



**Landmarks Commission
Staff Report
Hearing Date: April 15, 2020**

ITEM # 3 Spencer Timmons requests a Certificate of Appropriateness for a remodel of the buildings 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

<p>Applicant: Spencer Timmons Staff Coordinator: Dustin Wright Property Owner: Parcel ID#: *Council Action Required: No</p> <p><u>ALTERNATIVE ACTIONS</u></p> <ol style="list-style-type: none">1. <u>Continue</u> to a future date to obtain additional information or to further consider information presented. The next available meeting date is May 20, 2020 at 12:30PM.2. <u>Deny</u> the Certificate of Appropriateness. <i>This action <u>would not be consistent with the recommendations of the Staff Report. The Landmarks Commission should <u>state new findings.</u></u></i>	<p>Current Legal Use: Uses listed in the DT1 zone.</p> <p>Relevant History: This site is the former Los Hermanos restaurant that had a fire in February of last year.</p> <p>Neighborhood Issues: No issues have been presented to staff.</p> <p>Staff Recommendation: Staff recommends that the Landmarks Commission approve a Certificate of Appropriateness for a remodel of the buildings located at 69 E and 71 E Center Street with the conditions that:</p> <ol style="list-style-type: none">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.
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OVERVIEW

The applicant is requesting a Certificate of Appropriateness (COA) from the Landmarks Commission to remodel the buildings located at 69 E and 71 E Center Street (Attachment 1). The buildings are located in the Provo Downtown Historic District and are listed as contributing structures within the district (Attachment 2).

The applicant is proposing to preserve the existing historic façades and do an addition above to provide 39 condo units (Attachment 3). The proposed addition would be stepped-back twenty feet at the second level as opposed to the third level required in the zone (14.21A.110). This is in an effort to preserve the original scale of the two-story façade. The structure would not exceed a building height of 100 feet, as permitted in the zone (14.21A.070). Due to the fire last year, the interior of the building has not been preserved. The exterior of the structure has been preserved and should be incorporated into the rebuilding of the site within the historic district.

FINDINGS OF FACT

- Section 16.01.03, Definitions: “Contributory building or site” means a building or site which individually may lack the necessary historical or architectural significance to merit designation as a historic landmark, but which, because it is either a part of a group nomination or historic district, does still contribute to the overall character of the group or district and should be protected.
- Section 16.05.050(5) Certificates of Appropriateness shall be required for alterations that requires a building permit, construction of additions, any demolition, along with other listed items.
- Older photos of the site show that the existing storefront is not original and some of the upper windows have changed. The lighting, awnings, and signage are not historic features. (Attachment 4)

STAFF ANALYSIS

The following “Standards for Rehabilitation” shall be used by the Commission when determining the historic appropriateness of any application under its jurisdiction: **Staff response in bold**

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The historic portion of the building will be used for retail as it was historically and the new addition will be residential and stepped-back from Center Street.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The exterior of the structure will be preserved. Upon reviewing older photos of the property, the wooden storefront has been altered along with some upper windows.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

By having the addition stepped-back and using different material than the original will help ensure that there is not a false sense that the building was originally much taller than it really was.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

The historic features will be preserved by what the applicant has proposed, while allowing the property to adapt to the changes of a developing downtown with a new addition.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The brick façade will be preserved. The fire has destroyed the interior of the building and this would not be replaced.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall adhere to the old design, in terms of color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The historic brick facades have survived the fire and the plans to sure up the building will help from future deterioration of the remaining features.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

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.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

No such resources are known.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The proposed work to be done would not affect this historic brick facade. The new work will be stepped-back and use different materials to differentiate the old from the new. The new architectural features should not mimic the historic but be complementary in nature to help protect the historic integrity of the property.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The new additions would be distant from the historic setting and potentially could be removed in the future without removing the historic portion of the structure.

CONCLUSIONS

There was a fire in the structure that has destroyed the interior of the building. Thankfully, the exterior of the building was saved by the response of Provo's diligent fire department. 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 will help to ensure that the property secured and not allowed to deteriorate while also protecting the historic scale and character of the two-story structure. Allowing for growth in the downtown, as permitted by the zoning that is in place, while still protecting the character of the historic district, is key.

Staff has found that the wood storefront is not original along with some of the upper windows. If they 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. At this point I believe that 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.

