects and potential legal impacts of the City's proposed action.

The City sent a notice to residents stating that this proposed new district would "limit demolition of homes that define the character of the Yalecrest neighborhood." It did not inform them that the City had defined the term "demolition" to mean any significant remodeling activity (removing 50% or more of the roof or exterior walls), that the regulation would prevent most significant remodeling activity unless the homeowner complied with historic district standards, or that the regulation would apply to homes remodeled or built long after the neighborhood's original development (any home 50 years old or more, whether or not remodeled). The proposed "demolition" ordinance will actually force most residents who remodel their homes to meet vague historic district standards without creating an historic district, and the City's failure to notify residents of these severe restrictions raises strong concerns for the validity of the City's process.

The City's proposed ordinance forces residents to accept subjective "historic district standards" despite their objections. If passed, proposed Sections 21A.34.125(D)(2), (F)(1)(b) and (I) would force most residents to give up significant rights to use their property unless they "agree" to remodel in accordance with general historic district standards for visual compatibility as provided in Salt Lake City Code § 21A.34.020(H). Actual requirements are unclear since the proposed ordinance leaves the application of these general standards largely to the discretion

of the Historic Landmark Commission whenever the City determines that work is being performed on a "significant structure." The City recently abandoned efforts to impose similar historic district standards by ordinance due to community opposition – the majority of residents do not agree with them. Yet the City is now attempting to coerce residents to agree with undefined standards that the City could not impose. If passed, the terms of the ordinance will allow the City to arbitrarily remove fundamental property rights from these homeowners over their strong objections and without due process of law.

The City is also coercing these standards in an arbitrary manner. Most residents must agree to use them if their homes are 50 years old or older and remodeling activities will affect 50% or more of the roof or exterior walls. If homes are less than 50 years old, or renovations are designed not to trigger the regulation, the standards do not apply. The City has not explained why one type of remodeling must be restricted through the use of rigorous tests for character and compatibility and the other type (whether implemented next door or on the same home) may proceed at will. In effect, the proposed ordinance arbitrarily limits the size and economic status of a home without requiring any overall sense of "character" in the neighborhood. This arbitrary line embedded in the proposed ordinance harms residents, and it cannot rationally support any legitimate interest of the City.

By attempting to incorporate historic district standards without actually creating one, the proposed ordinance also raises concerns for the legality of actions that may be taken under its requirements. For example, the proposed ordinance appears to ask the Historic Landmark Commission to act outside the scope of its lawful authority. Under City Code, the Commission's authority over demolition activities appears to be limited to structures within a properly adopted historic preservation overlay district and to landmark sites. Its authority under state law is also unclear. If the Commission acts illegally, all of its actions would be void. (Similar concerns may apply to the Planning Commission's current actions if its membership does not comply with ordinance requirements.)

By attempting to incorporate historic district standards, the proposed ordinance also suffers from other problems raised by those standards. For example, those standards seek to regulate the compatibility of construction elements within a neighborhood, such as the shape of a roof, the proportions of building elements, and the types of acceptable materials. The proposed ordinance leaves specific requirements under those standards to the discretion of City staff members and members of the Historic Landmark Commission. Yet the Yalecrest area is also subject to a current overlay district that imposes specific requirements on these same elements in an effort to provide "compatibility with existing development patterns within the Yalecrest community." Historic district standards, in any form, would subject residents to conflicting development standards that would undoubtedly fuel disputes and promote litigation.

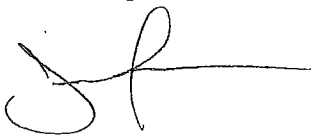
The City has now twice proposed to implement historic district requirements in the Yalecrest area over the objections of the majority of its residents, and this second, indirect effort is even more restrictive and problematic. City officials have claimed that they have no other tools available to protect the Yalecrest area, yet the City's own planning documents have noted that

the City can develop a broad and robust range of "policy and regulatory tools" (Salt Lake City Historic Preservation Plan, June 2009). State law does not prevent the City from developing other options; in fact, the proposed "character" overlay district and the existing Yalecrest overlay district are examples of the City's ability to create alternatives and pursue them quickly.

Yalecrest residents have questioned and objected to historic district standards in person, through public meetings, through correspondence, and through government records act requests. The City has rebuffed these efforts and continues to pursue its course despite these strong objections. The City has not explained why it will not respond to community concerns or consider more acceptable (less restrictive) alternatives, and instead it is rushing forward at the expense of individual rights and legal principles. The many residents whose views are aligned with the Yalecrest Preservationists for Property Rights do not support the City's current process. We ask that the City reject the proposed ordinance and evaluate alternative measures that the community can support.

Very truly yours,

DURHAM JONES & PINEGAR, P.C.



Jodi L. Howick

JH/cm

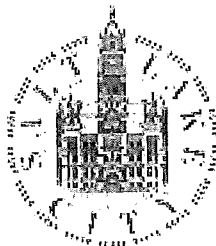
cc: Yalecrest Preservationists for Property Rights
Salt Lake City Council
Historic Landmark Commission
Edwin P. Rutan
Paul C. Nielson

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

Public Comments as of August 4, 2010, 1:04 PM

www.PeakDemocracy.com/489



Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

Introduction

The Salt Lake City Council has requested that the Administration provide recommendations for proposed regulations that include refining what constitutes a demolition, requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmark Commission, and that the front setback of the existing structure must remain the same for any proposed building plans for new construction or remodeling. This is a zoning map and text amendment. The Historic Landmark Commission and Planning Commission will hold public hearings and send a recommendation to the City Council.

We are seeking input on these proposed changes please review the attached Staff Report , proposed “draft ordinance” for details.

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

As of August 4, 2010, 1:04 PM, this forum had:

Attendees:	136
Participants:	23
Hours of Public Comment:	1.2

As with any public comment process, participation in Open Salt Lake City Hall is voluntary. The statements in this record are not necessarily a representative sample of the whole population.

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

All Statements

Nick Efstratis in Salt Lake City

August 4, 2010, 11:47 AM

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area.

I moved from the Avenues, where I lived in a historical district. Because of the historical restrictions in the neighborhood I found that most homes suffered from extreme deferred maintenance. I may be wrong, but I believe home values suffered and families with children (my own) chose other neighborhoods where remodels could be completed to accommodate larger families.

Adam Shaw in Salt Lake City

August 4, 2010, 11:34 AM

I do not support the demolition ordinance of the local historic district. It is too restrictive on the type modifications normal residents of this great neighborhood by and large pursue. It will add considerable time and expense to even minor modifications to a home.

Furthermore, it is subterfuge, a way to pass the intent of a local historic district through the City Council without dealing with the issues brought up by residents during the local historic district debate. The demolition ordinance has been quickly crafted to take advantage of the situation where people thought the local historic district had been tabled.

Finally, our Council members Remington-Love and Martin should respond to the question of why they no longer support a subdivision-based conversation about the best tools to address teardowns and over-massed additions.

Alan Hayes in Salt Lake City

August 4, 2010, 11:26 AM

I am opposed to the proposed ordinance for the Yalecrest neighborhood and to restrictions on demolitions.

My home is structurally unsound and extremely energy inefficient. I want to replace it with a house that is safe and that is as close to having a 0 net energy requirement as possible and these both seem like reasonable goals that the city should be encouraging.

Additionally, my home was extensively remodeled in the early sixties such that the front of the house no longer resembles the original, but it is listed as "historically significant". How can this be?

David Tanner in Salt Lake City

August 4, 2010, 11:07 AM

As homeowners at 1715 Harvard Avenue, we oppose any ordinance, LHD or overlay, that restricts extensive demolition of an existing home to protect our children, ages 5, 3 and 2 from seismic activity. Retrofitting our home is cost-prohibitive- the same conclusion that Salt Lake City came to when deciding to rebuild Bonneville and Uintah elementary schools rather than risking the safety of children. Allow me to be a good neighbor, with wisdom and taste, who is first, a responsible parent. David and Stephanie Tanner.

Schylar Frampton in Salt Lake City

August 4, 2010, 9:42 AM

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

All Statements

I live the 1700 block of Michigan Avenue. I am opposed to the new proposals from the City Council concerning our neighborhood. I would love if comments would include examples, I have heard so much about "flippers", and "McMansions" and other reasons to favor or oppose parts or all of these proposals, but very few examples. I think this is most true with demolitions, I believe at the planning commission meeting it was stated that since 1998 there have been 28 demolitions. 28 demolitions in 12 years out of over 1400 homes. I'm not sure if my numbers are correct, but they are pretty close. Other than the feeling that the City Council is dead set on doing something, anything, at this point I am more concerned that the city won't let us replace trees with the same or similar species in our park strips, living on Michigan Avenue I would never think of putting anything but Sycamore there, so I have not tree in front of my house.

Todd Boren in Salt Lake City

August 4, 2010, 9:37 AM

I am a homeowner in the Yalecrest neighborhood. I do not support the Planning Commission's proposed ban on teardowns and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Todd Boren

1806 Herbert Avenue

Brian Arthur in Salt Lake City

August 4, 2010, 9:35 AM

Hi. I am currently against the proposal of adding or revising an overlay of Historic District designation, guidelines on "character" and any person other than the current home owner having legal power to make decisions on the "character" of a home in the Yalecrest area. I do support some reform of the current overlay only regarding size of homes considering lot size and homes within a reasonable radius. I believe demolitions may not always be the most responsible action, but is inevitable. Therefore, the current overlay should be reformed only to focus on the mass of the building with respect to lot size and homes within reasonable radius. Demolitions could be governed perhaps by a homeowner that has been living over 80% of their time within the home for the previous three (3) years, and cannot be demolished by a sale of the property to new owners nor reassignment of property deed to a new deed holder even within the same family. This allows the homeowner to become more familiar with the area and respect of the neighborhood before making a large decision as demolition. I believe it is unlawful to have a governmental body to have decision power over demolition of homes. Therefore, law to restrict on REASONABLE terms like those I propose above is something I feel the majority will agree to and get this decision made so we all move on and focus on other important topics such as the Laird Park being destroyed by late night revelers. Thank you all for being calm and collected during these months of debate. Your passion really shows and is fully appreciated.

