



## Provo City Landmarks Commission Report of Action

April 15, 2020

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Item 3      Spencer Timmons requests a Certificate of Appropriateness for a remodel of the building at 69 E and 71 E Center Street (formerly Los Hermanos restaurant) to maintain the street-level commercial space and add residential units above, in the General Downtown (DT1) zone. Downtown Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLLDR20200110

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The following action was taken by the Landmarks Commission on the above described item at its regular meeting of April 15, 2020:

### APPROVED

On a vote of 6:0, the Landmarks Commission approved the above noted application, with the following conditions:

Conditions of Approval

1. Any smoke or fire damage from the fire on the façade of the building should be repaired and cleaned using the gentlest means possible. Applicant should provide a plan for how this is to be done to be approved by staff.
2. Alterations to the storefront or windows are brought back to the Landmarks Commission for approval.
3. Proposed addition shall receive Project Plan Approval (PPA) prior to a building permit being issued.

Motion By: Jeff Ringer

Second By: Susan Fales

Votes in Favor of Motion: Jeff Ringer, Susan Fales, Matthew Christensen, Jaisa Bishop, Diane Christensen, Jessie Embry

Votes Opposed to Motion: None

*Diane Christensen was present as Chair*

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Landmarks Commission determination is generally consistent with the Staff analysis and determination.

### STAFF PRESENTATION

The Staff Report to the Landmarks Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Landmarks Commission included the following:

- The property is located in the Downtown Historic District and is listed as a contributing building within the district. The City Code requires that these types of structures are preserved to help maintain the integrity of the historic district.
- The proposed addition with a step-back at the second story helps to maintain the historic scale and character of the two-story structure while allowing for growth in the downtown, as permitted by the zoning that is in place.

- The wood storefront and upper windows on the east building are not original. If the applicant would like to consider alterations to these areas it would be appropriate to submit a new application where they outline the work to be done. The applicant is mostly looking for approval of the overall concept of preserving the exiting façade and adding a stepped-back residential component to the site.

## **NEIGHBORHOOD AND PUBLIC COMMENT**

The Neighborhood Chair was not present or did not address the Landmarks Commission during the hearing. Neighbors or other interested parties addressed the Landmarks Commission.

## **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Landmarks Commission. Key issues raised in 9 written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- There was a comment about this not being historic preservation if it doesn't resemble the historic structure and adding more stories above doesn't help contribute to the historic district.
- Concerns about the footprint of the building expanding to the North were expressed by a neighboring owner.
- This project will add to the downtown and help preserve the historic architecture in the district.

## **APPLICANT RESPONSE**

Key points addressed in the applicant's presentation to the Landmarks Commission included the following:

- The applicant has a survey that he can go over the property lines with the neighboring property owner who had a concern.
- The outside of the building will be preserved. In the future there can be further discussion about a new storefront or awnings.
- The applicant has been working with owners of parking structure on securing parking for this site.
- The applicant will be able to get more detailed plans and bring them back in the future. At this point he is looking for approval of the concept of having the stepped-back addition and preservation of the historic façade.

## **LANDMARKS COMMISSION DISCUSSION**

Key points discussed by the Landmarks Commission included the following:

- The fire destroyed the interior of the structure, but the exterior was preserved and can be maintained.
- They are proposing to build approximately 39 condominiums. These would be located in the upper floors that are stepped-back from Center Street.
- There will be a project plan submitted for city review in the future that will address parking
- Height of the building would not be able to exceed the height permitted in the DT1 zone. The zone limits the height to 100 feet.
- There was a concern expressed about the height of this building being taller than the 63 East.
- There were issues with how the proposed addition looked too similar to other developments.
- It would be good for this project to be reviewed by the Design Review Committee and brought back to the Landmarks Commission once more plans have been made for this project.

*Diane B. Christensen*

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Landmarks Commission Chair

*Bill Peerson*

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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Landmarks Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Landmarks Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Landmarks Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Landmarks Commission (items not marked with an asterisk) **may appeal** that decision to the Mayor, subject to the procedures in Section 3.06.010, Provo City Code.

**BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS**