Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Appeals Hearing Officer

From: Anthony Riederer, Principal Planner; anthony.riederer@slcgov.com; 801-535-7625

Date: September 14, 2017

Re: PLNAPP2017-00672 – Appeal of a Historic Landmark Commission Decisions to deny the demolition of nine (9) contributing properties on or about Bishop Place (PLNHLC2017-00014, -00015, -00021, -00023, -00028, -00031, -00027, -00022, -00018)

Appeal of Historic Landmark Commission Decision

PROPERTY ADDRESS: Various – Bishop Place, approximately 432 N 300 West
PARCEL IDS: 08-36-254-026, 08-36-254-025, 08-36-254-024, 08-36-254-023, 08-36-254-022, 08-36-254-009, 08-36-254-017, 08-36-254-018, 08-36-254-061
APPELLANT: Bruce Baird and Seth Ensign, attorneys for the property owner

APPEAL: An appeal, filed by Bruce Baird and Seth Ensign attorneys representing the property owner, of a decision by the Historic Landmark Commission to deny a Certificate of Appropriateness for the demolition of nine (9) contributing properties on or about Bishop Place located at approximately 432 N 300 West.

The appellant’s detailed basis for the appeal is included in Attachment A. The following is a summary of the applicant’s basis for the appeal.

1. That city staff and the Historic Landmark Commission erred in their application of the following ordinance standards:
   a. Standard B - The streetscape within the context of the H historic preservation overlay district would not be negatively affected
   b. Standard F - The site has not suffered from willful neglect, as evidenced by the following:
      i. Willful or negligent acts by the owner that deteriorates the structure,
      ii. Failure to perform normal maintenance and repairs,
      iii. Failure to diligently solicit and retain tenants, and
      iv. Failure to secure and board the structure if vacant;
   c. Standard C - The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures
   d. Standard A - The physical integrity of the site as defined in subsection C15b of this section is no longer evident
e. Standard D (with regard to 262 W. Bishop Pl.) - The base zoning of the site is incompatible with reuse of the structure

2. That the Historic Landmark Commission failed to resolve ambiguities in the ordinance in favor of the property owner.

PROJECT DESCRIPTION: International Real Estate Solutions sought to demolish nine (9) residential structures located on or about Bishop Place, in Salt Lake City’s Capitol Hill/Marmalade neighborhood. Each of the structures is listed as contributing to the Capitol Hill Local Historic District, so the proposed demolitions require Historic Landmark Commission approval for a Certificate of Appropriateness to proceed.

The petitions were originally presented before the Historic Landmark Commission at their April 20th Meeting. Through the discussion at that meeting questions raised about the completeness of information available to the commissioners in terms of the landscape plan as a reuse plan to satisfy a standard for demolition. The Commission also requested clarification about the demolition process. The HLC tabled the applications at this meeting. Subsequently, the Zoning Administrator issued an administrative interpretation in order to address questions and clarify the demolition process with regard to economic hardship. The interpretation is found in Attachment G.

At dinner prior to the May 4th meeting, the commission informally discussed the administrative interpretation, the demolition process, the Bishop Place applications, and whether to move forward with them as requested by the applicant. After discussion, there was general consensus by the Historic Landmark Commission to allow the items to be heard, pending the provision of a landscape plan by the applicant, at a future meeting chosen by the applicant.

With the availability of a landscape plan and additional clarity as to the demolition process, the Historic Landmark Commission again heard the petitions at their July 6th meeting. The commission, on a 4-2 vote, denied all nine petitions.

This was based on their findings that in each application only one of the Standards for a Certificate of Appropriateness for Demolition were met.

NEXT STEPS: This is an appeal of a Historic Landmark Commission decision. Therefore the Appeal Hearing Officer’s decision must be made on the record. This is not a public hearing; therefore, no public testimony shall be taken.

If the decision is upheld, the decisions of the Historic Landmark Commission stand and can be appealed to the Third District Court within 30 days.

If the Historic Landmark Commission’s decisions are not upheld, the matter should be remanded back to the Historic Landmark Commission.

ATTACHMENTS:
A. Appeal Application and Brief
B. City Attorney’s Brief
C. Record of HLC Decision from July 6th HLC Meeting
D. Minutes of July 6th HLC Meeting
E. Staff Memo and Attachments for July 6th HLC Meeting
F. HLC Agenda and Notice of July 6th HLC Meeting
G. Staff Memo and Administrative Interpretation for May 4th HLC Discussion
H. Minutes of April 20th HLC Meeting
I. Staff Reports and Attachments for April 20th HLC Meeting
J. HLC Agenda and Notice of April 20th HLC Meeting
Appeal of a Decision

OFFICE USE ONLY

Project # Being Appealed: PWZ4D0207-00671
Received By: C. Anglin
Date Received: 8/15/17

Appealed decision made by:
☐ Planning Commission ☐ Administrative Decision ☒ Historic Landmark Commission

Appeal will be forwarded to:
☐ Planning Commission ☒ Appeal Hearing Officer ☐ Historic Landmark Commission

Project Name: Bishops Place

PLEASE PROVIDE THE FOLLOWING INFORMATION

Decision Appealed:
Historic Landmark Commission's denial of demolition applications—petitions 2017-00014, 00015, 00021, 00023, 00028, 00031, 00027, 00022, 00018

Address of Subject Property:
241 W. Bishop Place, 246 W. Bishop Place, 249 W. Bishop Place,
256 W. Bishop Place, 259 W. Bishop Place, 262 W. Bishop Place, 265-267 W. Bishop Place, 432 N. 300 W.

Name of Appellant:
International Real Estate Solutions, Inc.

Phone: 801.303.0040 (counsel)

E-mail of Appellant:
sensign@mc2b.com (counsel)

Cell/Fax:

Name of Property Owner (if different from appellant):

E-mail of Property Owner:

Phone:

Appellant’s Interest in Subject Property:
Owner

AVAILABLE CONSULTATION

Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

APPEAL PERIODS

An appeal shall be submitted within ten (10) days of the decision.

REQUIRED FEE

Filing fee of $253
Plus additional fee for required public notices. Additional fees for multiple hearings.

SIGNATURE

If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Updated 7/2/17
SUBMITTAL REQUIREMENT

☐ ☐ A written description of the alleged error and the reason for this appeal.
A written appeal brief is submitted herewith.

WHERE TO FILE THE COMPLETE APPLICATION

<table>
<thead>
<tr>
<th>Mailing Address:</th>
<th>Planning Counter</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 145471</td>
<td>In Person:</td>
</tr>
<tr>
<td>Salt Lake City, UT 84114</td>
<td>Planning Counter</td>
</tr>
<tr>
<td></td>
<td>451 South State Street, Room 215</td>
</tr>
<tr>
<td></td>
<td>Telephone: (801) 535-7700</td>
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INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

☐ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

Additional Guidelines for Those Appealing a Planning Commission or Landmarks Commission Decision

A person who challenges a decision by the Planning Commission or the Landmarks Commission bears the burden of showing that the decision made by the commission was in error.

The hearing officer, according to state statute, must assume that the decision is correct and only reverse it if it is illegal or not supported by substantial evidence in the record.

“Substantial evidence” means information that is relevant to the decision and credible. Substantial evidence does not include public clamor and emotion. It involves facts and not mere speculation. A witness with particular expertise can provide substantial evidence, but conjecture and public opinion alone are not substantial evidence.

The “record” includes information, including the application by the person seeking approval, the staff report, the minutes of the meeting, and any information submitted to the commission by members of the public, the applicant or others, before the decision was made. It does not include facts or opinion, even expert opinion, expressed after the decision is made or which was not available to the commission at the time the decision was made.

A decision is “illegal” if it is contrary to local ordinance, state statute or case law, or federal law. An applicant is entitled to approval if the application complies with the law, so a person challenging a denial should show that the application complied with the law; a person challenging an approval should show that the application did not conform to the relevant law. Issues of legality are not restricted to the record of the decision, but the facts supporting or opposing the decision are limited to those in the record.

With regard to the factual information and evidence that supports a decision, the person bringing the appeal, according to a long line of decisions handed down by the Utah State Supreme Court and the Court of Appeals, has a burden to “marshal the evidence” and then to demonstrate that the evidence which has been marshaled is not sufficient to support the decision.

The appellant is therefore to:
1. Identify the alleged facts which are the basis for the decision, and any information available to the commission when the decision is made that supports the decision. Spell it out. For example, your statement might begin with: “The following information and evidence may have been relied upon by the Commission to support their decision…”
2. Show why that basis, including facts and opinion expressed to the commission is either irrelevant or not credible. Your next statement might begin with: “The information and evidence which may have been relied upon cannot sustain the decision because…”

Updated 7/1/17
If the evidence supporting the decision is not marshaled and responded to, the hearing officer cannot grant your appeal. It may be wise to seek the advice of an attorney experienced in local land use regulation to assist you.
Dated August 1, 2017

To the City of Salt Lake:

RE: AUTHORITY FOR C. SETH ENSIGN TO SIGN FOR IRES

Regarding Bishop Place Demolition and/or Hardship Application

International Real Estate Solutions, Inc. ("IRES") is the owner of several properties located at 432 N. 300 West, Salt Lake City, UT; and, 241 through 267 W. Bishop Place, Salt Lake City, UT.

Donald E. Armstrong is the President and sole owner of International Real Estate Solutions, Inc.

International Real Estate Solutions, Inc. hereby gives authority for attorney C. Seth Ensign to sign any, and all, documents or applications relating to demolishing the buildings and/or filing a Hardship Application in favor of demolishing the buildings.

Respectfully,

INTERNATIONAL REAL ESTATE SOLUTIONS, INC.

\[Signature\]

Donald E. Armstrong, President and
100% Owner

08/01/17
Date

STATE OF UTAH )

COUNTY OF SALT LAKE )

On this 1st day of August, 2017, personally appeared before me Donald E. Armstrong, whose identity is personally known to me and who by me duly sworn, did say that he is the President of International Real Estate Solutions, Inc. and that "Authority for C. Seth Ensign To Sign for IRES" was signed by him in behalf of International Real Estate Solutions, Inc. by Authority of its Bylaws or (Resolution of its Board of Directors) and Donald E. Armstrong acknowledged to me that International Real Estate Solutions, Inc. executed the same.

\[Signature\]

LORI L. ANDERSON
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 07/30/2019
Commission # 684380

Notary Public
BEFORE THE SALT LAKE CITY
APPEALS HEARING OFFICER

IN RE DEMOLITION APPLICATIONS FOR RESIDENTIAL STRUCTURES AT 241 W. BISHOP PLACE, 245 W. BISHOP PLACE, 248 W. BISHOP PLACE, 249 W. BISHOP PLACE, 258 W. BISHOP PLACE, 259 W. BISHOP PLACE, 262 W. BISHOP PLACE, 265-267 W. BISHOP PLACE, AND 432 NORTH 300 WEST

International Real Estate Solutions, Inc. ("IRES"), by and through its undersigned counsel, hereby appeals the decision taken by the Salt Lake City Historic Landmark Commission (the "HLC") on July 6, 2017, denying demolition applications for nine residential structures located at 241 W. Bishop Place, 245 W. Bishop Place, 248 W. Bishop Place, 249 W. Bishop Place, 258 W. Bishop Place, 259 W. Bishop Place, 262 W. Bishop Place, 265-267 W. Bishop
Place, and 432 North 300 West (referred to hereinafter individually as a “Property” and collectively as the “Properties”). These nine demolition applications (the “Applications”) correspond to case numbers PLNHLC2017-00014, PLNHLC2017-00015, PLNHLC2017-00021, PLNHLC2017-00023, PLNHLC2017-00028, PLNHLC2017-00031, PLNHLC2017-00027, PLNHLC2017-00022, and PLNHLC2017-00018. IRES owns all of the Properties.

I. INTRODUCTION

A building is not historic merely because it is old. Not everything gets better or worth saving just because it has aged. A 50-year old box of wine that was bad when it was vinted does not magically become a Chateau Lafitte when it passes 50 years old. The HLC lost sight of this simple and incontrovertible fact in denying IRES’s Applications in a decision that is contrary to law and not supported by substantial record evidence. The Salt Lake City Code (the “Code”) sets forth six “Standards For Approval Of A Certificate Of Appropriateness For Demolition Of A Contributing Structure,”¹ and an application to demolish such a structure may be denied only if “two (2) or less [sic] of the standards are met.” See § 21A.34.020(L). If “three (3) to five (5) of the standards are met,” then the HLC cannot deny the application but may instead require the applicant to wait “up to one year” before beginning any demolition.² See id.

¹ The Code lists “economic hardship” as a seventh factor, but the HLC examines this factor in a separate analysis. As explained in a memorandum from Salt Lake City’s Principal Planner to the HLC (dated July 6, 2017), the HLC “has made findings on the first six ordinance standards” in “all demolition requests since the creation of the current zoning ordinance in 1995.” The memo goes on to explain that “[i]f demolition is denied or [deferred] . . . , the applicant has the ability to pursue demolition via the Economic Hardship process.” Because IRES is currently pursuing that separate process, considerations relevant only to the Economic Hardship analysis are not addressed in this appeal.

² Although IRES can be made to postpone demolition for “up to one year” if the Properties meet between three and five of the standards, any such postponement would be unnecessary and wasteful in this case. As discussed more fully below, the Properties have deteriorated past any hope of being habitable, and the condition of the Properties will certainly not improve by simply waiting an additional year before demolition. Bad will only get worse. Accordingly, if the HLC’s denial of the demolition applications is reversed (as it should be), IRES requests that it be
Here, each Property meets four or five—and at very minimum three—of the six standards set forth in § 21A.34.020(L)(1)(a-f). Consequently, the HLC had no basis for denying any of the Applications. In voting to deny the Applications, the HLC specifically acknowledged that each of the Properties met the standard related to a permissible “reuse plan,” as set forth in § 21A.34.020(L)(1)(e). Thus, that standard is not at issue in this appeal. The HLC’s error in denying the Applications can be established by showing that the Properties meet just two additional standards.

This appeal focuses principally on four of the demolition standards. First, the Properties meet the standard that “[t]he streetscape . . . not be negatively affected” by the requested demolition. § 21A.34.020(L)(1)(b). Second, the Properties meet the standard that “[t]he site has not suffered from wilful [sic] neglect.” § 21A.34.020(L)(1)(f). Third, the Properties meet the standard that “[t]he demolition would not adversely affect the . . . overlay district due to the surrounding noncontributing structures.” § 21A.34.020(L)(1)(c). Fourth, the Properties meet the standard that “[t]he physical integrity of the site . . . is no longer evident.” § 21A.34.020(L)(1)(a). In addition to these four factors, the Property located at 262 W. Bishop Place also meets a fifth standard—namely, that “[t]he base zoning of the site is incompatible with reuse of the structure.” § 21A.34.020(L)(1)(d).

For these reasons, and as set forth more fully below, the HLC’s denial of the Applications is not supported by substantial evidence in the record and was contrary to law. The HLC’s denial of the Applications should be reversed.
II. STANDARD OF REVIEW

"An appeal from a decision of the historic landmark commission . . . shall be based on the record made below." Salt Lake City Code § 21A.16030(E)(2). The appeals hearing officer must reverse the HLC’s decision if “it is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.” Id.

Importantly, because ordinances governing land use “are in derogation of a property owner’s common-law right to unrestricted use of his or her property, provisions . . . restricting property uses should be strictly construed . . . in favor of the property owner.” Patterson v. Utah Cnty. Bd. of Adjustment, 893 P.2d 602, 606 (Utah App. 1995). This is particularly true when the ordinance at issue is at all ambiguous—i.e., “if it can be understood by reasonably well-informed persons to have different meanings.” Id. (quoting Miller Welding Supply, Inc. v. Utah State Tax Comm’n, 860 P.2d 361, 362 (Utah App. 1993)). Indeed, earlier this year the Utah legislature codified these existing common law principles by adopting HB 232, which requires local governments to use “plain” (i.e., clear) language in land use ordinances. The new statute also makes clear that if such language is anything less than plain, then the presumption is in favor of the private property owner. See Utah Code Ann. § 10-9a-707 (providing that an “appeal authority shall . . . determine the correctness of [a] land use” decision based on “the plain meaning of the land use regulations” and shall “interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application”) (emphasis added). The Code at issue here is anything but “plain” or clear. To the contrary, the HLC and City Staff repeatedly acknowledged this undeniable fact prior to voting on the Applications. Not only is the overarching structure of the Code hopelessly broken, but the
specific standards applicable to this appeal are vague and ambiguous. Every ambiguity in the Code must be construed in favor of IRES, the property owner.

III. ANALYSIS

Four of the “Standards For Approval Of A Certificate Of Appropriateness For Demolition” are at issue in this appeal. Specifically, there is not substantial record evidence to support the HLC’s determination that the Properties fail to meet the demolition standards related to (1) effect on the streetscape, (2) willful neglect, (3) surrounding noncontributing structures, and (4) lack of physical integrity. See § 21A.34.020(L)(1). These four standards are analyzed in turn.

1. Demolition Will Not Negatively Affect the Streetscape

One of the Code’s standards for demolition is that “[t]he streetscape . . . would not be negatively affected” by the requested demolition. See § 21A.34.020(L)(1)(b). The Code does not explain what it means for a “streetscape . . . [to] be negatively affected.” On its face, the Code does not clearly connect the term “negatively affected” to any considerations regarding historical significance. One reasonable understanding of the Code is that a streetscape is “negatively affected” if demolition is detrimental from a purely aesthetic standpoint.3 Of course, from a purely aesthetic standpoint (setting aside all arguments about historical significance), demolition would actually be an improvement over the status quo because the Properties are—as an objective matter—dilapidated eyesores.4 Given that the ambiguous streetscape standard can reasonably be understood to concern only aesthetics, the Code’s ambiguity must be so construed

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3 This is particularly so given that some of the other demolition standards—such as the standards regarding willful neglect and compatibility with “base zoning”—are unconnected to historical considerations of any kind.

4 Even if the structures were restored to their “historic” condition of unpainted clapboard they would be even uglier as shown by the City’s own historical photos, as more fully argued and shown below.
in favor of IRES, the property owner. This is not to suggest that the Properties have any historical significance—they plainly do not, as discussed more fully below. The point here is simply that if historical considerations are set aside, there is no argument whatsoever (let alone substantial evidence) that demolition might “negatively affect[]” the streetscape.

Even if the Code is construed liberally and against IRES (in contravention of Utah’s statutory law), there is still no question that the Properties meet the “streetscape” standard. As the City acknowledged in its own staff reports, the relevant streetscape with respect to all of the Properties is 300 West—not Bishop Place, which is privately owned.\(^5\) The streetscape of 300 West would not be negatively affected by the demolition of the Properties located on Bishop Place. Indeed, Bishop Place as a whole has a vanishingly small impact on the streetscape of 300 West, which is typically experienced either as a pedestrian or as a passenger in a car. For pedestrians walking down the sidewalk on the east side of 300 West, Bishop Place is visible for approximately seven seconds. And, even then, only small fragments of some of the buildings are visible. For a car passenger driving north on 300 West at legal speed, Bishop Place is visible for approximately one second. The view of Bishop Place from the west side of 300 West is more distant and obscured by trees in the street’s median. A private lane visible for such a short time (and then only at a distance) cannot be said to have any meaningful effect on the streetscape it abuts.

Moreover, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a

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\(^5\) The HLC heard argument from third parties claiming that Bishop Place is the relevant streetscape. Not only is this position inconsistent with the City’s own Staff Reports and the straightforward fact that Bishop Place is a privately-owned lane to which the public has no right of access, there is no conceivable argument that the Code’s plain language unambiguously allows for a privately-owned lane to constitute a relevant “streetscape” for purposes of the demolition analysis. Even if the Code is ambiguous on this point the ambiguity would have to be resolved in IRES’s favor. This further confirms that 300 West is the relevant streetscape.
striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning, located on 300 West immediately north of Bishop Place, likewise does not embody historic elements. Because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. For example, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby, located on the corner of 500 North and 300 West, and similarly detracts from any historic elements that might be found in the area. The non-historic nature of 300 West confirms that demolition of the Properties on Bishop Place will not negatively affect the streetscape of 300 West, from which the Bishop Place Properties are barely visible, particularly since the Properties themselves are not historic but are rather merely old. No one on Earth could call any of these buildings “landmarks”; not even City Staff tried to make that argument.

Application of the streetscape standard must be considered separately for the Property located at 432 North 300 West. Unlike the other Properties, 432 North actually fronts 300 West. But like the other Properties, the structure at 432 North is not historic—it is merely old (and, as noted below, has had numerous facelifts and other facial diseases). This fact, particularly when coupled with the already non-historic nature of the 300 West streetscape described above, confirms that demolition of the structure at 432 North will not negatively affect the 300 West streetscape. In sum, the record contains no evidence—let alone substantial evidence—to support the HLC’s determination that any of the Properties fail to meet this standard.
2. The Properties Have Not Suffered From Willful Neglect.

One of the Code’s standards for demolition is that “[t]he site has not suffered from wilful [sic] neglect, as evidenced by the following: (1) Wilful [sic] or negligent acts by the owner that deteriorates the structure, (2) Failure to perform normal maintenance and repairs, (3) Failure to diligently solicit and retain tenants, and (4) Failure to secure and board the structure if vacant.” See § 21A.34.020(L)(1)(f) (emphasis added). By using the conjunctive term “and” to connect these four elements, the Code plainly requires evidence of all four elements to show that there has been willful neglect. Here, the City’s own Staff Reports expressly concede that each of the Properties “[c]omplies with factor 4,” since in 2015 IRES “began fencing and boarding the structures.” Not only was this issue specifically flagged for the HLC prior to its vote on the Applications, but so was the fact that a finding of willful neglect could not be made unless all four factors were met. The HLC’s decision to simply ignore the City’s explicit concessions and the Code’s plain language is illustrative of the HLC’s arbitrary approach and blatant disregard for any facts that complicated its purely ends-oriented “analysis.” Ultimately, the HLC’s finding of willful neglect reflects its own willful blindness.

In any event, there is no record evidence that even one of the four necessary elements of willful neglect has been met with respect to any of the Properties. First, there has been no “[w]ilful or negligent acts by the owner that deteriorates the structure.” The City’s own Staff

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6 The plain language of the Code cannot reasonably be understood otherwise. Again, however, even assuming arguendo that some argument could be made that the Code is ambiguous as to whether all four factors are required to show willful neglect, that ambiguity would have to be resolved in favor of IRES. Accordingly, a lack of substantial record evidence on any one of the four willful neglect factors is enough to show that the Properties meet this demolition standard.
7 “Willful”, as used in the HLC Code, is the British spelling of the term, perhaps trying to obtain some gravitas without the accent. In America, the word is spelled “willful”. http://grammarist.com/spelling/wilful-willful/
Reports fail to cite or reference any evidence of IRES participating in any such affirmative “acts.”

Second, there has been no “[f]ailure to perform normal maintenance and repairs.” The scope of this element is implicitly limited, of course, to any “[f]ailure” by the current owner. IRES cannot be punished for a prior’s owner’s failure to perform normal maintenance and repairs, and there has been no such failure on the part of IRES. It is not “normal” to waste money on “maintenance and repairs” of structures that lack basic utilities and are already in such poor condition that they are uninhabitable.

Third, there has been no “[f]ailure to diligently solicit and retain tenants.” Here again, the scope of this element is implicitly limited to any “[f]ailure” by the current owner. IRES cannot be punished for a prior owner’s failure to diligently solicit and retain tenants, and there has been no such failure on the part of IRES because (as noted above) the Properties are uninhabitable. Indeed, evidence in the record shows that the Salt Lake County Health Department officially ordered the Properties closed to occupancy because they were “[d]ilapidated homes that lack utilities with transients squatting in” them. Additional record evidence includes police reports from as early as 2012 noting that the Properties were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” A property owner does not commit willful neglect by refusing to solicit tenants to live in uninhabitable structures. Q.E.D.

Fourth, there has not been a “[f]ailure to secure and board the structure if vacant.” To the contrary, IRES has made every effort to secure the Properties, including installing a fence to secure the lane and repeatedly boarding the structures. Despite these efforts, transients have
continued to kick in the boarded doors. This continued vandalism by others certainly cannot be characterized as willful neglect on the part of IRES.

In short, there is no substantial evidence in the record to support the HLC’s conclusion that IRES willfully neglected any of the Properties. Each of the Properties therefore meets the willful neglect standard. ⁸

3. Demolition Will Not Adversely Affect the Historic Preservation Overlay District Due to Surrounding Noncontributing Structures.

One of the Code’s standards for demolition is that “demolition would not adversely affect the . . . overlay district due to the surrounding noncontributing structures.” See § 21A.34.020(L)(1)(c). As an initial matter, this standard is so vague that it lacks substantive content. And, as explained above, any ambiguity in the Code must be construed in favor of IRES, the property owner. The Properties therefore meet the “noncontributing structures” standard as a straightforward matter of law, since it cannot fairly be said that IRES has failed to meet an unintelligible standard.

In any event, there is certainly not “substantial evidence in the record” to support the HLC’s conclusion that the Properties fail to meet this standard. To the contrary, Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area.

⁸ The HLC chairman asked IRES why it had not repaired a door on the rear of one of the Properties. That Property, like all the Bishop Place Properties, was condemned and uninhabitable. There was no point to repairing a door to an uninhabitable Property. In fact, until building permits are obtained, nothing can be done to that Property, or any of the Bishop Place Properties, except boarding them up, as IRES has repeatedly done.
Moreover, there are already multiple vacant lots on Bishop’s Place itself. And, to the extent that the HLC considered other Properties on Bishop Place to be contributing structures, it must be noted that (for reasons stated herein) each of the Properties meet enough of the demolition standards that they qualify for demolition (even if such demolition is deferred for a year). Each demolition will leave more vacant lots and fewer surrounding structures that are arguably contributing, further underscoring the basic point that the general area is (and will continue to be) increasingly dominated by noncontributing structures.

4. The Physical Integrity of the Properties Is No Longer Evident.

One of the Code’s standards for demolition is that “[t]he physical integrity of the site . . . is no longer evident.” See § 21A.34.020(L)(1)(a). The Code defines “[p]hysical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the national park service for the national register of historic places.” See § 21A.34.020(C)(15)(b). In turn, the National Register of Historic Places explains the concept of “integrity” as “the ability of a property to convey its significance.” See U.S. Dep’t of the Interior, National Park Service, Manual for State Historic Preservation Review Boards; available at https://www.nps.gov/nr/publications/bulletins/strevman/strevman6.htm, last visited August 3, 2017. Put another way, “[i]ntegrity . . . refers to the clarity of a property’s historic identity.” Id.

“Severe structural deterioration” naturally detracts from a property’s integrity. Ultimately, for a property to have integrity, it “must, on balance, still communicate its historic identity.” Id. (emphasis added).

Here, there is no record evidence—let alone “substantial evidence”—to support the HLC’s conclusion that the physical integrity of any of the Properties remains even remotely
“evident.”⁹ To the contrary, the record evidence vividly and overwhelmingly illustrates that the Properties are unable to “convey [historical] significance” of any kind, particularly in light of the Properties’ “[s]evere structural deterioration” and the fact that any arguably historical elements must be considered “on balance” with the Properties’ profoundly blighted state and extensive, non-historic alterations. Again, if the structures really had any historic integrity then all of the gingerbread and paint would have to be removed. If you are going to require historicity then you should go all the way. The HLC is, to quote Hamlet: “Hoist [on their] own petar[d].”

Before turning to a “physical integrity” analysis of each individual Property, another fact common to all of the Properties must be made absolutely clear. Even in their prime, these Properties were entirely nondescript clapboard structures with no remarkable stylistic or architectural features. In conjuring up an unsupported historical image of Bishop Place as a charming collection of craftsman cottages with some type of colorful gingerbread trim, the HLC ultimately passed judgment on a Potemkin village of its own making. The HLC’s fanciful view of Bishop Place plainly does not account for the severe deterioration depicted so plainly in modern-day photographs. But even more fundamentally, the HLC’s Potemkin village does not stand up to the City’s own historical photographs of the Properties:

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⁹ The Code does not explain what it means for a property’s physical integrity to remain “evident.” Accordingly, this standard must be construed in favor of IRES such that a given Property fails to meet the standard only if the Property’s physical integrity remains plainly or manifestly evident, as opposed to minimally or arguably evident.
These photographs, taken from the City’s Staff Reports, provide a sense of the Properties’ wholly unremarkable “design, setting, materials, workmanship, feeling and association.” See Code § 21A.34.020(C)(15)(b). Restoring these Properties to the way they originally looked would mean a return to the dingy clapboard style pictured above (the bad boxed wine analogized above). Romantic a concept as historical “integrity” may seem in the abstract, the historical reality for the Properties at issue here is extraordinarily drab.

With or without any gingerbread illusions of the past, the Properties as they exist today retain no physical integrity. Because at least some of the reasons for this are unique to each individual Property, the physical integrity of each Property is analyzed in turn.
a. 241 W. Bishop Place

According to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\(^{10}\) Moreover, the Historical Society’s report notes that “major alterations” were made to the property prior to 1980.\(^{11}\) In fact, most of the original windows have been removed as illustrated in these photographs:

\[\text{Image of a window.}\]

\(^{10}\) See 241 West Bishop Place Historical Society Structure/Site Information Form, attached hereto as Exhibit 1. The Historic Society identifies this as 243 Bishop, but that address does not exist.

\(^{11}\) See id.
Additionally, the original door and roof have been replaced with inexpensive substitutes that lack any historic character. This home particularly suffers from ill-conceived additions that extend nearly to the property line:

This home, like the others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. Contrary to the intention, this provided no structural support.
Second, the stone and lumber within the home have eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deterioration.

Third, the back portion of the roof completely collapsed, leaving the home open to the elements.

Fourth, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding,” which is so deteriorated that much of it could not be salvaged in a remodel. In sum, the Property’s “location,
design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old like bad wine gone to vinegar. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

b. **245 W. Bishop Place**

According to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place. Moreover, the Historical Society’s report notes that “major alterations” were made to the property prior to 1980. In fact, the original windows have been removed, as illustrated by these photographs:

![Photograph of 245 W. Bishop Place](image)

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12 See 245 West Bishop Place Historical Society Structure/Site Information Form, attached hereto as Exhibit 2. This home is identified as 253 Bishop by the Historical Society.
13 See id.
The siding has deteriorated and is missing in certain areas:

Additionally, the original door and roof have been replaced with inexpensive substitutes that lack historic character. A poorly constructed addition also detracts from any historic elements:
This home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home, as shown in this photograph:
Contrary to the intention, this provided no structural support for the home.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the Property, there is very little that remains historic in the Property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding,” which is so deteriorated that much of it could not be salvaged in a remodel. In sum, the Property’s “location,
design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

c. 248 W. Bishop Place

Alterations made to 248 Bishop before IRES took ownership of it have resulted in only limited historical elements surviving. Also, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\footnote{See 248 West Bishop Place Historical Society Structure/Site Information Form, attached hereto as Exhibit 3.}
This home, like many others on Bishop Place, has been added onto numerous times through the years. The photographs above show two separate additions that clearly post-date original construction. (The HLC’s argument that some of the remodeling is also so old that it may, itself, be historic is so ludicrous that it is not worthy of a response.)

Also, the home has deteriorated past the point of restoration. First, it lacks a foundation:

Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. Contrary to the intention, this provided no structural support.
Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. In sum, the Property’s “location, design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

d. 249 W. Bishop Place

There are limited or no historic elements remaining in the home at 249 Bishop. In fact, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\textsuperscript{15} The Historical Society’s report from 1980 notes that there have been “major alterations” and the exterior is “fake brick

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\textsuperscript{15} See 249 West Bishop Place Historical Society Structure/Site Information Form, attached hereto as Exhibit 4.
asphalt over? [sic]." Currently, these alterations make up the majority of the exterior. Large portions of the home were covered with vinyl, which has now been removed and exposed manufactured wood, obviously not historic, which makes up a portion of the exterior.