Marianne Sullivan in Salt Lake City

August 4, 2010, 9:26 AM

My husband and I strongly oppose the proposed regulations for the Yalecrest Neighborhood.

Having been through this in other areas where we have lived it made it impossible for most families to be able to afford even modest changes. The permits, delays, and lawyer fees made sure of it. It also does not promote community when neighbors are in a public conflict.

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

All Statements

The majority of the additions and tear downs have been tastefully done. Upgrading building codes have also made most homes safer. Let's not forget we do live in an earthquake area.

These new restrictions will NOT make this a desirable area to purchase a home. Families that need to expand and can't, will be stranded.

This is a beautiful neighborhood and will remain so. Please hear us and let us be!

James Ashworth in Salt Lake City

August 4, 2010, 8:59 AM

I do not support the proposed demolition restriction for the Yalecrest Neighborhood. I believe it is too restrictive.

I do not support making the neighborhood a Local Historical District as I also believe it is too restrictive.

I am a homeowner in the Yalecrest Neighborhood

Erin Murray in Salt Lake City

August 4, 2010, 8:59 AM

I am adamantly opposed to the Yalecrest area being deemed a historic district and/or restrictions for an overlay on my private home. This is a property rights issue and I am specifically opposed to any restrictions for second story additions. Please listen to the community.

Butch Adams in Salt Lake City

August 4, 2010, 8:36 AM

We appeal to the common sense of the Planning Commission and the Historic Landmark Commission to vote against the draft ordinance currently under consideration for the Yalecrest Neighborhood.

We find the following aspects of the draft ordinance to be draconian:

- 1) One-year waiting period is excessive
- 2) No transparent process is delineated; renovation plans will apparently be evaluated within a black box of subjectivity
- 3) The proposed definition of demolition—removal of 50% of roof—is too restrictive. This would prevent small homes from adding tasteful, second-level additions. Most of our neighbors who purchased small, one-story homes have already added second levels.
- 4) The behavior of the City Council with regard to the timeline of drafting and voting on this ordinance is underhanded. Between the condensed period of July 6, 2010 and August 11, 2010, an ordinance will have been drafted, evaluated by two commissions, and subjected to public scrutiny during peak summer vacation time when many people are out of town and completely unaware of the subterfuge at hand. The city officials representing the Yalecrest neighborhood, J.T., Martin and Jill Love, have done a great disservice to the majority of their constituents in this area.
- 5) The significance of a structure should not be determined by the structure's age. Makeshift homes built in the 1940's are not now "significant" because they are old. Age does not transform lead into gold. All homes in the Yalecrest neighborhood are not created equally, and this ordinance does not give leeway for inferior homes to improve.

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

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6) This ordinance strips many homeowners of the ability to improve their homes within their economic means.

Put an end to this historic hysteria once and for all, so that those of us who have careers, families, and hobbies can return to living our lives.

Butch Adams and Amy Davis
1658 East 900 South

John Badger in Salt Lake City August 4, 2010, 7:15 AM
I am a homeowner in the Yalecrest neighborhood. I am opposed to both the Historic District and the Planning Commission's ban on teardowns and major remodels in my area.

Lawrence Wall in Salt Lake City August 4, 2010, 6:21 AM
I am opposed to the proposed Yalecrest Neighborhood regulations. This wonderful neighborhood has done just fine for itself for the last 80 years and will continue to improve itself without the intervention of city hall. Let the neighborhood evolve in a sensible manner. Sensible restrictions, yes. The proposal, no way!

Ray Morrison in Salt Lake City August 3, 2010, 11:53 PM
I have to wonder why the City is expending so much time and energy trying to "save" a neighborhood which has demonstrably improved since its inception. Rather than falling into decay its residences are steadily improved and cared for.

Trees line the streets and provide shade for the sidewalks. Residents take evening strolls and stop to talk with neighbors lounging in their front yards or on their porches. And the neighborhood continues to improve.

Additions, usually tasteful, are made; structures are upgraded. Some tract homes are razed; replaced by larger, safer, more efficient homes where children now live. And the neighborhood continues to improve.

Once a great atrocity was built. It has never been occupied. It has now become the poster child for a Preservation movement. Petitions are signed, "Are you in favor of preventing another Garage Mahal? Are you against having our quaint houses replaced by McMansions? Sign here! It's the "only tool!" Time is running out!

I encourage anyone to drive through our streets (slowly though!) and observe for yourself. Out of 1,400+ houses there are two or three which are arguably 'over the top'. That represents about 1/5 of one percent. Now drive through the "protected" lower Avenues. In general terms, which neighborhood shows the most sign of improvement/decay?

Going back as far as the Wasatch Front Regional MLS allows, single-family values in the Yalecrest neighborhood have outpaced those in the Avenues Local Historic District (LHD). Admittedly there are some splendidly restored homes in the Avenues. But were they restored BECAUSE of the LHD or IN SPITE of it? How many of the run-down homes in the Avenues

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

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LHD are as a result of LHD restrictions?

A common indicator of a neighborhood in distress is the number of REOs (bank owned "foreclosures") and Short-Sales. Currently there are seven "Short-Sales" in the Avenues LHD vs. one in Yalecrest.

I believe that it is irresponsible for the City to continue its questionable and seemingly relentless pursuit to apply restrictions and additional bureaucracy to a neighborhood which is doing just fine as is. Time is not running out; our tax money is!

Don Wiscomb in Salt Lake City

August 3, 2010, 11:47 PM

There has been much discussion concerning the Yalecrest Neighborhood Overlay. Frankly, it seems that the minority, again, has pushed this issue which the majority doesn't want. It is amazing to me that our own city counsel member JT Martin is a proponent of this proposal especially since his newly remodeled house is one of the biggest in the neighborhood. If you would look at the online opinion poll that Roger Little has conducted it clearly shows that no one is in favor of the historic district but everyone is interested in the city enforcing the current zoning laws along with a few (very few) tweaks in the current laws. You will never get a unanimous consensus from a neighborhood on what is acceptable or in good taste when it concerns remodels but that decision shouldn't come from a subjective committee of elected city officials. Hopefully everyone will show a little consideration towards their neighbors. Larger families moving into the neighborhood require changes on the smaller houses. It is change that has happened for the last 50 years. Nobody should, especially the few whose agenda it is stop the natural change of a growing thriving neighborhood be given serious consideration. The only way to sound remotely credible is push for a historical district. The majority of the remodels (including the tear downs) have been tastefully reconstructed. It is a shame that a few, (very few) have been the reason for this grossly over exaggerated concern of the city. Fortunately, there are zoning laws in place to protect us from our own insanity. Let's look at current laws and add a few changes to help stop the grossly over built houses (JT's house). I strongly oppose any historical district or restriction on tear downs as long as they comply with the zoning laws.

Robert Moody in Salt Lake City

August 3, 2010, 11:23 PM

I am a resident of the Yalecrest area and am opposed to the redefined demolition standard. I am also opposed to making the neighborhood a Historic District and /or giving the HLC any authority to restrict improvements. 99% of the improvements made by residents truly made things better. Don't punish us all for a few problem properties. Also, the city should disclose the financial benefits they will be receiving if this is enacted.

Ashley Eddington Hoopes in Salt Lake City
Dear Mayor, City Council, and Staff,

August 3, 2010, 10:04 PM

Thank you for your time and energy in serving the public. I want to be on record as being in opposition to the newest proposed Demolition Ordinance, because of it's limitations on my property rights as a home owner. I am against the LHD for the same reason.

For those of you who are not as familiar with my neighborhood, you should know that the

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Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

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Yalecrest area has not been untouched since the 1920's or 1940's, but instead has been constantly evolving. In fact, of the homes in my neighborhood, that I walked by and observed today, on the streets of Harvard, Yale, Yalecrest, Michigan, Military, and Hubbard, OVER FIFTY PERCENT of the ORIGINAL SINGLE STORY homes had already been converted in to two story homes, with ninety percent of those conversions creating changes to the front facade of the homes. The vast majority were done in a tasteful and historically appropriate way. It is too late to go back in time, and it is obvious that neighbors in the Yalecrest area want to be able to make changes and additions to their homes.

Let us be. We are not children. 99.9% of us do NOT want to demolish our homes. We just want to have the FREEDOM to make our homes work for our families. We bought these homes, and we should have the ability to make appropriate additions, just like 50% of our our neighbors have already had the opportunity to do. If you are worried about parking, pass a street parking ordinance, not this.

Ask the neighbors of Federal Heights, why they said NO THANKS to the Historic District. Whether it's the real deal, or the Demolition-Ordinance-in-Sheep's-Clothing, the majority of the neighbors say NO THANKS! We do not want this Bridge to Nowhere, that has already cost the tax payers in the estimated hundreds of thousands of dollars, and the neighbors far too much of their valuable time and energy.

Thank you,

Ashley Hoopes
1620 Princeton

Christine Jackson in Salt Lake City

August 3, 2010, 10:02 PM

I am a homeowner in the Yalecrest neighborhood (1803 Michigan Ave). I do not support the proposed Historic District or the Planning Commission's proposed ban on teardowns and major remodels in my area. Judging from the meetings I have attended, there is a clear majority (70+%) who do not want any additional restrictions placed on building in our neighborhood. It is frustrating to see the city trying to impose this ordinance on our neighborhood when the majority of us have clearly stated that we don't want any additional regulation. Any actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to support the wishes of this community.