STAFF RECOMMENDATION

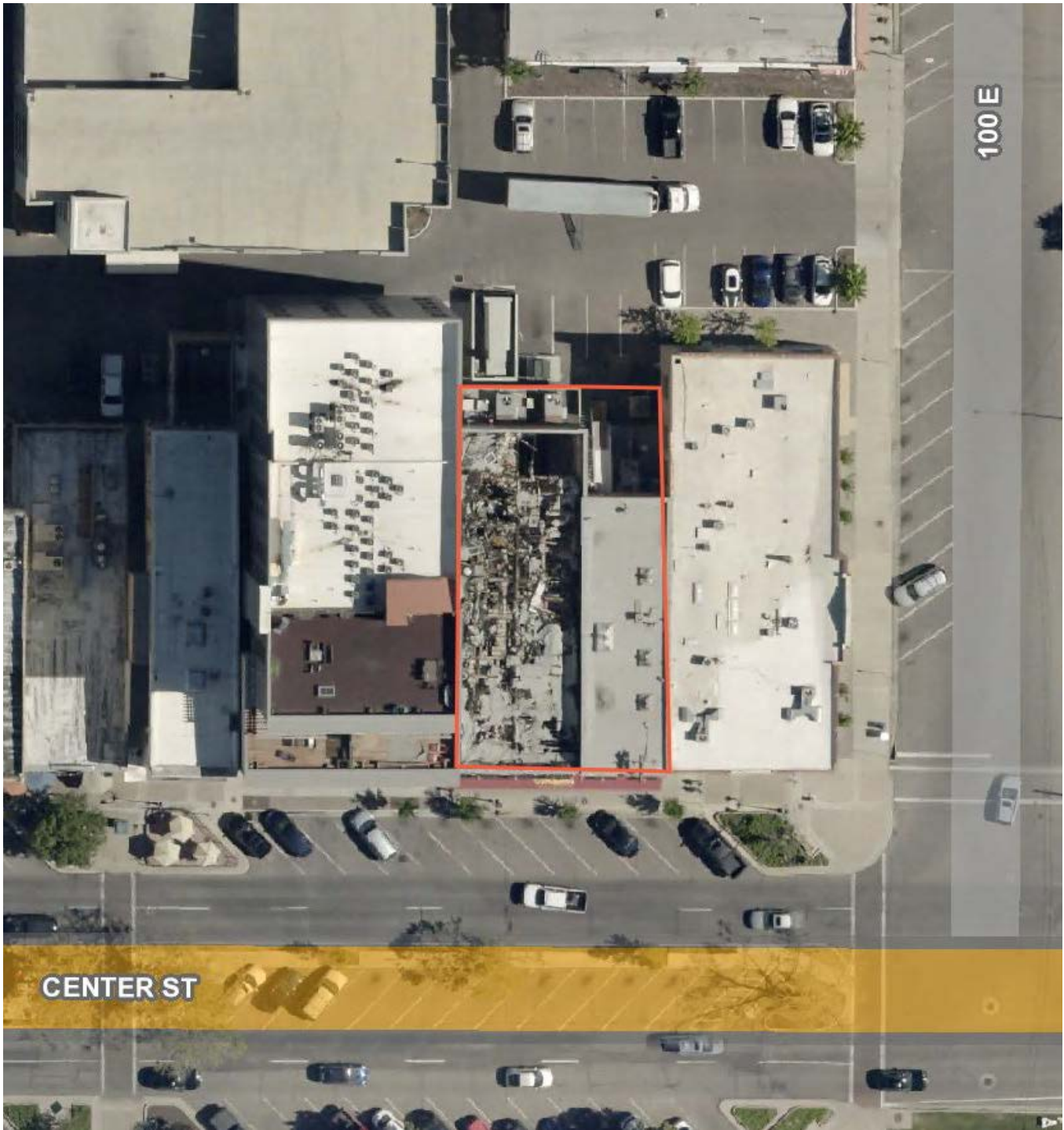
Staff recommends that the Landmarks Commission approve a Certificate of Appropriateness for a remodel of the buildings located at 69 E and 71 E Center Street with the conditions that:

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.

ATTACHMENTS

1. **Site Aerial**
2. **Provo Downtown Historic District Map**
3. **Proposed Renderings**
4. **Photographs**

Attachment 1 – Site Aerial



Attachment 3 – Proposed Renderings



Attachment 4 – Photographs