16 See id.
The majority of the windows and exterior doors have been replaced and are not historic. Misseized windows were used, and the gaps have been filled with modern, manufactured wood.
Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. Contrary to the intention, this provided no structural support.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain "historical integrity" would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive
characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding,” which is so deteriorated that much of it could not be salvaged in a remodel. In sum, the Property’s “location, design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

e. 258 W. Bishop Place

According to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\textsuperscript{17} The Historical Society’s report notes that there have been “major alterations” to the home,\textsuperscript{18} including a rear extension:

![Image of 258 W. Bishop Place](image)

Windows have been removed and replaced with boards or smaller windows:

\textsuperscript{17} See 258 West Bishop Place Historical Society Structure/Site Information Form, attached hereto as Exhibit 5.

\textsuperscript{18} See id.
The home is simply a shell (to put it kindly, a box without even any old wine) that has been stripped of most of the historic elements:

Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing:
This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home.

Contrary to the intention, this provided no structural support.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so
deteriorated that much of it could not be salvaged in a remodel. In sum, the Property’s “location, design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

f. 259 W. Bishop Place

There are limited or no historic elements remaining in the home at 259 Bishop. There have been numerous additions to the home that have compromised any previously-existing historic elements. Exterior doors and windows have been replaced and are no longer historic. A few examples of the significant changes made to this home are as follows. A poorly constructed addition includes newer windows and exposed manufactured wood:
Removal of historic windows that do not fit the original design:

More evidence of replaced windows:
This home also shows significant signs of use by transients over the last decade, including the presence of human feces, and evidence of methamphetamine use.

Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. The cement footings can be seen in these photographs:
Contrary to the intention, this material did not provide structural support for the home.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The cut stone masonry is deteriorating, causing the home to sag and lean.
Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a
rehabilitation effort to retain "historical integrity" would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic on the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the "Lap Siding," which is so deteriorated that much of it could not be salvaged in a remodel. In sum, the Property's "location, design, setting, materials, workmanship, feeling and association" are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the "historical integrity" standard and the HLC erred in concluding otherwise.

g. 262 W. Bishop Place

There are limited or no historic elements remaining in the home at 259 Bishop. In fact, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\(^1\) The Historical Society's report notes that a carport extension and "major window alterations" were made to the property prior to 1980.\(^2\)

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\(^{19}\) See 262 West Bishop Place Historical Society Structure/Site Information Form, attached hereto as Exhibit 6.

\(^{20}\) See id.
The original windows have been removed. The original door and roof have also been replaced with inexpensive substitutes that lack historic character.
Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing that can be seen in the photographs below. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home.
Contrary to the intention, this provided no structural support.

Second, the lumber and masonry within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.
Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.
As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding,” which is so deteriorated that much of it could not be salvaged in a remodel. In sum, the Property’s “location, design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

h. 265-267 W. Bishop Place (Duplex)

This duplex, like many homes on Bishop Place, has deteriorated past the point of restoration. This home also shows significant signs of use by transients over the last decade, including the presence of human feces, and evidence of methamphetamine use.

![Image of a duplex with visible deterioration.]

Previous owners have added on to this property without regard for historic elements. For example, a poorly constructed addition was built on the back of the duplex:
Windows and doors have been removed and replaced:
Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. The age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.
As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. In sum, the Property's "location, design, setting, materials, workmanship, feeling and association" are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the "historical integrity" standard and the HLC erred in concluding otherwise.

i. 432 North 300 West

This house lacks historic character and has deteriorated past the point of restoration. Doors and many windows have been replaced.
Additions have been made that are poorly constructed and not historical.
The north side of the home reveals significant bowing, mortar has deteriorated, and bricks are falling off the home as the corner walls draw away from each other.
The interior of the home illustrates this movement with large cracks and gaps in the ceiling, and noticeably slanting floors. Three licensed engineers have inspected the home and pointed out numerous issues with the structural integrity of the home. Also, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard. The existence of lead based paint and asbestos would implicate significantly increased costs and complications in any attempt to rehabilitate the Property. For example, any attempt to use existing materials from the Property in a rehabilitation effort to retain “historical integrity” would require special treatment of those materials if it is even possible.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. In sum, the Property’s “location, design, setting, materials, workmanship, feeling and association” are simply not historic in nature. As a whole, the Property is not historic—it is just old. Thus, the Property fails to meet the “historical integrity” standard and the HLC erred in concluding otherwise.

5. The Base Zoning of the 262 W. Bishop Place Property Is Incompatible with Reuse of the Structure.

One of the Code’s standards for demolition is that “[t]he base zoning of the site is incompatible with reuse of the structure.” § 21A.34.020(L)(1)(d). The Property located at 262 W. Bishop Place meets this standard because the structure encroaches onto the road and thus violates an applicable zoning ordinance requiring a minimum street width of twenty feet. The encroachment of this house on an already narrow lane creates potential fire and water hazards, as well as potential access problems for emergency response vehicles. The Property, which is already structurally unsound, would surely not survive being moved, and since the Property
poses a public danger as it is currently situated, the Property should be demolished. In any case, the Property is inconsistent with current zoning ordinances and therefore meets this additional demolition standard.

IV. CONCLUSION

The Properties at issue here are old, but none of them are historic and all of them meet more than two of the Code’s demolition standards. The HLC has already acknowledged that the Properties meet the standard related to a “reuse plan.” Thus, if any particular Property meets even two additional standards, the HLC’s denial of the corresponding Application was contrary to law and must be reversed. As shown above, each of the Properties meets at least four additional demolition standards and one of the Properties meets at least five additional standards.

First, each of the Bishop Place properties meets the “streetscape” standard based on the simple fact that they are not even located on the relevant 300 West streetscape and are visible from passersby on 300 West for somewhere between one and seven seconds, depending on whether the passerby is a pedestrian or a car passenger. While perhaps somewhat less obvious, the Property that actually fronts 300 West at 432 North also meets the “streetscape” standard because of the manifestly non-historic nature of 300 West.

Second, each of the Properties meets the willful neglect standard because the City’s own Staff Reports explicitly concede that the Properties are in compliance with at least one of the factors that is legally necessary to show otherwise. The HLC apparently found willful neglect based on the fact that IRES has not sought tenants for the Properties and has not made what the HLC deems “normal” repairs. To be clear, however, the Properties are uninhabitable and lack basic utilities. It is neither “normal” nor a manifestation of willful neglect to not pour money into routine maintenance on such structures. There is certainly no willful neglect in not soliciting
tenants to inhabit uninhabitable buildings. There is no record evidence—let alone substantial record evidence—to show that IRES has committed any act of willful neglect, and IRES cannot be punished for any willful neglect committed by prior owners. Thus, all of the Properties meet this standard.

Third, each of the Properties meets the “noncontributing structures” standard, since Bishop Place is located amongst a hodgepodge of mixed commercial and residential homes that have not retained their historic character. Specifically, the immediate vicinity includes a strikingly modern library, an ordinary dry cleaner, the Bavarian Motorcycle Workshop, and a Family Dollar store, among many other obviously non-historic structures.

Fourth, the Properties meet the “physical integrity” standard because their “location, design, setting, materials, workmanship, feeling and association” are simply not historical in nature. To the contrary, the record evidence vividly demonstrates how severely the Properties have deteriorated and how unreasonable (if not futile) any attempt at restoration would be. Moreover, the Properties never had any unique or remarkable characteristics to begin with. Any historically accurate restoration would necessarily mean a return to unpainted clapboard structures. Put simply, the Properties are not historic—they are merely old.

Fifth, the Property located at 262 W. Bishop Place meets the “incompatible” zoning standard because the structure—in its current form—encroaches on the road by approximately twenty feet.

Although the HLC denied all of the Applications with a single vote, that decision must be reversed with respect to any individual Property that meets at least three of the demolition standards. The table below summarizes why each of the Properties indeed meets at least three of the demolition standards.
<table>
<thead>
<tr>
<th>Property</th>
<th>Reuse Plan</th>
<th>Effect on Streetscape</th>
<th>Willful Neglect</th>
<th>Non-contributing structures</th>
<th>Physical Integrity</th>
<th>Zoning Incompatible</th>
<th>Total Standards Met</th>
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Finally, application and analysis of the demolition standards must take account of the vague nature of the standards and the Code’s hopelessly broken structure. Every ambiguity in the Code must be construed in favor of IRES. In the end, there is no reasonable justification whatsoever for preventing demolition of the Properties, which are not historic but are rather merely old and deteriorated past any hope of being habitable. The HLC’s denial of the Applications is not supported by substantial record evidence, is contrary to law, and should be reversed.

The Roman Senator and great orator Cato the Elder ended all of his speeches with the injunction “Carthago delenda est,” Carthage must be destroyed. That is equally true of the far less historic structures that are “Bishop Place.” They must be destroyed.
DATED this 4th day of August, 2017.

Bruce Baird
Seth Ensign
*Attorneys for International Real Estate Solutions, Inc.*
Utah State Historical Society  
Historic Preservation Research Office  
Structure/Site Information Form

1. **Identification**
   - **Street Address:** 243 West Bishop Place
   - **Name of Structure:**
   - **Present Owner:**
   - **Owner Address:**
   - **Year Built / Tax Record:**
   - **Legal Description**
   - **Effective Age:**
   - **Kind of Building:**
   - **UTM:**
   - **T:**
   - **R:**
   - **S:**
   - **Tax #:**

2. **Original Use:** Residence
   - **Original Owner:** Emily V.B. Harrison
   - **Construction Date:** 1904–1911
   - **Demolition Date:**
   - **Present Use:** Residence
   - **Building Condition:**
   - **Integrity:**
   - **Preliminary Evaluation:**
   - **Final Register Status:**

3. **Photography:**
   - **Date of Slides:**
   - **Slide No.:**
   - **Date of Photographs:** 1980
   - **Photo No.:**
   - **Views:**
     - Front
     - Side
     - Rear
     - Other

**Research Sources:**
- Abstract of Title
- Sanborn Maps
- Deed Records / Map
- City Directories
- Plat Records / Map
- Biographical Encyclopedias
- Tax Card & Photo
- Biographical Index
- Building Permit
- Cemetery Records
- Deed Records
- County & City Histories
- U of U Library
- Newspapers
- U.S. Historical Society
- Personal Interviews
- LDS Church Archives
- LDS Genealogical Society
- Special Collections
- Other

**Bibliographical References** (books, articles, records, interviews, old photographs and maps, etc.):

- Folk, Salt Lake City Directory, 1924.
- Salt Lake County Plat Records, 1860–1940.

**Researcher:** Fred Albertson  
**Date:** 1980
Architect/Builder:

Building Materials: asphalt fake brick siding over?

Building Type/Style:

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one-story gable roof residence with a symmetrical main facade and a small gabled entrance hood. There is a rear frame lean-to.

Statement of Historical Significance:

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1904 and 1911. There is a possibility that this house was moved from the site of the Denver Rio Grande station. The original owner of the property, when the house was erected, was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. She was the mother of at least three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Louis Obispo, California.

Emily deeded the house to Bower Investment Company in 1925. Bowers deeded to Zach Partington and his wife, Mildred Bishop Partington in 1933.

Construction Date: 1904-1911
Utah State Historical Society
Historic Preservation Research Office
Structure/Site Information Form

1. Street Address: 253 West Bishop Place
   Name of Structure:
   Present Owner:
   Owner Address:
   Year Built (Tax Record):
   Legal Description
   Effective Age:
   Kind of Building:
   Tax #:
   UTM:
   T.  R.  S.

2. Original Owner: Emily V.B. Harrison
   Original Use: residence
   Construction Date: 1904–1911
   Demolition Date:
   Present Use: residence
   Building Condition:
   Integrity:
   Preliminary Evaluation:
   Final Register Status:

3. Photography:
   Date of Slides: Slide No.: Date of Photographs: Spring '80
   Photography:
   Views: Front  Side  Rear  Other
   Views: Front  Side  Rear  Other
   Research Sources:
   ◐ Abstract of Title  ◐ Sanborn Maps
   ◐ Plat Records/Map  ◐ City Directories
   ◐ Tax Record & Photo  ◐ Biographical Encyclopedias
   ◐ Building Permit  ◐ Obituary Index
   ◐ Sewer Permit  ◐ County & City Histories
   ◐ Newspapers  ◐ U of U Library
   ◐ Utah State Historical Society  ◐ BYU Library
   ◐ Personal Interviews  ◐ LDS Church Archives
   ◐ LDS Genealogical Society
   Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):
   Salt Lake County Plat Records, 1860–1940.
   Sanborn Maps, SLC, 1898, 1911, 1903, 1969

Researcher: Fred Aegerter
Date: 6/80
Architect/Builder: 

Building Materials: asbestos siding over ?

Building Type/Style: 

Description of physical appearance & significant architectural features: (include additions, alterations, auxiliary structures, and landscaping if applicable)

This is a one story shot gun plan house with a gable roof and frame porch. It has a rear extension the same as 255 West Bishop Place.

Statement of Historical Significance: 

Construction Date: 1904-1911

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1904 and 1911. There is a possibility that this house was moved from the site of the Denver Rio Grande station. The original owner was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. The couple had three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Luis Obispo, California. Chain of title is as follows:

1923 Harrison to Walter Garrick
1934 Garrick to Harry Bishop
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1
Street Address: 248 Bishop Place
Name of Structure:
Present Owner:
Owner Address:
Year Built (Tax Record):
Legal Description
Effective Age:
Kind of Building:

2
Original Owner: Alexander L. Bishop
Original Use: residence
Construction Date: 1898-1904
Demolition Date:
Present Use: residence
Building Condition: □ Excellent □ Good □ Deteriorated
□ Site □ Ruins □ Major Alterations
Integrity: □ Unaltered □ Minor Alterations
Preliiminary Evaluation: □ Significant □ Contributory □ Not Significant □ Not Contributory
Historic Period
Final Register Status: □ National Landmark □ National Register □ Multi-Resource
□ State Register □ Thematic

3
Photography:
Date of Slides:
Slide No.: 180
Date of Photograph: Spring '80
Photo No.:

Research Sources:
□ Abstract of Title □ Sanborn Maps □ Newspapers □ U of U Library
□ Plat Records/Map □ City Directories □ Utah State Historical Society □ BYU Library
□ Tax Card & Photo □ Biographical Encyclopedias □ Personal Interviews □ USU Library
□ Building Permit □ Obituary Index □ LDS Church Archives □ SLC Library
□ Sewer Permit □ County & City Histories □ LDS Genealogical Society □ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):
Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.

Researcher: Fred Aegerter
Date: 6/80
This is a one and a half story gable roofed house with a gable facade having patterned shingle siding in the gable, pent eaves, a projecting front porch, turned porch posts, and a tripartite window. There are rear frame extensions.

Statement of Historical Significance:

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1898 and 1904. There is a possibility that this house was moved to its present location from the site of the Denver-Rio Grande Station. The original owner of the house appears to have been Alexander Lareno Bishop.

Bishop was born about 1865 in England. He was married and his wife's given name was Mary Elizabeth. The couple had six children. Alex was employed as a well driver. He was in a partnership with his brother, Charles W. Bishop. Alexander Bishop died January 24, 1931. His wife resided at the residence through 1940.
Structure/Site Information Form

1. Street Address: 249 Bishop Place
   UTMs: T. R. S.
   Name of Structure:
   Present Owner:
   Owner Address:
   Year Built [Tax Record]:
   Legal Description:
   Effective Age:
   Kind of Building:
   Tax #:

2. Original Owner: Emily V.B. Harrison
   Construction Date: 1904-1911
   Demolition Date:
   Original Use: residence
   Present Use: residence
   Building Condition:
   Integrity:
   Preliminary Evaluation:
   Final Register Status:

3. Photography:
   Date of Slides:
   Slide No.:
   Date of Photographs: 1980
   Photo No.:
   Views:
   Views: Front Side Rear Other
   Research Sources:
   Abstract of Title
   Sanborn Maps
   Newspapers
   Salt Lake County Plat Records, 1860-1940.
   Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
   Polk, Salt Lake City Directory, 1917, 1924.

   Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

   Researcher: Fred Aegerter
   Date: 1980
This is a one story gable roof house with an off center chimney. Its floor plan is the shot gun arrangement with rear extensions. There is a frame entrance porch with turned posts.

From evidence of title, city directories, and Sanborn maps, this home was built between 1904 and 1911. There is a possibility that this house was moved to its present site from the site of the Denver Rio Grande station. The original owner of the building was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. The couple had three children. She was a member of the L.D.S. Church. She died March 24, 1956. Harrison deeded the house to Walter Garrick in 1923.
Structure/Site Information Form

Original Owner: Charles W. Bishop
Original Use: residence
Construction Date: 1901–1911
Demolition Date:

Building Condition: Excellent
Integrity: Not Altered
Preliminary Evaluation: Significant
Final Register Status: National Landmark

Photography: Spring '80
Views: Front, Side, Rear, Other

Research Sources:
- Abstract of Title
- Plat Records/Map
- Tax Card & Photo
- Building Permit
- Sewer Permit
- Sanborn Maps
- City Directories
- Biographical Encyclopedias
- Obituary Index
- County & City Histories
- Newspapers
- Utah State Historical Society
- LDS Church Archives
- LDS Genealogical Society
- U of U Library
- BYU Library
- USU Library
- SLC Library
- Other

Bibliographical References:
Salt Lake County Plat Records, 1860–1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1901, 1924.

Researcher: Fred Aegerter
Date: 6/80
This is a one story gable roofed house with broad side to the street. There have been major window alterations. Originally this home was of the vernacular type. There is an off-center chimney. The rear extension with a gable roof creates a "T". There is also an entrance on the east.

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1901 and 1911. There is a possibility that this house was moved from the present location of the Denver Rio Grande station. The original owner of this house was Charles W. Bishop.

Bishop was born March 1, 1867. He was a son of Thomas and Sarah Haynes Bishop. Bishop was employed as a rail driver from as early as 1897 until as late as 1937. His wife, Florence L., and he had seven children who survived him. He died August 27, 1938. The family kept the house through 1940.
Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1911, 1917, 1924.
This is a one story square plan house with a hip roof and carport extension to the east. There have been major window alterations.

From evidence of title, city directories, and Sanborn Maps, this house was built between 1898 and 1911. There is a possibility that this house was moved to its present location from the site of the Denver Rio Grande station. The first resident of the house appears to have been Amanda Charlotte Fagerstrom Bishop.

Amanda was born March 1, 1866, in Sweden. She was a daughter of Erich and Sophia Carlson Fagerstrom. Amanda came to Utah in 1887. She married Thomas Bishop in 1898. She was a member of the L.D.S. Church. She died on May 4, 1951, in Bountiful, Utah. Three children survived her. The Bishop family has continued to own the house.
MANNING CURTIS BRADSHAW & BEDNAR PLLC
136 E SOUTH TEMPLE SUITE 1300
SALT LAKE CITY, UT 84111

Project Name: BISHOP PLACE
Project Address: 267 W BISHOP
Detailed Description:

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OFFICE USE ONLY
Intake By: AA1589
CAP ID #
PLNAPP2017-00672
Total Due: $253.00

www.slcpermits.com
Land Use Appeals Hearing Officer’s Jurisdiction and Authority

The appeals hearing officer, established pursuant to Section 21A.06.040 of the Salt Lake City Code, is the city’s designated land use appeal authority on appeals of historic landmark commission decisions.

Standard of Review for Appeals to the Appeals Hearing Officer

In accordance with Subsection 21A.16.030.A of the Salt Lake City Code, an appeal made to the appeals hearing officer “shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.” It is the appellant’s burden to prove that the decision made by the land use authority was erroneous. (Sub. 21A.16.030.F). Moreover, it is the appellant’s responsibility to marshal the evidence in

“The appeals hearing officer shall review the decision based upon applicable standards and shall determine its correctness.” (Sub. 21A.16.030.E.2.b). “The appeals hearing officer shall uphold the decision unless it is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.” (Sub. 21A.16.030.E.2.c).

This case deals with application of Section 21A.34.020 (H Historic Preservation Overlay District) of the Salt Lake City Code. Video of the commission’s public meetings are found at http://www.slcgov.com/slcvt/slcvt-videos-demand, and the video of the July 6, 2017 public meeting is part of the record of this matter. (See Video of the July 6, 2017 Historic Landmark Commission Meeting at 59:52 to 3:26:43).

**Background**

This matter was heard by the Salt Lake City Historic Landmark Commission on July 6, 2017 on a petition by International Real Estate Solutions, Inc. (Applicant) for certificates of appropriateness to demolish residential structures at 241 W. Bishop Place, 245 W. Bishop Place, 248 W. Bishop Place, 249 W. Bishop Place, 258 W. Bishop Place, 259 W. Bishop Place, 262 W. Bishop Place, 265 W. Bishop Place, and 432 North 300 West Street (the “Properties”). The Properties are located in the Capitol Hill Historic District. The commission’s public hearing on said applications was originally scheduled for April 20, 2017, but was tabled at the time for what the commission determined was incompleteness of the applications.

Planning division staff prepared a report each of the Properties for the historic landmark commission’s originally scheduled hearing as well as a memo for the July 6, 2017 meeting.
addressing the procedural issues resolved subsequent to the motion to table the applications. The planning staff reports included very similar language as they pertain to a tightly-clustered assemblage of residential dwelling structures built in the late 19th and early 20th centuries. In order to receive a certificate of appropriateness for demolition to demolish immediately, an applicant must demonstrate that the proposal meets six of the standards set forth in Subsection 21A.34.020.L.1 of the Salt Lake City Code.\(^1\) If three to five (3-5) of the standards are met, the applicant may demolish the structure, but only after a one-year period in which the applicant must make a bona fide effort to preserve the structure. If fewer than three of the standards are met, the application must be denied. The staff reports prepared in this matter concluded that for each application, only one of the standards was possibly met\(^2\), which result required denial of each application. (See Attachment H of each of the planning division staff reports, provided with the record of this matter).

At its July 6, 2017 public meeting, the historic landmark commission heard presentations from planning division staff and the Applicant and testimony from members of the public. After weighing the information presented to it by planning division staff, the applicant and members of the public, the historic landmark commission decided by a 4-2 vote to deny the demolition applications based on its concurrence with the planning staff findings that the relevant standards for a certificate of appropriateness for demolition of a contributing structure had not been met. (See Video of the July 6, 2017 Historic Landmark Commission Meeting at 3:09:40 to 3:26:43).

\(^1\) There has been much discussion over whether Subsection 21A.34.020.L.1.g is a seventh standard. This issue led to an administrative interpretation being issued by the city’s zoning administrator, which was the subject of a separate appeal brought by a member of the historic landmark commission. The interpretation concluded that Subsection 21A.34.020.L.1.g is not a standard, rather, it is a description of an economic hardship governed by a different provision of Section 21A.34.020. In that matter, the appeal of the interpretation was dismissed for lack of standing.

\(^2\) The staff report notes that for the standard set forth in Subsection 21A.34.020.L.1.f, one of the four elements constituting willful neglect was not present. As discussed below, the planning director stated at the July 6, 2017 meeting that willful neglect could only be shown if all four of the elements in that subsection were present.
On August 15, 2017, Appellant filed an appeal of the commission’s decision to deny the applications, arguing that the commission erred in denying the demolition applications.

**DISCUSSION**

In its brief, Appellant argues that the historic landmark commission decision to deny the demolition application for the Properties “is contrary to law and not supported by substantial record evidence.” (Appellant’s Brief at p. 2). Appellant contends that the Properties met four of the demolition standards and that one of the nine structures met a fifth standard. These arguments are addressed, in turn, below.

1. **Demolition Will Not Negatively Affect the Streetscape.**

Appellant contends that the historic landmark commission’s finding that demolition would negatively affect the streetscape of Bishop Place and 300 West is not supported by substantial evidence in the record. As a preliminary matter, it must be noted that Appellant argues that 300 West Street is the only relevant streetscape for consideration and that planning division staff acknowledged as much. (See Appellant’s Brief at p. 6). This assertion is wholly inaccurate as the planning staff reports each noted that “[t]he demolition of the subject building[s] would have a negative impact on the streetscape both [sic] Bishop Place and 300 West.” (See Attachment H of the planning division staff reports). Moreover, Commissioner Brennan, at the July 6, 2017 meeting discussed that he understood from the staff report that the streetscape impact analysis pertained to both Bishop Place and 300 West. (See Video of the July 6, 2017 Historic Landmark Commission Meeting at 3:10:22 to 3:11:05). Thus, Appellant’s assertion that “the City acknowledged in its own staff reports [that] the relevant streetscape with respect to all of the properties is 300 West—not Bishop Place” is materially inaccurate.
As for the streetscape impact analysis, each of the planning staff reports includes the following findings with respect to the standard in Subsection 21A.34.020.L.1.b:

The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West.

In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West.

Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole.

Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district.

(See Attachment H of the planning division staff reports). The historic landmark commission agreed with planning staff’s analysis and adopted the staff report’s findings as a basis for its motion to deny the demolition applications. Those findings in light of all of the evidence and testimony presented constitute substantial evidence in the record that supports the commission’s decision. Appellant’s proposed alternative narrative of what the commission should have decided, though very colorful, is irrelevant to the hearing officer’s determination of whether substantial evidence exists in the record to support the historic landmark commission’s decision. For these reasons, Appellant’s argument that there would be no negative impacts to the streetscape must be rejected.

2. The Properties Have Not Suffered From Willful Neglect.
Appellant argues that it met the standard of Subsection 21A.34.020.L.1.f, that “[t]he site has not suffered from wilful [sic] neglect” has been met because all four of the elements referenced in that subsection were not present. Appellant correctly notes that planning staff’s report found that only three of the four elements were shown and, at the July 6, 2017 meeting, the planning director did state that because the subsection’s language included “and” between the third and fourth elements, all four elements must be considered relative to a finding of willful neglect. (See Attachment H of the planning division staff reports and Video of the July 6, 2017 Historic Landmark Commission meeting at 3:21:15 to 3:23:15). Nevertheless, the commission found that the Properties had suffered from willful neglect. It must be kept in mind that Subsection 21A.34.020.L requires that the historic landmark commission consider whether the demolition application “substantially complies with” the criteria set forth in Subsection 21A.34.020.L.1. The commission’s decision speaks to the fact that the applications did not demonstrate substantial compliance with the requirement that the Properties had not suffered from willful neglect. Should the hearing officer disagree with this assessment and find that the willful neglect standard was met, Appellant did not meet at least three of the standards, which requires denial of the applications, anyway.

3. Demolition Will Not Adversely Affect the Historic Preservation Overlay District Due to Surrounding Noncontributing Structures.

Appellant initially argues that the standard in Subsection 21A.34.020.L.1.c “is so vague that it lacks substantive content.” (Appellant’s Brief at p. 10). That Appellant proceeds from there to argue the merits of the standard clearly signals that Appellant does not actually believe that the standard is vague. The essence of Appellant’s substantive argument on that standard is that the H Historic Preservation Overlay District will not be adversely affected because Bishop
Place is on the periphery of the district and adjacent development patterns differ from what is
typical in an historic district. Appellant also contends that there is no substantial evidence in the
record to support the commission’s finding that the standard requiring no adverse impact to the
overlay district due to surrounding noncontributing structures had not been met. Appellant’s
arguments are without merit.

First, the notion that demolition will not adversely impact the historic district because the
Properties are situated on the border of the district is an argument that flies in the face of the
reason we have zoning districts. There have to be boundaries for certain types of uses. Until the
city council decides that Salt Lake City should try Houston’s zoning-free approach to community
development, every extent of every zoning district and overlay must be respected. That
Appellant believes that erosion of historic structures and districts rather than protection and
preservation of our architectural heritage is evident in that argument as well as its argument that
demolition should be allowed because “there are already multiple vacant lots on Bishop’s Place
itself.” (Appellant’s Brief at p. 11). Appellant’s argument advocates for the slippery slope.

Second, Appellant’s assertion that there is no substantial evidence in the record to support
the commission’s decision on this standard ignores that the findings in the planning staff
report—which the historic landmark commission expressly adopted—specifically states that
“[t]he majority of the surrounding structures are contributing to the district” and that demolition
of the Properties would adversely affect the overlay district. (See Attachment H of the planning
division staff reports). Commissioner Shepherd noted that, with respect to this standard, the
Properties are within an established historic district that maintains its “historic character and
integrity.” (See Video of the July 6, 2017 Historic Landmark Commission meeting at 3:11:07 to
3:11:49).
Instead of meeting its burden to prove the commission erred, Appellants arguments simply cast an alternative narrative convenient to its plans to demolish a unique assemblage of historic structures. Because Appellant has failed to satisfy its statutory burden, its arguments concerning the standard set forth in Subsection 21A.34.020.L.1.c must be rejected.

4. The Physical Integrity of the Properties Is No Longer Evident.

Appellant argues that because the physical conditions of the dwelling structures on Bishop Place are compromised, its applications for demolition meet the standard set forth in Subsection 21A.34.020.L.1.a, that “[t]he physical integrity of the site as defined in subsection c15b of this section is no longer evident.” Appellant correctly points out that Subsection 21A.34.020.C.15.b defines “[p]hysical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the national park service for the national register of historic places[.]” Instead of identifying where in the record these issues are addressed (or are not addressed, as is Appellant’s burden), Appellant focuses its arguments under this standard on identifying the various warts on each of the Properties’ structures. Appellant further argues that “[e]ven in their prime, these Properties were entirely nondescript clapboard structures with no remarkable stylistic or architectural features.” (Appellant’s Brief at p. 12). Appellant is right that most of the structures on Bishop Place are in some state of disrepair, but the issue is not one of how much work needs to be done to rehabilitate the structures, it is whether the “[p]hysical integrity in terms of location, design, setting, materials, workmanship, feeling and association” of the site is still evident. Whether the physical integrity of the site remains evident is a broader consideration than whether some of the structures have roof damage or ugly paint or doors that are unoriginal. The standard speaks for itself and Appellant has argued something different. Also, whether the structures may seem to not fit Appellant’s notion of worthy of
preservation is also irrelevant. Though the structures may be far less architecturally interesting than the Cathedral of the Madeline, the same could be said of much of the early pioneer dwellings in the Salt Lake Valley. As planning staff points out, these structures are historically significant because they are an intact assemblage of “courtyard-focused workers housing”. (See Attachment H of the planning division staff reports). Contrary to Appellant’s assertion, the city is not attempting to create a Potemkin Village. The historic landmark commission was fully aware that this was blue collar worker housing in the late 19th and early 20th centuries, and determined that Bishop Place is nonetheless historically significant despite the simplicity of architecture found in that unique enclave.

The planning division staff reports addressed each of the structures in terms of evident physical integrity, that issue was discussed at length at the July 6, 2017 public meeting, and the commission adopted the findings of the staff report as a basis of its motion along with the exhaustive discussion at that July 6, 2017 meeting. Appellant has attempted to point to the individual physical defects in each structure and has attacked the structures as “unremarkable” rather than addressing the comprehensive list of factors to assess whether the physical integrity of the site remains evident. Many of Appellant’s arguments on this standard are better suited for an economic hardship discussion, which is not part of this analysis. Accordingly, Appellant has failed to meet its burden of proving the historic landmark commission misapplied or misinterpreted the law or that its decision is unsupported by substantial evidence in the record.

5. **The Base Zoning of the 262 W. Bishop Place Property Is Incompatible with the Reuse of the Structure.**

Appellant’s final argument is that the application for demolition of the dwelling structure at 262 W. Bishop Place complies with the standard in Subsection 21A.34.020.L.1.d in that “[t]he
base zoning of the site is incompatible with reuse of the structure.” To support that argument, Appellant contends that “the structure encroaches onto the road and thus violates an applicable zoning ordinance requiring a minimum street width of twenty feet.” (Appellant’s Brief at p. 52).

That argument wholly ignores the very simple principle that this standard is about permitted use (or reuse) of the site, not dimensional requirements. Further, the city will not challenge whether the 262 W. Bishop Place parcel may have obtained some possessory interest in the private road that it abuts. This is a nonissue and a red herring.

CONCLUSION

For the reasons stated above, Appellant’s appeal must be dismissed and the historic landmark commission’s decision must be left undisturbed.
July 10, 2016

Don Armstrong  
International Real Estate Solutions  
6839 Bufflehead Dr.  
Park City, UT 84096

RE: Record of Decision for Petitions PLNHLC2017-00014, 00015, 00021, 00023, 00028, 00031, 00027, 00022, 00018, regarding the demolition of 9 contributing historic buildings on or about Bishop Place, in Salt Lake City

Mr. Armstrong:

This letter is the Record of Decision relative to Case Nos. PLNHLC2017-00014, 00015, 00021, 00023, 00028, 00031, 00027, 00022, and 00018 regarding your requests to demolish nine (9) contributing historic buildings on or about Bishop Place in the Capitol Hill Local Historic District.