Semi-anonymous in Salt Lake City

August 1, 2010, 10:26 PM

"A historic district will preserve the beauty and character of the neighborhood and will increase property values. Talk to your neighbors in the Avenues if you doubt this." (See above)

1. Which set of "historic district" do you refer to? New boundaries, new proposals, new threats, new definitions come out every week. The City is demonstrating four well know and successful tactics: a) "Trust us" b) Divide and conquer. c) Make it confusing d) Make it a moving target.

2. If you read the current code even without the YCC Overlay, you will find that most if not all of the stated goals of the Yalecrest Neighborhood Character Overlay District (YNCOD) are obtainable in the current code.

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Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

All Statements

3. Salt Lake City (Planning, Zoning, Mayor, City Council, YCC, etc.) have not and are not now enforcing the current code, allowing for hundreds of documented violations in this area.
4. If you applying pressure either to the YCC or the City to enforce code that for whatever reason the choose not to enforce, the results are retaliation. Yes, it's documented.
5. I note below, "No disruptive statements." When our honorable City Council person, in public meetings, hears something he doesn't like, the individual is cut off, subject changed or dismissed out of hand.
6. If you think this is about adding a second floor or tearing down a home, you better take a closer look at the actual documentation produced by the SLCHLD.
7. If someone needs a brass plaque on their door saying they are an historic site, you can have your own made at STAN SANDERS PRICED-RITE TROPHY
UT, 84115 SALT LAKE CITY, 2585 SOUTH STATE STREET
8. I lived in the Avenues for 20 years. I fought with the SLCHLD for 20 years trying to remodel my home. The railing on the front porch took over 4 years and in the end it was not approved. I just did it and waited for them to prosecute. Never happened. Oh, and when I sold the place, 3 out of 5 offers reduced the value BECAUSE it was in an "Historic" district and the notorious difficulty in dealing with permits and the City and it's appendages.
9. If this area succumbs to the will of a few and this sloppy piece of code is enacted, I'll take my family to live elsewhere. I'm far too young to live with the politics normally associated with old people living in condos, with way too much time to nit pick about what someone else is doing.

Semi-anonymous in Salt Lake City

July 29, 2010, 8:02 PM

We do not support a historic district or the proposed demolition guidelines. We do support neighborhood events that allow community members to meet and establish friendships. Please feel free to volunteer in the community and to reach out to your neighbors...all of them. This type of interaction is the real value of living in Harvard Yale. Pay it forward and meet your neighbors in person. Hope to see you all soon.

Janine Sheldon in Salt Lake City

July 28, 2010, 9:41 PM

As a Yalecrest resident, I am concerned about parking and traffic as well as aesthetics. People who insist on adding second stories to accommodate their growing families inevitably acquire additional vehicles as well, resulting in excessive street parking and increased traffic in the neighborhood. Also "flippers" who do not live in the neighborhood have been buying smaller houses, adding bizarre-looking second stories, and attempting to sell for over \$1 million. A historic district will preserve the beauty and character of the neighborhood and will increase property values. Talk to your neighbors in the Avenues if you doubt this.

LIBBY PETERSON in Salt Lake City

July 28, 2010, 5:22 PM

I support a Local Historic District instead of a separate demolition ordinance.

Craig DeMordaunt in Salt Lake City

July 26, 2010, 12:13 PM

First, I would like to comment on the current proposal and then add for public comment what I consider a better solution to the current draft. In summary, the current draft defines a demolition too restrictive and then gives the Historic Landmark Commission (HLC) and inordinate amount of power to decide whether a home is significant to be demolished. Giving the HLC this

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

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decision power is a round about way of creating a "partial" Local Historic District (LHD). It doesn't give the HLC authority to tell individuals how to design their remodel except for the general items listed in subsection I of the draft legislation but through the definition of "demolition", forces homes to be defined as "significant" and subject to an independent review board, the HLC. In my mind, these are two very different concepts and objectives that the legislation is trying to intertwine together.

Comments on the draft legislation:

Definition of Demolition: The current draft defines a demolition as too restrictive and is missing the mark with its goal. The community has been opposed to complete tear-downs as it relates to "demolitions." I would propose the definition reflect such by defining a demolition as the removal of 3 or more exterior retaining walls. In order to tear-down a structure, a contractor would need to remove 3+ walls. The 50% roof plan concept is not addressing tearing-down a home but rather defining restrictions to potential enhancements (second-story additions) to a home owner. Remember, the goal is to define "demolition," I think the definition should reflect such, and stick to what the intent of a demolition really is; the "removal" of the current structure.

Front Yard Set-backs: I generally don't have an issue with this legislative intent, and I don't think most of our neighbors do as well. I believe however, the language should allow a home to be moved forward to the same set-back as their next door neighbors, if their home was set-back further for some reason. Allowing a homeowner to move forward to the same set-back as their neighbors, enables an entire row of homes to be at the same set-back. Legislation shouldn't restrict individuals from being on par with their neighbors. In addition, I think the legislation should comment on front porches and make sure it is clear that a front porch is not where a set-back begins and that homeowners would be able to construct front porches.

Significant structure and HLC Decision/Determination: First, I am puzzled why this is part of the draft legislation. My understanding is that the city council decided to organize smaller neighborhood groups to debate whether structures are "significant" and what remodel/design changes are allowed. The city council said they wanted smaller neighborhoods to determine whether a LHD, Conservation District, or nothing would be the preservation tool for their neighborhood. I believe the city council made this decision because there has obviously been "NO" type of consensus from the neighborhood. In fact, from the meetings I have attended the majority of the citizens have vocally opposed a LHD). Therefore, in my humble opinion, intertwining the definition of significant structures and review by the HLC with a demolition definition, is undermining the neighborhood groups future decisions and potential future demolition rights if this legislation were to pass as drafted. I believe the entire concept of significant structures and review by the HLC should be removed from the legislation. I believe the city council included the "significant structure" definition because preservation of the Yalecrest character is at the heart of what they are intending to achieve. As a resident of this neighborhood, I want to preserve the visual cohesive collection of structures that define the Yalecrest neighborhood. Since the city council wants us to discuss this in our neighborhood groups I will actively voice my opinion on how that can be properly achieved. Again, my public comment would be to remove the definition of significant structures, and HLC

Yalecrest Neighborhood

Please comment on the proposed regulations for the Yalecrest Neighborhood Character Overlay District.

All Statements

decision/determination. My ideas for a solution could not fit on this page, So I will add them to a new comment page.

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Tuesday, August 03, 2010 5:34 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Norris, Nick; Paterson, Joel; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: I am opposed to the Demolition Ordinance and the LHD

From: Ashley Hoopes [mailto:ashgav@msn.com]
Sent: Tuesday, August 03, 2010 5:13 PM
To: Council Comments; Love, Jill; Martin, JT; Mayor; Planning Web Site Comments; Zuck, Cecily; Yalecrest CC Chair; Jon Dewey; Matt Asay; susanhplcsw@hotmail.com
Subject: I am opposed to the Demolition Ordinance and the LHD

Dear Mayor, City Council, and Staff,

Thank you for your time and energy in serving the public. I want to be on record as being in **opposition** to the newest proposed Demolition Ordinance, **because of it's limitations on my property rights as a home owner**. I am against the LHD for the same reason.

For those of you who are not as familiar with my neighborhood, you should know that the Yalecrest area has not been untouched since the 1920's or 1940's, but instead has been constantly evolving. In fact of the homes in my neighborhood, that I walked by and observed today, on the streets of Harvard, Yale, Yalecrest, Michigan, Military, and Hubbard, FIFTY PERCENT of the ORIGINAL SINGLE STORY homes had already been converted in to two story homes, with ninety percent of those conversions creating changes to the facade of the homes. It is too late to go back in time, and it is obvious that neighbors in the Yalecrest area want to be able to do additions to their homes.

Let us be. We are not children. 99.9% of us do NOT want to demolish our homes. We just want to have the FREEDOM to make our homes work for our families. We bought these homes, and we should have the ability to make appropriate additions, just like 50% of our our neighbors have already had the opportunity to do.

Along with the many unpaid hours that I have already been forced to spend on this issue, I will walk my street and have the numbers of those in favor and those that are opposed for tomorrow's meeting. The vast majority of the neighbors that I talk to, who are YOUNG FAMILIES in the homes who have not yet had additions, are OPPOSED to these proposed ordinances.

Thank you and I look forward to the Landmarks and Planning Commission meetings.

Ashley Hoopes
1620 Princeton
801-870-9898

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:14 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW:

-----Original Message-----

From: Nicole Mouskondis [mailto:NMouskondis@nicholasandco.com]
Sent: Tuesday, August 03, 2010 7:48 PM
To: Love, Jill; Martin, JT; Mayor; Planning Web Site Comments; Council Comments
Subject:

To whom it may concern:

We are homeowners in the Valecrest neighborhood. We DO NOT support the Planning Commission's proposed ban on teardowns and major remodels in our area. We feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and urge you to vote accordingly.

Sincerely,
Peter & Nicole Mouskondis
1449 E. Princeton Avenue
SLC, UT 84105

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Please consider the environment before printing any e-mail.

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:16 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Overlay

From: Ryan Bell [mailto:ryanbrettbell@yahoo.com]
Sent: Tuesday, August 03, 2010 8:20 PM
To: Planning Web Site Comments; Zuck, Cecily
Subject: Yalecrest Overlay

Dear members of the City's Planning and Historic District Commissions,

I write to express my strong opposition to the new proposed overlay ordinance for the Yalecrest neighborhood. My preference would be not to impose any new ordinance or designation, but to increase emphasis on even and sensible enforcement of the existing regulations. I strongly believe that imposing severe limitations on the flexibility of families to modify their homes as the need arises will hurt the diversity and vibrancy of our community. I urge you to vote against the current overlay proposal.

Ryan Bell
1850 E. 900 S.

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:16 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Planning Commission - Yalecrest Overlay Proposal

From: Sonya Hansen [mailto:sonyahansen@gmail.com]
Sent: Tuesday, August 03, 2010 8:53 PM
To: Planning Web Site Comments
Subject: Planning Commission - Yalecrest Overlay Proposal

To the Planning Commission Members,

We are homeowners in the Yalecrest neighborhood. We **do not support** the Planning Commission's proposed ban on tear-downs and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly.

Sincerely,
Sonya & Matt Hansen
1786 Laird Avenue

--
Sonya Hansen

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:16 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Our Opposition to planning commission restrictions on second story additions and demolitions

From: Mike Leavitt [mailto:mike@leavittpartners.com]
Sent: Tuesday, August 03, 2010 9:47 PM
Subject: Our Opposition to planning commission restrictions on second story additions and demolitions

Please add the following to public comments you are gathering on proposed restrictions on demolitions and second story additions in the Yalecrest area:

We strongly oppose the proposal before the planning commission which would radically restrict the capacity of homeowners to do appropriate demolition and second story additions. The collective will of those who own homes in the affected area should be honored.

The two of us have occupied our home on the 1800 block of Laird Avenue for more than 30 years. It is a neighborhood we love and plan to be here for many more years. Neighborhoods like ours require revitalization, renewal and freshness. Many of the homes have been renovated, including the addition of space needed to accommodate growing families and changing conditions. In all but a few circumstances, these remodeling projects are significant improvements.

Mike and Jackie Leavitt
1872 Laird Avenue
Salt Lake City, Utah 84108

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:16 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Demolition Ordinance

From: Donnie Millar [mailto:dmillar@gmail.com]
Sent: Tuesday, August 03, 2010 10:01 PM
To: Planning Web Site Comments; Zuck, Cecily; Council Comments; Love, Jill; Martin, JT; Mayor
Subject: Yalecrest Demolition Ordinance

City Leaders,

For what it is worth, my wife and I are opposed to the proposed demolition ordinance for my (Yalecrest) neighborhood. While I agree that demolition in our neighborhood should be prevented when possible, I am opposed to other language in the ordinance that would prevent some residents from tastefully expanding their homes to fit the needs of their families.

Sincerely,

Donnie Millar
1753 Harvard Ave.

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:17 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Zoning

From: Ben Winchester [mailto:bwinches@us.ibm.com]
Sent: Tuesday, August 03, 2010 10:55 PM
To: Love, Jill; Martin, JT; Mayor; Planning Web Site Comments; council.comments@slcgov.com
Cc: suejwin@yahoo.com; nmouskondis@nicholasandco.com; Ben Winchester
Subject: Yalecrest Zoning

To Whom it May Concern

We are homeowners in the Yalecrest neighborhood. We DO NOT support the Planning Commission's proposed ban on teardowns and major remodels in our area. We feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and urge you to vote accordingly.

We also are still opposed to adoption of an LHD in the area. We do not think it is warranted or applicable based on the numbers or homes that have already been altered.

Thanks,
Ben I. Winchester and Suzanne J Winchester
1450 Princeton Ave

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:17 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: proposed Yalecrest neighborhood changes

From: Deni & Ray Morrison [mailto:denimechelle.ray@gmail.com]
Sent: Tuesday, August 03, 2010 11:04 PM
To: Planning Web Site Comments
Subject: proposed Yalecrest neighborhood changes

Dear members of the Planning Commission:

I am a homeowner in the Yalecrest neighborhood. I am writing to say that I oppose the proposed ban on tear downs / major remodels in my area. I feel strongly that the Petition currently under consideration was created without the input of the neighborhood and reflects only the interests of a few members of the City Council rather than the neighborhood at large. I have attended many of the previous "public hearings" pertaining to the proposed LHD and now this even more restrictive Petition. To a great extent, these meetings have been used by the Council to sell their point of view, allowing little time for neighborhood members to express their opinions.

The last "public hearing" notice for Petitions PLNPCM2010-00448 and PLNPCM2010-00461 did not meet the Utah Code (10-9a-204) for the required notice time. We received notice of this hearing the day after the hearing was held; the notice is dated July 21, 2010.

I urge you to vote against the current Petitions and allow our neighborhood time to consider these issues for ourselves.

Deni Morrison
1838 Yalecrest Avenue

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:18 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: I am opposed to the Demolition Ordinance and LHD for Yalecrest

From: Susan Porter [mailto:susanhplcsw@hotmail.com]
Sent: Tuesday, August 03, 2010 11:46 PM
To: Planning Web Site Comments
Subject: I am opposed to the Demolition Ordinance and LHD for Yalecrest

Dear Planning Commision,

I am a homeowner in the Yalecrest Neighborhood. I do not support the Planning Commissions Demolition ordinance. I am also opposed to the LHD. I feel strongly that the actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of the affected homeowners. I believe that this takes away from my property rights as a homeowner. I urge you to not pass the demolition proposal and/or LHD. I am a preservationist at heart but feel that the actions of the city council have gone too far and their actions have been extremely d

I own my home at 1601 Yalecrest Avenue. I also own with my family 14 additional homes in the neighborhood. My parents have lived in this neighborhood for over 50 years. Each of my sibings own homes in this neighborhood and I have lived in this neighborhood for over 37 years.

Susan Hansen Porter
Hansen Properties LLC

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:18 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: I am opposed to the Demolition Ordinance and the LHD

From: JON DEWEY [mailto:jondewey@msn.com]
Sent: Tuesday, August 03, 2010 11:46 PM
To: Ashley Eddington-Hoopess
Cc: Love, Jill; Martin, JT; Mayor; Council Comments; Planning Web Site Comments
Subject: RE: I am opposed to the Demolition Ordinance and the LHD

Hi Ashley,

I'm confused and concerned about the percentages you list below. In checking the Yalecrest Historic District National Register Nomination (<http://yccscslc.com/> and scroll down to the Yalecrest Historic District National Register Nomination in 2007 and click on that) it states the Yalecrest Neighborhood contains 91% contributing structures. The front facade is a basis in determining eligibility of a contributing structure.

Thanks,

Jon Dewey
1724 E. Princeton Ave
801-582-7836

From: ashgav@msn.com
To: council.comments@slcgov.com; jill.love@slcgov.com; jt.martin@slcgov.com; mayor@slcgov.com; planning@slcgov.com; cecily.zuck@slcgov.com; kelnergeo@msn.com; jondewey@msn.com; mjasay@gmail.com; susanhplcsw@hotmail.com
Subject: I am opposed to the Demolition Ordinance and the LHD
Date: Tue, 3 Aug 2010 23:13:13 +0000

Dear Mayor, City Council, and Staff,

Thank you for your time and energy in serving the public. I want to be on record as being in **opposition** to the newest proposed Demolition Ordinance, **because of it's limitations on my property rights as a home owner**. I am against the LHD for the same reason.

For those of you who are not as familiar with my neighborhood, you should know that the Yalecrest area has not been untouched since the 1920's or 1940's, but instead has been constantly evolving. In fact of the homes in my neighborhood, that I walked by and observed today, on the streets of Harvard, Yale, Yalecrest, Michigan, Military, and Hubbard, FIFTY PERCENT of the ORIGINAL SINGLE STORY homes had already been converted in to two story homes, with ninety percent of those conversions creating changes to the facade of the homes. It is too late to go back in time, and it is obvious that neighbors in the Yalecrest area want to be able to do additions to their homes.

Let us be. We are not children. 99.9% of us do NOT want to demolish our homes. We just want to have the FREEDOM to make our homes work for our families. We bought these homes, and we should have the ability to make appropriate additions, just like 50% of our our neighbors have already had the opportunity to do.

Along with the many unpaid hours that I have already been forced to spend on this issue, I will walk my street and have the numbers of those in favor and those that are opposed for tomorrow's meeting. The vast majority of the neighbors that I talk to, who are YOUNG FAMILIES in the homes who have not yet had additions, are OPPOSED to these proposed ordinances.

Thank you and I look forward to the Landmarks and Planning Commission meetings.

Ashley Hoopes
1620 Princeton
801-870-9898

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:19 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Demolition Restrictions

From: BRETT NEUBERGER [mailto:brettneuberger@q.com]
Sent: Wednesday, August 04, 2010 12:06 AM
To: Planning Web Site Comments
Subject: FW: Yalecrest Demolition Restrictions

Dear Planning Commission,
As a long-time resident of the Yalecrest neighborhood, I am writing to voice my strong disapproval for the proposed demolition restrictions. I have remodeled two of my homes located at 1874 Michigan Ave, and 1740 Hubbard Ave. Both properties were in desperate need of work. I added second-story additions to each home... turning the small, two bedroom dwellings, suitable for very small families...(one child), into homes that meet the needs of today's modern family. I took great care and expense to see that the additions blended seamlessly into the character of the existing structure and neighborhood. Had the demolition restrictions, which are currently being considered, been in place; I would not have been allowed to make the changes I made to these homes.