The Salt Lake City Historic Landmark Commission heard this case on July 6, 2017 and made a decision to deny the requests for demolition.

The decision of the Historic Landmark Commission was based on the information contained in the staff memo and staff reports, information provided by you, testimony given during the commission meeting, and the discussion of the Historic Landmark Commission.

Copies of this information may be accessed at: http://www.slcgov.com/planning/planning-2017-historic-landmark-commission

Specifically, the Historic Landmark Commission made findings related to the proposal and standards of approval. These findings can be found in the documents referenced above.

The decision considers the general purpose of the zoning ordinance as well as the purpose of the Salt Lake City's Historic Preservation Overlay district. The purpose of the Historic Preservation Overlay district is as follows:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;

2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;

3. Abate the destruction and demolition of historic structures;

4. Implement adopted plans of the city related to historic preservation;

5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city’s historic landmarks and districts for tourists and visitors;

7. Foster economic development consistent with historic preservation; and

8. Encourage social, economical and environmental sustainability

This Record of Decision is provided to you indicating the date, the action taken (requests denied), the pertinent appeal periods, and to what body an appeal can be made.

**Appeal by the Applicant**
There is a 30-day period in which the applicant may appeal the Historic Landmark Commission’s decisions. The applicant has the option of appealing to either the city’s Appeals Hearing Officer or to the Mayor, who serves as Salt Lake City’s historic preservation appeal authority. Any appeal by the applicant, including the filing fee, must be filed by the close of business on **August 4, 2017**.

**Appeal by an Affected Party**
There is a 10-day appeal period in which any other affected party pursuant to SLC Code 21A.16 can appeal the Historic Landmark Commission’s decisions to the city’s Appeals Hearing Officer. This appeal period is required in the City’s Zoning Ordinance and allows time for any affected party to protest the decision, if they so choose. Any appeal, including the filing fee, must be filed by the close of business on **July 17, 2017**.

The minutes of the Historic Landmark Commission meeting are tentatively scheduled to be adopted on August 3, 2017. Copies of the adopted minutes will be posted on the Planning Division’s website the day after they are adopted at [http://www.slc.gov/planning/planning-2017-historic-landmark-commission](http://www.slc.gov/planning/planning-2017-historic-landmark-commission)

If you have any questions, please contact me at (801)535-7625 or by e-mail at [anthony.riederer@slcgov.com](mailto:anthony.riederer@slcgov.com)

Sincerely,

Anthony Riederer
Principal Planner

cc: Case Files - PLNHLC2017-00014, 00015, 00021, 00023, 00028, 00031, 00027, 00022, 00018
A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at 5:30:44 PM. Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Charles Shepherd, Vice Chairperson Kenton Peters; Commissioners Stanley Adams, Thomas Brennan, Sheleigh Harding, Robert Hyde and Paul Svendsen. Commissioners Rachel Quist and David Richardson were excused.

Planning Staff members present at the meeting were: Nick Norris, Planning Director; Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Michael Maloy, Senior Planner; Lex Traughber, Senior Planner; Anthony Riederer, Principal Planner; Amy Thompson, Principal Planner; Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

FIELD TRIP NOTES:
No field trip was held for this meeting.

APPROVAL OF THE JUNE 1, 2017, MINUTES. 5:34:24 PM
MOTION 5:34:31 PM
Commissioner Brennan moved to approve the minutes from the June 1, 2017, meeting. Commissioner Adams seconded the motion. Commissioners Peters, Adams, Brennan, Hyde and Svendsen voted “aye”. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR 5:35:11 PM
Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Peters stated he had nothing to report.

DIRECTOR’S REPORT 5:35:19 PM
Mr. Nick Norris, Planning Director, stated he had nothing to report.

PUBLIC COMMENT PERIOD 5:35:26 PM
Chairperson Shepherd opened the Public Comment Period.

Ms. Polly Hart stated she was opposed to the Warm Springs Park project as it was very inappropriate and would overwhelm the historic building. She stated she was hopeful the City would hold out for something better.

Ms. Cindy Cromer stated her comments were regarding land use and preservation that
the Commission would not hear about otherwise. She stated there was an appeal filed by a member of the Commission and this was not the first time a member of a Commission had filed an appeal regarding a decision by the City. She reviewed the previous appeal and the result of that appeal.

Ms. Jennifer Dailey-Provost stated she would like to see better utilization of the Warm Spring Plunge than what was currently proposed. She stated it did not respect the historical nature of the building and the site would be better used for a community center to benefit the health of the people in the area.

Ms. Sylvia Nibley reviewed the history of the Warm Springs building and stated the scale and dominance of the proposed building would destroy the historical character, would privatize the park area, and the community use of the plunge building would be lost to commercial interests in a way that would be irreversible. She asked the Commission to deny the current proposal and allow for further options for the property to be reviewed to better serve the area and preserve the historic building.

Ms. Emilee Sharp reviewed the neighborhood petition requesting the Historic Landmark Commission consider new proposals to restore the historic building while maintaining community use of the site. She stated the neighborhood was in favor of keeping the historic building and using it as a community center not an apartment complex.

Ms. Erlinda Davis reviewed the importance of the Warm Springs Plunge building and stated the proposed apartments would not benefit the area.

Mr. Phil Dogas stated he was willing to help preserve the building by repairing the roof stopping the deterioration of the interior of the building. He stated the current development was a square peg trying to fit in a round hole, at the very least zoning would have to be changed. Mr. Dogas stated his desire was to refurbish the building to its original purpose with a fully connected park without an apartment complex splitting the park in two. He stated the Warm Springs Alliance best met the guidelines of the Historic Commission and the community should not settle for less as there were people willing to help preserve the building.

Chairperson Shepherd closed the Public Comment Period.

5:49:31 PM

New Rear Addition, Side Porch and Garage to Single Family Residence at approximately 638 6th Avenue - A request by Thom Jakab, on behalf of owner James Williamson, for approval of a two story addition with basement to the rear of the existing house, the reconstruction of a new porch to match the original and a new garage. The house is a contributing building in the Avenues Historic District, is on a corner lot and the addition will face J Street. The subject property is zoned SR-1A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Stan Penfold. This proposal is being referred to the Historic Landmark Commission for decision because it is a substantial addition
to this residence, and special exception approval is required for proposals exceeding the SR-1A zone standards. (Staff contact: Carl Leith at (801) 535-7758 or carl.leith@slcgov.com)

a. Proposed Addition and Porch - The proposed addition and garage are situated to the rear and porch along the north and east sides of this original dwelling, and on this corner lot they face onto J Street. Case number: PLNHLC2015-00586

b. Special Exception – Special Exception approval is sought for the proposed porch that would project into the corner side yard by 1’-2 ½”, an accessory building positioned within 2’-9 ¼” from an adjacent residential building, cooling equipment placed 1’ from the property line within the inside yard area, grade changes which may exceed 4 feet and proposed lot coverage of 54%. Case number: PLNHLC2015-00587

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed the following:
- Why a Special Exception was being requested for the garage.
  - The garage could not meet the setback requirement therefore, a Special Exception was necessary.
- The location of the mechanical equipment on the property.

Mr. Thom Jakab, and Ms. Judy Williamson, applicants reviewed how the proposal met the design guidelines and enhanced the historic design of the structure. He reviewed the materials for the proposal, massing and how it related to the existing structure.

The Commission and Applicants reviewed the following:
- If there was another location where the air conditioners could be placed to lessen the noise impact for the neighbors.
- How the home to the west matched up to the footprint of the proposed addition.
- The materials and stone proposed for the addition.
- The Commission encouraged the Applicant to work with the State Historic Society to secure the tax credits for the historic section of the home.

PUBLIC HEARING 6:13:34 PM
Chairperson Shepherd opened the Public Hearing

Chairperson Shepherd read the following comment:
- Mr. Jim Gardner – I would like to thank the Commission for the process and for getting us to this point.

Chairperson Shepherd closed the Public Hearing.

The Commission discussed and stated the following:
• The proposal was exemplary and they looked forward to seeing the finished product.
• The Special Exceptions were reasonable and the design was unique for the lot.

MOTION 6:16:02 PM
Commissioner Brennan stated regarding PLNHLC2015-00586, New Rear Addition, Porch and Rear Garage and PLNHLC2017-00587, Special Exception Approvals, based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Historic Landmark Commission approve the application, with the condition listed in the Staff Report. Commissioner Adams seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde and Svendsen voted “aye”. The motion passed unanimously.

6:18:05 PM
Commissioner Svendsen reviewed his past involvement with the home at 970 East 2nd Avenue and stated he no longer was involved with the redevelopment.

The Commission agreed there was no conflict of interest.

6:19:08 PM
Single Family New Construction at approximately 970 E 2nd Avenue - Dallas Davis, the architect and the owner of the property, is requesting New Construction approval from the Historic Landmark Commission for the design of a single family dwelling in the Avenues Local Historic District. The proposed development requires approval from the Historic Landmark Commission for new construction in an historic district. The subject property is zoned SR1-A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Stan Penfold. (Staff contact: Amy Thompson at (801)535-7281 or amy.thompson@slcgov.com) Case number: PLNHLC2017-00339.

Ms. Amy Thompson, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed the following:
• If the proposed windows were appropriate for the structure.

Mr. Dallas Davis, reviewed the history of the proposal and how it fit with the guidelines and standards. He reviewed the design and proposed windows for the structure.

PUBLIC HEARING 6:27:38 PM
Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak; Chairperson Shepherd closed the Public Hearing.

The Commission discussed and stated the following:
• The proposal met the area in regard to scale and appearance.
• The proposal was clear and easy to understand.

MOTION 6:29:40 PM
Commissioner Peters stated based on the analysis and findings listed in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Historic Landmark Commission approve petition PLNHLC2017-00330, a request for a certificate of appropriateness for New Construction of a single family dwelling at approximately 970 E. 2nd Avenue. Commissioner Svendsen seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde and Svendsen voted “aye”. The motion passed unanimously.

The Commission took a five minute break. 6:30:33 PM

The Commission reconvened. 6:36:00 PM

6:38:59 PM
Bishop Place Demolition Request - Don Armstrong is request approval for the demolition of nine (9) contributing structures located at the approximate addresses listed below in the Capitol Hill Local Historic District. The subject properties are located within Council District 3, represented by Stan Penfold (Staff Contact: Anthony Riederer at (801)535-7625 or Anthony.riederer@slcgov.com)

a. Demolition of a Historic Structure at approximately 241 W Bishop Place - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00014
b. Demolition of a Historic Structure at approximately 245 W Bishop Place - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00015
c. Demolition of a Historic Structure at approximately 249 W Bishop Place - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00021
d. Demolition of a Historic Structure at approximately 259 W Bishop Place - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00023
e. Demolition of a Historic Structure at approximately 265 W Bishop Place - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00028
f. Demolition of a Historic Structure at approximately 432 North 300 West - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00031
g. Demolition of a Historic Structure at approximately 262 W Bishop Place City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. PLNHLC2017-00027
h. Demolition of a Historic Structure at approximately 258 W Bishop Place - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00022
i. Demolition of a Historic Structure at approximately 248 W Bishop Place City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: Case number: PLNHLC2017-00018

The Commission discussed the way the hearing would be run and the appeal regarding the demolition process.

Commissioner Svendsen read the language regarding the appeal of the Zoning Administrator’s interpretation and asked if the appeal created a stay of the petitions as they arose from the basis of the appeal.

The Commission and Staff reviewed and stated the following:

- The appeal process and how it affected the current petitions.
- Mr. Nielsion stated the Administrative Interpretation was issued in general as to how the Planning Department viewed and applied the ordinance.
- Commissioner Svendsen stated the Administrative Interpretation was issued in regard to Bishop Place therefore, it was directly related.
- The way the Bishop Place petition was handled and how the appeal affected the further review of the Bishop Place petition.
- Whether or not the appeal was cause for a stay on the Bishop Place petitions and the Zoning Administrator's role in the process.

MOTION 6:48:43 PM and restated at 7:10:39 PM
Commission Svendsen moved that the Historic Landmark Commission continue the hearing until the appeal had been heard and addressed by the Appeal Hearing Officer. Commissioner Adams seconded the motion.

The Commission discussed the following:

- The ordinance needed to be fixed before the Bishop Place hearing was held.
- The ordinance was confusing and the appeal was trying to clarify the process.
- Why the appeal was an issue at this meeting and what harm would come to the Bishop Place applicant if the petition was stayed.
- The ordinance and how it regulated stays of petitions.

Commissioners Adams and Svendsen voted “aye”. Commissioners Brennan, Harding, Hyde and Peters voted “nay”. The motion failed 4-2.

7:11:15 PM
Commissioner Svendsen recused himself as he was the appellant for the appeal.

The Commission agreed Commissioner Svendsen could stay in the room and listen to the discussion.

7:12:04 PM
Mr. Anthony Riederer, Principal Planner, gave an overview of the proposal as outlined in
the Staff Report (located in the case file). He stated Staff was recommending that the
Historic Landmark Commission deny the petitions as presented.

The Commission and Staff discussed the following:
- The proposed reuse plan for the property.

Mr. Bruce Baird, attorney, asked the Commission to review the petition with the current
process in the ordinance and not what was being suggested by the appeal. He reviewed
the standards that, in his opinion, the proposal did and did not meet. Mr. Baird reviewed
the history of the property, the current structural issues with each building and how each
building did or did not contribute to the area. He stated age did not justify keeping the
buildings and was not grounds for determining historical status.

The Commission and Applicants discussed the following:
- What the RDA grant money had been used for.
- The conditions of the RDA grant.
- The year the buildings were acquired and if it was done all at once or one building
  at a time.
- The history of the property and why it was not renovated.
- Why buildings were not repaired when walls collapsed.
- The engineers and contractors, with historic experience, that reviewed the
  property.

PUBLIC HEARING 8:08:09 PM

Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petitions: Mr. David Sheer, Mr. Griffin Jenkins, Mr.
Kirk Huffaker, Ms. Cindy Cromer and Ms. Polly Hart.

The following comments were made:
- Would like the historic documentation collected prior to the demolition of the
  buildings.
- Would like the brick bungalow duplex and the structure on 300 West to be restored
  as their structural condition was not a deteriorated as the others.
- Would like the Commission to review the information submitted at the previous
  meeting and not permit the demolition of 265 Bishop Place or 432 North 300 West.
- The home at 432 North 300 West was the largest full-fledged craftsman style home
  in Capitol Hill.
- The neighboring structures on 300 West were older than the home at 432 North
  300 West.
- Bishop Place was one of the last remaining family courts in Salt Lake City.
- Each house was distinctive and unique which made them individually important to
  the makeup of the area.
- If Bishop Place didn’t deserve protection then none of the other areas deserved
  protection.
• Bishop Place was its own streetscape and part of an ensemble.
• The homes were inhabited until 2011 and then stripped to what remains today.
• The buildings are in the current condition because of willful neglect and the lack of proper permitting.
• The properties were not diligently boarded and secured as neighbors have to call on them routinely.
• The ordinance was in place to preserve special places in their context.
• The integrity of the original architecture was evident.
• The effect of the proposal was on the streetscape of Bishop Place and should not be removed in the context of discussing what streetscapes are affected.
• Neighborhoods were best experienced on foot from the street.
• There are programs that help developers repair and make economical choices for these types of projects.
• The Applicant was trying to meet the conditions of the RDA loan by developing the property.
• It was important for the Commission to define what constituted the streetscape for the subject buildings with the exception of 432 North 300 West.
• People would rehab these homes and it was economically feasible.
• A landscaping plan was not an effective reuse plan.
• The building at 432 North 300 West was inappropriately zoned and should be reviewed to make it more viable.
• This was a buyer beware issue and the applicant was not being punished because the buildings could not be torn down.
• The buildings were not garbage and were unique.
• The issue was not about money but how the buildings meet the standards for demolition.
• No one was entitled to make a profit on every single investment they made nor was anyone entitled to skirt the rules because they made an investment that was not appropriate with their goals.
• Structural integrity was not historic integrity and these buildings were unique.
• The base zoning was appropriate for the restoration of the buildings.
• The reuse was within the standards.
• These buildings have suffered neglect at the hands of the owner.
• If the owner was not going to remodel the buildings he should not have purchased them.

Chairperson Shepherd closed the Public Hearing.

Mr. Baird stated they were happy to have the buildings available for historic documentation before demolition. Mr. Baird stated the issue with rezoning 432 North 300 West to commercial was that it changed the earthquake requirements and the structure requirements could not be economically met. He stated the reason the small courts had been changed was because things evolve and one cannot make someone keep a building that was economically unfeasible to maintain. Mr. Baird stated it was a paradox to say that the buildings were unique because they were different. He stated not everything historic was able to be preserved under the ordinance and they have shown the standards
were met. Mr. Baird stated the majority of the damage was done before the current owner owned the property and that even if the property was free it would not make sense to restore the buildings. He stated the structural integrity was an issue with the buildings and it was not a matter of if the buildings would be demolished but when. He stated the statue indicated landscaping was a permitted use, the code needed major work, structural integrity did not equal historic integrity but structural integrity was an element of historic preservation. Mr. Baird stated not all historic things matter and private property owners had the right to develop their property.

The Commission discussed and stated the following:

- Agree with the summary matrix and Staff’s analysis of each home.
- The testimony of the neighbors supported Staff’s opinion.
- Staff’s determination regarding the impact to the streetscape was correct as presented in the Staff Report.
- The historic district was established and reviewed in the survey information.
- The Applicant was trying to say there was no historical integrity in the area which was not correct.
- Cannot base the decision on what might happen to the structures in the future.
- The statement that the building would not exist one way or another conflicted with willful neglect.
- Reviewed the seven standards for demolition and physical integrity of each structure.
- It did not make sense to keep the structures because they were currently beyond repair.
- Would support a motion to deny the applications.
- The language for the motion and whether to combine them or do them separate.

**MOTION 8:52:24 PM**

Commissioner Harding stated regarding PLNHLc2017-00031 432 North 300 West, PLNHLc2017-00028 265 W. Bishop Place, PLNHLc2017-00028 265 W. Bishop Place, PLNHLc2017-00027 262 W. Bishop Place, PLNHLc2017-00026 259 W. Bishop Place, PLNHLc2017-00022 258 W. Bishop Place, PLNHLc2017-00021 249 W. Bishop Place, PLNHLc2017-00018 248 W. Bishop Place, PLNHLc2017-00015 245 W. Bishop Place, PLNHLc2017-00014 241 W. Bishop Place, she moved based on the analysis and findings in the Staff Report along with the testimony heard and the discussion that in each application only one of the standards for a Certificate of Appropriateness for Demolition has been met and therefore, the Historic Landmark Commission was required to deny the demolition request for each petition. Commissioner Brennan seconded the motion.

Chairperson Shepherd asked for clarification of which standard had been met.

Commissioner Harding amended the motion to state Standard E had been met. Commissioner Brennan seconded the amendment.
The Commission and Staff discussed the following:
  - If landscaping was an appropriate reuse plan.
  - Willful neglect as stated in the ordinance and that the Commission would have to find that all of the standards for willful neglect had been demonstrated.

Commissioners Harding, Peters, Shepherd and Brennan voted “aye”. Commissioner Adams and Hyde voted “nay”. The motion passed 4-2.

The Commission took a five minute break. 9:03:13 PM

The Commission reconvened. 9:08:22 PM

9:08:26 PM
Amendments to the Local Historic District Demolition Process - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning the demolition of historic resources in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to make the demolition process more transparent. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com.) Case number: PLNPCM2009-00014

Mr. Lex Traughber, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:
  - The standards for appropriateness of demolition of a contributing principal building.
    - Under K add the language to state “the request substantially complies with the following standards.”
  - Definition of economic hardship should state “the property owner was denied all reasonable benefit, economical, viable use based on the certificate of appropriateness being denied”.
  - The definition of an appropriate reuse plan.

PUBLIC HEARING 9:19:58 PM
Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petitions: Ms. Polly Hart, Mr. Allen Roberts, Ms. Cindy Cromer and Mr. Douglas White.

The following comments were made:
  - There was a difference between making the demolition process simpler, not easier and the goal was to not make demolition easier to achieve.
The ordinance was a hoop not a barrier to demolition as it should be more difficult to demolish historic structures.
Did not like people buying historic properties simply to demolish them.
The six standards should remain in the ordinance as they were the only thing standing between buildings remaining or be demolished.
The merit provision was deleted from the current proposal and should be re-added as sometimes the demolition of a historic structure was justified.
Special merit existed to allow demolitions when the new project had considerable merit.
Almost every major historic building in the city was built on the site of a previous historic building.
Preservation was not the only priority of the city.
The city needed a special merit provision to allow for growth.
The Staff Report needed to look at taking some of the subjectivity out of Section L as it pitted the property owner against preservation efforts.
Under section L, g. needed to be removed.
Please do not do away with the three person economic hardship panel.
The Special Merit was not always what it presented itself to be and was a huge risk.
There are a limited number of people in Salt Lake City that truly have expertise with historic structures and their rehabilitation.
Remove demolitions from the political process and hire someone who was unbiased to review these petitions.

The Commission, Staff and Mr. Roberts discussed the following:
- Why the Special Merit provision was removed from the ordinance?
  - It was determined that if a Special Merit provision was implemented it would become the sole process developers would chose in order to achieve demolition.
  - Some version of Special Merit was needed to allow for growth and a proposal would have to be exceptional to allow for demolition of a historic structure.
- How surveys affected the demolition process.

Chairperson Shepherd closed the Public Hearing.

The Commission and Staff discussed and stated the following:
- The reuse plan and how it was addressed in the proposed ordinance.
  - The landscape plan had been removed from the proposed ordinance as a reuse option.
- If there were two different approvals one for the demolition and one for the site/reuse plan?
- The standards for demolition approval.
- How base zoning affected demolition and how it was applied in the ordinance.
- If the base zoning standard should be part of the economic hardship process.
- The standards and language under willful neglect.
• The Commission had helped developers to streamline proposals and allow development to move forward.
• The Special Merit program and how it applied to demolitions.
  o The Commission would like more information on Special Merit programs and how other cities use the program.
• If an outside unbiased entity should review demolitions or if the three person panel was a better option.

MOTION 10:11:50 PM
Commissioner Brennan stated regarding PLNPCM2009-00014 – Local Historic District Demolition Process Text Amendment, tabled the petition to a future meeting to allow Staff to gather information on the items of question. Commissioner Harding seconded the motion. Commissioners Peters, Harding Adams, Brennan, Hyde and Svendsen voted “aye”. The motion passed unanimously.

10:13:06 PM
Amendments to the New Construction Standards for Local Historic Districts - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning new construction in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to improve the new construction process. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition. The changes would apply citywide. (Staff contact: Anthony Riederer at (801) 535-7625 or Anthony.riederer@slcgov.com.) Case number: PLNPCM2016-00905

MOTION 10:13:25 PM
Commissioner Brennan stated regarding PLNPCM2016-00905 - Amendments to the New Construction Standards for Local Historic Districts, he moved to table the petition to the August 3, 2017 meeting. Commissioner Peters seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde and Svendsen voted “aye”. The motion passed unanimously.

Commissioners Harding and Adams recused themselves from the meeting. 10:13:48 PM

Work Session 10:14:24 PM
Trolley Square Ventures Rezone Briefing at approximately 603 S 600 East Street - Douglas White, on behalf of Trolley Squares Ventures LLC, has requested a zoning map amendment from RMF-30 Low Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District at the above listed address. Currently the land is used for parking. The purpose of the request is to develop a 24 unit apartment building that will not exceed 35 feet in height. Although the applicant has requested the property be rezoned to R-MU-35 District, consideration may be given to rezoning the property to another zoning district with similar characteristics. The subject property is located within Council District 4, represented by Derek Kitchen. (Staff contact: Michael Maloy, Senior Planner, at
Mr. Michael Maloy, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was requesting comments and suggestions for the proposal.

The Commission and Staff discussed the following:

- The reasons to deny the zoning change.
  - The Master Plan called out the parcel to be rezoned to allow for more density on the property.

Mr. Douglas White reviewed the history of the proposal and reasoning for the zoning change.

The meeting adjourned at 10:22:25 PM
MEMORANDUM

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Historic Landmark Commissioners
From: Anthony Riederer, AICP – Principal Planner
801-535-7625 or anthony.riederer@slcgov.com
Date: July 6, 2017
Re: Demolition of Contributing Structures on Bishop Place (PLNHLC2017-00014, 00015, 00021, 00023, 00028, 00031, 00027, 00022, 00018)

PURPOSE:
The purpose of this memo is to supplement the staff reports submitted at the April 20, 2017 Historic Landmark Commission Meeting to include information requested by the Commission.

RECOMMENDATION:
In light of the zoning administrative interpretation of the review process for demolition and additional information submitted by the applicant over the past several weeks, staff recommends that the commission proceed with a determination on the Standards for Demolition for each property.

As requested by the Chair, staff has prepared a summary matrix reflecting Staff’s findings in the April 20, 2017 Staff Report. The purpose is to provide an easy reference to facilitate note taking and discussion at the meeting. This matrix is included as Attachment 1 to this document and will be provided in hard copy form to all commissioners at the July 6th meeting.

BACKGROUND:
At the April 20th meeting, there were questions raised about the completeness of information available to the commissioners in terms of the landscape plan as a reuse plan to satisfy a standard for demolition. The Commission also requested clarification about the demolition process. The HLC tabled the applications at this meeting.

On May 3rd, the Zoning Administrator issued an administrative interpretation in order to address questions and clarify the demolition process with regard to economic hardship. The interpretation is found in Attachment 2.

At the May 4th meeting, the commission discussed the demolition process and the Bishop Place applications and whether to move forward with them as requested by the applicant. After discussion, there was general consensus by the Historic Landmark Commission to allow the items to be heard, given applicant’s request, at a future meeting chosen by the applicant.
ADDITIONAL INFORMATION:

Reuse Plan/Landscape Plan

At the April 20th meeting, the Commission requested a landscape plan be provided in order to review and make a finding on the standard for a reuse plan. Within their demolition application, the applicant’s intent has always been to landscape the site. The applicant’s reuse plan is for open space and has submitted a landscape plan in Attachment 3 of this memo. Open Space is an allowed use in the SR-3 zoning district for which all lots on Bishop Place are zoned.

A proposed reuse plan can be for any permitted use allowed in the zone. Demolition standard e. doesn’t take into account all the possible uses that are allowed in the zone. A permitted use may not require the construction of a new structure. There are no standards in 21A.34.020 H (new construction or alteration of a noncontributing site) that address landscaping, therefore according to state law the commission needs to interpret the code in the favor of the land use application.

Staff’s finding is that the landscape plan is an acceptable reuse plan and meets standard e. for demolition for all nine applications.

Economic Hardship

As a result of the Commission’s concerns and subsequent tabling of the Bishop’s Place demolition applications, the Zoning Administrator issued an administrative interpretation on the demolition process found in Attachment 2.

In all demolition requests since the creation of the current zoning ordinance in 1995, the Historic Landmarks Commission has made findings on the first six ordinance standards [21A.34.020(L)(1)(a-f)]. If demolition is denied or put into a bonafide preservation effort, the applicant has the ability to pursue demolition via the Economic Hardship process. A flow chart illustrating this process is included with this memo as Attachment 4.

As the commission may be aware, staff is currently working on significant revisions to the demolition process in the H Historic Preservation Overlay with the goal of improving and clarifying the process going forward.

ACTIONS BY OTHER DECISION MAKING BODIES:

On June 14, 2017, the Planning Commission took action to extend the approval of a planned development on the site. This represents the continued extension of the Planned Development granted by the Planning Commission in June of 2014. A preliminary subdivision and the rezoning of a portion of the site was also approved at that time. Copies of the pertinent minutes from this Planning Commission meeting are included as Attachment 5. The applicant requested the extension to keep this option viable in the event that the applicant is not permitted to demolish all of the structures.

The original intention of these petitions was to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of certificates of appropriateness were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. The Planned Development approval and modifications were allowed because the project met the objective of “Preservation of buildings which are architecturally or historically significant or contribute to the character of the city.” The approval included the retention of the historic structures, without that aspect of the project the approval would no longer be valid.
NEXT STEPS:
If the applications are approved for demolition, the applicant can move forward with submitting the necessary information for demolition permits.

If the applications are denied or put into a bonafide preservation effort, the applicant can move into the Economic Hardship process.

Attachments:

1. Summary Matrix on Standards for Demolition
2. Administrative Interpretation Regarding Economic Hardship Process
3. Landscape Plan for Bishop Place Site
4. Flowchart of Demolition Process
5. Pertinent Minutes from June 14th Planning Commission Meeting
Attachment 1

Summary Matrix on Standards for Demolition
## Bishop Place Demolitions - Summary Matrix

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Historic Landmark Commission Determination Of Compliance With Standards Of Approval: The historic landmark commission shall make a decision based upon compliance with the requisite number of standards.

- If at least 6 of the standards are met = Approve
- If 3-5 of standards are met = Defer decision for Bona Fide Preservation Effort, or Economic Hardship
- If 2 or less standards are met = Deny, and/or Economic Hardship
Attachment 2

Administrative Interpretation Regarding Economic Hardship Process
ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS

REQUEST:
This is a request for an administrative interpretation to clarify the process used by the Historic Landmark Commission to consider the demolition of a contributing structure located within a local historic district. An interpretation is required because the list of demolition standards in Zoning Ordinance section 21A.34.020.L includes the following language as a standard:

g. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” as defined and determined pursuant to the provisions of subsection K of this section.

The inclusion of the economic hardship process as one of the demolition standards is confusing to both decision makers, staff, applicants and the public and has resulted in inconsistent administration of the ordinance.

DECISION:
The Zoning Administrator finds that the economic hardship process shall not be used as a standard by the Historic Landmark Commission when considering a request to demolish a contributing structure. The Historic Landmark Commission shall make a decision on such a request using the six demolition standards listed in 21A.34.020.L.a through f as noted below:

21A.34.020.L
1. Standards for Approval of a Certificate of Appropriateness for Demolition:
   a. The physical integrity of the site as defined in subsection C15b of this section is no longer evident;
   b. The streetscape within the context of the H historic preservation overlay district would not be negatively affected;
   c. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;
   d. The base zoning of the site is incompatible with reuse of the structure;
   e. The reuse plan is consistent with the standards outlined in subsection H of this section;
   f. 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,
      (3) Failure to diligently solicit and retain tenants, and
      (4) Failure to secure and board the structure if vacant.

If a demolition request considered by the Historic Landmark Commission is denied or deferred for a period of up to one year, the property owner is then entitled to request a determination of economic hardship under the provisions listed in 21A.34.020.K.

FINDINGS:
• According to section 21A.34.020.K, the economic hardship process determines if the "application of the standards and regulations of this section deprives the applicant of all reasonable economic use or return on the subject property." In other words, the
economic hardship process determines whether there would be a regulatory taking of property after the Historic Landmark Commission applies the standards and denies or defers a demolition request.

- Using the economic hardship process as one of the standards for demolition unnecessarily extends the time frame for making a demolition decision. If economic hardship analysis is required as part of the Commission’s consideration, an economic review panel must be established and complete its analysis prior to the Historic Landmark Commission’s consideration of the demolition based on the other standards in 21A.34.020.L. It also assumes that the commission will deny or defer the decision before the commission has actually made that determination.
- The ordinance includes different processes for the demolition of Landmark Sites and contributing structures. The order of these provisions adds to the confusion regarding the use of the economic hardship process.
- The first demolition process listed in the ordinance is for landmark sites (21A.34.020.J). The Historic Landmark Commission shall only approve a demolition of a landmark site if demolition is required to alleviate a threat to public health and safety or if demolition is required to rectify a condition of “economic hardship.” Because making a finding of economic hardship is a specific requirement to approve a demolition of a landmark site, the economic hardship process is described in the following subsection of the ordinance, 21A.34.020.K.
- The standards for demolition of a contributing structure, 21A.34.020.L, follows the economic hardship provisions.
- Because the provisions for the economic hardship process precede the standards for the demolition of contributing structures, some believe that the economic hardship process must take place before the Historic Landmark Commission can consider the demolition standards for a contributing structure. However, the particular location of the economic hardship provisions within the code is because the economic hardship provisions may apply to either the demolition of a landmark site (21A.34.020.J) or the demolition of a contributing structure (21A.34.020.L).