I love the character of the Yalecrest neighborhood, and that is why I continue to live here. In order to keep the neighborhood vibrant and relevant, it's imperative that families are able to make changes to their homes that meet their needs. I disdain, as much as anyone, the construction of homes like the Garage Mahal (I lived only a few homes from it). However, my concern for homes being built like it does not outweigh my concern for stifling the vibrancy of our neighborhood. These restrictions will discourage families from staying in their homes or moving into the Yalecrest neighborhood altogether. Is that what we really want?

I implore you to please listen to the majority of the residents, and not place such onerous restrictions on our rights as property owners.

Sincerely,
Brett Neuberger

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:19 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Demolition Ordinance

From: Boyd Anderson [mailto:Boyd@StakerCompany.com]
Sent: Wednesday, August 04, 2010 9:09 AM
To: Council Comments; Love, Jill; Martin, JT; Mayor; Zuck, Cecily; Planning Web Site Comments
Subject: Demolition Ordinance

To The Salt Lake City Council, Planning Commission, and Historic Landmarks Committee:

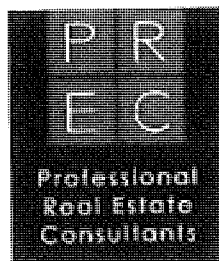
I am writing to let you know that I do not support the proposed demolition ordinance. I do not support a no demolition policy, nor do I support a redefinition of what constitutes a demolition. I do not support an ordinance which effectively defaults to an historic district. I do not support the lock down on setbacks. I believe this is too broad. For example, it would prohibit minor improvements to front porch overhangs. I think the overlay should either be scrapped or re-written. Some of the details of the overlay are ambiguous but I believe that City staff, acting in good faith, is well capable of approving and monitoring construction projects and I would like to see an end to the vigilante code enforcement being done by people who do not work for the City. These people trespass on every construction project with their tape measures and cameras. They cost owners thousands of dollars in delays and additional expenses incurred with their architects and engineers.

Please do not pass this ordinance. We do not need more regulations and restrictions. 70% of owners in this area do not want a Historic District. The demolition ordinance is just another name for a historic district. Please stop this from being approved.

Thank You,

Boyd

Boyd W. Anderson
The Staker Company, LLC
Professional Real Estate Consultants, LLC



Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:20 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Vote Against the Proposed Yalecrest Ordinance

From: BUTCH ADAMS [mailto:butchadams@me.com]
Sent: Wednesday, August 04, 2010 9:46 AM
To: Planning Web Site Comments; Zuck, Cecily; Council Comments; Mayor
Cc: amy.davis@utah.edu
Subject: Vote Against the Proposed Yalecrest Ordinance

Dear Mayor Becker and Members of the Planning Commission, Historic Landmark Commission and City Council,

I submitted a formal comment to Open Salt Lake City Hall (see comment by Butch Adams). The content of the letter below is different and personal, because I want you to understand the very real, and negative, impact the proposed ordinance would have on my family.

I live at 1658 East 900 South, in an 1,100 square-foot home built in 1942, which I purchased sixteen years ago. The zoning ordinance currently being considered by the Salt Lake City Council and Planning Commission would make it impossible for me to continue living in this home, and would leave me with no other viable alternative than to convert the home to a rental property. Before I explain my personal situation, let me say that I want to remain the owner and resident my home.

This past winter, my partner and I (and her two elementary-school-aged children) began to explore options to share a home. The most appealing solution, for the reasons outlined below, is to add a second level to my home. First, the location is ideal—located minutes from the University of Utah where she works; a block from the kids' Madeleine Choir School bus stop; around the corner from the ice rink where nine-year old Griffin plays hockey three times a week; and within walking distance of many longtime friends. Second, my partner and I share a deep attachment to the Yalecrest neighborhood: I was born and raised in this area, and she elected to live here, as a renter during graduate school, and again when she returned to work at the U. This is a wonderful neighborhood in which to raise children and have an excellent quality of life in Salt Lake City. Finally, remodeling my home (which was purchased before the cost of real estate in the area soared) is far more workable financially than purchasing another home in the area at current market value. The decision to add a second story to my home had been made. Then a letter came from the City announcing the six-month moratorium on construction, and the possibility of historic district designation.

We've attended many neighborhood discussions, City Council meetings, and, more recently, Planning Commission forums to voice our opposition to the historic designation and to the newly drafted zoning ordinance. The majority of the opinions expressed at these meetings resonated with ours—historic landmark criteria are far too restrictive for our neighborhood, the face of which has already been dramatically altered by many, many remodels. We have, however, heard a disturbing sentiment from a handful of neighbors and even from a Planning Commission board member: if your family is too big for your house, move.

A member of the planning commission reminded us that the board is not in the business of "family planning". A

neighbor instructed those of us who want “tall, tall houses” to move to another area (far less desirable in terms of location, character, and diversity) of the metro region. These sentiments are darkly misguided. City planning encompasses family planning, perhaps more so than it involves acting as museum curators. We don’t want a “tall, tall house”; we just want a modest second level. Even with the addition, my house could fit comfortably in the foyers of many Yalecrest homes. Had the sentiment of “move” been a long-standing one, instead of one created by this current historic hysteria, then many of our neighbors who remodeled their homes to accommodate their families would not be in our community. Many of these families are close personal friends, and the Yalecrest area would not have the same living character without them.

Moving is not the alternative the city should be handing to us. The city should allow us to add a tasteful, second-level addition to the home I purchased and have lived in for sixteen years. I invite you all to take a drive and look at my house and the homes immediately surrounding mine so that you can appreciate the absurdity of the proposed ordinance from my perspective. I live at 1658 East 900 South, on a triangular plot of land shared by four houses. Two of the four homes are newly constructed megamansions. I would like to add a second story to my home, which according to my architect would raise the roofline seven feet to a very moderate total height of twenty-one feet. The City Council appears to be hell-bent on making it impossible for me to modify my home, even though my immediate surroundings are already far from historic! Perhaps J. T. Martin could apply his red magic marker and cut my house out of the overlay district?

Vote against the ordinance currently being debated. While there are some homes in the Yalecrest neighborhood worth preserving, many of the homes are in desperate need of remodeling. Please be sensible.

Sincerely,
Butch Adams

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:50 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest ban on teardowns

From: Jim Martin [mailto:jim.martin@utah.edu]
Sent: Wednesday, August 04, 2010 10:44 AM
To: Planning Web Site Comments
Subject: Yalecrest ban on teardowns

Dear Members of the Planning Commission:

I am a homeowner in the Yalecrest neighborhood. I enthusiastically support the Planning Commission's proposed ban on teardowns and major remodels in my area. I feel strongly that actions by the Planning Commission and City Council should be in harmony with the prevailing opinions of affected homeowners, and I urge you to vote accordingly. We bought our house in this neighborhood because of the architecture and hope you will act to preserve the character of our neighborhood.

Sincerely,
Jim Martin
1621 East Princeton Ave.

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:51 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Proposed Yalecrest Demolition Ordinance

From: mcconkie@comcast.net [mailto:mcconkie@comcast.net]
Sent: Wednesday, August 04, 2010 11:06 AM
To: Planning Web Site Comments
Subject: Proposed Yalecrest Demolition Ordinance

Members of the Planning Commission,

I am a homeowner in the Yalecrest area. I do NOT support the proposed ban on teardowns and major remodels in my area that is currently pending before the Planning Commission. I believe that such restrictions would be detrimental to my community and would result in young families (who are already difficult to attract to the area due to the high housing costs) leaving the area. I have spoken to dozens of young families in the neighborhood and have not found one that agrees with this proposal.

It has been said before, but it bears saying again - these are our homes, our private property. These are not museum pieces. There is a middle ground in this debate. As the homeowner who lives across the street from the famous "Garage-mahal", I also want to make sure out-of-scale and out-of-character monster homes are not built in the area. There are other ways to stop this from happening, however. Not all tear downs and remodels are bad. In fact, often they are much better than what was originally on the lot.

Let's take a common sense approach to this issue and strengthen existing ordinances and/or pass less severe ordinances to allow the community to continue to improve and grow, without taking such extreme measures. I would also encourage the Planning Commission to speak extensively to its attorney about the legality of this action. This proposed ordinance certainly looks like a regulatory taking to me.

Sincerely,

David and Michelle McConkie
1789 E. Hubbard Ave.
Salt Lake City, Utah 84108

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:54 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Neighborhood

From: Ray Morrison [mailto:nurburgringer@gmail.com]
Sent: Wednesday, August 04, 2010 1:51 PM
To: Planning Web Site Comments
Subject: Yalecrest Neighborhood

Dear Commissioners,

I attended last week's briefing where you listened to Michael Maloy's presentation of the draft proposal for my neighborhood.

I must say that I was pleasantly surprised by your questions and comments. The Chair and Vice-Chair were, in my opinion, 'right on' in their questioning of the need and wisdom of this proposal. "Who is driving this and why?" are excellent questions.

I left the meeting feeling comfortable having you, as a group, represent me in this battle against what I see as an ill-conceived and unnecessary set of restrictions on a wonderful neighborhood which has improved since its inception.

The one critique I would make is directed to Susie McHugh. She made the comment that you weren't in the "family planning" business. Considering that as our population grows and that we either grow up or out, I think you as a Commission *do* play a substantial role in the "family planning" business.

Killing this current proposal and/or Local Historic District adoption, will allow our neighborhood to continue to thrive and develop. Tasteful second story additions (where not already in place) are a very reasonable alternative to urban sprawl!

Please don't be deceived by poll figures which appear to show that the neighborhood is anywhere close to being equally split on this issue. Presenting a false choice to garner support for LHD, or this draft proposal, is the ploy most frequently used by proponents. Every public vote has shown overwhelming opposition to LHD and this latest end-run attempt. The three very open and public "clicker" votes were all in the range of 65-70% against LHD and that was after pathetically leading questions.