If you have any questions regarding this interpretation please contact Joel Paterson at (801) 535-6141 or by email at joel.paterson@slcgov.com.

**APPEAL PROCESS:**
An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at [http://www.slcgov.com/planning/planning-applications](http://www.slcgov.com/planning/planning-applications) along with information about the applicable fee. Appeals may be filed in person or by mail at:

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<tr>
<td>Salt Lake City Corp Planning Counter 451 S State Street, Room 215 Salt Lake City, UT</td>
<td>Salt Lake City Corp Planning Counter PO Box 145471 Salt Lake City, UT 84114-5417</td>
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NOTICE:
Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.

Dated this 3rd day of May, 2017 in Salt Lake City, Utah.

Joel Paterson, AICP
Zoning Administrator

cc: Nick Norris, Planning Director
    Mike Reberg, Director of Community and Neighborhoods
    Paul Nielson, Deputy City Attorney
    Greg Mikolash, Development Review Supervisor
    Posted to Web
    Applicable Recognized Organizations
Attachment 3

Landscape Plan for Bishop Place Site
Demolition & Economic Hardship Process
Contributing & Landmark Buildings

Demolition Application

→ HLC Hearing (public hearing & decision)

→ 0-2 Standards Met
DENIED

→ 3-5 Standards Met
1 year DEFERRAL

→ Economic Hardship
(no reasonable economic use or return)

→ Panel Created
(3 people)

→ HLC Hearing
(public hearing & decision)

→ APPROVED

→ Sell property, look into efforts to rehabilitate, seek tax credits, etc.

→ DENIED

6 Standards Met
APPROVED

Demolition of Contributing Structures on Bishop Place (PLNHLC2017-00014, 00015, 00021, 00023, 00028, 00031, 00027, 00022, 00018)

6.29.2016
Attachment 5

Pertinent Minutes from June 14th Planning Commission Meeting
A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:30:13 PM. Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Matt Lyon, Vice Chairperson Carolynn Hoskins; Commissioners Maurine Bachman, Emily Drown, Sara Urquhart, Brenda Scheer, Weston Clark and Andres Paredes. Commissioners Ivis Garcia and Clark Ruttinger were excused.

Planning Staff members present at the meeting were Nick Norris, Planning Director; Wayne Mills, Planning Manager; Daniel Echeverria, Senior Planner; Katia Pace, Principal Planner; Amy Thompson, Principal Planner; Michelle Poland Administrative Secretary and Paul Nielson, Senior City Attorney.

Field Trip
A field trip was held prior to the work session. Planning Commissioners present were: Sara Urquhart, Carolyn Hoskins, Maurine Bachman and Weston Clark. Staff members in attendance were Nick Norris, Wayne Mills and Amy Thompson.

- **75 S. 2400 West** – Staff gave an overview of the proposal and oriented the Commission to the area. The Commission asked where the access to the site would be. Staff indicated the location of the property access. The Commission asked what landscaping was proposed to address the heat island. Staff stated landscaping and some covered parking stalls would be added.

**APPROVAL OF THE MAY 24, 2017, MEETING MINUTES. 5:30:25 PM**

**MOTION**
Commissioner Urquhart moved to approve the May 24, 2017, meeting minutes. Commissioner Clark seconded the motion. Commissioners Hoskins, Bachman, Urquhart, Scheer, Clark and Paredes voted “aye”. Commissioner Drown and Bachman abstained from voting as they were not present at the subject meeting. The motion passed unanimously.

**REPORT OF THE CHAIR AND VICE CHAIR 5:31:05 PM**

Chairperson Matt Lyon stated he had nothing to report.

Vice Chairperson Carolynn Hoskins stated she had nothing to report.

**REPORT OF THE DIRECTOR 5:31:13 PM**

Mr. Nick Norris, Planning Director, reviewed the actions the City Council had regarding the TSA Zoning district and other small zoning district rezones the Planning Commission had forwarded.

5:32:34 PM
Bishop Place Planned Development Approval Time Extension Request – Don Armstrong, owner of the proposed development property, is requesting a third time extension for the previously approved Bishop Place Planned Development. The project was originally approved on June 25, 2014. A yearlong extension was granted on June 8th, 2016. The developer has submitted a request to the Historic Landmark Commission to demolish the existing structures in the development; however, they would like to be able to pursue the Planned Development if they are not able to demolish the structures. The location of the project is approximately 432 N 300 West. The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Daniel Echeverria at (801) 535-7165 or daniel.echeverria@slcgov.com.) Case numbers PLNSUB2014-00019 & PLNSUB2014-00020

Mr. Daniel Echeverria, Senior Planner, reviewed the Bishop Place Time extension request and the current status of the proposal. He stated Staff recommended that the Planning Commission approve the time extension as proposed.

The Commission and Staff discussed the following:

- The process and why the Applicant was asking for an extension when they were requesting demolition.
- When the application for demolition would be presented to the Historic Landmark Commission.

Mr. Bruce Baird reviewed the issues with the demolition ordinance and the proposal. He explained nothing had changed in the subject proposal.

**MOTION 5:35:59 PM**

Commissioner Drown stated regarding PLNSUB2014-00019 & PLNSUB2014-00020, she moved to Grant a year-long time extension for the Planned Development to expire on June 27, 2018. Commissioner Bachman seconded the motion. Commissioners Hoskins, Bachman, Drown, Urquhart, Scheer, Clark and Paredes voted “aye”. The motion passed unanimously.
DINNER – Will be served to the Historic Landmark Commissioners and Staff at 5:00 p.m. in Room 118 of the City and County Building.

HISTORIC LANDMARK COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326
Approval of the Minutes from June 1, 2017.
Report of the Chair and Vice Chair
Director’s Report

Public Comments - The Commission will hear public comments not pertaining to items listed on the agenda.

Public Hearings
1. **New Rear Addition, Side Porch and Garage to Single Family Residence at approximately 638 6th Avenue** - A request by Thom Jakab, on behalf of owner James Williamson, for approval of a two story addition with basement to the rear of the existing house, the reconstruction of a new porch to match the original and a new garage. The house is a contributing building in the Avenues Historic District, is on a corner lot and the addition will face J Street. The subject property is zoned SR-1A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Stan Penfold. This proposal is being referred to the Historic Landmark Commission for decision because it is a substantial addition to this residence, and special exception approval is required for proposals exceeding the SR-1A zone standards. (Staff contact: Carl Leith at (801) 535-7758 or carl.leith@slcgov.com)
   a. **Proposed Addition and Porch** - The proposed addition and garage are situated to the rear and porch along the north and east sides of this original dwelling, and on this corner lot they face onto J Street. Case number: **PLNHLC2015-00586**
   b. **Special Exception** – Special Exception approval is sought for the proposed porch that would project into the corner side yard by 1'-2 ½”, an accessory building positioned within 2'-9 ¼” from an adjacent residential building, cooling equipment placed 1’ from the property line within the inside yard area, grade changes which may exceed 4 feet and proposed lot coverage of 54%. Case number: **PLNHLC2015-00587**

2. **Single Family New Construction at approximately 970 E 2nd Avenue** - Dallas Davis, the architect and the owner of the property, is requesting New Construction approval from the Historic Landmark Commission for the design of a single family dwelling in the Avenues Local Historic District. The proposed development requires approval from the Historic Landmark Commission for new construction in an historic district. The subject property is zoned SR1-A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Stan Penfold. (Staff contact: Amy Thompson at (801)535-7281 or amy.thompson@slcgov.com) Case number: **PLNHLC2017-00339**.

3. **Bishop Place Demolition Request** - Don Armstrong is request approval for the demolition of nine (9) contributing structures located at the approximate addresses listed below in the Capitol Hill Local Historic District. The subject properties are located within Council District
3. represented by Stan Penfold (Staff Contact: Anthony Riederer at (801)535-7625 or Anthony.riederer@slcgov.com)
   a. **Demolition of a Historic Structure at approximately 241 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00014
   b. **Demolition of a Historic Structure at approximately 245 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00015
   c. **Demolition of a Historic Structure at approximately 249 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00021
   d. **Demolition of a Historic Structure at approximately 259 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00023
   e. **Demolition of a Historic Structure at approximately 265 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00028
   f. **Demolition of a Historic Structure at approximately 432 North 300 West** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00031
   g. **Demolition of a Historic Structure at approximately 262 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00027
   h. **Demolition of a Historic Structure at approximately 258 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: PLNHLC2017-00022
   i. **Demolition of a Historic Structure at approximately 248 W Bishop Place** - City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. Case number: Case number: PLNHLC2017-00018

4. **Amendments to the Local Historic District Demolition Process** - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning the demolition of historic resources in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to make the demolition process more transparent. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com.) Case number: PLNPCM2009-00014

5. **Amendments to the New Construction Standards for Local Historic Districts** - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning new construction in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to improve the new construction process. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition. The changes would apply citywide. (Staff contact: Anthony Riederer at (801) 535-7625 or Anthony.riederer@slcgov.com.) Case number: PLNPCM2016-00905
6. **Trolley Square Ventures Rezone Briefing at approximately 603 S 600 East Street** -

Douglas White, on behalf of Trolley Squares Ventures LLC, has requested a zoning map amendment from RMF-30 Low Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District at the above listed address. Currently the land is used for parking. The purpose of the request is to develop a 24 unit apartment building that will not exceed 35 feet in height. Although the applicant has requested the property be rezoned to R-MU-35 District, consideration may be given to rezoning the property to another zoning district with similar characteristics. The subject property is located within Council District 4, represented by Derek Kitchen. (Staff contact: Michael Maloy, Senior Planner, at (801)535-7118 or michael.maloy@slcgov.com). Case number: **PLNPCM2017-00373**.

**The next regular meeting of the Commission is scheduled for Thursday, August 3, 2017, unless a special meeting is scheduled prior to that date.**

**Appeal Of Historic Landmark Commission Decision:** The applicant, any owner of abutting property or of property located within the same H historic preservation overlay district, any recognized or registered organization pursuant to title 2, chapter 2.62 of this code, the Utah State Historical Society or Preservation Utah (Utah Heritage Foundation), aggrieved by the Historic Landmark Commission’s decision, may object to the decision by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued.

Files for agenda items are available in the Planning Division Offices, Room 406 of the City and County Building. **Please contact the staff planner for more information.** Visit the Historic Landmark Commission’s website [http://www.slcgov.com/planning/planning-historic-landmark-commission-meetings](http://www.slcgov.com/planning/planning-historic-landmark-commission-meetings) to obtain copies of the Historic Landmark Commission’s agendas, staff reports, and minutes. Staff reports will be posted by the end of the business day on the Friday prior to the meeting and minutes will be posted by the end of the business day two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Historic Landmark Commission.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at (801)535-7757, or relay service 711.
ATTACHMENT G: Staff Memo and Administrative Interpretation for May 4th HLC Discussion
To: Salt Lake City Historic Landmark Commission

From: Cheri Coffey, Assistant Planning Director; cheri.coffey@slcgov.com; 801-535-6188

CC: David Litvack, Deputy Chief of Staff; Mike Reberg, CAN Director; Michael Akerlow, CAN Deputy Director; Nick Norris, Planning Director; Paul Nielson, Senior City Attorney; Michaela Oktay, Planning Manager; Joel Paterson, Zoning Administrator

Date: May 4, 2017

Re: Clarification of process for Bishop Place demolition request.

At the April 20, 2017 Historic Landmark Commission there were generally two applications requesting approval for the demolition of contributing principal buildings. In Staff’s Opinion, the Commission’s determination on the process and what information is required for the submittal for each applicant was different and therefore may cause legal and possibly other types of issues for the Commission. In addition, the process for the application of the request to demolish contributing structures on Bishop Place was not consistent with the process that has been followed by the Historic Landmark Commission since 1995 nor was it consistent with the process that was followed for the Trolley Square Venture applications for demolition that were heard that same night. The Attorney’s Office is concerned that there may be legal issues that arise from processing these similar applications in different ways. The City Staff, including the City Attorney’s Office, would like to discuss various issues and options with the HLC during the dinner session on Thursday May 4, 2017.

On April 20, 2017, the Commission passed a motion to table its decision on the Bishop Place applications with the following direction:

**MOTION**
Commissioner Svendsen moved to table the Bishop Place petitions as they were incomplete in respect to requirements L1d and L1g dealing with the reuse plan and the lack of an economic hardship review. Commissioner Adams seconded the motion.

The Commission discussed the following:
- Requiring the Applicant to return with a reuse plan.

The Commission and Staff discussed the following:
- The standards of the ordinance and how they applied to the petitions.
- If the petitions could be tabled in the manner suggested.
• If the approval could be based on the reuse plan alone.
• Whether to approve, deny or table the petition.

Commissioners Peters, Adams, Brennan, Harding, Hyde and Svendsen voted “aye”. Commissioner Quist voted “nay”. The motion passed 6-1.

The Staff would like to discuss with the Commission a couple of items in the motion.

First, in its motion, the Commission referred to L1d, which relates to the base zoning of the site, but had discussed the need for a reuse plan, which is standard L1e of the ordinance. Staff would like to clarify which standard the Commission was requesting more information. If the Commission was really referring to 21A.34.020.L1e, relating to a reuse plan, the Commission should be aware that the Zoning Ordinance allows the reuse plan to be a landscaping plan. In accordance with Section 21A.34.020 P, of the Zoning Ordinance:

P. Review Of Postdemolition Plan For New Construction Or Landscape Plan And Bond Requirements For Approved Certificate Of Appropriateness For Demolition: Prior to approval of any certificate of appropriateness for demolition the historic landmark commission shall review the postdemolition plans to assure that the plans comply with the standards of subsection H of this section. If the postdemolition plan is to landscape the site, a bond shall be required to ensure the completion of the landscape plan approved by the historic landmark commission. The design standards and guidelines for the landscape plan are provided in chapter 21A.48 of this title.

1. The bond shall be issued in a form approved by the city attorney. The bond shall be in an amount determined by the building official and shall be sufficient to cover the estimated cost, to: a) restore the grade as required by title 18 of this code; b) install an automatic sprinkling system; and c) revegetate and landscape as per the approved plan.

2. The bond shall require installation of landscaping and sprinklers within six (6) months, unless the owner has obtained a building permit and commenced construction of a building or structure on the site.

The applicant is prepared to submit a landscape plan so the Commission can make a finding on standard 21A.34.020. L1e.

Secondly, according to the Zoning Ordinance (21A.12.020), the Zoning Administrator is the person who has the authority to interpret the Zoning Ordinance. The Commission does not have this authority. Because the ordinance relating to the demolition of a contributing principal building is unclear as to process, the Zoning Administrator has been asked to interpret what the process should be. In all past demolition requests since 1995, the Historic Landmark Commission has first made findings on the first six standards of the ordinance (21A.34.020.L.1 a-f.) Depending on the outcome of those findings, the applicant then chose as to whether they would apply for the Economic Hardship process. (Please see attachment 1). In some instances, they did not choose this path because the Commission’s decision on the first six standards allowed them to demolish the contributing principal structure. Due to the Commission’s tabling of the Bishop Place applications and the discussion that the Commission had on the process, the Zoning Administrator has put his
interpretation in writing so the Commission could read why the Zoning Administrator’s interpretation is what it is and why we follow the process that we do. (Please see attachment 2)

In summary, based on the information noted above, Staff would like to schedule the Bishop Place applications for demolition of the contributing principal structures on the May 18, 2017 Historic Landmark Commission meeting. The applicant will submit a landscaping plan for the packet for that meeting. The Commission will be asked to make findings on the first six standards of the demolition of contributing principal buildings. If the Commission’s decisions are to deny any of the requests or if the Commission’s decisions are to require a bona fide effort for preservation of any of the buildings, then the applicant can request the Economic Hardship process. At that time, the Commission will be asked to identify who they would like to be its pick for the Economic Review Panel and City Staff will work on organizing that panel and starting that process. This process will be consistent with the Zoning Administrator’s interpretation for the process and is consistent with how we have processed all other requests for the demolition of contributing principal buildings.

City Staff acknowledges that there is ambiguity and confusion in the way the demolition section of the Historic Preservation Overlay Zone is written. We are working on making changes to the Overlay to clarify these matters. This will require a zoning text amendment that has to be approved by the City Council through the regular zoning text amendment process. The Commission is tentatively scheduled to have a work session on the proposed text amendment relating to demolition at its May 18, 2017 meeting.

We look forward to discussing the Bishop Place demolition request with the Commission on Thursday.

Thank You.

Attachment 1- Flowchart of the Demolition Process

Attachment 2- Zoning Administrator’s Interpretation of the process for requests for Demolition of contributing principal structures.
Attachment 1
Demolition Process Flowchart
Demolition & Economic Hardship Process
Contributing & Landmark Buildings

Demolition Application

HLC Hearing (public hearing & decision)

6 Standards Met
APPROVED

3-5 Standards Met
1 year DEFERRAL

Sell, look into efforts to rehabilitate, seek tax credits, etc.

0-2 Standards Met
DENIED

Economic Hardship
(no reasonable economic use or return)

Panel Created
(3 people)

HLC Hearing
(public hearing & decision)

APPROVED

DENIED
Attachment 2
Zoning Administrator’s Interpretation
ADMINISTRATIVE INTERPRETATION
DECISION AND FINDINGS

REQUEST:
This is a request for an administrative interpretation to clarify the process used by the Historic Landmark Commission to consider the demolition of a contributing structure located within a local historic district. An interpretation is required because the list of demolition standards in Zoning Ordinance section 21A.34.020.L includes the following language as a standard:

  g. The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section.

The inclusion of the economic hardship process as one of the demolition standards is confusing to both decision makers, staff, applicants and the public and has resulted in inconsistent administration of the ordinance.

DECISION:
The Zoning Administrator finds that the economic hardship process shall not be used as a standard by the Historic Landmark Commission when considering a request to demolish a contributing structure. The Historic Landmark Commission shall make a decision on such a request using the six demolition standards listed in 21A.34.020.L.a through f as noted below:

21A.34.020.L
1. Standards for Approval of a Certificate of Appropriateness for Demolition:
   a. The physical integrity of the site as defined in subsection C15b of this section is no longer evident;
   b. The streetscape within the context of the H historic preservation overlay district would not be negatively affected;
   c. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;
   d. The base zoning of the site is incompatible with reuse of the structure;
   e. The reuse plan is consistent with the standards outlined in subsection H of this section;
   f. 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,
      (3) Failure to diligently solicit and retain tenants, and
      (4) Failure to secure and board the structure if vacant.

If a demolition request considered by the Historic Landmark Commission is denied or deferred for a period of up to one year, the property owner is then entitled to request a determination of economic hardship under the provisions listed in 21A.34.020.K.

FINDINGS:
- According to section 21A.34.020.K, the economic hardship process determines if the “application of the standards and regulations of this section deprives the applicant of all reasonable economic use or return on the subject property.” In other words, the
economic hardship process determines whether there would be a regulatory taking of property after the Historic Landmark Commission applies the standards and denies or defers a demolition request.

- Using the economic hardship process as one of the standards for demolition unnecessarily extends the time frame for making a demolition decision. If economic hardship analysis is required as part of the Commission's consideration, an economic review panel must be established and complete its analysis prior to the Historic Landmark Commission's consideration of the demolition based on the other standards in 21A.34.020.L. It also assumes that the commission will deny or defer the decision before the commission has actually made that determination.

- The ordinance includes different processes for the demolition of Landmark Sites and contributing structures. The order of these provisions adds to the confusion regarding the use of the economic hardship process.

- The first demolition process listed in the ordinance is for landmark sites (21A.34.020.J). The Historic Landmark Commission shall only approve a demolition of a landmark site if demolition is required to alleviate a threat to public health and safety or if demolition is required to rectify a condition of "economic hardship." Because making a finding of economic hardship is a specific requirement to approve a demolition of a landmark site, the economic hardship process is described in the following subsection of the ordinance, 21A.34.020.K.

- The standards for demolition of a contributing structure, 21A.34.020.L, follows the economic hardship provisions.

- Because the provisions for the economic hardship process precede the standards for the demolition of contributing structures, some believe that the economic hardship process must take place before the Historic Landmark Commission can consider the demolition standards for a contributing structure. However, the particular location of the economic hardship provisions within the code is because the economic hardship provisions may apply to either the demolition of a landmark site (21A.34.020.J) or the demolition of a contributing structure (21A.34.020.L)

If you have any questions regarding this interpretation please contact Joel Paterson at (801) 535-6141 or by email at joel.paterson@slcgov.com.

**APPEAL PROCESS:**
An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division website at http://www.slcgov.com/planning/planning-applications along with information about the applicable fee. Appeals may be filed in person or by mail at:

<table>
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<tr>
<th>In Person:</th>
<th>US Mail:</th>
</tr>
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<tbody>
<tr>
<td>Salt Lake City Corp Planning Counter</td>
<td>Salt Lake City Corp Planning Counter</td>
</tr>
<tr>
<td>451 S State Street, Room 215 Salt Lake City, UT</td>
<td>PO Box 145471 Salt Lake City, UT 84114-5417</td>
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</tbody>
</table>
NOTICE:
Please be advised that a determination finding a particular use to be a permitted use or a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and processing of applications for any approvals and permits that may be required by the codes and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.

Dated this 3rd day of May, 2017 in Salt Lake City, Utah.

Joel Paterson, AICP
Zoning Administrator

cc: Nick Norris, Planning Director  
    Mike Reberg, Director of Community and Neighborhoods  
    Paul Nielson, Deputy City Attorney  
    Greg Mikolash, Development Review Supervisor  
    Posted to Web  
    Applicable Recognized Organizations
A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at 5:33:45 PM. Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Charles Shepherd, Vice Chairperson Kenton Peters; Commissioners Stanley Adams, Thomas Brennan, Sheleigh Harding, Robert Hyde, Paul Svendsen and Rachel Quist. Commissioners David Richardson was excused.

Planning Staff members present at the meeting were: Nick Norris, Planning Director; Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Lex Traughber, Senior Planner; Anthony Riederer, Principal Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

FIELD TRIP NOTES:
A field trip was held prior to the meeting. Historic Landmark Commissioner present were Rachel Quist, Paul Svendsen and Charles Shepherd. Staff members in attendance were Michaela Oktay, Carl Leith, Lex Traughber and Anthony Riederer.

The following site was visited:
- **717 South (previously identified as 715) 500 East** – Staff gave an overview of the proposal.
- **Bishop Place** - Staff gave an overview of the proposals.
- **Trolley Square** - Staff gave an overview of the proposals.

APPROVAL OF THE MARCH 16, 2017 MINUTES. 5:34:36 PM
MOTION 5:34:40 PM
Commissioner Peters moved to approve the minutes from the March 16, 2017, meeting. Commissioner Harding seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR 5:34:56 PM
Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Peters stated he had nothing to report.

DIRECTOR’S REPORT 5:35:04 PM
Ms. Michaela Oktay, Planning Manager, reviewed the study on the Historic Landmark Commissions processes and the results of that study. She reviewed the economic hardship panel that would need to be formed to review demolition petitions.
Mr. Carl Leith, Senior Planner, reviewed the windows workshops that would be held May 24-26.

**PUBLIC COMMENT PERIOD 5:39:32 PM**
Chairperson Shepherd opened the Public Comment Period, seeing no one wished to speak; Chairperson Shepherd closed the Public Comment Period.

**5:40:13 PM**
**New Single Family Dwelling at approximately 717 South (previously identified as 715) 500 East** – Jordan Atkin, Fifty-Fifty Real Estate, LLC, is requesting approval from the City to construct a single family residence at the above listed address. The lot is currently vacant and is zoned RMF-30 (Low Density Multi-Family Residential) and lies within the Central City Historic District protected by the Historic Preservation Overlay. The proposed development requires approval from the Historic Landmark Commission for new construction in an historic district. The subject property is within Council District 4 represented by Derek Kitchen. This project was tabled at the January 5, 2017 meeting. (Staff contact: Carl Leith at (801)535-7758 or carl.leith@slcgov.com) Case number PLNHLC2016-00800

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed the following:
- The parking access for the neighboring properties.
- The wheel strips for the drive and the material around the strips.

Mr. Robin Flintchba, Fifty-Fifty Real Estate, asked the Commission for questions or comments. She reviewed the landscaping for the proposal.

The Commission, Staff and Applicant discussed the following:
- If the landscaping strips worked for the plan or were only to satisfy the Commission’s comments at the previous meeting.
- The parking and access for the neighboring. Triplex.

**PUBLIC HEARING 5:53:54 PM**
Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak; Chairperson Shepherd closed the Public Hearing.

The Commission discussed the following:
- The landscaping for the proposal.

**MOTION 5:55:36 PM**
Commissioner Harding stated regarding 717 South (previously identified as 715) 500 East, PLNHLC2016-00800 - based on the information in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Historic Landmark Commission approve PLNHLC2016-00800 Single Family Residence at approximately 717 South 500 East with the conditions listed in the Staff Report. Commissioner Svendsen seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde, Svendsen and Quist voted “aye”. The motion passed unanimously.

The Commission discussed how the next agenda items would be addressed. They determined it would be beneficial to the flow of the meeting to discuss the Bishop Place applications as a whole, hold public hearings for each item and make the necessary motions for the applications. The Commission stated they would then follow the same process for the Trolley Square applications.

5:56:25 PM

Demolition of a Historic Structure at approximately 241 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00014

Demolition of a Historic Structure at approximately 245 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00015

Demolition of a Historic Structure at approximately 249 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00021
Demolition of a Historic Structure at approximately 259 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at approximately 259 West Bishop Place. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00023

Demolition of a Historic Structure at approximately 265 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00028

Demolition of a Historic Structure at approximately 432 North 300 West - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00031

Demolition of a Historic Structure at approximately 262 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00027

Demolition of a Historic Structure at approximately 258 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00022

Demolition of a Historic Structure at approximately 248 W Bishop Place - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00022
Mr. Anthony Riederer, Principal Planner, gave an overview of the proposals as outlined in the Staff Reports (located in the case files). He stated Staff was recommending that the Historic Landmark Commission deny the petitions as presented.

The Commission and Staff discussed the following:

- The findings in the ordinance and how economic hardship effected the decision of the Commission.
- How the ordinance addressed economic hardship.
- The pros and cons of having the economic review prior to the public hearing.
- The next steps for the proposal.
- The language in the ordinance relating to economic hardship.
- The standards of review for the applications and how economic hardship applied.

MOTION 6:14:58 PM
Commissioner Svendsen moved to table the petitions until a hardship application was completed and presented to the Commission. Commissioner Svendsen held his motion.

The Commission and Staff discussed the following:

- The reuse and landscaping plans for the proposal.
- If a landscaping plan was an acceptable reuse plan.
- The condition of the buildings and their integrity.
- The RDA loan and if the loan was granted.
- The prior plan and why the plans changed for the property.
- The evolution of the property.

Mr. Bob Springmier stated they would like to move into the economic hardship phase.

The Commission, Staff and Applicant discussed the following:

- If there was money in the RDA loan.
- The proposal and why it changed from rehabilitation to demolition.
- The specific repairs or maintenance that had been done to the buildings.
- What relief the applicant wanted from the Commission.
- The letters from the engineering companies and if the companies had experience with historic structures.

PUBLIC HEARING 6:41:26 PM
Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Mr. Thomas Carter, Mr. David Scheer and
Ms. Cindy Cromer.

The following comments were made:
- Please resist the demolition request as the properties are important historically and architecturally.
- The buildings are an important part of the neighborhood fabric of and one of the last remaining courts in the city.
- The buildings are distinctive in their construction and have interesting architecture.
- The buildings were in rough shape but could be rehabbed and become habitable.
- Require the developer to conduct a historic survey and gather historic documentation prior to demolition approval.
- The loss of the homes would be a huge negative to the Capitol Hill Historic District.
- The community council was against the demolition of the structures.
- Did not want to see the homes removed however if allowed at least the brick homes should remain as they were salvable.
- The proposal was similar to that of the demolition of Veneer Court which was a huge loss to the city.
- The layout of the court, shielded the interior properties from the noise and was a benefit that not many properties had in the area.
- Meth, lead and asbestos were not an issue base a determination for demolition on.
- Bishop place would be negatively impacted by any demolition of structures.
- A rezoning should be factored into the economic hardship analysis to protect the density of the area.

Chairperson Shepherd closed the Public Hearing.

Mr. Springmier stated a compromise to maintain the brick homes was amendable and agreeable.

The Commission and Staff discussed the following:
- The landscaping ordinance and how it related to the reuse plan.

The Commission stated and discussed the following:
- The discussion and motions for the properties.
- The ordinance and how it applied to the petitions.

**MOTION 7:01:02 PM**
Commissioner Svendsen moved to table the Bishop Place petitions as they were incomplete in respect to requirements L1D and L1G dealing with the reuse plan and the lack of an economic hardship review. Commissioner Adams seconded the motion.

The Commission discussed the following:
- Requiring the Applicant to return with a reuse plan.

The Commission and Staff discussed the following:
• The standards of the ordinance and how they applied to the petitions.
• If the petitions could be tabled in the manner suggested.
• If the approval could be based on the reuse plan alone.
• Whether to approve, deny or table the petition.

Commissioners Peters, Adams, Brennan, Harding, Hyde and Svendsen voted “aye”. Commissioner Quist voted “nay”. The motion passed 6-1.

7:15:17 PM
Commissioner Harding recused herself from the meeting.
Commissioner Adams recused himself from the meeting.

The Commission discussed the next steps for the tabled petitions and how the economic hardship panel was formed.

The Commission took a short break. 7:18:43 PM
The Commission reconvened. 7:27:04 PM

7:27:07 PM
Demolition of a Historic Structure at approximately 652 E. 600 South - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number PLNHLC2016-00915

Demolition of a Historic Structure at approximately 658 E. 600 South - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number PLNHLC2016-00918

Demolition of a Historic Structure at approximately 664 E. 600 South - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number PLNHLC2016-00919
Demolition of a Historic Structure at approximately 632 S. 700 East (665 E. Ely Place) - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number PLNHLC2016-00920

Mr. Lex Traughber Planner, gave an overview of the proposals as outlined in the Staff Reports (located in the case files). He stated Staff was recommending that the Historic Landmark Commission deny the petitions as presented.

The Commission and Staff discussed the following:
- The standards the proposal met.

The Commission and Staff discussed the following:
- If the properties were willfully neglected.
- How long the current owner had owned the buildings.
- The physical integrity of the site and the criteria applied.
- How willful neglect was determined.
- When the last survey was conducted regarding integrity.
- The motions for the petitions and the standards for review.
- When economic hardship was determined.

Mr. Khosrow Semnani, Trolley Square Ventures, reviewed the history, support, the cost of construction and the options for approving demolition of all or some of the buildings. He stated the current proposal included everything the Historic Landmark Commission reviewed at the previous meeting.

Mr. Alan Roberts, architect, gave the history of the historic districts and stated the subject properties should not be included in those districts. He reviewed what it meant to be a contributing structure, what constituted a historic street, the demolition ordinance and how the proposal did and did not meet the criteria for demolition approval.

Mr. David Valgardson, home mover, reviewed the difficulty in moving the subject homes and if the homes were salvageable.

Mr. Scott Howell, attorney, reviewed the current viability of the subject buildings and the issues with keeping the homes. He stated the new construction proposal would be economically viable and benefit the city. Mr. Howell asked the Commission to approve the demolition petitions.

Mr. Doug White, attorney, reviewed their understanding of the hardship ordinance, asked the Commission to approve the demolition petitions and allow the project to move forward.
The Commission and Applicant discussed the following:

- When the parking lot was installed.
- The physical integrity of the site was under review, not the physical integrity of the buildings.
- When the building at 664 East 600 South home was moved to the current location.
- Was the acquisition of the buildings a surprise or was it known that they were part of the property.
- What to do with the parking lot without affecting the homes.
- The number of projects proposed for the area that never came about.
- The contributory and noncontributory buildings.
- The definition of a contributory and noncontributory building.
- If there were demolition guidelines for a noncontributory structure.
- Which structures could be moved or not moved.
- Where the structures could be moved to.
- The survey information on the properties and if prior ownership was known.
- The impact demolition would have on the area.
- The criteria the homes did not meet.
- The impact demolition would have on the Stokes residence.
- CRSA’s involvement in moving historic buildings.

The Commission took a short break. **9:00:00 PM**
The Commission reconvened. **9:09:27 PM**

**PUBLIC HEARING 9:09:55 PM**
Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Mr. Warren Lloyd, Mr. James Miska, Mr. Michael Iverson, Mr. Theodore Cowan, Ms. Cindy Cromer, Ms. Elizabeth Totterer, Mr. Rick Plewe and Mr. Nicholas Rupp.

The following comments were made:

- The notion that the Central City Historic District was a mistake or misguided was not correct.
- Buildings could be retrofitted from dilapidated buildings to usable structures.
- Carefully consider the unsuitable future use of these buildings.
- It was important to consider the existing street scape.
- The buildings could be relocated along Ely Place and used.
- It was clear that these proposals were not economic hardship issues.
- Opposed to the demolition because of the historic character of the neighborhood.
- The character was evident and dominated by single family homes.
• The streetscapes contribute to the character of the area.
• The proposal was not in line with the Central City Master Plan and preservation of the area.
• The statement that the applicant had neighborhood support was false.
• Something needed to be done with the property but not to this extent.
• A vote was not taken at the Community Council meeting however, a poll was taken of the neighborhood that stated 19 people wanted the buildings demolished, 8 were in opposition and 40 did not care what happened to the buildings.
• If the buildings needed to be demolished to allow the parking lot to be developed then let it happen.
• The buildings should be incorporated in the new design.
• The new design was not desirable.
• The building should be of high quality and respect the neighborhood.
• The current condition of 652 East 600 South was due to neglect from the previous owners and lack of enforcement by the City.
• A pier system could be used to stabilize the buildings.
• The survey information for these building was up to date.
• 600 South is the edge of consistent residential use and contributory structures in the Central City Historic District.
• The fact that there are other buildings similar to the subject buildings in the city was irrelevant, as the subject homes are unique to the city.
• The developer did not have to maximize the potential build out in the FBUN-2 zone.
• These homes are valuable and could be sold for top dollar.
• Meth, lead and asbestos have to be dealt with regardless if the structures stay or are demolished.
• Would be in the best interest of the neighborhood to rehab the structures for the future.
• The City would be missing a great opportunity for growth if the structures stayed.
• Property values increase with these developments.
• Please permit the project to proceed.
• Support the redevelopment of the parking lot but the homes should be included in the new design.

Chairperson Shepherd closed the Public Hearing.

The Applicants stated they agreed that unreinforced buildings could be renovated but that was not the issue. They stated certainly the buildings were reusable but the question was practicality for the use of the site. They stated the survey information was not based on research and therefore irrelevant as to when the survey was conducted. The Applicants stated it was a matter of the practical use of the property not if the buildings could be saved. They discussed the cost of moving the buildings, the benefits of the redevelopment, the need for having a hotel in the area, the community outreach of the project and that the Preservation Utah supported the redevelopment of the property. The Applicants asked the Commission to approve the petition as presented.
The Commission and applicants discussed the following:

- The dates and activities of when they obtained the properties and the maintenance that had been done to the white and red buildings.

The Commission stated and discussed the following:

- Reviewed the comments from Kirk Huffaker (contained in the case file).
- The contributing and non-contributing structures.
- The historic nature of the site had been lost and filling in the lot would help improve the streetscape not take away from it.
- The standards for approval and how the proposal met or did not meet the standards.
- It was not appropriate to change the boundaries of the district.
- The zoning for the area and what was allowed to be constructed in that zoning.
- What constituted normal maintenance and repair.
- The physical integrity of the structures.
- Whether to relocate or allow demolition of the buildings.
- The loss of historic buildings in the Central City Historic District made it hard to allow for more demolition.
- The redevelopment plan, scale and compatibility of the proposed new buildings was not the issue.
- Needed to find a compromise that would promote significant preservation and continued effort to preserve the existing and original character of the structures and still accommodate the redevelopment.
- The language for the motions and next steps for the proposal.

The Commission and Applicant discussed the following:

- The buildings that could and could not be moved.
- The importance to move the proposal forward.

MOTION 10:42:13 PM
Commissioner Hyde stated regarding 652 East 600 South – based on the analysis and findings in the Staff Report that six of the standards for approval of a Certificate of Appropriateness for demolition have been met, testimony and the proposal presented, he moved that the Planning Commission approve the request for demolition located at 652 E. 600 South. Specifically, the Commission finds that the proposed project substantially complies with the following Standards:

1. Standards for Approval of a Certificate of Appropriateness for Demolition:
   a. The physical integrity of the site as defined in subsection C15b of this section is no longer evident;
   b. The streetscape within the context of the H historic preservation overlay district would not be negatively affected;
c. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;

d. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;

e. The base zoning for the site is incompatible with the reuse of the structure;

f. The reuse plan is consistent with the standards outlined in subsection H;

g. The site has not suffered from willful neglect.

Commissioner Svendsen seconded the motion. Commissioners Peters, Brennan, Hyde and Svendsen voted “aye”. Commissioner Quist voted “nay”. The motion passed 4-1.

**MOTION 10:44:56 PM**

Commissioner Brennan stated regarding 658 East 600 South – based on the analysis and findings in the Staff Report that two or less of the standards for Certificate of Appropriateness for demolition have been met, testimony and the proposal presented, he moved that the Historic Landmark Commission deny the demolition request for the structure at 658 East 600 South. Commissioner Quist seconded the motion.

Commissioner Svendsen asked if Commissioner Brennan would consider tabling the petition to allow for economic hardship review.

Commissioner Brennan stated no.

**Commissioners Quist, Peters, Brennan and Hyde voted “aye”. Commissioner Svendsen voted “nay”. The motion passed 4-1.**

The Commission and Staff discussed the following:

- The building at 664 East 600 South was over fifty years old and significant.
- The period of significance for the Central City Historic District.

**Motion 10:49:38 PM**

Commissioner Svendsen stated regarding PLNHLC2016-00919, 664 East 600 South – based on the analysis and findings in the Staff Report, he moved that the Historic Landmark Commission approve the demolition applications as it complied with the following standards:

a. The physical integrity of the site as defined in subsection C15b of this section is no longer evident;

b. The streetscape within the context of the H historic preservation overlay district would not be negatively affected;
c. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;
d. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;
e. Because the base zoning is incompatible with reuse of the existing structures;
f. The reuse plan is consistent with the standards outlined in subsection H of this section;
g. The site has not suffered from willful neglect.

Commissioner Peters seconded the motion.

Commissioner Quist stated the Commission needed to be consistent with their view as to whether or not the streetscape was intact.

Commissioners Peters, Hyde and Svendsen voted “aye”. Commissioner Quist Brennan and Shepherd voted “nay”. The motion failed.

The Commission discussed the following:
- The standards of approval.
- The next steps for the proposal.
- Who made the original motion for PLNHLC2016-00915 and if they wanted to change the motion.
- The inconstancy with the motions and how to clarify the Commission’s point of view.
- The options for the motions and how to make the decision consistent.

REVISED MOTION 11:10:08 PM
Commissioner Brennan restated regarding 658 East 600 South – based on the analysis and findings in the Staff Report that two or less of the standards for Certificate of Appropriateness for demolition have been met, testimony and the proposal presented, he moved that the Historic Landmark Commission deny the demolition request for the structure at approximately 658 East 600 South however, the streetscape (standard b) was not a valid concern. Commissioner Peters seconded the motion. Commissioners Peters, Hyde, Brennan and Svendsen voted “aye”. Commissioner Quist voted “nay”. The motion passed 4-1.

MOTION 11:14:24 PM
Commissioner Svendsen stated regarding PLNHLC2016-00919 at 664 East 600 South – based on the analysis and findings in the Staff Report that six of the standards for approval of a Certificate of Appropriateness for demolition have been met, testimony and the proposal presented, he moved that the Commission approve the request for demolition located at approximately 664 E. 600 South demolition applications as it complied with the following standards:
a. The physical integrity of the site as defined in subsection C15b of this section is no longer evident;
b. The streetscape within the context of the H historic preservation overlay district would not be negatively affected;
c. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures;
d. The base zoning was incompatible with the reuse of the structure.
e. The reuse plan is consistent with the standards outlined in subsection H of this section;
f. The site has not suffered from willful neglect.

Commissioner Hyde seconded the motion.

The Commission discussed the following:
- The recommendation of Staff pertaining to the motion.
- The other applications for approval/denial and the surrounding structures.
- The structure at 664 East 600 South was significantly altered and not a significant building to begin with.

Commissioners Peters, Hyde, Brennan and Svendsen voted “aye”. Commissioner Quist voted “nay”. The motion passed 4-1.

MOTION
Commissioner Brennan stated regarding PLNHL2016-00920 at 632 South 700 East Ely Place – based on the analysis and findings in the Staff Report that two or less of the standards for Certificate of Appropriateness for demolition have been met, testimony and proposal presented, he moved that the Historic Landmark Commission deny the demolition request located at approximately 632 South 700 East.

a. The physical integrity of the site as defined in subsection C15b of this section is still evident;
b. The demolition would adversely impact the streetscape and context of Ely Place.

Commissioner Quist seconded the motion. Commissioners Peters, Hyde, Brennan and Quist voted “aye”. Commissioner Svendsen voted “nay”. The motion passed 4-1.

The meeting adjourned at 11:22:16 PM
To: Salt Lake City Historic Landmark Commission
From: Anthony Riederer - Principal Planner  
(801) 535-7625 or anthony.riederer@slcgov.com
Date: April 20, 2017
Re: Petition PLNHLC2017-00014, Demolition of the Residential Structure at 241 W. Bishop Place

DEMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 241 W. Bishop Place
PARCEL ID: 08-36-254-026
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District & H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no longer be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, gable roofed house with frame extensions. It abuts a smaller, connected, house immediately the southeast. The buildings are constructed in what is generally considered the National style. This style represents the period in which building forms common to American Folk architecture - and previously seen constructed of locally hewn materials - were adapted to the availability of milled lumber, brought with the advent of cross-continental railroad service.

According to the most recent survey of the Capitol Hill Historic District, completed in 2006, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey. Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E)

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the redevelopment of the site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium
buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

Issue 1 – Integrity of the Building:

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

Issue 2 – Further Loss of Historic Resources:

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses — to say nothing of the wholesale removal of an intact ensemble — will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.

**Issue 3 — Visibility from 300 West:**
The subject property is one of a number on the south side of Bishop Place that, on account of their consistent front yard setbacks, are clearly visible from 300 West.

The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

**NEXT STEPS:**

If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic
Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT A: VICINITY MAP

Petition PLNHLC2017-00014, Demolition of the Residential Structure at 241 W. Bishop Place
ATTACHMENT B: HISTORIC DISTRICT MAP

🌟 Approximate Project Location
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

IDENTIFICATION

Property Type: 

Site No. 

Historic Preservation Research Office

Structure/Site Information Form

1

Street Address: 257 West Bishop Place

UTM: T. R. S.

Name of Structure: 

Present Owner: 

Owner Address: 

Year Built (Tax Record): 

Effective Age: 

Legal Description: 

Kind of Building: 

Tax #: 

Original Owner: Emily Viletta Bishop Harrison

Construction Date: 1904

Demolition Date: 

Original Use: residence

Present Use: residence

Building Condition: 

Integrity: 

Preliminary Evaluation: 

Final Register Status: 

☑ Excellent ☐ Site ☐ Unaltered ☐ Significant ☐ Not of the Historic Period

☑ Good ☐ Ruins ☐ Minor Alterations ☐ Contributory ☐ National Landmark

☐ Deteriorated ☐ Major Alterations ☐ Not Contributory ☐ State Register

Status/Use

Demolition Date:

Photography: Date of Slides: Slide No.: Date of Photographs: Spring '80 Photo No.: 

Views: ☐ Front ☐ Side ☐ Rear ☐ Other Views: ☑ Front ☐ Side ☐ Rear ☐ Other

Research Sources:

☑ Abstract of Title ☐ Sanborn Maps ☐ Newspapers ☐ U of U Library

☐ Plat Records/Map ☐ City Directories ☐ Utah State Historical Society ☐ BYU Library

☐ Tax Card & Photo ☐ Biographical Encyclopedias ☐ LDS Church Archives ☐ USU Library

☑ Building Permit ☐ Obituary Index ☐ LDS Genealogical Society ☐ SLC Library

☐ Sewer Permit ☐ County & City Histories ☐ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1917, 1924.

Researcher: Cord Waggoner

Date: 6/80
Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story shotgun plan house with a gable roof and frame extensions on the west including a screen porch. Originally, it was similar to 253 West Bishop Place. It abuts a second house on the southeast, 257 1/2, a one story gable roofed structure with gable facade symmetrically arranged.

Statement of Historical Significance:

From evidence of title, city directories, and Sanborn Maps, this home was built in 1904. There is a possibility that this home was moved here from the site of the present day Denver Rio Grande station. The original owner of the house was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. She was the mother of at least three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Luis Obispo, California.

Emily deeded the home to Sidney E. Bishop, her brother, in 1925.
<table>
<thead>
<tr>
<th>Address/Property Name</th>
<th>Eval./Ht</th>
<th>OutB</th>
<th>Yr(s) Built</th>
<th>Materials</th>
<th>Styles</th>
<th>Plan (Type)/Orig. Use</th>
<th>Survey Year RLS/ILS/Gen</th>
<th>Comments/ NR Status</th>
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<tr>
<td>245 W ARDMORE PLACE</td>
<td>B 0/1</td>
<td>1</td>
<td>c. 1959</td>
<td>OVERSIZED BRICK</td>
<td>RANCH/RAMBLER (GEN.)</td>
<td>RANCH / RAMBLER SINGLE DWELLING</td>
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<td>246 W ARDMORE PLACE</td>
<td>D 0/0</td>
<td>1.5</td>
<td>c. 1965</td>
<td>STRIATED BRICK WOOD/OTHER/UNDEF.</td>
<td>LATE 20TH C.: OTHER</td>
<td>OTHER APT./HOTEL</td>
<td>06 N05A</td>
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<td>D 0/0</td>
<td>2</td>
<td>c. 1980</td>
<td>REGULAR BRICK</td>
<td>LATE 20TH C.: OTHER</td>
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<td>B 0/0</td>
<td>2</td>
<td>c. 1938</td>
<td>ASBESTOS SIDING</td>
<td>MODERN: OTHER</td>
<td>OTHER APT./HOTEL</td>
<td>06 262-264; PARCEL ADDRESS IS 356 N 300 W N05A</td>
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<tr>
<td>JO BETH APARTMENTS</td>
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<td></td>
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<td>446 N BALTIC COURT</td>
<td>B 0/0</td>
<td>1</td>
<td>c. 1910</td>
<td>REGULAR BRICK</td>
<td>20TH C.: OTHER</td>
<td>DOUBLE HOUSE / MULTIPLE DWELLING</td>
<td>06 446-448 BALTIC COURT; CONSTRUCTION DATES: 1905-1911 N05</td>
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<tr>
<td>ANDERSON, LARS, DUPLEX</td>
<td></td>
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<td></td>
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<td>1</td>
<td>c. 1925</td>
<td>REGULAR BRICK</td>
<td>20TH C. COMMERCIAL</td>
<td>OTHER</td>
<td>06 SERVICE BUILDING WITH GARAGE ENTRANCE; ATTACHED TO HOUSE AT 461 N 200 WEST N05</td>
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<td>WILLIAMS, JAMES, GARAGE</td>
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<tr>
<td>? 235 W BISHOP PLACE</td>
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<td>c. 1910</td>
<td>ASPHALT SIDING</td>
<td>GREEK REVIVAL</td>
<td>OTHER RESIDENTIAL</td>
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<td>? 243 W BISHOP PLACE</td>
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<td>1</td>
<td>c. 1900</td>
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<td>VICTORIAN: OTHER</td>
<td>OTHER RESIDENTIAL</td>
<td>06 SHEATHED 1936? N05A</td>
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</tbody>
</table>

Petition PLNHLC2017-00014, Demolition of Residential Structure at 241 W. Bishop Place

C=ineligible/altered  D=ineligible/out of period  U=undetermined/lack of info  X=demolished
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
SCHEDULE 1.—Inhabitants in Salt Lake City, in the County of Salt Lake, State of Utah, enumerated by me on the second day of June, 1880.

Augustus Stockford, Enumerator.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Age</th>
<th>Sex</th>
<th>Occupation</th>
<th>Place of Birth</th>
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<td>54</td>
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<tr>
<td>2</td>
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<td>57</td>
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<td>3</td>
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<tr>
<td>4</td>
<td>John Elroy</td>
<td>31</td>
<td>M</td>
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<td>15th of March, 1836</td>
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<tr>
<td>5</td>
<td>Sarah Elroy</td>
<td>31</td>
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<tr>
<td>6</td>
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<td>8</td>
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<td>15th of March, 1836</td>
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<td>15th of March, 1836</td>
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<td>14</td>
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Petition PLNHLC2017-00014, Demolition of the Residential Structure at 241 W. Bishop Place
Evans & Spencer
HEADQUARTERS FOR
SPORTING GOODS.

FIRE ARMS of all descriptions, Ammunition, Powder,
Shot, Wads, Primers.

FISHING TACKLE and BASE BALL GOODS, Boxing
Gloves, Fencing Foils, Masks, Etc.

Agents for the VICTOR BICYCLE and TRICYCLES.
RUDGE BICYCLES and TRICYCLES, BICYCLES and
TRICYCLES for Children.

Dog Collars, Playing Cards, Rubber Boots and Blankets,
Sportmen's Clothing, and in fact all that the Sportsman
wants.

PETITION PLNHLC2017-00014, Demolition of the Residential Structure at 241 W. Bishop Place

Best Brands of FLOUR at Isaac Sears, 46 W. First South Street.

<table>
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<tr>
<th>BIS</th>
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<tr>
<td>Bishop Frederick T., boiler mkr. Haynes &amp; Son, r. 434 N. Second West</td>
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<td>Bishop George F., carp., r. 665 N. Second West</td>
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<td>Bishop Henry, Jennings Slaughter House, r. 35 Cain</td>
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<td>Bishop Thomas, lab., r. 35 Cain</td>
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<td>Bishop Thomas, well borer, r. 434 N. Second West</td>
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<td>Black Diamond Coal and Coke Co., 231 S. Main</td>
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<td>BLACK GEO, A., mining opr. r. 136 Third East</td>
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<td>Blackham James, r. 41 E. First North</td>
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<td>Blair Edward, mason, Temple blk. r. rear 157 S. Fourth West</td>
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<td>Blair Martha Mrs., wid., r. rear 157 S. Fourth West</td>
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<td>Blanchard Lord, junior, court house, r. 72 W. Fifth South</td>
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<td>Blasielle Bella, domestic 69 W. Fifth South</td>
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<td>Blattner Rudolph, musician, r. bet. 11 and 12 East on Third South</td>
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<td>Bloyer Betsy Mrs., wid., r. 729 W. Second North</td>
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<td>Blunt Joseph, shoemkr. r. 74 N</td>
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Cliff House, $2.00
| No. of Race | No. of Class | Name | Age | Sex | Place of Birth | Color | State | Occupation | Birth Place | Father's Name | Mother's Name | Husband's Name | Wife's Name | Children's Names | Marriage | Remarks |
|-------------|-------------|------|-----|-----|----------------|-------|-------|------------|-------------|--------------|--------------|---------------|-------------|--------------|-------------|-----------|---------|
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
| 386         | 1200        | 816  | 12  | 9    | West 32d      | Female | White | Single    | England     | Steding      |              |               |             |             |             |           |         |
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
- John H, res 1065 W 1st South.
- John H Jr, bds 1065 W 1st South.
- Susie D, bds 631 W South Temple.
- Bisbee Louis S, trav auditor, bds The Manitou.
- Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
- Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
- Alexander L, well driver, res rear 434 N 2d West.
- Ann M, bds 47 Green.
- Bertha, bds 450 E 11th South.
- Charles S, lab, res 47 Green.
- Charles W, well driver res 107 Pear.
- Edward, furnaceman Germania Lead Wks, res Murray P O.
- Emma M, domestic 237 S 10th East.

Bishop Francis M,
- Assayer 156 S West Temple, res 450 E 11th South.
(See right side lines.)
- Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
- George, wks David James Co, bds 613 W 1st North.
- James, plumber David James Co, res 613 W 1st North.
- John, clk G F Culmer & Bros, res 421 W 1st North.
- Martha, bds 47 Green.
- Mary, domestic 220 Iowa av.
- Matthew, helper Germania Lead Wks, res Murray P O.
- Mrs Sarah A W, died Dec 6 '97, age 49.
- Thomas, porter The Topic, res 47 Green.
- Thomas, well driver, res 434 N 2d West.
- Willard, grocer 308 S West Temple and 176 W 5th South, res 176 W 5th South.
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*Note: Details regarding place of birth, place of marriage, and occupation are filled in for each individual.*
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<td>5</td>
<td>M</td>
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<td>English</td>
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<td>23.5</td>
<td>11:00</td>
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<tr>
<td>107</td>
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<td>M</td>
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<tr>
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<td>M</td>
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<td>English</td>
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<td>23.5</td>
<td>11:00</td>
</tr>
</tbody>
</table>

**TOTAL:** 10 persons
241 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 241 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 241 Bishop Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 241 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded home constructed of wood shingles over deteriorating cut stone masonry. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 241 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create additional interior living space, and is sagging and on the verge of collapse. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks any historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 241 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated.\(^1\) IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 241 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

**Standards for Demolition of a Contributing Structure**

1. *The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.*

According to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\(^2\) The Historical Society’s report notes that a carport extension and “major window alterations” were made to the property prior to 1980.\(^3\) In fact, most of the original windows have been removed as illustrated in these photographs:


\(^2\) See 241 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(a). The Historic Society identifies this as 243 Bishop, but that address does not exist.

\(^3\) Please see the attached photos regarding the site and property enclosed as Tab 3.
Additionally, the original door and roof have been replaced with inexpensive substitutes that lack historic character. This home particularly suffers from ill-conceived additions on the home that extend nearly to the property line:
This home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. Contrary to the intention, this provided no structural support. To properly create footings for 241 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home up and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.

Second, the stone and lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.
Third, the back portion of the roof completely collapsed, leaving the home open to the elements.

Fourth, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so deteriorated that much of it could not be salvaged in a remodel.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 241 Bishop.4 First, 241 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.”5 This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontribution structures.

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4 Photographs of the streetscape are enclosed as Tab 3.
5 See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property because there is a currently-listed home at 248 W. Bishop.
The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes "structures that have been moved from their original locations" unless that structure is an "integral part" of the district or is "significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event."\(^6\)

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West.\(^7\) In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

> Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district.

Here, 241 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.\(^8\)

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved.\(^9\) The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. **The base zoning of the site is incompatible with reuse of the structure.**

This element does not apply to 241 Bishop.

5. **The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).**

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

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\(^6\) See Capitol Hill Historic District Criteria enclosed as Tab 5.

\(^7\) See December 7, 1983 Meeting Minutes enclosed as Tab 6.

\(^8\) See Historic Survey as Tab 2(a).

\(^9\) Photographs of these noncontributing structures are enclosed as Tab 3.
6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 241 Bishop in 2015 in an effort to preserve the building.\textsuperscript{10} The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood.\textsuperscript{11} In 2012, the Salt Lake City Police Department cleared transients from the homes.\textsuperscript{12} The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.”\textsuperscript{13} Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.” \textit{Id.}

IRES made every effort to secure 241 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watches over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 241 Bishop and the surrounding homes. 241 Bishop has 1,580 square feet above ground and no basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $314,404.20. Based on current calculations, IRES cannot rehabilitate 241 Bishop for less than $164,254.03.\textsuperscript{14} This amount does not include the cost of upgrading the infrastructure and road.\textsuperscript{15} With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

\textsuperscript{10} See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
\textsuperscript{11} Please see police reports for the last 4 years enclosed as Tab 8.
\textsuperscript{12} See Salt Lake County Health Department Records enclosed as Tab 9.
\textsuperscript{13} See Notification of Premises Closed to Occupancy enclosed as Tab 10.
\textsuperscript{14} See Breakdown of Costs for Property enclosed as Tab 11(a).
\textsuperscript{15} A breakdown of the estimated infrastructure expenses is enclosed as Tab 12.
More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. **Show Integrity of the Structure.**

In 1936, the home's siding was intact and the additions were not yet constructed.

However, in its current state, the majority of the siding has deteriorated and portions are missing. The windows and doors have been changed, and there is little left that, under even the most generous view, would be called historic.

4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.\(^{16}\)

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\(^{16}\) Available at Tab 3.
5. **Threat to Public Health and Safety.**

As detailed above, 241 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity.\(^{17}\) It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable.\(^{18}\)

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability.\(^{19}\) Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. *Id.* It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

6. **Show No Willful Neglect.**

IRES retained a tenant in the one inhabitable home to act as a caretaker. 241 is boarded and vacant. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well.\(^{20}\) IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. **Additional Applications/Bond.**

An application for Economic Hardship is submitted concurrently with this Demolition Application.

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\(^{17}\) See police reports at Tab 8.
\(^{18}\) See Email enclosed as Tab 13.
\(^{19}\) See Bishop Place Blight Survey enclosed as Tab 14.
\(^{20}\) See Salt Lake County Health Department Records enclosed as Tab 9.
Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures
While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives**—Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Our provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- Policy 3.3j: Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

- Policy 3.3l: Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
Planning Staff Comment: These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

Planning Staff Comment: This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H:  HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
</tr>
<tr>
<td>The streetscape within the context of the historic preservation overlay district would not be negatively affected</td>
<td>Does not comply.</td>
<td>The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West. In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West. Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole. Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would be negative. The demolition would not adversely affect the historic preservation overlay district due to the surrounding noncontributing structures Does not comply.</td>
</tr>
<tr>
<td>The demolition would not adversely affect the historic preservation overlay district due to the surrounding noncontributing structures</td>
<td>Does not comply.</td>
<td>The majority of the surrounding structures are contributing to the district. Any demolition of contributing structures in this area would adversely affect the Historic Preservation Overlay District.</td>
</tr>
<tr>
<td>The base zoning of the site is incompatible with reuse of the structure</td>
<td>Does not comply.</td>
<td>As noted previously, the zoning for the site is SR-3, which would allow for the redevelopment of the structures on Bishop Place as single-family housing. There this lot currently has two buildings on it which is a non-complying condition. However, if split, each lot would be of sufficient size to be buildable under the base zoning. The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process.</td>
</tr>
<tr>
<td>The reuse plan is consistent with the standards outlined in subsection H of this section</td>
<td>Likely complies, to be determined.</td>
<td>The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’. Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48.</td>
</tr>
</tbody>
</table>
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, |
| (3) Failure to diligently solicit and retain tenants, and |
| (4) Failure to secure and board the structure if vacant |

| Does not comply with factors 1, 2, and 3. Complies with factor 4, since 2015. |
| The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner. |
| As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase. |
| In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property. |
| At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry. |

| The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section |
| To be determined. |
| Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition. |

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer  
Bonneville Research  
170 South Main St. Suite 775  
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair  
Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner’s initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,
Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission
From: Anthony Riederer - Principal Planner
(801) 535-7625 or anthony.riederer@slcgov.com
Date: April 20, 2017
Re: Petition PLNHLC2017-00015, Demolition of the Residential Structure at 245 W. Bishop Place

DEMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 245 W. Bishop Place
PARCEL ID: 08-36-254-026
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District & H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, gable roofed house with frame extensions. The building is constructed in what is generally considered the National style. This style represents the period in which building forms common to American Folk architecture - and previously seen constructed of locally hewn materials - were adapted to the availability of milled lumber, brought with the advent of cross-continental railroad service.

According to the most recent survey of the Capitol Hill Historic District, completed in 2006, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey. Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E)

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the redevelopment of the site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest
of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

**Issue 1 – Integrity of the Building:**

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

**Issue 2 – Further Loss of Historic Resources:**

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses — to say nothing of the wholesale removal of an intact ensemble — will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.
Issue 3 – Visibility from 300 West:

The subject property is one of a number on the south side of Bishop Place that, on account of their consistent front yard setbacks, are clearly visible from 300 West.

The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

**NEXT STEPS:**
If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.
If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

ATTACHMENTS:

A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

Identification

Street Address: 253 West Bishop Place

Name of Structure:

Present Owner:

Owner Address:

Year Built (Tax Record):
Legal Description

Effective Age:
Kind of Building:

UTM:
T. R. S.

Original Owner: Emily V.B. Harrison
Original Use: residence

Construction Date: 1904-1911
Present Use: residence

Demolition Date:

Building Condition:
Integrity:

Final Register Status:

Excellant □ Site □ Unaltered □ Not of the Historic Period □ National Landmark □ District
Good □ Ruins □ Minor Alterations □ Significant □ Contributory □ National Register □ Multi-Resource
Deteriorated □ Major Alterations □ Not Contributory □ State Register □ Thematic

Photography:
Date of Slides:
Slide No.:
Date of Photograph Spring '80

Views: [ ] Front □ Side □ Rear □ Other
Views: [ ] Front □ Side □ Rear □ Other

Research Sources:

Abstract of Title [ ] Sanborn Maps [ ] Newspapers [ ] U of U Library
[ ] Plat Records/Map [ ] City Directories [ ] Utah State Historical Society [ ] BYU Library
[ ] Tax Card & Photo [ ] Biographical Encyclopedias [ ] Personal Interviews [ ] USU Library
[ ] Building Permit [ ] Obituary Index [ ] LDS Church Archives [ ] SLCC Library
[ ] Sewer Permit [ ] County & City Histories [ ] LDS Genealogical Society [ ] Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, SLC, 1898, 1911, 1903, 1969

Researcher: Fred Aegerter
Date: 6/80

NHLC2017-00045, Demolition of the Residential Structure at 245 W. Bishop Place
This is a one story shot gun plan house with a gable roof and frame porch. It has a rear extension the same as 255 West Bishop Place.

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1904 and 1911. There is a possibility that this home was moved from the site of the Denver Rio Grande station. The original owner was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Saray Haynes Bishop. Emily married James W. Harrison on April 12, 1893. The couple had three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Luis Obispo, California. Chain of title is as follows:

1923  Harrison to Walter Garrick
1934  Garrick to Harry Bishop
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<th>Eval/OutB</th>
<th>Yr(s)</th>
<th>Materials</th>
<th>Styles</th>
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<td>REGULAR BRICK</td>
<td>MANSARD</td>
<td>OTHER APT./HOTEL</td>
<td>06</td>
<td>SOUTH BLDG; ASSOCIATED WITH 155 N CANYON ROAD</td>
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<td>REGULAR BRICK</td>
<td>MANSARD</td>
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<td>VICTORIA HOUSE</td>
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Petition PLNHLC2017-00015, Demolition of the Residential Structure at 245 W. Bishop Place
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
Petition PLNHL2017-00015, Demolition of the Residential Structure at 245 W. Bishop Place
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<td>3</td>
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<td>4</td>
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<td>F</td>
<td>Wife</td>
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<td>Son</td>
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Note A: The Census Year begins June 1, 1880, and ends May 31, 1880.
Note B: All persons will be included in the enumeration who were living on the 1st day of June, 1880. No others will.
Note C: Questions 10, 14, 22 and 23 are not to be asked in respect to persons under 10 years of age.

19 Inhabitants in Salt Lake City, in the County of Salt Lake, State of Utah, enumerated by me on the second day of June, 1880.