Thank you all for your work and service to our community.

Sincerely,
Ray Morrison
1838 Yalecrest Ave
SLC UT 84108

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:55 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Yalecrest Demolition Ordinance (and the YLHD initiative)

From: kelly [mailto:kmarinan1@earthlink.net]
Sent: Wednesday, August 04, 2010 1:14 PM
To: Mayor; Planning Web Site Comments; Martin, JT; Love, Jill; Council Comments
Cc: YC Council
Subject: Re: Yalecrest Demolition Ordinance (and the YLHD initiative)

Dear Mayor, City Council, Planning Commission and Yalecrest Council members,

Thanks for all the time you've invested in Yalecrest issues lately.

I've debated whether to bother weighing in on the Demolition Ordinance. It's not really what I want. I prefer to see Yalecrest honored and recognized as a Local Historic District for many varied reasons. But if the City Council fails to support Yalecrest as a YLHD, I can live with the Demolition Ordinance as written.

The two main things I like about the Demolition Ordinance are:

1. Preserves neighborhood character (in terms of providing a diversity of home sizes and styles). We have a great mix of home sizes AND the people that go with that. It would be a shame to see Yalecrest destroyed by monied interests and inconsiderate neighbors. These homes were good enough for our fathers and our grandfathers... and isn't the trend towards smaller families anyway? Yalecrest is a treasure to be cherished and preserved.

2. Environmental waste.
I hate that these demolitions don't give others the option to re-use their old cabinets, tiles, doors, etc. It all happens very fast and overnight. The message it sends: "If you have the money, you can waste and consume ALL the resources you want, with no thought towards the rest of the city, your neighbors, or the planet!" We are very privileged to live where we do!

Thanks,
Kelly Marinan
1766 Harvard Ave

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Wednesday, August 04, 2010 1:55 PM
To: Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: New Planning Commission's proposal for Yalecrest Area

From: Reed McArthur Gardner [mailto:Reed.Gardner@m.cc.utah.edu]
Sent: Wednesday, August 04, 2010 1:08 PM
To: Martin, JT; Love, Jill; Planning Web Site Comments; Zuck, Cecily
Cc: roger@littles.org; ashgav@msn.com
Subject: New Planning Commission's proposal for Yalecrest Area

City Councilors and Planning Commission,

As residents of the Yalecrest Area of Salt Lake City, this past several months we have been actively involved in two major initiatives. Appeal to the Board of Adjustment because of lack of parking for the 13th South 17th East Restaurant AND being required to get Historic Planning Commission's approval to do a roof remodel on our home on Cornell Circle. Both of these groups serve Salt Lake City's Planning Division. In the both processes, an individual Committee Member said they were supportive of our cause, but BOTH suggested we get the City Council Members to rectify the problems!!

In the first case we were "not heard" by the Board of Adjustment and further follow-up with City Councilor's JT Martin and Jill Love proved fruitless. By a narrow margin of 5 to 4 we received approval for our remodel BUT had to wait to get our building permit because of "unpublished city policy". As a consequence we would prefer the Planning Division and Salt Lake City Council to "leave us alone" and take care of more important city issues.

IF THAT IS NOT CLEAR ENOUGH – WE ARE OPPOSED to the latest planning Commission's proposal to ban teardowns and major remodels in our area.

Reed & Jackie Gardner

D U R H A M

J O N E S &

P I N E G A R

DURHAM JONES & PINEGAR, P.C.
111 East Broadway, Suite 900
P O Box 4050
Salt Lake City, Utah 84110
801.415.3000
801.415.3500 Fax
www.djplaw.com

Jodi L. Howick
Attorney at Law
jhowick@djplaw.com

August 4, 2010

Salt Lake City Planning Commission
Attn: Angela Hasenberg
451 S. State, Rm. 406
Salt Lake City, UT 84111

RE: Proposed Yalecrest Neighborhood Character Overlay District

Dear Planning Commission Members:

I have been retained to represent the rights of the Yalecrest Preservationists for Property Rights, a group of neighbors who have strong support from many residents living in the area of the City's proposed Yalecrest zoning overlay district. These residents of Council Districts 5 and 6 are concerned that the City is rushing to impose new zoning requirements that will severely restrict their personal property rights and the growth and economic well-being of their neighborhood. Many of them have raised questions and expressed concerns without receiving information from the City in return. They now want to again advise you of some of the detrimental effects and potential legal impacts of the City's proposed action.

The City sent a notice to residents stating that this proposed new district would "limit demolition of homes that define the character of the Yalecrest neighborhood." It did not inform them that the City had defined the term "demolition" to mean any significant remodeling activity (removing 50% or more of the roof or exterior walls), that the regulation would prevent most significant remodeling activity unless the homeowner complied with historic district standards, or that the regulation would apply to homes remodeled or built long after the neighborhood's original development (any home 50 years old or more, whether or not remodeled). The proposed "demolition" ordinance will actually force most residents who remodel their homes to meet vague historic district standards without creating an historic district, and the City's failure to notify residents of these severe restrictions raises strong concerns for the validity of the City's process.

The City's proposed ordinance forces residents to accept subjective historic district standards despite their objections. If passed, proposed Sections 21A.34.125(D)(2), (F)(1)(b) and (I) would force most residents to give up significant rights to use their property unless they "agree" to remodel in accordance with general historic district standards for visual compatibility as provided in Salt Lake City Code § 21A.34.020(H). Actual requirements are unclear since the proposed ordinance leaves the application of these general standards largely to the discretion

of the Historic Landmark Commission whenever the City determines that work is being performed on a "significant structure." The City recently abandoned efforts to impose similar historic district standards by ordinance due to community opposition – the majority of residents do not agree with them. Yet the City is now attempting to coerce residents to agree with undefined standards that the City could not impose. If passed, the terms of the ordinance will allow the City to arbitrarily remove fundamental property rights from these homeowners over their strong objections and without due process of law.

The City is also coercing these standards in an arbitrary manner. Most residents must agree to use them if their homes are 50 years old or older and remodeling activities will affect 50% or more of the roof or exterior walls. If homes are less than 50 years old, or renovations are designed not to trigger the regulation, the standards do not apply. The City has not explained why one type of remodeling must be restricted through the use of rigorous tests for character and compatibility and the other type (whether implemented next door or on the same home) may proceed at will. In effect, the proposed ordinance arbitrarily limits the size and economic status of a home without requiring any overall sense of "character" in the neighborhood. This arbitrary line embedded in the proposed ordinance harms residents, and it cannot rationally support any legitimate interest of the City.

By attempting to incorporate historic district standards without actually creating one, the proposed ordinance also raises concerns for the legality of actions that may be taken under its requirements. For example, the proposed ordinance appears to ask the Historic Landmark Commission to act outside the scope of its lawful authority. Under City Code, the Commission's authority over demolition activities appears to be limited to structures within a properly adopted historic preservation overlay district and to landmark sites. Its authority under state law is also unclear. If the Commission acts illegally, all of its actions would be void. (Similar concerns may apply to the Planning Commission's current actions if its membership does not comply with ordinance requirements.)

By attempting to incorporate historic district standards, the proposed ordinance also suffers from other problems raised by those standards. For example, those standards seek to regulate the compatibility of construction elements within a neighborhood, such as the shape of a roof, the proportions of building elements, and the types of acceptable materials. The proposed ordinance leaves specific requirements under those standards to the discretion of City staff members and members of the Historic Landmark Commission. Yet the Yalecrest area is also subject to a current overlay district that imposes specific requirements on these same elements in an effort to provide "compatibility with existing development patterns within the Yalecrest community." Historic district standards, in any form, would subject residents to conflicting development standards that would undoubtedly fuel disputes and promote litigation.

The City has now twice proposed to implement historic district requirements in the Yalecrest area over the objections of the majority of its residents, and this second, indirect effort is even more restrictive and problematic. City officials have claimed that they have no other tools available to protect the Yalecrest area, yet the City's own planning documents have noted that

Planning Commission Members
August 4, 2010
Page 3

the City can develop a broad and robust range of "policy and regulatory tools" (Salt Lake City Historic Preservation Plan, June 2009). State law does not prevent the City from developing other options; in fact, the proposed "character" overlay district and the existing Yalecrest overlay district are examples of the City's ability to create alternatives and pursue them quickly.

Yalecrest residents have questioned and objected to historic district standards in person, through public meetings, through correspondence, and through government records act requests. The City has rebuffed these efforts and continues to pursue its course despite these strong objections. The City has not explained why it will not respond to community concerns or consider more acceptable (less restrictive) alternatives, and instead it is rushing forward at the expense of individual rights and legal principles. The many residents whose views are aligned with the Yalecrest Preservationists for Property Rights do not support the City's current process. We ask that the City reject the proposed ordinance and evaluate alternative measures that the community can support.

Very truly yours,

DURHAM JONES & PINEGAR, P.C.



Jodi L. Howick

JH/cm

cc: Yalecrest Preservationists for Property Rights
Salt Lake City Council
Historic Landmark Commission
Edwin P. Rutan
Paul C. Nielson

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Thursday, August 05, 2010 10:16 AM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Panic on the streets of Salt Lake

From: Matt Asay [mailto:mjasay@gmail.com]
Sent: Wednesday, August 04, 2010 3:49 PM
To: Council Comments; Planning Web Site Comments; Mayor; Zuck, Cecily
Cc: Love, Jill; Martin, JT
Subject: Panic on the streets of Salt Lake

City Council, HLC, Planning Commission, and Office of the Mayor:

I live in the Yalecrest neighborhood. Until recently, I was in the area being considered as a local historic district. My area of the neighborhood has since been removed from consideration, though rumor has it that George Kelner is leading a group to have it reinstated.