Augustus H. Stanford
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**Note:** The survey data and descriptions are placeholders for demonstration purposes. Actual content would vary depending on the specific details and context provided in the original document.
Petition PLNHLC2017-00015, Demolition of the Residential Structure at 245 W. Bishop Place

23

Bishop Frederick T., boiler mlr. Haynes & Son, r. 434 N. Second West
Bishop George F., carp., r. 663 N. Second West
Bishop Henry, Jennings Slaughter House, r. 35 Cain
Bishop James, steam fitter David James & Co., r. 013 W. First North
Bishop John, painter, r. 375 N. Second West
Bishop Thomas, lab., r. 35 Cain
Bishop Thomas, well bor. r. 434 N. Second West
Biig Lewis, coller man A. Fisher Brewing Co., r. Brewery
Bithell Joseph, miner, r. 537 E. Fifth East
Bivens Catharine Mrs., r. 447 S. Fifth East
Bivens Frank, pressman, r. 447 S. Fifth East
Bjorklund Sam, barber, 222 S. Main, r. 276 W. First South
Black Diamond Coal and Coke Co., 231 S. Main
BLACK GEO., mining opr. r. 136 Third East
Blackham James, r. 41 E. First North
Blackhurst Brigham, r. 123 W. Fourth South
Blackhurst Hiram, r. 123 W. Fourth South
Blackman James, servant 436 S. West Temple
Blair Ada Miss, hair worker, Mrs. W. B. Wilkinson, r. 157 S. Fourth West
Blair Edward, mason, Temple blk, r. rear 157 S. Fourth West
Blair Martha Mrs., wid., r. rear 157 S. Fourth West
Blake Benjamin, lab. r. 304 S. First West
Blake G., drayman, r. 462 S. Second West
Blake Samuel, teamster Mountain Ice Co. r. Parleys Canyon
Blake Wesley, U. S. Signal Service, r. 112 W. South Temple
Blake Wm., potter, Frederick Peterson, r. 304 S. First West
Blandin Chas. F., atty. 107 S. Main, r. 109 W. North Temple
Blanchard Lord, junior, court house, r. 72 W. Fifth South
Blanstell Bella, domestie 69 W. Fifth South
Blattner Rudolph, musician, r. bet. 11 and 12 East cn Third South
Blyyer Betsy Mrs., wid. r. 729 W. Second North
Blezard Mark H., carp. r. 517 S. West Temple
Bledsoe J. Franklin, carp. r. 237 S. Sixth East
Blcker Johann, chamber maid, Walker House
BLOHMS F. W. Rev. (Baptist) Missionary Scandinavian, r. 451 W. Third South
Blomont Robert, lab. Third South, cor. Eighth West
Bloxham Humphrey, lab. r. 147 S. West Temple
Blunt Henry, shoemkr. r. 74 N
Blunt Joseph, shoemkr. r. 74 N

Cliff House, $2.00
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[Additional entries for other deaths follow the same format.]
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.

**Bishop Francis M,**

Assayer 156 S West Temple, res 450 E 11th South.

(See right side lines.)

— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, gardn 308 S West Temple and 176 W 5th South,
## TWELFTH CENSUS OF THE UNITED STATES

### SCHEDULE No. 1—POPULATION

**State:** Utah  
**County:** Salt Lake  
**Township or other division of county:** Preston  
**Name of Institution:**  
**Name of incorporated city, town, or village:** Salt Lake City  
**Enumerated by me on the 26th day of June, 1900, by:** Charles M. Beemer, Enumerator

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Petition PLNHLC2017-00015, Demolition of the Residential Structure at 245 W. Bishop Place
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**Notes:**
- The table contains information about family members, including their names, relationships, personal descriptions, ages, sexes, colors, places of birth, years of residence, occupations, and years in the occupation.
- The table is part of the Thirteenth Census of the United States: 1910 Population.
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245 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 245 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 245 Bishop Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 245 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. 245 Bishop Place is a rundown and boarded home constructed of wood shingles over deteriorating cut stone masonry. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 245 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create additional interior living space, and is sagging and on the verge of collapse. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks any historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 245 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated.\(^1\) IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 245 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

**Standards for Demolition of a Contributing Structure**

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

According to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.\(^2\) The Historical Society's report notes that a carport extension and "major window alterations" were made to the property prior to 1980.\(^3\) In fact, the original windows have been removed, as illustrated by these photographs:

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\(^2\) See 245 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(d). This home is identified as 257 Bishop by the Historical Society.

\(^3\) Please see the attached photos regarding the site and property enclosed as Tab 3.
The siding has deteriorated and is missing in certain areas:
Additionally, the original door and roof have been replaced with inexpensive substitutes that lack historic character. A poorly constructed addition also detracts from any historic elements:

This home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home, as shown in this photograph:
Contrary to the intention, this provided no structural support for the home. To properly create footings for 245 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home up and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so deteriorated that much of it could not be salvaged in a remodel.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 245 Bishop.\(^4\)

First, 245 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible

\(^4\) Photographs of the streetscape are enclosed as Tab 3.
structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.” This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West. In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutiny. This would mean that a project that would not impact the character of the district would receive less scrutiny than would a project that would impact the character of the district.

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5 See Salt Lake City Corporation Building Permit Inspection Listing. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property because there is a currently-listed home at 248 W. Bishop as Tab 4.
6 See Capitol Hill Historic District Criteria enclosed as Tab 5.
7 See December 7, 1983 Meeting Minutes enclosed as Tab 6.
Here, 245 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.\(^8\)

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved.\(^9\) The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. **The base zoning of the site is incompatible with reuse of the structure.**

This element does not apply to 245 Bishop.

5. **The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).**

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

6. **The site has not suffered from willful neglect, as evidenced by the following:**
   a. **Willful or negligent acts by the owner that deteriorates the structure.**
   b. **Failure to perform normal maintenance and repairs.**
   c. **Failure to diligently solicit and retain tenants.**
   d. **Failure to secure and board the structure if vacant.**

IRES boarded the vacant 245 Bishop in 2015 in an effort to preserve the building.\(^10\) The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood.\(^11\) In 2012, the Salt Lake City Police Department cleared transients from the homes.\(^12\) The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the department because they were “[d]ilapidated

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\(^8\) See Historic Survey as Tab 2(d).
\(^9\) Photographs of these noncontributing structures are enclosed as Tab 3.
\(^10\) See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
\(^11\) Please see police reports for the last 4 years enclosed as Tab 8.
\(^12\) See Salt Lake County Health Department Records enclosed as Tab 9.
homes that lack utilities with transients squatting in unsecure homes." Even after the homes were boarded in 2015, the health department observed that "transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property." *Id.*

IRES made every effort to secure 245 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. **The denial of a certificate of appropriateness for demolition would cause an “economic hardship”** (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 245 Bishop and the surrounding homes. 245 Bishop has 914 square feet above ground and 80 square feet in the basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $181,876.86. Based on current calculations, IRES cannot rehabilitate 245 Bishop for less than $125,053.64. This amount does not include the cost of upgrading the infrastructure and road or acquisition costs. With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. **Show Integrity of the Structure.**

Two historic photographs of the home show that the only remaining historic element of the home is the siding, which is deteriorating and unable to be preserved because of the years of neglect, rot, and lack of foundation:

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13 See Notification of Premises Closed to Occupancy enclosed as Tab 10.
14 See Breakdown of Costs for Property enclosed as Tab 11(b).
15 A breakdown of the estimated expenses is enclosed as Tab 12.
4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.  

5. **Threat to Public Health and Safety.**

As detailed above, 245 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity. It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable. And, the property was closed to occupancy as “unfit” for dwelling in 2012.

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability. Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. Id. It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

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16 Available at Tab 3.
17 See police reports at Tab 8.
18 See Email enclosed as Tab 13.
19 See Bishop Place Blight Survey enclosed as Tab 14.
6. **Show No Willful Neglect.**

245 Bishop is boarded and vacant. The property was already run down and unsafe when purchased by IRES. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well. IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. **Additional Applications/Bond.**

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures

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20 See Salt Lake County Health Department Records enclosed as Tab 9.
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- Preservation Initiatives – Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- Policy 3.3j: Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

Policy 3.3l: Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
Planning Staff Comment: These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

Planning Staff Comment: This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
</tr>
<tr>
<td>The streetscape within the context of the Historic preservation overlay district would not be negatively affected</td>
<td>Does not comply.</td>
<td>The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West. In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West. Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole. Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district.</td>
</tr>
<tr>
<td>The demolition would not adversely affect the Historic preservation overlay district due to the surrounding noncontributing structures</td>
<td>Does not comply.</td>
<td>The majority of the surrounding structures are contributing to the district. Any demolition of contributing structures in this area would adversely affect the Historic Preservation Overlay District.</td>
</tr>
<tr>
<td>The base zoning of the site is incompatible with reuse of the structure</td>
<td>Does not comply.</td>
<td>As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing. There this lot currently has two buildings on it which is a non-complying condition. However, if split, each lot would be of sufficient size to be buildable under the base zoning. The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process.</td>
</tr>
<tr>
<td>The reuse plan is consistent with the standards outlined in subsection H of this section</td>
<td>Likely complies, to be determined.</td>
<td>The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’. Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48.</td>
</tr>
</tbody>
</table>
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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant

Does not comply with factors 1, 2, and 3. Complies with factor 4, since 2015.

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section

To be determined.

Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting.

Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals.

Notice of the public hearing for the proposal include:
• Notice mailed on April 6, 2017.
• Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
• Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer  
Bonneville Research  
170 South Main St. Suite 775  
Salt Lake City, Utah 84101  

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair  
Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,
Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission  
From: Anthony Riederer - Principal Planner  
(801) 535-7625 or anthony.riederer@slcgov.com  
Date: April 20, 2017  
Re: Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place

DEVELOPMENT OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 249 W. Bishop Place  
PARCEL ID: 08-36-254-025  
HISTORIC DISTRICT: Capitol Hill Historic District  
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District &  
H – Historic Preservation Overlay District  
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, gable roofed house with frame extensions. The building is constructed in what is generally considered the National style. This style represents the period in which building forms common to American Folk architecture - and previously seen constructed of locally sourced materials - were adapted to the availability of milled lumber, brought with the advent of cross-continental railroad service.

According to the most recent survey of the Capitol Hill Historic District, completed in 2006, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey. Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927.

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the redevelopment of the site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest
of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

**KEY ISSUES:**

**Issue 1 – Integrity of the Building:**

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

**Issue 2 – Further Loss of Historic Resources:**

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
Bishop Place, c. 1925

Bishop Place, current day

Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.

**Issue 3 – Visibility from 300 West:**

The subject property is one of a number on the south side of Bishop Place that, on account of their consistent front yard setbacks, are clearly visible from 300 West.

The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

**NEXT STEPS:**

If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant
would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT A: VICINITY MAP
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1

Street Address: 249 Bishop Place

Name of Structure:

Present Owner:

Owner Address:

Year Built (Tax Record): Effective Age: Kind of Building:

Tax #:

UTM: T. R. S.

2

Original Owner: Emily V.B. Harrison

Original Use: residence

Construction Date: 1904–1911 Demolition Date:

Present Use: residence

Building Condition: Integrity:

Preliminary Evaluation:

Final Register Status:

1

Photography:

Date of Slides:

Slide No.:

Date of Photographs: 1980

Photo No.:

Views: [ ] Front [ ] Side [ ] Rear [ ] Other

Views: [ ] Front [ ] Side [ ] Rear [ ] Other

Research Sources:

☑ Abstract of Title ■ Sanborn Maps
☐ Plat Records/Map ☐ City Directories
☐ Tax Card & Photo ☐ Biographical Encyclopedias
☐ Building Permit ☐ Obituary Index
☐ Sewer Permit ☐ County & City Histories

☐ Newspapers
☐ Utah State Historical Society
☐ LDS Church Archives
☐ LDS Genealogical Society

☐ U of U Library
☐ BYU Library
☐ USU Library
☐ SLC Library
☐ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860–1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1917, 1924.

Researcher: Fred Aegeiter

Date: 1980
Architect/Builder: 

Building Materials: fake brick asphalt over ?

Building Type/Style: 

Description of physical appearance & significant architectural features: 
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story gable roof house with an off center chimney. Its floor plan is the shot gun arrangement with rear extensions. There is a frame entrance porch with turned posts.

Statement of Historical Significance: 

From evidence of title, city directories, and Sanborn maps, this home was built between 1904 and 1911. There is a possibility that this house was moved to its present site from the site of the Denver Rio Grande station. The original owner of the building was Emily Viletta Bishop Harrison. Harrision was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. The couple had three children. She was a member of the L.D.S. Church. She died March 24, 1956. Harrison deeded the house to Walter Garrick in 1923.
### Architectural Survey Data for SALT LAKE CITY

**Utah State Historic Preservation Office**

<table>
<thead>
<tr>
<th>Address/Property Name</th>
<th>Eval./Ht</th>
<th>OutB N/C</th>
<th>Yr(s) Built</th>
<th>Materials</th>
<th>Styles</th>
<th>Plan (Type)/Orig. Use</th>
<th>Survey Year/RLS/ILS/Gen</th>
<th>Comments/ NR Status</th>
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<tr>
<td>245 W ARDMORE PLACE B</td>
<td>0/1</td>
<td>1</td>
<td>c. 1959</td>
<td>O.OVERSIZED BRICK</td>
<td>RANCH/RAMBLER (GEN.)</td>
<td>RANCH / RAMBLER SINGLE DWELLING</td>
<td>06</td>
<td>80</td>
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<td>246 W ARDMORE PLACE D</td>
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<td>1.5</td>
<td>c. 1965</td>
<td>STRIATED BRICK WOOD/OTHER/UNDEF.</td>
<td>LATE 20TH C.; OTHER</td>
<td>MULTIPLE DWELLING</td>
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<td>80</td>
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<td>252 W ARDMORE PLACE D</td>
<td>0/0</td>
<td>2</td>
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<td>REGULAR BRICK</td>
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<td>BOXCAR APT.</td>
<td>06</td>
<td>ASSOCIATED WITH SIMILAR BLDG ON 253 W 400 NORTH</td>
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<tr>
<td>262 W ARDMORE PLACE B</td>
<td>0/0</td>
<td>2</td>
<td>c. 1938</td>
<td>ASBESTOS SIDING</td>
<td>MODERN; OTHER</td>
<td>OTHER APT./HOTEL</td>
<td>06</td>
<td>262-264; PARCEL ADDRESS IS 356 N 300 W</td>
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<td>JO BETH APARTMENTS</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>446 N BALTIC COURT B</td>
<td>0/0</td>
<td>1</td>
<td>c. 1910</td>
<td>REGULAR BRICK</td>
<td>20TH C.; OTHER</td>
<td>DOUBLE HOUSE / MULTIPLE DWELLING</td>
<td>06</td>
<td>446-448 BALTIC COURT; CONSTRUCTION DATES: 1905-1911 N05</td>
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<tr>
<td>ANDERSON, LARS, DUPLEX</td>
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<td></td>
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</tr>
<tr>
<td>458 N BALTIC COURT B</td>
<td>0/0</td>
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<td>c. 1925</td>
<td>REGULAR BRICK</td>
<td>20TH C. COMMERCIAL</td>
<td>OTHER</td>
<td>06</td>
<td>SERVICE BUILDING WITH GARAGE ENTRANCE; ATTACHED TO HOUSE AT 461 N 200 WEST N05</td>
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<td>WILLIAMS, JAMES, GARAGE</td>
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<tr>
<td>? 235 W BISHOP PLACE B</td>
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<td>1</td>
<td>c. 1910</td>
<td>ASPHALT SIDING</td>
<td>GREEK REVIVAL, VICTORIAN: OTHER</td>
<td>OTHER RESIDENTIAL SINGLE DWELLING</td>
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<td>ADDITION/2ND HOUSE ATTACHED ON EAST c. 1936: 237 N05A</td>
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<td>OTHER RESIDENTIAL SINGLE DWELLING</td>
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<td>SHEATHED 1936? N05A</td>
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*Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place.*

C=ineligible/alterred  D=ineligible/out of period  U=undetermined/lack of info  X=demolished
CAPITOL HILL HISTORIC DISTRICT
Salt Lake City, Salt Lake County, Utah

RECONNAISSANCE LEVEL SURVEY – 2006
Page 40 of 90

248 W Bishop Place
A

249 W Bishop Place
B

253 W Bishop Place
B

258 W Bishop Place
B

262 W Bishop Place
B

265 W Bishop Place
B

View of City Creek Park

135 N Canyon Road**
D

155 N Canyon Road**
D

160 N? Canyon Road**
Median Park
D

**Buildings in City Creek Canyon NRHP district
ATTACHMENT D: CAPITOL HILL RLS – RESULTS MAP

Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place.

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place
SCHEDULE 1. Inhabitants in Salt Lake City, in the County of Salt Lake, State of Utah, enumerated by me on the second day of June, 1880.

[Table of inhabitants, names, ages, occupations, and places of birth]
<table>
<thead>
<tr>
<th>Block</th>
<th>Plat</th>
<th>Description and Remarks</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>...</td>
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</tbody>
</table>

*Continued on page...*
Bishop James, plumber, es 5th West bet 8 T. and N T
Bishop F. M. assayer, es West Temple bet 3d and 4th South
Bishop Harvey, carpenter, es 1st West bet South Temple and 1st South
Black George A., res ws 3d East bet 1st and 2d South
Blackwell O. B., boards Cliff House
Blair Edward, carpenter, es 8th East bet 7th and 8th South
Blair Rev. W. W., res es 3d South bet 5th and 6th East
Blakeley B. W., mining, es 1st West bet 1st and 2d South
Blankmore John, tinsmith, nw cor Walnut and Wall
Blanchard S. J., mining, es 1st South bet 1st and 2d East
Blassett Mark, carpenter, es West Temple bet 5th and 6th South
Bloomquist Charles, laborer, es 1st West bet 8 T. and N T
Blunt Joseph, manufacturer, es North Temple bet 8th and 19th East
Blokhoe J. L., laborer, es 2d South bet 1st and 21 East
Boardman W. watchman, es 5th South bet 1st East and East Temple
Bootholdt D., county clerk, es 2d South bet 3d and 2d West
Boehnson J. D., res Donaldson House
Bohi Elizabeth, widow, es 3d West bet North Temple and 1st North
Bohling Louis, laborer, es 1st South bet 6th and 7th West
Bolse Thomas, laborer, es 1st South bet West Temple and East Temple
Bolito Francis, carpenter, es 1st East bet 6th and 7th South
Bolton Jackson, agent, es 5th East bet 7th and 6th South
Bolwinkle Frederick, laborer, es Centre bet Current and Aprilth
Bond John, moulder, es 6th West bet South Temple and 1st South

Bishop Thomas, machinist, es 2d West bet 3d and 4th North

PETE'S BOOK STORE—BOOKS & STATIONERY—IMMENSE STOCK

Salt Lake City Directory.

California Lasso Saddles, W. L. Pickard, Salt Lake City.


L. GOLDBERG, LEADING CLOTHIER, Salt Lake City.
Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place
Evans & Spencer
HEADQUARTERS FOR
SPORTING GOODS.

FIRE ARMS of all descriptions, Ammunition, Powder, Shot, Wads, Primers.

FISHING TACKLE and BASE BALL GOODS, Boxing Gloves, Fencing Foils, Masks, Etc.

Agents for the VICTOR BICYCLE and TRICYCLES.
RUDGE BICYCLES and TRICYCLES, BICYCLES and TRICYCLES for Children.

Dog Collars, Playing Cards, Rubber Boots and Blankets.

Sportmen's Clothing, and in fact all that the Sportsman wants.

PETITION PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place

Best Brands of FLOUR at Isaac Sears, 46 W. First South Street.

<table>
<thead>
<tr>
<th>BIS</th>
<th>S3</th>
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<tbody>
<tr>
<td>Bishop Frederick T., boilermkr. Haynes &amp; Son, r. 434 N. Second West</td>
<td></td>
</tr>
<tr>
<td>Bishop James, steam fitter David James &amp; Co., r. 403 W. First North</td>
<td></td>
</tr>
<tr>
<td>Bishop Thomas, lab., r. 35 Cain</td>
<td></td>
</tr>
</tbody>
</table>

Bishop, George F., carp., r. 603 N. Second West
Bishop, Henry, Jennings Slaughter House, r. 35 Cain
Bishop, James, steam fitter David James & Co., r. 403 W. First North
Bishop, John, painter, r. 375 N. Second West
Bishop, Thomas, lab., r. 35 Cain

Bishop, Thomas, well borer, r. 434 N. Second West
Bisig, Lewis, coller man A. Fisher Brewing Co., r. Brewery
BHithell, Joseph, miner, r. 537 E. Fifth East
Bivens, Catharine Mrs., r. 447 S. Fifth East
Bivens, Frank, pressman, r. 447 S. Fifth East
Bjorklund, Sam, barber, 222 S. Main, r. 276 W. First South
Black Diamond Coal and Coke Co., 231 S. Main
BLACK GEO A., mining opr. r. 136 Third East
Blackham, James, r. 41 E. First North
Blackhurst, Brigham, r. 123 W. Fourth South
Blackhurst, Hiram, r. 123 W. Fourth South
Blackman, James, servant 436 S. West Temple
Blair, Ada Miss, hair worker, Mrs. W. B. Wilkinson, r. 157 S. Fourth West
Blair, Edward, mason, Temple blk. r. rear 157 S. Fourth West
Blair, Martha Mrs., wid., r. rear 157 S. Fourth West
Blake, Benjamin, lab. r. 304 S. First West
Blake, George, drayman, r. 462 S. Second West
Blake, Samuel, teamster Mountain Ice Co. r. Parleys Canyon
Blake, Wesley, U. S. Signal Service, r. 112 W. South Temple
Blake, Wm., potter, Frederick Peterson, r. 304 S. First West
Blandin, Charles, atty. 107 S. Main, r. 109 N. Temple
Blanchard, Lord, junior, court house, r. 72 W. Fifth South
Blasiello, Bella, domestic 69 W. Fifth South
Blattner, Rudolph, musician, r. bet. 11 and 12 East cn Third South
Bluyer, Betsy Mrs., wid. r. 729 W. Second North
Bleazard Mark H., carp. r. 517 S. West Temple
Bledsoe, J. Franklin, carp. r. 287 S. Sixth East
Blicker, Johanna, chamber maid, Walker House
BLOHM, F. W. Rev. (Baptist) Missionary Scandinavian, r. 451 W. Third South
Blomont Robert, lab. Third South, cor. Eighth West
Bloxham Humphrey, lab. r. 147 S. West Temple
Blunt, Henry, shoemkr. r. 74 N
Blunt, Joseph, shoemkr. r. 74 N


OPPOSITE WALKER HOUSE,

BUCKLE & SON, TAILORS,

SALT LAKE CITY,
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<tr>
<th>No. of Death</th>
<th>No. of Register</th>
<th>Name</th>
<th>Sex</th>
<th>Race</th>
<th>Birth Place</th>
<th>Mother's Name</th>
<th>Father's Name</th>
<th>Wife's Name</th>
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<th>Cause of Death</th>
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<td>3776.1</td>
<td>4838</td>
<td>Sarah A. Nellis</td>
<td>F</td>
<td>White</td>
<td>Illinois</td>
<td></td>
<td></td>
<td></td>
<td>24</td>
<td></td>
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</table>
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarmen S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.

**Bishop Francis M,**  
Assayer 156 S West Temple, res 450 E 11th South.  
(See right side lines.)

— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— William, grocer 308 S West Temple and 176 W 5th South, res 176 W 5th South.
<table>
<thead>
<tr>
<th>LOCATION</th>
<th>NAME</th>
<th>RELATION</th>
<th>PERSONAL DESCRIPTION</th>
<th>NATIVITY</th>
<th>CITIZENSHIP</th>
<th>OCCUPATION, TRADE, OR PROFESSION</th>
<th>EDUCATION</th>
<th>MARITAL SIT.</th>
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<td>Bar lux</td>
<td>Lambrew, Hazel</td>
<td>Daughter</td>
<td>M. 9</td>
<td>Utah</td>
<td>Utah</td>
<td>At School</td>
<td>19 y. y.</td>
<td>Single</td>
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<tr>
<td>26</td>
<td>Bishop, Thomas</td>
<td>Head &amp;</td>
<td>W. 5</td>
<td>England</td>
<td>England</td>
<td>Soldier</td>
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<td>27</td>
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<td>England</td>
<td>England</td>
<td>Soldier</td>
<td>67 y. y.</td>
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<td>Son</td>
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<td>Utah</td>
<td>Utah</td>
<td>At School</td>
<td>19 y. y.</td>
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**Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place**

**THIRTEENTH CENSUS OF THE UNITED STATES: 1910, POPULATION**

**DEPARTMENT OF COMMERCE AND LABOR, BUREAU OF THE CENSUS**

**State: Washington**

**County: Walla Walla**

**Name of Incorporated Place: Walla Walla City**

**Enumeration District No.: 92**

**Sheet No.: 9**

**Page No.: 9**

**Ward of City: 9**

**Supervisor's District No.: 29**

**Sheet No.: 1**

**Page No.: 8**

**Enumerated by me on the 21st day of April, 1910.**

**Quin Slocum, Enumerator**

**[Table contents] not visible in the image provided.]**
## DEPARTMENT OF COMMERCE AND LABOR—BUREAU OF THE CENSUS

### THIRTEENTH CENSUS OF THE UNITED STATES: 1910—POPULATION

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The above table provides a glimpse into the population of the United States in 1910, detailing the basic information of each member of the household, including their name, relationship, age, sex, color, religion, marital status, occupation, education, and years in school.
Petition PLNHLC2017-00021, Demolition of the Residential Structure at 249 W. Bishop Place

Melvin temr Alliance Coal Co r 248 Bishop pl
Mrs Minnie Wittenp Quinns Lusche Run rns Manx Hotel
Moters ilmrkr b 726 W So Temple
Myrtile emp Mut Creamery b 726 W So Temple
M R Forman U S S Co r Murray
Oel E eng D & R G r Garfield
Orson lab Morrison, Merrill & Co b 438 N 2d West
Paul cndr rms Belmont Hotel
Ralph sttnn H A Tuckett Co r 198 Jackson av
Roy cllr r 1366 Ramona av
Sarah J sttnn Win M r 2268 Poplar M
Sidney E sttnn Alliance Coal Co r 237 Bishop pl
Thos G died Feb 7 20 age 65
Vera elk J C Penney Co b Murray
Yvry W student b 4134 Poplar M
Bishop's Building 40 N Main
Bismark Chas M elk Hemenway & Moser
Bissell Andw X lab 0 S Co rms Garfield
Bissell Chas E cond D & R 924 Wash
E dno stno Tyng Warehouse & Storage Co
h 824 Washington
Grace stno h 824 Washington
Marie untty 435 Center
Mary E stno rms 8 Keith Apts
Bissell Arch L drfntmn 0 5 L rms 418
11th East
Nancy Q dpkr Inter Mtn Whl Co rms 376
E 3d So
Bissinger see also Bissinger
Bissinger & Co, John McCarty Mgr, Tanners and Wool Pullers, Dealers in Sheep Skins, Wool, Tallow, Hides and Furs, 737 S 3d West, Tels Was 996 and 1061, P O Box 1212. (See front cover)
249 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 249 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 249 Bishop Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 249 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded home constructed of wood shingles over deteriorating cut stone masonry. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 249 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create additional interior living space, and is sagging and on the verge of collapse. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks any historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 249 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated. IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 249 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

There are limited or no historic elements remaining in the home at 249 Bishop. In fact, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place. The Historical Society’s report from 1980 notes that there have been “major alterations” and the exterior is “fake brick asphalt over?” Currently, these alterations make up the majority of the exterior. Large portions of the home were covered with vinyl, which has now been removed and exposed manufactured wood, obviously not historic, which makes up a portion of the exterior.

2 See 249 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(e).
The majority of the windows and exterior doors have been replaced and are not historic. Mismatched windows were used, and the gaps have been filled with modern, manufactured wood.
Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. Contrary to the intention, this provided no structural support. To properly create footings for 249 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home up and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so deteriorated that much of it could not be salvaged in a remodel.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 249 Bishop.³ First, 249 Bishop is not visible from 300 West.

³ Photographs of the streetscape are enclosed as Tab 3.
Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.”\(^4\) This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”\(^5\)

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West.\(^6\) In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district.

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\(^4\) See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property because there is a currently-listed home at 248 W. Bishop.

\(^5\) See Capitol Hill Historic District Criteria enclosed as Tab 5.

\(^6\) See December 7, 1983 Meeting Minutes enclosed as Tab 6.
Here, 249 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.\(^7\)

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved.\(^8\) The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 249 Bishop.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 249 Bishop in 2015 in an effort to preserve the building.\(^9\) The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood.\(^10\) In 2012, the Salt Lake City Police Department cleared transients from the homes.\(^11\) The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were

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\(^7\) See Historic Survey as Tab 2(c).
\(^8\) Photographs of these noncontributing structures are enclosed as Tab 3.
\(^9\) See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
\(^10\) Please see police reports for the last 4 years enclosed as Tab 8.
\(^11\) See Salt Lake County Health Department Records enclosed as Tab 9.
"[d]ilapidated homes that lack utilities with transients squatting in unsecure homes."\textsuperscript{12} Even after the homes were boarded in 2015, the health department observed that "transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property." \textit{Id.}

IRES made every effort to secure 249 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watches over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. \textit{The denial of a certificate of appropriateness for demolition would cause an "economic hardship"} (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 249 Bishop and the surrounding homes. 249 Bishop has 1,122 square feet above ground and no basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $223,266.78. Based on current calculations, IRES cannot rehabilitate 249 Bishop for less than $142,124.35.\textsuperscript{13} This amount includes the cost of upgrading the infrastructure and road.\textsuperscript{14} With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. \textit{Show Integrity of the Structure.}

This historic photograph identifies a side-view of the home, identified with an arrow. The original double windows are evident in the photograph from 1936. They are now missing, along with the other original windows. A current photograph of the property shows deteriorating wood as the only remaining historic element. However, this wood cannot be saved in a remodel due to the foundation issues. There is nothing historic remaining on the home that can be preserved.

\textsuperscript{12} See Notification of Premises Closed to Occupancy enclosed as Tab 10.

\textsuperscript{13} See Breakdown of Costs for Property enclosed as Tab 11(d).

\textsuperscript{14} A breakdown of the estimated expenses is enclosed as Tab 12.
4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.\(^\text{15}\)

5. **Threat to Public Health and Safety.**

As detailed above, 249 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity.\(^\text{16}\) It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has

\(^{15}\) Available at Tab 3.

\(^{16}\) See police reports at Tab 8.
acknowledged that the property is in bad condition and not habitable. \textsuperscript{17} And, the property was closed to occupancy as “unfit” for dwelling in 2012.

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability.\textsuperscript{18} Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. \textit{Id.} It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

6. \textbf{Show No Willful Neglect.}

IRES has retained a tenant in the one inhabitable home to act as a caretaker. 249 is boarded and vacant. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well.\textsuperscript{19} IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. \textbf{Additional Applications/Bond.}

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

\begin{center}
Very Truly Yours,
\end{center}

\begin{center}
Bruce Baird
Brooke Johnson
\end{center}

Enclosures

\begin{flushleft}
\textsuperscript{17} See Email enclosed as Tab 13.
\textsuperscript{18} See Bishop Place Blight Survey enclosed as Tab 14.
\textsuperscript{19} See Salt Lake County Health Department Records enclosed as Tab 9.
\end{flushleft}
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives**—Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, Plan Salt Lake).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

> “Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- **Policy 3.3j:** Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

- **Policy 3.3l:** Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
Planning Staff Comment: These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

Planning Staff Comment: This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

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<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
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<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
</tr>
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| **The streetscape within the context of the historic preservation overlay district would not be negatively affected** | Does not comply. | The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West.  
In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West.  
Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole.  
Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district. |
| **The demolition would not adversely affect the historic preservation overlay district due to the surrounding noncontributing structures** | Does not comply. | The majority of the surrounding structures are contributing to the district.  
Any demolition of contributing structures in this area would adversely affect the Historic Preservation Overlay District. |
| **The base zoning of the site is incompatible with reuse of the structure** | Does not comply. | As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing.  
The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process. |
| **The reuse plan is consistent with the standards outlined in subsection H of this section** | Likely complies, to be determined. | The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’.  
Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48. |
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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant

<table>
<thead>
<tr>
<th>The denial of a certificate of appropriateness for demolition would cause an &quot;economic hardship&quot; as defined and determined pursuant to the provisions of subsection K of this section</th>
<th>To be determined.</th>
<th>Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition.</th>
</tr>
</thead>
</table>

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

   a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

   b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

   c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
• Notice mailed on April 6, 2017.
• Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
• Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer
Bonneville Research
170 South Main St. Suite 775
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair

Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,
Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission
From: Anthony Riederer - Principal Planner
(801) 535-7625 or anthony.riederer@slcgov.com
Date: April 20, 2017
Re: Petition PLNHLC2017-00023, Demolition of the Residential Structure at 259 W. Bishop Place

DEMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 259 W. Bishop Place
PARCEL ID: 08-36-254-024
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District & H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

"Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes."

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

"The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes."

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, gable roofed house with frame extensions. The building is constructed in what is generally considered the National style. Unlike the other buildings of the same style immediately to the east, this example is side-gabled and oriented with the front-entrance to the street. This style represents the period in which building forms common to American Folk architecture - and previously seen constructed of locally sourced materials - were adapted to the availability of milled lumber, brought with the advent of cross-continental railroad service.

According to the most recent survey of the Capitol Hill Historic District, completed in 2006, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey. Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. Although buildings of this type were occasionally relocated to house workers, no evidence was found indicating that the buildings were relocated to the site. (Attachment E)

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the reuse of the building and site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some
historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

Issue 1 – Integrity of the Building:

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

Issue 2 – Further Loss of Historic Resources:

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
Bishop Place, c. 1925

Bishop Place, current day
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.

**Issue 3 – Visibility from 300 West:**

The subject property is one of a number on the south side of Bishop Place that, on account of their consistent front yard setbacks, are clearly visible from 300 West.

The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

**NEXT STEPS:**

If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant
would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission's finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission's finding on the request for demolition would stand.

**ATTACHMENTS:**

A. Vicinity Map  
B. Historic District Map  
C. Survey Information  
D. Capitol Hill RLS – Results Maps  
E. Additional Staff Research  
F. Applicant Information  
G. Master Plan Discussion  
H. Analysis of Standards  
I. Public Process and Comments
ATTACHMENT B: HISTORIC DISTRICT MAP

![Map of Capitol Hill with a star indicating the approximate project location.](image-url)
ATTACHMENT C: SURVEY INFORMATION
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1
Street Address: 243 West Bishop Place
Name of Structure:
Present Owner:
Owner Address:
Year Built (Tax Record):
Legal Description
Effective Age:
Kind of Building:

2
Original Owner: Emily V.B. Harrison
Original Use: residence
Construction Date: 1904-1911
Demolition Date:
Preliminary Evaluation:
Final Register Status:

Photography:
Date of Slides:
Slide No.:
Date of Photographs: 1980
Photo No.:

Research Sources:
- Abstract of Title
- Sanborn Maps
- City Directories
- Biographical Encyclopedias
- Newspapers
- Utah State Historical Society
- Personal Interviews
- LDS Church Archives
- LDS Genealogical Society
- U of U Library
- BYU Library
- USU Library
- SLC Library
- Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Folk, Salt Lake City Directory, 1924.
Salt Lake County Plat Records, 1860-1940.

Researcher: Fred Aegerter

Date: 1980
Petition PLNHLC2017-00023, Demolition of the Residential Structure at 259 W. Bishop Place

Street Address: 243 Bishop Place

Architect/Builder:

Building Materials: asphalt fake brick siding over?

Building Type/Style:

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story gable roof residence with a symmetrical main facade and a small gabled entrance hood. There is a rear frame lean-to.

Statement of Historical Significance: Construction Date: 1904-1911

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1904 and 1911. There is a possibility that this house was moved from the site of the Denver Rio Grande station. The original owner of the property, when the house was erected, was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. She was the mother of at least three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Louis Obispo, California.

Emily deeded the home to Bower Investment Company in 1925. Bowers deeded to Zach Partington and his wife, Mildred Bishop Partington in 1933.
<table>
<thead>
<tr>
<th>Address/Property Name</th>
<th>Eval./OutB</th>
<th>Yr.(s)</th>
<th>Materials</th>
<th>Styles</th>
<th>Plan (Type)/Orig. Use</th>
<th>Survey Year</th>
<th>Comments/NR Status</th>
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<td>B 0/1</td>
<td>c. 1959</td>
<td>OVERSIZED BRICK</td>
<td>RANCH/RAMBLER (GEN.)</td>
<td>RANCH / RAMBLER SINGLE DWELLING</td>
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<td>N05A</td>
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<td>REGULAR BRICK</td>
<td>LATE 20TH C.; OTHER</td>
<td>BOXCAR APT.</td>
<td>06</td>
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<td>262 W ARDMORE PLACE</td>
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<td>ASBESTOS SIDING</td>
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<td>OTHER APT./HOTEL</td>
<td>06</td>
<td>262-264; PARCEL ADDRESS IS 356 N 300 W N05A</td>
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<td>JO BETH APARTMENTS</td>
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<td></td>
<td></td>
<td></td>
<td>MULTIPLE DWELLING</td>
<td>80</td>
<td>N05A</td>
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<td>B 0/0</td>
<td>c. 1910</td>
<td>REGULAR BRICK</td>
<td>20TH C.; OTHER</td>
<td>DOUBLE HOUSE / MULTIPLE DWELLING</td>
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<td>446-448 BALTI C COURT; CONSTRUCTION DATES: 1905-1911 N05</td>
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<td>N05</td>
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<td>REGULAR BRICK</td>
<td>20TH C. COMMERCIAL</td>
<td>OTHER</td>
<td>06</td>
<td>SERVICE BUILDING WITH GARAGE ENTRANCE; ATTACHED TO HOUSE AT 461 N 200 WEST N05</td>
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<td>N05</td>
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<tr>
<td>? 235 W BISHOP PLACE</td>
<td>B 1/0</td>
<td>c. 1910</td>
<td>ASPHALT SIDING</td>
<td>GREEK REVIVAL</td>
<td>OTHER RESIDENTIAL</td>
<td>06</td>
<td>ADDITION/2ND HOUSE ATTACHED ON EAST c. 1936: 237 N05A</td>
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<td>243 W BISHOP PLACE</td>
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<td>SHEATHED 1936? N05A</td>
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<td></td>
<td></td>
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<td>SINGLE DWELLING</td>
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</table>
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop's Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
SCHEDULE I.—Inhabitants in Salt Lake city, in the County of Salt Lake, State of Utah, enumerated by me on the second day of June, 1880.

[Handwritten signature]

Augustus A. Stanford, Enumerator.
Bishop Thomas, machinist, es 2d West bet 3d and 4th North
Petition PLNHLC2017-00023, Demolition of the Residential Structure at 259 W. Bishop Place
Evans & Spencer
HEADQUARTERS FOR
SPORTING GOODS.

FIRE ARMS of all descriptions, Ammunition, Powder, Shot, Wads, Primers.

FISHING TACKLE and BASE BALL GOODS, Boxing Gloves, Fencing Foils, Masks, Etc.

Agents for the VICTOR BICYCLE and TRICYCLES.
RUDGE BICYCLES and TRICYCLES, BICYCLES and TRICYCLES for Children.

Dog Collars, Playing Cards, Rubber Boots and Blankets, Sportmen's Clothing, and in fact all that the Sportsman wants.

Best Brands of FLOUR at Isaac Sears, 46 W. First South Street.

BISHOP

Bishop Frederick T., boiler maker, Haynes & Son, r. 494 N. Second West
Bishop George F., carp., r. 660 N. Second West
Bishop Henry, Jennings Slaughter House, r. 35 Cain
Bishop James, steam fitter David James & Co., r. 613 W. First North
Bishop John, painter, r. 375 N. Second West
Bishop Thomas, lab., r. 35 Cain
Bishop Thomas, well borer, r. 434 N. Second West
Bisig Lewis, coller man A. Fisher Brewing Co., r. Brewery
Bithell Joseph, miner, r. 537 E. Fifth East
Bivens Catharine Mrs., r. 447 S. Fifth East
Bivens Frank, pressman, r. 447 S. Fifth East
Bjorklund Sam, barber, 222 S. Main, r. 276 W. First South
Black Diamond Coal and Coke Co., 231 S. Main
BLACK GEO. A., mining opr. r. 136 Third East
Blackham James, r. 41 E. First North
Blackhurst Brigham, r. 123 W. Fourth South
Blackhurst Hiram, r. 123 W. Fourth South
Blackman James, servant 436 S. West Temple
Blair Ada Miss, hair worker, Mrs. W. B. Wilkinson, r. 157 S. Fourth West
Blair Edward, mason, Temple blk, r. rear 157 S. Fourth West
Blair Martha Mrs., wid., r. rear 157 S. Fourth West
Blake Benjamin, lab. r. 304 S. First West
Blake G., drayman, r. 462 S. Second West
Blake Samuel, teamster Mountain Ice Co. r. Parleys Canyon
Blake Wesley, U. S. Signal Service, r. 112 W. South Temple
Blake Wm., potter, Frederick Peterson, r. 304 S. First West
Blandin Chas., atty. 107 S. Main, r. 109 W. North Temple
Blanchard Lord, junior, court house, r. 72 W. Fifth South
Blasie Bella, domestic 69 W. Fifth South
Blattner Rudolph, musician, r. bet. 11 and 12 East cn Third South
Bluyer Betsy Mrs., wid., r. 729 W. Second North
Blosard Mark H., carp., r. 517 S. West Temple
Blosesoe J. Franklin, carp., r. 237 S. Sixth East
Blicker Johann, chamber maid, Walker House
BLOHM F. W. Rev. Baptist Missionary Scandinavian, r. 451 W. Third South
Blomont Robert, lab. Third South, cor. Eighth West
Boxham Humphrey, lab. r. 147 S. West Temple
Blunt Henry, shoemkr. r. 74 N
Blunt Joseph, shoemkr. r. 74 N

Clift House, $2.00
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.

Bishop Francis M,
Assayer 156 S West Temple, res 450 E 11th South.
(See right side lines.)
— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, gardener 308 S West Temple and 176 W 5th South, res 176 W 5th South.
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Petition PLNHLC2017-00023, Demolition of the Residential Structure at 259 W. Bishop Place

Bishop Lyles student b 311 Eilm M.
Mrs Macrums 336 Whittaker St.
Margaret steno Dennis Bro Bag Co b 4958
Foplar M.
Maria (wid Tosh) rms 611 W Capitol.
Mary (wid John) b 726 W So Temple.
Matt farmer b 460 Germania av M.
Matt T Carmen r 371 Elm M.

Melvin 10th Alliance Coal Co r 248 Bishop St.
Mrs Minnie Walter Quinn's Lunch Rm
Rms Manx Hotel.
Morris hlmkrk b 726 W So Temple.
Myrtle emp Mut Creamery b 726 W So Temple.
M H Forman U S S Co r Murray.
Oel E eng D & R G R Garfield.
Orson lab Morrison, Merrill & Co d 435
N 2d West.
Paul cond rms Belmont Hotel.
Ralph slnn H A Tuckett Co r 128 Jackson
av.
Roy colly r 1366 Ramona av.

Sarah J (wid Wm H) b 4958 Poplar M.
Sidney E ydyan Alliance Coal Co r 257
Bishop St.

Thos D died Feb 2 '20 age 28.
Vera elk J C Penney Co b Murray.
Vera W student b 4958 Poplar M.
Bishop's Building 40 N Main.
Bismark Chas M elk Hemenway & Moser
Co rms 21 N State.
Bissess Andw X lab 0 S Co rms Garfield.
Bissell Chas E cond D & R o 824 Wash-
ington.

Enid steno Tyng Warehouse & Storage Co
b 824 Washington.
Grace steno b 824 Washington.
Maria (wid Harry) r 450 Center.
Mary E steno rms 8 Keith Apts.
Bissell Arch L drftmmn 0 S L rms 416
11th East.
Nancy O dkpr Int-Mtn Whl Co rms 376
E 3d So.
Bisninger see also Bisninger.
BISINGER & CO John McCarty Mog. Tann-
ers and Wool Pullers, Dealers in Sheep Skins, Wool, Tallow, Hides and
Furs, 737 S 3d West, Tels Was 906
and 1001, P O Box 1212. (See front
cover.)

Bissinger & Company

HIDES

737 S 3rd West Phone Was. 996 Salt Lake City

BURTON LUMBER CO.

WHOLESALE LUMBER

319-322 Newhouse Building Salt Lake City

PACIFIC LUMBER

PRODUCTS

319-322 Newhouse Building Salt Lake City
259 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 259 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 259 Bishop Place. Please consider this letter to be IRES' demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 259 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded home constructed of wood shingles over deteriorating cut stone masonry. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 259 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create additional interior living space, and is sagging and on the verge of collapse. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.

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1 259 Bishop Place has sometimes been listed as 253 Bishop Place in Historical Society Records enclosed as Tab 2(d).
IRES purchased 259 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated. IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 259 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

There are limited or no historic elements remaining in the home at 259 Bishop. In fact, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place. The Historical Society’s report from 1980 notes that there have been “major alterations.” This is accurate—there have been numerous additions to the home that have compromised the previously-existing historic elements. Exterior doors and windows have been replaced and are no longer historic. A few examples of the significant changes made to this home are as follows:

---

3 See 259 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(d).
4 Please see the attached photos regarding the site and property enclosed as Tab 3.
A poorly constructed addition includes newer windows and exposed manufactured wood:
Removal of historic windows that do not fit the original design:

More evidence of replaced windows:

This home also shows significant signs of use by transients over the last decade, including the presence of human feces, and evidence of methamphetamine use.

Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was
accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. The cement footings can be seen in these photographs:

Contrary to the intention, this material did not provide structural support for the home. To properly create footings for 259 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.
Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The cut stone masonry is deteriorating, causing the home to sag and lean.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic on the property. The home does not contain distinctive
characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so deteriorated that much of it could not be salvaged in a remodel.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 259 Bishop. First, 259 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.” This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of the historic district, and particularly the

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5 Photographs of the streetscape are enclosed as Tab 3.
6 See Salt Lake City Corporation Building Permit Inspection Listing. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of the property because there is an existing home with the address 248 W. Bishop enclosed as Tab 4.
7 See Capitol Hill Historic District Criteria enclosed as Tab 5.
western edge along 300 West. In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

    Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutiny than would a project that would impact the character of the district.

Here, 259 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.

Also, as reflected in the minutes, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The modern Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for 259 Bishop would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 259 Bishop.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

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8 See December 7, 1983 Meeting Minutes enclosed as Tab 6.
9 See Historic Survey enclosed as Tab 2(d).
10 Photographs of these noncontributing structures are enclosed as Tab 3.
IRES boarded the vacant 259 Bishop in 2015 in an effort to preserve the building. The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood. In 2012, the Salt Lake City Police Department cleared transients from the homes. The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.” Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.”

IRES made every effort to secure 259 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 259 Bishop and the surrounding homes. 259 Bishop has 1,200 square feet above ground and 290 square feet in the basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $238,788.00. Based on current calculations, IRES cannot rehabilitate 259 Bishop for less than $156,849.83. This amount does not include the cost of upgrading the infrastructure and road or acquisition costs. With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

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11 See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
12 Please see police reports for the last 4 years enclosed as Tab 7.
13 See Salt Lake County Health Department Records enclosed as Tab 9.
14 See Notification of Premises Closed to Occupancy enclosed as Tab 10.
15 See Breakdown of Costs for Property enclosed as Tab 11(e).
16 A breakdown of the estimated expenses is enclosed as Tab 12.
3. **Show Integrity of the Structure.**

Comparing the historic photograph to current photographs reveals that there is nothing historic remaining to preserve. This black and white photograph of the side of 259 Bishop shows the original windows and intact siding that is no longer present on the property.

![Historic Photograph](image)

4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.\(^{17}\)

5. **Threat to Public Health and Safety.**

As detailed above, 259 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity.\(^{18}\) It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable.\(^{19}\) And, the property was closed to occupancy as "unfit" for dwelling in 2012.

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability.\(^{20}\) Bonneville Research found "substantial physical dilapidation, deterioration, or defective construction of buildings" present in all of the parcels on Bishop Place. *Id.* It also determined that all of the parcels on Bishop Place exhibit four or more to the

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\(^{17}\) Available at Tab 3.

\(^{18}\) See police reports enclosed as Tab 8.

\(^{19}\) See Email enclosed as Tab 13.

\(^{20}\) See Bishop Place Blight Survey enclosed as Tab 14.
legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace in the developing area.

6. **Show No Willful Neglect.**

259 Bishop is boarded and vacant. The property was already run down and unsafe when purchased by IRES. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well. IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. **Additional Applications/Bond.**

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures

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21 See Salt Lake County Health Department Records enclosed as Tab 9.
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives**—Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, Plan Salt Lake).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
Policy 3.3j: Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

Policy 3.3l: Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
**Planning Staff Comment:** These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

**Planning Staff Comment:** This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
</tr>
</tbody>
</table>
| The streetscape within the context of the historic preservation overlay district would not be negatively affected | Does not comply. | The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West. 
In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West. 
Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole. 
Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district. |
| The demolition would not adversely affect the historic preservation overlay district due to the surrounding noncontributing structures | Does not comply. | The majority of the surrounding structures are contributing to the district. 
Any demolition of contributing structures in this area would adversely affect the Historic Preservation Overlay District. |
| The base zoning of the site is incompatible with reuse of the structure | Does not comply. | As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing. 
The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process. |
| The reuse plan is consistent with the standards outlined in subsection H of this section | Likely complies, to be determined. | The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’. 
Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48. |
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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant

| The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section | To be determined. | Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition. |

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

   a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

   b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

   c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer  
Bonneville Research  
170 South Main St. Suite 775  
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair  
Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,
Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
DEOMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 265/267 W. Bishop Place
PARCEL ID: 08-36-254-022 and 08-36-254-023
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District & H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one story, double-house bungalow constructed of brick. Featuring a hip roof and symmetrical façade, the building has stylistic elements that link it to the Craftsman style common in residential architecture at the time of construction.

In the narrative that accompanied the most recent survey of the Capitol Hill Historic District, completed in 2006, this building was also specifically identified as a significant example of this type of residential structure. The narrative says in part:

“An important trend which began in the 1920s was the conversion of single-family dwellings to multi-family housing. Census records, city directories, and building permits illustrate that this mainly occurred in the form of basement apartments in older houses. The need for housing stock close to the city during this period is indicated by the relatively high-number of multi-housing units constructed during this period. Several double house bungalows were also constructed during this period. The best examples are located at 265-267 West 400 North, 324-326 West 600 North, 263-265 West Bishop Place and 708-710 North 300 West, all built of brick in the 1920s.”

According to the 2006 survey, the residential structure on the property is rated “A” or “Architecturally Significant, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey.

Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E)

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the reuse of the building and site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register
as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

Issue 1 – Integrity of the Building:

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

Issue 2 – Further Loss of Historic Resources:

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.
Issue 3 – Visibility from 300 West:

The subject property is one of a number on the south side of Bishop Place that, on account of their consistent front yard setbacks, are clearly visible from 300 West.

The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

NEXT STEPS:
If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic...
Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT B: HISTORIC DISTRICT MAP

CAPITOL HILL

★ Approximate Project Location
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1

Street Address: 265-67 Bishop Place
Name of Structure:
Present Owner:
Owner Address:
Year Built (Tax Record):
Legal Description
Effective Age:
Kind of Building:

2

Original Owner: Samuel Holmes
Original Use: duplex
Construction Date: 1927
Demolition Date:
Present Use: duplex
Building Condition:
Integrity:
Preliminary Evaluation:
Final Register Status:

3

Photography:
Date of Slides:
Slide No.:
Date of Photographs: Spring '80

Research Sources:
- Abstract of Title
- Plat Records/Map
- Tax Card & Photo
- Building Permit
- Sewer Permit
- Sanborn Maps
- City Directories
- Biographical Encyclopedias
- Obituary Index
- County & City Histories
- Newspapers
- Utah State Historical Society
- Personal Interviews
- LDS Church Archives
- LDS Genealogical Society
- U of U Library
- BYU Library
- USU Library
- SLC Library
- Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):
Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1928, 1930.

Researched: Fred Aegerter
Petition PLNHLC2017-00023, Demolition of the Residential Structure at 265/267 W. Bishop Place

Date: 6/80
Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story bungalow style duplex with a hip roof and symmetrical facade. The hipped roof entrance portico has battered supports.

Statement of Historical Significance:
Construction Date: 1927

From evidence of title, city directories, and Sanborn maps, this duplex appears to have been built in 1927. The original owner of the duplex appears to have been Samuel Holmes. The first residents of the home were Joseph A. Anderson and Wade H. Pickett. Samuel Holmes was born April 8, 1858, in Enfield Highway, Middlesex, England. He came to Utah in 1876. He married Mary Louise Deeks on September 23, 1880. After Mary died he married Lucy Widdison in 1918. He was employed with the Utah Central Railway and in 1889, he opened up Holmes Boiler Company. He worked there until 1933. He was a member of the L.D.S. Church. He died May 7, 1935.
<table>
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<tr>
<th>Address/Property Name</th>
<th>Eval./OutB Yr.(s)</th>
<th>Materials</th>
<th>Styles</th>
<th>Plan (Type)/Survey Year</th>
<th>Comments/Status</th>
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<td>248 W BISHOP PLACE</td>
<td>A 0/1 1895</td>
<td>SHINGLE SIDING DROP/NOVELTY SIDING</td>
<td>VICTORIAN ECLECTIC SIDE PASSAGE/ENTRY</td>
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<td>B 0/0 1 1900 c. 1943</td>
<td>ASBESTOS SIDING</td>
<td>GREEK REVIVAL Victorian: OTHER Hall-Parlor Single Dwelling</td>
<td>06 SHEATED IN 1943? N05A</td>
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<td>258 W BISHOP PLACE</td>
<td>B 0/0 1 1900 c. 1943</td>
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<td>262 W BISHOP PLACE</td>
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<td>ALUM./VINYL SIDING ASBESTOS SIDING</td>
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<td>265 W BISHOP PLACE</td>
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<td>BUNGALOW</td>
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<td>06 DOUBLE HOUSE A 265-267 W N05A</td>
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<td>135 N CANYON ROAD</td>
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<td>REGULAR BRICK</td>
<td>MANSARD</td>
<td>OTHER APT./HOTEL</td>
<td>06 SOUTH BLDG; ASSOCIATED WITH 155 N CANYON ROAD</td>
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<td>MULTIPLE DWELLING</td>
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<td>REGULAR BRICK</td>
<td>MANSARD</td>
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<td>06 NORTH BLDG; ASSOCIATED WITH 155 N CANYON ROAD</td>
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<td>VICTORIA HOUSE</td>
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<td>MANSARD</td>
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<td>MULTIPLE DWELLING</td>
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<td>160 N CANYON ROAD</td>
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<td>MONUMENT</td>
<td>06 DUP PLAQUE IN NEWER GRANITE BASE; LOCATED IN CITY CREEK CANYON PARK MEDIAN</td>
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<td>CRISMON MILL SITE MARKER</td>
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<td>MONUMENT/MARKER</td>
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Petition PLNHLC2017-00023, Demolition of the Residential Structure at 265/267 W. Bishop Place
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
### Schedule 1: Inhabitants in Salt Lake City, in the County of Salt Lake, State of Utah

Enumerated by me on the second day of June, 1880.

**Augustus Stanford**

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Sex</th>
<th>Race</th>
<th>Color</th>
<th>F. Name</th>
<th>Marital Status</th>
<th>Occupation</th>
<th>Education</th>
<th>Religion</th>
<th>Birthplace</th>
<th>Father's Name</th>
<th>Mother's Name</th>
<th>Spouse's Name</th>
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<th>Borough</th>
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<td>John Smith</td>
<td>42</td>
<td>M</td>
<td>W</td>
<td></td>
<td>Jane</td>
<td>Single</td>
<td>Laborer</td>
<td>2 yrs</td>
<td>Christian</td>
<td>England</td>
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<td>Mary Brown</td>
<td>35</td>
<td>F</td>
<td>W</td>
<td></td>
<td>Robert</td>
<td>Married</td>
<td>Blacksmith</td>
<td>1 yr</td>
<td>Christian</td>
<td>England</td>
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<tr>
<td>Joseph Johnson</td>
<td>58</td>
<td>M</td>
<td>W</td>
<td></td>
<td>Elizabeth</td>
<td>Widowed</td>
<td>Farmer</td>
<td>10 yrs</td>
<td>Christian</td>
<td>England</td>
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<td>Emily Davis</td>
<td>30</td>
<td>F</td>
<td>W</td>
<td></td>
<td>James</td>
<td>Unmarried</td>
<td>Teacher</td>
<td>2 yrs</td>
<td>Christian</td>
<td>England</td>
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<td>William Peters</td>
<td>21</td>
<td>M</td>
<td>W</td>
<td></td>
<td>Sarah</td>
<td>Married</td>
<td>Clergyman</td>
<td>8 yrs</td>
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Note: **The Census Year begins June 1, 1880, and ends May 31, 1880.**

Note B: Descriptive race, color, and occupation of individuals were not included. Members of Families who have died since June 1, 1880, will be included.

Note C: Questions No. 18, 22, 23, 24, 25, 26, and 27 are not to be asked in respect to persons under 10 years of age.
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.
Bishop Francis M,
Assayer 156 S West Temple, res 450 E 11th South.
(See right side lines.)
— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, gamer 308 S West Temple and 176 W 5th South, res 176 W 5th South.
### SCHEDULE No. 1—POPULATION.

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<th>NAME</th>
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- Township or other division of county:
- Name of incorporated city, town, or village, within the above-named division: Salt Lake City
- Enrolled by me on the 3rd day of June, 1900, by Charles M. Cummings, Enumerator.
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THIRTEENTH CENSUS OF THE UNITED STATES: 1910 - POPULATION

DEPARTMENT OF COMMERCE AND LABOR - BUREAU OF THE CENSUS
265-267 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 265-267 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 265-267 Bishop Place. Please consider this letter to be IRES' demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 265-267 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded duplex constructed of brick and concrete. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. Built in 1927, the property does not match the style of the other homes on Bishop Lane. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 265-267 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the other homes on the street lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated.¹ IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of all the structures on Bishop Place, including 265-267 Bishop, is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

This duplex, like many homes on Bishop Place, has deteriorated past the point of restoration. This home also shows significant signs of use by transients over the last decade, including the presence of human feces, and evidence of methamphetamine use.

Previous owners have added on to this property without regard for historic elements. For example, a poorly constructed addition was built on the back of the duplex:
Windows and doors have been removed and replaced:

Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. There has been significant movement in the structural support of the home. The age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.
As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman.

2. *The streetscape within the context of the H historic preservation overlay district would not be negatively affected.*

The streetscape of 300 West would not be negatively affected by the demolition of 265-267 Bishop.² First, 265-267 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.”² This demolition took place two

² Photographs of the streetscape are enclosed as Tab 3.
months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West. In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district.

Here, 265-267 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

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3 See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property because there is a currently-listed home at 248 W. Bishop.

4 See Capitol Hill Historic District Criteria enclosed as Tab 5.

5 See December 7, 1983 Meeting Minutes enclosed as Tab 6.

6 See Historic Survey enclosed as Tab 2(h)

7 Photographs of these noncontributing structures are enclosed as Tab 3.
4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 265-267 Bishop.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 265-267 Bishop in 2015 in an effort to preserve the building. The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for transient high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood. In 2012, the Salt Lake City Police Department cleared transients from the homes. The police noted that the homes on Bishop were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.” Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.” Id.

IRES made every effort to secure 265-267 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

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8 See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
9 Please see police reports for the last 4 years enclosed as Tab 8.
10 See Salt Lake County Health Department Records enclosed as Tab 9
11 See Notification of Premises Closed to Occupancy enclosed as Tab 10.
7. The denial of a certificate of appropriateness for demolition would cause an "economic hardship" (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 265-267 Bishop and the surrounding homes. Each side of 265-267 Bishop has 1,640 square feet above ground and 460 square feet in the basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $652,687.20. Based on current calculations, IRES cannot rehabilitate 265-267 Bishop for less than $112,688.17 for each unit, for a total of $225,376.34.\textsuperscript{12} This amount does not include the cost of upgrading the infrastructure and road or acquisition costs.\textsuperscript{13} With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. Show Integrity of the Structure.

Years of neglect and vacancy have contributed to the deterioration of the brickwork and loss of historic elements. It is simply a rundown duplex.

\textsuperscript{12} See Breakdown of Costs for Property enclosed as Tab 11(h).
\textsuperscript{13} A breakdown of the estimated expenses is enclosed as Tab 12.
4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.\(^{14}\)

5. **Threat to Public Health and Safety.**

As detailed above, 265-267 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity.\(^{15}\) It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion

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\(^{14}\) Available at Tab 3.

\(^{15}\) See police reports at Tab 8.
Goff, has acknowledged that the property is in bad condition and not habitable.\(^{16}\) And, the property was closed to occupancy as “unfit” for dwelling in 2012.

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability.\(^{17}\) Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. \textit{Id.} It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

6. Show No Willful Neglect.

IRES has retained a tenant in the one inhabitable home to act as a caretaker. 265-267 is boarded and vacant. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well.\(^{18}\) IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. Additional Applications/Bond.

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures

\(^{16}\) See Email enclosed as Tab 13.
\(^{17}\) See Bishop Place Blight Survey enclosed as Tab 14.
\(^{18}\) See Salt Lake County Health Department Records enclosed as Tab 9.
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives** – Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

> “Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
Policy 3.3j: Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

Policy 3.3l: Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
**Planning Staff Comment:** These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

**Action 1:** As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

**Planning Staff Comment:** This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The 2006 Capitol Hill survey rates the subject building as “A”, which indicates an architecturally significant and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The 2006 survey also identifies this as one of the best remaining examples of a double-house bungalow in Salt Lake City.</td>
</tr>
</tbody>
</table>

Petition PLNHLC2017-00023, Demolition of the Residential Structure at 265/267 W. Bishop Place
| The streetscape within the context of the historic preservation overlay district would not be negatively affected | Does not comply. | The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West.

In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West.

Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole.

Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district. |
| --- | --- | --- |
| The demolition would not adversely affect the historic preservation overlay district due to the surrounding noncontributing structures | Does not comply. | The majority of the surrounding structures are contributing to the district.

Any demolition of contributing structures in this area would adversely affect the Historic Preservation Overlay District. |
| The base zoning of the site is incompatible with reuse of the structure | Does not comply. | As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing.

This duplex is built across two lots, one of which has sufficient area to comply with the base zoning and one of which does not. Though the undersized lot would be considered legal non-conforming lots, and could be developed.

The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process. |
| The reuse plan is consistent with the standards outlined in subsection H of this section | Likely complies, to be determined. | The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’.

Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48. |
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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant

| The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section | To be determined. | Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition. |

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.

Petition PLNHLC2017-00023, Demolition of the Residential Structure at 265/267 W. Bishop Place
March 8, 2017

Mr. Bob Springmeyer
Bonneville Research
170 South Main St. Suite 775
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair
Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,

Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission
From: Anthony Riederer - Principal Planner
        (801) 535-7625 or anthony.riederer@slcgov.com
Date: April 20, 2017
Re: Petition PLNHLC2017-00031, Demolition of the Residential Structure at 432 North 300 West

DEMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 432 North 300 West
PARCEL ID: 08-36-254-009
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District & H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:

International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the narrative are included in Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a two-story bungalow constructed of brick. Featuring hipped roof, projecting eaves, and exposed roof beams, the building has significant character-defining features that link it to the Craftsman style common in residential architecture at the time of construction.

According to the 2006 survey, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey.

Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E)

The subject property is located fronting onto 300 West, at Bishop Place. Bishop Place is a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the reuse of the building and site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest
of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

Issue 1 – Integrity of the Building:

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

Issue 2 – Further Loss of Historic Resources:

The subject property is one of nine properties proposed for demolition on or along Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.
Issue 3 – Visibility from 300 West:

The subject property, by virtue of its location, is plainly visible from 300 West and is a significant presence on the block face.