Rumor. That's the problem right now.

At the request of council members Martin and Love, I have refrained from participating in the ongoing discussion, now that my home is no longer subject to the LHD designation or the new demolition overlay. As rumors spiral and swirl, however, I've been repeatedly asked to get back involved.

I'd prefer not to. This entire process has been exhausting in the extreme, no doubt for all involved.

Part of the exhaustion stems from the neighborhood not having a clear idea of where the city is moving with its proposals, or how to influence them, one way or another. It seemed to be getting better a few weeks ago when the city council redefined boundaries and suggested smaller areas that would decide their own fate. It wasn't a perfect solution, but it was better.

But then details of the demolition ordinance - the new default - became public.

Out of desperation, lawsuits are now being considered: I've heard of people on both sides of the issue retaining attorneys to file lawsuits. It's silly, but it's what the issue is doing to the neighborhood. I'm afraid we'll end up preserving homes while destroying a neighborhood.

I am for reasonable preservation within the neighborhood, and believe the right approach is to let areas of the neighborhood **opt into stricter guidelines**, rather than imposing those guidelines as a default and forcing the neighborhood to opt out (without even offering clear guidance on how to do so).

Again, I no longer live within the boundaries under consideration for the demolition ordinance. If this remains as such, feel free to disregard my email.

But if there's even a remote chance that I'll be conscripted back into the discussion, please register my house as being against LHD, against the demolition ordinance, and against further confusion as to how the city intends to promote preservation.

Matt Asay
801.518.5951
1821 Harvard Avenue

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Thursday, August 05, 2010 10:17 AM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Opposed to the Yalecrest proposals

From: rbmoody@comcast.net [mailto:rbmoody@comcast.net]
Sent: Wednesday, August 04, 2010 4:03 PM
To: slcgov commayor; Love, Jill; Planning Web Site Comments; Council Comments
Subject: Opposed to the Yalecrest proposals

I am a resident of the Yalecrest area and I oppose the redefinition of 'demolition', which would severely restrict remodeling.
I also oppose the proposed creation of an Historic district, or any plan that would empower the HLC to make determinations on remodels in my neighborhood.
Why is the city relentlessly pursuing this when most of us (the silent majority) do not want it?
Is the city receiving federal or other funds or benefits for this creation? If so, we should be informed of what is going on.
Please don't punish the majority of us for a few poorly done remodels in some parts of the area.
I believe the added cost of dealing with a central planning function imposing arbitrary standards on us will severely restrict our ability to maintain and upgrade our homes.
This loss to us cannot be justified by arbitrary actions or by the desire of people who do not own our houses or pay our taxes to impose their will on the rest of us.

Robert Moody
1345 Princeton Ave

Also, please REMOVE my house from your map showing people who approve of your plan!
Thank you for your service and for hearing us out.

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Thursday, August 05, 2010 10:18 AM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: Yalecrest Demolition Ordinance (and the YLHD initiative)

From: kelly [mailto:kmarinan1@earthlink.net]
Sent: Wednesday, August 04, 2010 4:28 PM
To: Mayor; Planning Web Site Comments; Martin, JT; Love, Jill; Council Comments
Cc: YC Council
Subject: Re: Yalecrest Demolition Ordinance (and the YLHD initiative)

Oops! I sent the email below without realizing some of my friends that live a block east of me, have homes built in the 1940's, but AFTER 1942 -- Thus the ordinance would do nothing for them. I still maintain hope that we can establish a YLHD, but if that should fail...

To fully support the Demolition Ordinance I would like to see it changed slightly to include and protect the post-WWII homes (built up to 1949) within the current Yalecrest boundaries.

Thanks again for the opportunity to comment!

Kelly Marinan
1766 Harvard Ave
(w) 801-287-8979

On Aug 4, 2010, at 1:14 PM, kelly wrote:

Dear Mayor, City Council, Planning Commission and Yalecrest Council members,

Thanks for all the time you've invested in Yalecrest issues lately.

I've debated whether to bother weighing in on the Demolition Ordinance. It's not really what I want. I prefer to see Yalecrest honored and recognized as a Local Historic District for many varied reasons. But if the City Council fails to support Yalecrest as a YLHD, I can live with the Demolition Ordinance as written.

The two main things I like about the Demolition Ordinance are:

1. Preserves neighborhood character (in terms of providing a diversity of home sizes and styles). We have a great mix of home sizes AND the people that go with that. It would be a shame to see Yalecrest destroyed by monied interests and inconsiderate neighbors. These homes were good enough for our fathers and our grandfathers... and isn't the trend towards smaller families anyway? Yalecrest is a treasure to be cherished and preserved.

2. Environmental waste.

I hate that these demolitions don't give others the option to re-use their old cabinets, tiles, doors, etc. It all happens very fast and overnight. The message it sends: "If you have the money, you can waste and consume ALL the

resources you want, with no thought towards the rest of the city, your neighbors, or the planet!" We are very privileged to live where we do!

Thanks,
Kelly Marinar
1766 Harvard Ave

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Thursday, August 05, 2010 10:18 AM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambless
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Valdemoros, Ana; Mills, Wayne
Subject: FW: I am opposed to the Demolition Ordinance and the LHD

From: Hansen, Chris [mailto:Chris.Hansen@marcusmillichap.com]
Sent: Wednesday, August 04, 2010 5:09 PM
To: Planning Web Site Comments
Subject: I am opposed to the Demolition Ordinance and the LHD

Dear Members of the Planning Commission,

Thank you for your time and energy in serving the public. As a multiple homeowner in the neighborhood I want to be on record as being in **opposition** to the newest proposed Demolition Ordinance, **because of it's limitations on my property rights as a home owner**. I am against the LHD for the same reason.

I entered this neighborhood in 1959 and have seen healthy changes in the Yalecrest area. In fact just looking at the homes on the streets of Harvard, Yale, Yalecrest, Michigan, Military, and Hubbard, I would say that approximately FIFTY PERCENT of the ORIGINAL SINGLE STORY homes have already been converted in to two story homes, with ninety percent of those conversions creating changes to the facade of the homes. I feel that this has been a positive addition to the neighborhood. Placing this type of restrictions is unfair. It is evident that neighbors in the Yalecrest area want to be able to improve their home and the neighborhood by adding additions to their homes.

I along with the majority of my neighbors do not want to demolish and rebuild their home. I do however feel that members of the neighborhood want to have the FREEDOM to make homes work for their families. We bought these homes, and we should have the ability to make appropriate additions, just like 50% of our our neighbors have already had the opportunity to do.

There have been many unpaid hours that I and members of the neighborhood have already been forced to spend on this issue because of the importance of retaining our rights and privileges, that we deserve to have, with our homes. The vast majority of the neighbors, many who have YOUNG FAMILIES in the homes and have not yet added additions, are OPPOSED to these proposed ordinances. Residences of this exceptional neighborhood want to stay in the neighborhood and add to their homes to accommodate their needs.

Thank you and I look forward to the Landmarks and Planning Commission meetings.

Chris Hansen
Chris Hansen

Hasenberg, Angela

From: Hasenberg, Angela
Sent: Thursday, August 05, 2010 3:06 PM
To: 'Charlie Luke'; Angela Dean; babs de lay; frank algarin; Kathleen Hill; mary j woodhead; matthew Wirthlin; Michael Fife; Michael Gallegos; Tim Chambliss
Cc: Sommerkorn, Wilford; Coffey, Cheri; Paterson, Joel; Norris, Nick; Maloy, Michael; Mills, Wayne; Valdemoros, Ana
Subject: FW: Opposed to the Yalecrest proposals

From: Love, Jill
Sent: Thursday, August 05, 2010 2:49 PM
To: 'rbmoody@comcast.net'; slcgov commayor; Planning Web Site Comments; Council Comments
Cc: Card, Quin
Subject: RE: Opposed to the Yalecrest proposals

Thanks for your comments. We will double check the map. Jill

From: rbmoody@comcast.net [mailto:rbmoody@comcast.net]
Sent: Wednesday, August 04, 2010 4:03 PM
To: slcgov commayor; Love, Jill; Planning Web Site Comments; Council Comments
Subject: Opposed to the Yalecrest proposals

I am a resident of the Yalecrest area and I oppose the redefinition of 'demolition', which would severely restrict remodeling.
I also oppose the proposed creation of an Historic district, or any plan that would empower the HLC to make determinations on remodels in my neighborhood.
Why is the city relentlessly pursuing this when most of us (the silent majority) do not want it?
Is the city receiving federal or other funds or benefits for this creation? If so, we should be informed of what is going on.
Please don't punish the majority of us for a few poorly done remodels in some parts of the area.
I believe the added cost of dealing with a central planning function imposing arbitrary standards on us will severely restrict our ability to maintain and upgrade our homes.
This loss to us cannot be justified by arbitrary actions or by the desire of people who do not own our houses or pay our taxes to impose their will on the rest of us.

Robert Moody
1345 Princeton Ave

Also, please REMOVE my house from your map showing people who approve of your plan!
Thank you for your service and for hearing us out.

Attachment C – Planning Commission Briefing Notes

Planning Commission Briefing (Staff Notes)
PLNPCM2010-00448 & PLNPCM2010-00461
Yalecrest Neighborhood Character Overlay District
July 28, 2010

- | | |
|------------------------|--|
| Commissioner Wirthlin | Why was part of the national district area taken out of the temporary ordinance area? |
| Commissioner Fife | How does a demolition request work now?

How is what is proposed for the process of a demolition in this ordinance different from that in a local historic district? |
| Commissioner Woodhead. | How many of the structures in the area were built between 1942 and 1960 (relating to the 50 year vs. 1942 year issue.

Is there a way to put on a second story that is setback to preserve the streetscape character? |
| Commissioner Dean. | The intent of the ordinance is to preserve the character. There is nothing in the proposed ordinance that would prohibit putting a second story addition that doesn't constitute 50% of the roof on the front half of the building. If this were done, it wouldn't preserve the character. |
| Commissioner Hill. | Clarify the intent. Why did the City Council request this ordinance? Is there any way to adopt a moratorium for the area? (No. State law limits temporary regulations to six months and there is already one in place. You can't keep putting new temporary ordinances in place) |
| Vice Chair Algarin | There have been 28 demolition applications in the area. How many of those projects would have been affected by this new demolition ordinance (a majority). The limitations on demolition are way too excessive. The number of houses already remodeled is huge. The issue for the area is monster houses. Most of the remodels and new houses that have been completed fit in well with the area. Any remodeling project is already a long process. An extra year delay just adds to that. |

Rather than have a year delay for an answer, you might as well just say no to the demolition.

Chair Delay

The reason people remodel is that they want to stay in the neighborhood. They need room for their family to grow. They need more space. Second Story additions are needed. They want to invest in the neighborhood. Most of the homes from the 1940s, where they want to remodel are small tract homes. These people need to be able to demolish 100% of the roof in order to do a second story addition. The Historic Process is very difficult. It is hard to make changes. The problem for the neighborhood is monster homes and bad remodels. The 50% or more change to the roof is not demolition and should not be part of the definition.

Commissioner McHugh

Doing nothing is not an option. We must address tear downs and the monster home issues. The demolition delay is a tricky concept. I don't think it is ok. Changing the roof and allowing a second story addition would change the neighborhood character.

Commissioner Hill

The issue needs more study to ensure that the Planning Commission is doing the right thing for the City. We need to have time to research and prepare character preservation guidelines. We need to protect the charm and dignity of the neighborhood.

Director Sommerkorn.

Are you saying that you would be ok with the second story additions but they would need to meet design guidelines for the second story addition?

Commissioner Dean.

Is the area worthy of being a local historic district (yes. It is already a national historic district and would most likely meet the criteria for a local historic district)

Commissioner Woodhead.

The ordinance is heading in the right direction but the historic process is too onerous. She is concerned with 2nd story additions. People have a desire to have bigger homes and she would like to provide some type of leeway for smaller homes to be modified so they can have more room.

She is nervous with the process to determine significant structure. Property owners need certainty in the process and have a right to consistent decisions.

Commissioner Hill.

Agrees with Mary. Historic regulations are too stringent. Adding a second story should not be an issue. The important point is preserving the character of the neighborhood. Perhaps a second story would trigger the

need to meet character principals to preserve the feel of the neighborhood.

Commissioner Fife

Several houses have been torn down and built back to fit in with neighborhood. Those who did it before the regulations are ok. It seems unfair that those who didn't make changes to the homes before will have to meet the new, stringent ordinance requirements. Is this a taking? (No. Zoning changes. This is more like a grandfather provision).

Vice Chair Algarin

People who remodel intend one thing, but once they get into the project, they may find they have to do much more to the structure than they intended (upgrade unsound walls, etc.)

Chair Delay

Talk with some contractors who work in the area and ask them if the proposed ordinance would work for the types of projects they do in the neighborhood.

Commissioner Woodhead

The demolition delay is very onerous because if you have to wait a year, financing, credit, interest rates etc., may all have changed and you may not be able to afford the project any more.

Attachment D – Historic Landmark Commission Hearing Notes

Attachment D – Historic Landmark Commission Hearing Notes

**Historic Landmark Commission Public Hearing
Staff Notes of Commission Discussion
PLNPCM2010-00448 & PLNPCM2010-00461
Yalecrest Neighborhood Character Overlay District
August 4, 2010**

Questions / Comments to Staff (prior to public hearing portion of meeting)

Commissioner Richards:

- Corner lots already have a hardship (due to setbacks etc.)
- How does the demolition delay work?
- Although 50% of change on a small structure would be more significant than on a larger structure, the smaller structure is probably more in need of expansion.
- Criteria for significant structure is vague.
- Has there been any discussion about the demolition provisions based on the size of the structure?

Chair Lloyd

- Why was there a change from what the City Council asked for in terms of the age of structure from 1942 to 50 years?
- How did staff come up with the definition of demolition provision relating to the percentage (from 75% to 50%).
- Demolition delay ordinance have been used in Boulder, Boston and Wake Forest Illinois.

Commissioner Richards:

- Economic Hardship criteria. Need to remove the provisions that relate to a commercial structures since the Yalecrest area is zoned residential.

Commissioner Bevins:

- What percentage of homes in Yalecrest would be considered significant?

Executive Session

Commissioner Funk:

- Significant Structure needs to be more clearly defined.
- Economic Hardship needs to be written for single family residence.

- Concern with allowing a structure to be neglected and become in disrepair. This ordinance does not address that.
- One of the members of the Economic Review Panel should be an HLC member.
- How can you say there is no density increase? If you build a larger home, it will accommodate more people.
- She questioned whether there really is an understanding of the purpose of historic preservation. Historic Preservation is to preserve the history of Salt Lake City. It is not just about personal property rights. The issue is what is best for the City (public interest). There needs to be a balance between property rights and public interest.
- The intent is better served by improving the historic district ordinance relating to demolition and economic hardship than acting on this ordinance.

Commissioner Haymond:

- Not ready to pass this ordinance.
- It is not appropriate to tally the sentiment of the neighborhood.
- He is confused with the 50% roof provision being part of demolition definition.
- He believes that good remodeling doesn't have to be through historic preservation.
- Agrees with public that trees make this neighborhood.
- It is not the right time in history for this ordinance.

Chair Lloyd:

- Questions the strict 50% number relating to roof replacement. There may be structural difficulty when removing a portion of the roof. There is a certain threshold where it is not structurally sound to keep a certain percentage. Giving specific percentages to provide clarity may result in structurally unsound solutions. Need more flexibility.
- Building Services requires that structural upgrades and seismic upgrades are completed to address life safety standards in older homes.
- There are questions relating to the implementation of the ordinance that need to be flushed out.
- Council's response to the "desire of the neighborhood" question was to form small neighborhood discussion groups. It is not the role of the HLC to organize those. The HLC needs to sit and wait for applications and proposals from areas that have support for historic preservation as a tool for preserving areas.
- Need discussion of what preservation in a neighborhood is and how to evolve the neighborhood over time.
- Mistrust of the City and the process. If this is a starting point, where do we go from here?

Commissioner Funk:

- We are not proposing an historic district. It is better to improve the historic district ordinance and then figure out what option is good for this neighborhood.

Commissioner Bevins:

- This ordinance is all about demolition. When the temporary ordinance expires, the current definition of demolition (75% of walls or square footage) will be in place. That pushes the envelope because that can lead to just leaving the basement of a structure.
- Need practical solutions. Uncertainty is bad.
- Need to clearly define demolition.
- They wouldn't be able to make a case of economic hardship in this residential area. It is a physical hardship because they can't make the home bigger to accommodate their needs.
- Need to determine if the best approach to the neighborhood is to limit demolition.

Commissioner Richards:

- The issue of seismic safety is a red herring. The City requires structural improvements. Most people are not willing to pay for a total seismic upgrade.

Vice Chair Oliver:

- The geographic area of the proposed overlay is fine.
- The issue is the text amendment.
- This ordinance is a band aid approach to the bigger issue for the neighborhood. This ordinance is not perfect. There needs to be more time to examine alternatives to doing nothing.
- If the ordinance is adopted it will take place of thinking hard for a better solution to address the desires of the neighborhood.
- Difficult and time consuming to find the right solution.
- Don't want a defacto historic district ordinance.

Chair Lloyd:

- Haven't heard anyone from the areas that were taken out of the temporary regulation area that they want to be put back in.

Motion

Commissioner Funk: Move to recommend denial of the proposed ordinance based on the testimony and evidence presented tonight.

Motion passed unanimously

Vice Chair Oliver:

- In summary there are three reasons for this recommendation:
- It would derail a thoughtful consideration of other tools for preserving the area.
- The ordinance as is has ill defined terms.
- Standards for economic hardship need to address single family residential

Chair Lloyd:

- Good summary of the reasons the motion was passed.

Attachment E – Department Comments

CITY DEPARTMENT REVIEW

Project: Proposed Yalecrest Neighborhood Character Overlay District

Applicant: City Council

Department/Division: Public Utilities
Reviewer: Jason Brown
Phone: 483-6729
Review Comments: While Public Utilities has no objection to the preservation of the Yalecrest neighborhood, it should be understood that the subsurface utilities have a much shorter life than the structure itself. Many utility laterals require heavy maintenance and/or justify replacement after about 60 years. This should be considered with appropriate measures to allow for the home owner to replace utility laterals as necessary to keep them in proper working order.

Department/Division: Engineering
Reviewer: Randy Drummond, P.E.
Phone: 535-6204
Review Comments: We have no concerns regarding this proposed change.

Department/Division: Transportation
Reviewer: Barry Walsh
Phone: 535-7102
Review Comments: The proposal for development of regulations that include refining what constitutes a demolition, requiring that proposed demolitions of homes built prior to 1942 be reviewed by the Historic Landmarks Commission and that the front setback of the existing structure must remain the same for any proposed building plans for new construction or remodeling, does not represent impacts to existing vehicular parking regulations or public way transportation corridors.