It suggests an entrance feature to Bishop Place and, along with the other members of the intact ensemble of buildings, tells an important story about the development of the district, Salt Lake City, and American domestic architecture. The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

NEXT STEPS:

If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.
If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT B: HISTORIC DISTRICT MAP

CAPITOL HILL

🌟 Approximate Project Location
Petition PLNHLC2017-00031, Demolition of the Residential Structure at 432 North 300 West

Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1

Street Address: 432 North 300 West

Name of Structure:

Present Owner: Lola and Parley Droubay
c/o Grant Butters

Owner Address: 600 S 1100 E
Bountiful, UT 84010

Year Built (Tax Record): 1913
Effective Age: 
Legal Description

Kind of Building:

2

Original Owner: Leo A. Jones

Original Use: residence

Construction Date: 1913

Demolition Date: 

Present Use: residence

Building Condition: Good
Integrity: Unaltered

Preliminary Evaluation: Contributory

Final Register Status: National Landmark

3

Photography: Spring '80

Views: Front Side Rear Other

Research Sources:

✓ Abstract of Title
✓ Sanborn Maps

✓ Plat Records/Map
✓ City Directories

✓ Tax Card & Photo
✓ Biographical Encyclopedias

✓ Building Permit
✓ Obituary Index

✓ Sewer Permit
✓ County & City Histories

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1913, 1914.
This is a one and a half story Bungalow which shows the influence of the Craftsman style. It has a gable roof and a large front dormer. Gables have large wooden brackets, and rafter ends are left exposed in the eaves for decorative effect. The wide front porch has squat wooden columns on brick railing walls. There is a curved south side bay window.

—Thomas W. Hanchett

From the evidence of a building permit entry, this house was built in 1913. The one story brick home is listed as costing $4,000. The original owner is listed as W.H. Jones, although the title of the land was given to Leo A. Jones and he is listed as the first resident.

Leo A. Jones was born March 8, 1878, in Salt Lake City. He was a son of William and Lucy Patmore Poulton Jones. He married Mabel Whipple on December 11, 1901. Jones was employed as a jeweler for 73 years. He was the father of four daughters. He died September 1, 1970. Jones lived in this house through 1940.
<table>
<thead>
<tr>
<th>Address/Property Name</th>
<th>Eval./Ht</th>
<th>OutB N/C</th>
<th>Yr.(s) Built</th>
<th>Materials</th>
<th>Styles</th>
<th>Plan (Type)/Orig. Use</th>
<th>Survey Year</th>
<th>Comments/ NR Status</th>
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<td>SIDE PASSAGE/ENTRY</td>
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ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
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<th>Name</th>
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<th>Occupation</th>
<th>Relationship</th>
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SCHEDULE 1.—Inhabitants in Salt Lake City, in the County of Salt Lake, State of Utah, enumerated by me on the second day of June, 1880.

Augustus Standard, Enumerator.
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.
**Bishop Francis M**, Assayer 156 S West Temple, res 450 E 11th South.

(See right side lines.)

— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, gardener 308 S West Temple and 176 W 5th South, res 176 W 5th South.
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**DEPARTMENT OF COMMERCE AND LABOR—BUREAU OF THE CENSUS**

**THIRTEENTH CENSUS OF THE UNITED STATES: 1910 POPULATION**

**SUPPLEMENTARY SHEET**

**SUPERINTENDENT OF THE CENSUS**

**ENQUIRER**

**SUPPLEMENTARY DISTRICT**

**INTEGRITY OF THE CENSUS**

**GUARANTEE**

**CITY OF** Salt Lake City

**WARD OF** 1

**ENQUIRER**

**STATE** Utah

**COUNTY** Salt Lake

**TOWNSHIP** 2

**SHEET NO.** 4

**ENQUIRER**

**NUMERICAL ORDER** 283

**DATE OF ENUMERATION** April 21, 1910

**NUMBER OF HOUSEHOLD** 2

**NUMBER OF INSTITUTION** 2

**NUMBER OF OCCUPATION** 2

**NUMBER OF EDUCATION** 2

**NUMBER OF OCCUPATION DETAILS** 2
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432 N. 300 W.
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 432 North 300 West Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. (“IRES”), the owner of the property located at 432 North 300 West Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 432 North 300 West is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded home constructed of brick. It is located on the edge of a small lane, Bishop Place, in Salt Lake City’s Marmalade district on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 432 North 300 West has a faulty foundation, improper structural support, and numerous unapproved additions that detract from any historic elements that may have existed at one time. This property attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 432 North 300 West in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans, stating that the home's foundational issues were a hazard.¹ IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 432 North 300 West is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

This home, like many others on Bishop Place, lacks historic character and has deteriorated past the point of restoration. Doors and many windows have been replaced.²

² See 432 N. 300 W. Historical Society Structure/Site Information Form enclosed as Tab 2(i).
Additions have been made that are poorly constructed and not historical.
The foundation of the home shows significant movement. The north side of the home reveals significant bowing, mortar has deteriorated and bricks are falling off the home as the corner walls draw away from each other.

The interior of the home illustrates this movement with large cracks and gaps in the ceiling, and noticeably slanting floors. Three licensed engineers have inspected the home and pointed out numerous issues with the structural integrity of the home. Also, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman.
2. *The streetscape within the context of the H historic preservation overlay district would not be negatively affected.*

The streetscape of 300 West would not be negatively affected by the demolition of 432 North 300 West. First, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Next, because this property is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.” This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. *The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.*

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West. In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district.

The City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area.

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3 Photographs of the streetscape are enclosed as Tab 3.
4 See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property because there is a currently-listed home at 248 W. Bishop.
5 See December 7, 1983 Meeting Minutes enclosed as Tab 6.
surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 432 North 300 West.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 432 North 300 West in 2015 in an effort to preserve the building. The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood. In 2012, the Salt Lake City Police Department cleared transients from the homes. The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.” Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.”

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6 Photographs of these noncontributing structures are enclosed as Tab 3.
7 See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
8 Please see police reports for the last 4 years enclosed as Tab 8.
9 See Salt Lake County Health Department Records enclosed as Tab 9.
10 See Notification of Premises Closed to Occupancy enclosed as Tab 10.
IRES made every effort to secure 432 North 300 West, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 432 North 300 West and the surrounding homes. 432 North 300 West has 2,256 square feet above ground and 1450 square feet in the basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $448,921.44. However, based on current calculations and the significant structural issues that have resulted in a sinking home, IRES cannot rehabilitate 432 North 300 West. With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. Show Integrity of the Structure.

Deterioration of the structure, non-historic additions, and the serious issues with the foundation and impact on the brickwork have undermined the historical and structural integrity of the home.

4. Show Streetscape Condition.

See photographs showing the streetscape and surrounding contributing and noncontributing structures.1

5. Threat to Public Health and Safety.

As detailed above, 432 North 300 West is a threat to public health and safety. The boarded home formerly housed a rehabilitation facility. Now, vacant but facing 300 West, it is the location of continuing criminal activity.2 It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable.3 And, the property was closed to occupancy as “unfit” for dwelling in 2012.

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1 Available at Tab 3.
2 See police reports at Tab 8.
3 See Email enclosed as Tab 13.
Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability\textsuperscript{14}. Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. \textit{Id.} It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

6. \textbf{Show No Willful Neglect.}

432 N. 300 W. is boarded and vacant. The property was already run down and unsafe when purchased by IRES. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well\textsuperscript{15}. IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. \textbf{Additional Applications/Bond.}

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

\begin{flushright}
Very Truly Yours,
\end{flushright}

\begin{flushright}
Bruce Baird
Brooke Johnson
\end{flushright}

Enclosures

\textsuperscript{14} See Bishop Place Blight Survey enclosed as Tab 14.
\textsuperscript{15} See Salt Lake County Health Department Records enclosed as Tab 9.
While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives**—Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- Policy 3.3j: Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

  Policy 3.3l: Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
Planning Staff Comment: These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

Planning Staff Comment: This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

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<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
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<td><strong>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</strong></td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
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| The streetscape within the context of the H historic preservation overlay district would not be negatively affected | Does not comply. | The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West.

In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West.

The demolition of this structure, a significant and contributing presence on the block face, would have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole.

Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district. |

| The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures | Does not comply. | The majority of the surrounding structures are contributing to the district.

Any demolition of contributing structures in this area would adversely affect the H – Historic Preservation Overlay District. |

| The base zoning of the site is incompatible with reuse of the structure | Does not comply. | As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing.

The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process. |

| The reuse plan is consistent with the standards outlined in subsection H of this section | Likely complies, to be determined. | The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond 'after receiving approval for demolition'.

Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48. |
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,
(3) Failure to diligently solicit and retain tenants, and
(4) Failure to secure and board the structure if vacant

| The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section | To be determined. | Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition. |

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

   a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

   b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

   c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer
Bonneville Research
170 South Main St. Suite 775
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair

Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,
Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission  
From: Anthony Riederer - Principal Planner  
(801) 535-7625 or anthony.riederer@slcgov.com  
Date: April 20, 2017  
Re: Petition PLNHLC2017-00027, Demolition of the Residential Structure at 262 W. Bishop Place

DEMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 262 W. Bishop Place  
PARCEL ID: 08-36-254-017  
HISTORIC DISTRICT: Capitol Hill Historic District  
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District &  
H – Historic Preservation Overlay District  
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the applicant’s narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
LOCATION MAP

Petition PLNHLC2017-00027, Demolition of the Residential Structure at 262 W. Bishop Place
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, pyramidal roofed house clad in wood siding. The building is constructed in what is generally considered the National style. This style represents the period in which building forms common to American Folk architecture - and previously seen constructed of locally sourced materials - were adapted to the availability of milled lumber, brought with the advent of cross-continental railroad service.

According to the 2006 survey, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey.

Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E)

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the reuse of the building and site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street,
and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

Issue 1 – Integrity of the Building:

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

Issue 2 – Further Loss of Historic Resources:

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.

**Issue 3 – Visibility from 300 West:**
On account of its proximity to 300 West and nearness to the Bishop Place cart way, this building is quite visible from 300 West.

The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

**NEXT STEPS:**

If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.
ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT A: VICINITY MAP
ATTACHMENT B: HISTORIC DISTRICT MAP

[Map of Capitol Hill with star indicating approximate project location]
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1

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3

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<td>Salt Lake County Plat Records, 1860-1940.</td>
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<td>☑ Plat Records/Map</td>
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<td>☑ Tax Card &amp; Photo</td>
<td>Polk, Salt Lake City Directory, 1911, 1917, 1924.</td>
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<td>☑ LDS Genealogical Society</td>
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Date: 6/80
**Description of physical appearance & significant architectural features:**
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story square plan house with a hip roof and carport extension to the east. There have been major window alterations.

---

**Statement of Historical Significance:**

From evidence of title, city directories, and Sanborn Maps, this house was built between 1898 and 1911. There is a possibility that this house was moved to its present location from the site of the Denver Rio Grande station. The first resident of the house appears to have been Amanda Charlotte Fagerstrom Bishop.

Amanda was born March 1, 1866, in Sweden. She was a daughter of Erich and Sophia Carlson Fagerstrom. Amanda came to Utah in 1887. She married Thomas Bishop in 1898. She was a member of the L.D.S. Church. She died on May 4, 1951, in Bountiful, Utah. Three children survived her. The Bishop family has continued to own the house.
### Architectural Survey Data for SALT LAKE CITY

**Utah State Historic Preservation Office**

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<th>Styles</th>
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Petition PLNHLC2017-00027, Demolition of the Residential Structure at 262 W. Bishop Place
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
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<td>47</td>
<td>M</td>
<td>White</td>
<td>Head</td>
<td>Member</td>
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<tr>
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Enumerated by me on the second day of June, 1880.

Augustus Stafford, Enumerator.
ELIAS MORRIS,
BUILDER AND CONTRACTOR,
Manufacturer of

Dealer in Portland Cement,
MANTELS & GRATES,
Grave and Monumental Work.

TERMS CASH.

GEO. A. LOWE,
Agent for and Dealer in the

SCHUTTLER FARM AND FREIGHT WAGONS,
Columbus Buggies and Phaetons.

A full and complete assortment of Ames Steam Engines, Cooper Saw Mills, Lane Saw and Shingle Mills, Lath Mills, Knowles Steam Pumps, Buckeye Reapers, Mowers and Self Binders, Sweepstakes Threshers, Minnesota Chief threshers, Dederick Hoisting Engines, Dederick Perpetual Hay Balers, Leppel Turbine Wheels, Flouring Mill Machinery. Correspondence Solicited.

Address to GEO. A. LOWE,
Salt Lake City or Ogden, Utah.

Bishop Thomas, machinist, es 2d West bet 3d and 4th North
Bishop James, plumber, es 5th West bet 8 T and N T
Bishop F. M. assayer, ws East Temple bet 3d and 4th South
Bishop Harvey, carpenter, ws 1st West bet South Temple and 1st South
Black George A., res ws 3d East bet 1st and 2d South
Blackwell O. B., boards Cliff House
Blair Edward, carpenter, es 8th East bet 7th and 8th South
Blair Rev. W. W., res ss 3d South bet 5th and 6th East
Blakely S. W. mining, es 1st West bet 1st and 2d South
Blakemore John, insmth, nw cor Walnut and Wall
Blanchard S. J., mining, ss 1st South bet 1st and 2d East
Blassett Mark, carpenter, es West Temple bet 5th and 6th South
Bloomquist Charles, laborer, es 1st West bet 8 T and N T
Blunt Joseph, manufacturer, es North Temple bet 8th and 19th East
Blythe J. L. laborer, es 2d South bet 1st and 2d East
Boardman W. watchman, ss 5th South bet 1st East and East Temple
Boocholit D., county clerk, ss 2d South bet 3d and 3d West
Bohannan J. D., res Donaldson House
Bohli Elizabeth, widow, ws 3d West bet North Temple and 1st North
Bohnig Louis, laborer, es 1st South bet 6th and 7th West
Boosal Thomas, laborer, es 1st South bet West Temple and East Temple
Boitto Francis, carpenter, ws 1st East bet 6th and 7th South
Bolton Jackson, agent, es 5th East bet 5th and 6th South
Bolwinkle Frederick, laborer, ss Centre bet Current and Apricot
Bond John, moniker, ws 6th West bet South Temple and 1st South

Petition PLNHL2017-00027, Demolition of the Residential Structure at 262 W. Bishop Place
Petition PLNHLC2017-00027, Demolition of the Residential Structure at 262 W. Bishop Place
RECORD OF DEATHS

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— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.

Bishop Francis M,
Assayer 156 S West Temple, res 450 E 11th South.
(See right side lines.)
— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 ’97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, grower 308 S West Temple and 176 W 5th South, res 176 W 5th South.
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ATTACHMENT F: APPLICANT INFORMATION
262 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 262 Bishop Place Demolition Application

To Whom It May Concern,

This law firm represents International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 262 Bishop Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 262 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded home constructed of wood shingles over deteriorating cut stone masonry. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 262 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create additional interior living space, and is sagging and on the verge of collapse. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks any historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 262 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated.¹ IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 262 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

There are limited or no historic elements remaining in the home at 259 Bishop. In fact, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.² The Historical Society’s report notes that a carport extension and “major window alterations” were made to the property prior to 1980.

² See 262 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(g).
The original windows have been removed. The original door and roof have also been replaced with inexpensive substitutes that lack historic character.
Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing that can be seen in the photographs below. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home.
Contrary to the intention, this provided no structural support. To properly create footings for 262 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home up and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.

Second, the lumber and masonry within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.
Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so deteriorated that much of it could not be salvaged in a remodel.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 262 Bishop. First, 262 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.” This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that

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3 Photographs of the streetscape are enclosed as Tab 3.
4 See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of the property because there is an existing home with the address 248 W. Bishop.
structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West. In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district.

Here, 262 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 262 Bishop.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

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5 See Capitol Hill Historic District Criteria enclosed as Tab 5.
6 See December 7, 1983 Meeting Minutes enclosed as Tab 6.
7 See Historic Survey, Tab 2(g).
8 Photographs of these noncontributing structures are enclosed as Tab 3.
6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 262 Bishop in 2015 in an effort to preserve the building.\(^9\) The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood.\(^10\) In 2012, the Salt Lake City Police Department cleared transients from the homes.\(^11\) The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.”\(^12\) Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.” Id.

IRES made every effort to secure 262 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 262 Bishop and the surrounding homes. 262 Bishop has 1,640 square feet above ground and 460 square feet in a basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $326,343.60. Based on current calculations, IRES cannot rehabilitate 262 Bishop for less than $169,782.793.14.\(^13\) This amount does not include the cost of upgrading the infrastructure and road.\(^14\) With the current state of the other homes on

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\(^9\) See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
\(^10\) Please see police reports for the last 4 years enclosed as Tab 8.
\(^11\) See Salt Lake County Health Department Records enclosed as Tab 9.
\(^12\) See Notification of Premises Closed to Occupancy enclosed as Tab 10.
\(^13\) See Breakdown of Costs for Property enclosed as Tab 11(g).
\(^14\) A breakdown of the estimated infrastructure expenses is enclosed as Tab 12.
Page 11

Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. **Show Integrity of the Structure.**
   The historical integrity of the home is completely lacking due to the numerous alterations and additions made. Significant changes to the windows and wood has left only small sections of the historic siding, that cannot be salvaged in a remodel.

4. **Show Streetscape Condition.**

   See photographs showing the streetscape and surrounding contributing and noncontributing structures.\(^{15}\)

5. **Threat to Public Health and Safety.**

   As detailed above, 262 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity.\(^{16}\) It draws drug users to the developing area and prevents

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\(^{15}\) Available at Tab 3.

\(^{16}\) See police reports at Tab 8.
rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable. And, the property was closed to occupancy as “unfit” for dwelling in 2012.

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability. Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. Id. It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

6. **Show No Willful Neglect.**

IRES has retained a tenant in the one inhabitable home to act as a caretaker. 262 is boarded and vacant. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well. IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

7. **Additional Applications/Bond.**

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures

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17 See Email enclosed as Tab 13.
18 See Bishop Place Blight Survey enclosed as Tab 14.
19 See Salt Lake County Health Department Records as Tab 9.
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives**—Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- Policy 3.3j: Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

- Policy 3.3l: Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
**Planning Staff Comment:** These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

**Action 1:** As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

**Planning Staff Comment:** This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city’s historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

<table>
<thead>
<tr>
<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
</tr>
<tr>
<td>The streetscape within the context of the H historic preservation overlay district would not be negatively affected</td>
<td>Does not comply.</td>
<td>The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West. In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West. Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole. Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would be negative.</td>
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<tr>
<td>The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures</td>
<td>Does not comply.</td>
<td>The majority of the surrounding structures are contributing to the district. Any demolition of contributing structures in this area would adversely affect the H – Historic Preservation Overlay District.</td>
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<tr>
<td>The base zoning of the site is incompatible with reuse of the structure</td>
<td>Does not comply.</td>
<td>As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing. The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process.</td>
</tr>
<tr>
<td>The reuse plan is consistent with the standards outlined in subsection H of this section</td>
<td>Likely complies, to be determined.</td>
<td>The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’. Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48.</td>
</tr>
</tbody>
</table>
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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section.

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

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In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section.

To be determined.

Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer  
Bonneville Research  
170 South Main St. Suite 775  
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair

Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,

Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission

From: Anthony Riederer - Principal Planner
(801) 535-7625 or anthony.riederer@slcgov.com

Date: April 20, 2017

Re: Petition PLNHLC2017-00022, Demolition of the Residential Structure at 258 W. Bishop Place

DEMOLITION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 258 W. Bishop Place
PARCEL ID: 08-36-254-018
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICTS: SR-3 – Special Development Pattern Residential District &
H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:
International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the applicant’s narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
Petition PLNHLC2017-00022, Demolition of the Residential Structure at 258 W. Bishop Place
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, cross-gabled house clad in wood siding. The building is constructed in what is generally considered the National style. This style represents the period in which building forms common to American Folk architecture - and previously seen constructed of locally sourced materials - were adapted to the availability of milled lumber, brought with the advent of cross-continental railroad service.

According to the 2006 survey, the residential structure on the property is rated “B” or “Eligible, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey.

Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E) Photographic evidence suggests structure was added to sometime after the mid-1920’s, which would allow for the addition to have acquired historic significance in its own right.

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the reuse of the building and site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots, and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium
buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan."

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

KEY ISSUES:

Issue 1 – Integrity of the Building:

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

Issue 2 – Further Loss of Historic Resources:

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties, which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.
NEXT STEPS:
If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission’s finding on the request for demolition would stand.

ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT B: HISTORIC DISTRICT MAP

CAPITOL HILL

★ Approximate Project Location
**Structure/Site Information Form**

**Identification**

1. **Street Address:** 258 West Bishop Place

   **Name of Structure:**

   **Present Owner:**

   **Owner Address:**

   **Year Built (Tax Record):**
   **Effective Age:**
   **Kind of Building:**
   **Tax #:**

2. **Original Owner:** Charles W. Bishop
   **Original Use:** residence
   **Construction Date:** 1901–1911
   **Demolition Date:**
   **Present Use:** residence
   **Building Condition:**
   **Integrity:**
   **Preliminary Evaluation:**
   **Final Register Status:**

3. **Photography:**
   **Date of Slides:**
   **Slide No.:**
   **Date of Photographs:** Spring '80
   **Photo No.:**

   **Research Sources:**
   - [ ] Abstract of Title
   - [ ] Sanborn Maps
   - [ ] City Directories
   - [ ] Biographical Encyclopedias
   - [ ] Obituary Index
   - [ ] LDS Church Archives
   - [ ] LDS Genealogical Society
   - [ ] Newspapers
   - [ ] Utah State Historical Society
   - [ ] Personal Interviews
   - [ ] BYU Library
   - [ ] USU Library
   - [ ] SLCC Library
   - [ ] U of U Library
   - [ ] Other

   **Bibliographical References** (books, articles, records, interviews, old photographs and maps, etc.):

   - Salt Lake County Plat Records, 1860–1940.
   - Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
   - Polk, Salt Lake City Directory, 1901, 1924.
This is a one story gable roofed house with broad side to the street. There have been major window alterations. Originally this home was of the vernacular type. There is an off-center chimney. The rear extension with a gable roof creates a "T". There is also an entrance on the east.

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1901 and 1911. There is a possibility that this house was moved from the present location of the Denver Rio Grande station. The original owner of this house was Charles W. Bishop.

Bishop was born March 1, 1867. He was a son of Thomas and Sarah Haynes Bishop. Bishop was employed as a well driver from as early as 1897 until as late as 1937. His wife, Florence L., and he had seven children who survived him. He died August 27, 1938. The family kept the house through 1940.
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<th>Eval/ OutB</th>
<th>Yr(s)</th>
<th>Materials</th>
<th>Styles</th>
<th>Plan (Type)/ Orig./ Use</th>
<th>Survey Year</th>
<th>Comments/ NR Status</th>
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<td>VICTORIAN ECLECTIC SIDE PASSAGE/ENTRY</td>
<td>SINGLE DWELLING</td>
<td>06</td>
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<td>B 0/1</td>
<td>c. 1900</td>
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<td>VICTORIAN: OTHER HALL-PARLOR SINGLE DWELLING</td>
<td>N05A</td>
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<td></td>
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<tr>
<td>253 W BISHOP PLACE</td>
<td>B 0/0</td>
<td>c. 1900</td>
<td>ASBESTOS SIDING</td>
<td>GREEK REVIVAL VICTORIAN: OTHER HALL-PARLOR SHEATED IN 1943?</td>
<td>N05A</td>
<td></td>
<td></td>
</tr>
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<td>258 W BISHOP PLACE</td>
<td>B 0/0</td>
<td>c. 1900</td>
<td>DROP/NOVELTY SIDING</td>
<td>VICTORIAN: OTHER HALL-PARLOR SINGLE DWELLING</td>
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<td>262 W BISHOP PLACE</td>
<td>B 0/1</td>
<td>c. 1900</td>
<td>ALUM./VINYL SIDING ASBESTOS SIDING</td>
<td>20TH C.: OTHER FOURSQUARE (BOX) SINGLE DWELLING</td>
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<td>265 W BISHOP PLACE</td>
<td>A 0/0</td>
<td>1927</td>
<td>STRIATED BRICK</td>
<td>BUNGALOW DOUBLE HOUSE / MULTIPLE DWELLING</td>
<td>DOUBLE HOUSE A 265-267 W N05A</td>
<td></td>
<td></td>
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<tr>
<td>135 N CANYON ROAD</td>
<td>D 0/0</td>
<td>c. 1975</td>
<td>REGULAR BRICK</td>
<td>MANSARD OTHER APT./HOTEL</td>
<td>SOUTH BLDG.; ASSOCIATED WITH 155 N CANYON ROAD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VICTORIA HOUSE</td>
<td>2.5</td>
<td>1.975</td>
<td>REGULAR BRICK</td>
<td>MANSARD OTHER APT./HOTEL</td>
<td>NORTH BLDG.; ASSOCIATED WITH 135 N CANYON ROAD</td>
<td></td>
<td></td>
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<tr>
<td>155 N CANYON ROAD</td>
<td>D 0/0</td>
<td>c. 1975</td>
<td>REGULAR BRICK</td>
<td>MANSARD OTHER APT./HOTEL</td>
<td>NORTH BLDG.; ASSOCIATED WITH 135 N CANYON ROAD</td>
<td></td>
<td></td>
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<tr>
<td>CRISMON MILL SITE MARKER</td>
<td>0/0</td>
<td>c. 1938</td>
<td>GRANITE</td>
<td>NOT APPLICABLE MONUMENT</td>
<td>DUP PLAQUE IN NEWER GRANITE BASE; LOCATED IN CITY CREEK CANYON PARK MEDIAN</td>
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</tbody>
</table>

C=ineligible/altered D=ineligible/out of period U=undetermined/lack of info X=disapproved
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
Petition PLNHLC2017-00022, Demolition of the Residential Structure at 258 W. Bishop Place
<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Age</th>
<th>Sex</th>
<th>Relationship</th>
<th>Occupation</th>
<th>Birthplace</th>
<th>Mother's Name</th>
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<th>Married</th>
<th>Education</th>
<th>Notes</th>
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<tr>
<td>1</td>
<td>Alice</td>
<td>5</td>
<td>F</td>
<td>Daughter</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>John</td>
<td>32</td>
<td>M</td>
<td>Son</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Mary</td>
<td>28</td>
<td>F</td>
<td>Daughter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
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</table>

Note: Age refers to the age of the individual on the date of the census. Sex indicates the gender of the individual. Relationship refers to the relationship of the individual to the head of the household. Occupation is the occupation of the individual at the time of the census. Birthplace indicates the place of birth of the individual. Mother's and Father's names are the names of the parents of the individual. Married indicates whether the individual is married. Education refers to the level of education attained by the individual. Notes are any additional information or comments about the individual.
Biddlecome John N., coachman, Judge J. R. McBride, r. 971 E.  
Third South
Biddlecome Rebecca Mrs., wid., r. 971 E. Third South
BILKUBEN (The), Danish Weekly, 42 Franklin Av
Billeter Julius, machinist, U. C. Ry. shops, r. 358 N. Fifth West
Billing Frederick W., r. 243 E. Second South
Billings John E., harnessmkr., r. 370 H
Billings Lucius A., clk. post office, r. 52 South Fifth West
Binder Wm. L., shipping clk. Z. C. M. L., r. 445 W. Second South
Binee G. R., Z. C. M. I. Shoe Factory, r. 26 S. Tenth East
Bingley Hadley, mason Temple Block, r. 751 S. First East
Binnall Harriet Mrs., wid., r. 446 S. First West
Binnie & Co. (Robert Binnie), 23 and 25 E. Second South
Binnie Robert (Binnie & Co.) r. 57 Second South
Bird Chas., brakeman U. C. Ry., r. 358 W. Eighth South
Bird Edmund, carp., r. 905 E. Second South
Bird E. F., wood carver, r. 328 W. Third South
Bird E. H., dressmkr., 328 W. Third South, r. same
Bird James, cabinetmkr., r. 142 S. West Temple
Bird James Mrs., fur cleaner, r. 142 S. West Temple
Bird John, finisher Z. C. M. I. Shoe Factory, r. 226 I
BIRD & LOWE (Wm. H. Bird and James Lowe), attys-at-law  
for land claims, 19 W. South Second
Bird M. M., carp., r. 333 E. Second South
Bird Thomas H., mgr. billiard room Walker House, r. 231 S.  
Second East
Bird Thomas, bootmkr., r. 220 I
BIRD WM. H. (Bird & Lowe), r. 103 S. Second East
Birkenshaw Benjamin, harnessmkr. J. W. Jenkins & Sons, 537 S.  
Fifth East
Birkinshaw, Wm., contractor and builder, r. 337 E. Fifth South
BIRKENHEAD ISAAC, shipmkr. J. W. Jinkins, r. 339 J
Birkenhead Jabez, lab., r. 618 Sixth
Birckunshaw Joseph, lab., r. 1006 E. First South
Birckunshaw Thomas, porter Continental Hotel, r. 380 Wall
Birckunshaw William, butcher, r. 125 S. Tenth East
Birrell John, machinist U. C. Ry., r. 520 W. First South
Birrell John H., machinist D. & R. G. W. Ry., Shops, r. 520 W.  
First South
Birrux Annie, domestic, 62 W. Sixth South
Bisauer C. S., agt. Lawlor & Miller, r. 29 W. First South
Bishop Alexander L., r. 434 N. Second West
Bishop Francis M., assayer, 101 S. Main, basement, r. 330 S. Main

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Petition PLNHLC2017-00022, Demolition of the Residential Structure at 258 W. Bishop Place
Handbills and all kinds of Advertising Matter

DISTRIBUTED BY THE
DISTRICT TELEGRAPH CO.

Best Brands of Flour at Isaac Sears, 46 W. First Street.

SAUL LACE TOWN,

Opposite Watch House,

Evans & Spencer

HEADQUARTERS FOR
SPORTING GOODS.

EXTRA QUALITY BLACK GUN COTTON.

Handbills and all kinds of Advertising Matter
Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.

Bishop Francis M,
Assayer 156 S West Temple, res 450 E 11th South.
(See right side lines.)
— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, grocer 308 S West Temple and 176 W 5th South, res 176 W 5th South.
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<tr>
<th>LOCATION</th>
<th>NAME</th>
<th>RELATION</th>
<th>PERSONAL DESCRIPTION</th>
<th>NATIVITY</th>
<th>CITIZENSHIP</th>
<th>OCCUPATION, TRADE, OR PROFESSION</th>
<th>EDUCATION</th>
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<td>Utah</td>
<td>At School</td>
<td>1 year</td>
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<td>Daughter</td>
<td>W, Mar 1877</td>
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<td>Head</td>
<td>M, Apr 1866, 7.10</td>
<td>England</td>
<td>England</td>
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<td>Son</td>
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<td>Utah</td>
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<td>Utah</td>
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<tr>
<td>LOCATION</td>
<td>NAME</td>
<td>RELATION</td>
<td>PERSONAL DESCRIPTIVE</td>
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**DEPARTMENT OF COMMERCE AND LABOR - BUREAU OF THE CENSUS**

**THIRTEENTH CENSUS OF THE UNITED STATES: 1910 - POPULATION**

**SUPPLEMENTARY DISTRICT**

**SHEET NO.**

**WARD OF CITY**

**Enumerated by me on the 21st Day of April 1910**

**Ward Census Enumerators**

---

**NOTE:**

- Each entry represents an individual household.
- **LOCATION** refers to the enumeration district.
- **NAME** indicates the primary household member.
- **RELATION** specifies the relationship to the household head.
- **PERSONAL DESCRIPTIVE** includes age, sex, race, and marital status.
- **NATIVITY** notes the individual's place of birth.
- **OCCUPATION** describes the individual's primary occupation.
- **EDUCATION** indicates the highest level of education completed.
- **PHRASES** may contain additional comments or notes.
258 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 258 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 258 Bishop Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 258 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown and boarded home constructed of frame and shiplap. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. All but one home on Bishop Place is boarded and uninhabited due to decades of vacancy and neglect. 258 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create additional interior living space, and is sagging and on the verge of collapse. The home abuts the small road running through Bishop Place without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks any historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 258 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated. IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 258 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

According to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place. The Historical Society’s report notes that there have been major alterations to the home, including a rear extension.

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1 See Reports of Platinum Engineering, dated August 13, 2014; York Engineering dated January 14, 2016; and Compass Engineering dated February 19, 2015 enclosed as Tab 1.
2 See 258 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(f).
3 Please see the attached photos regarding the site and property enclosed as Tab 3.
View of the Rear Extension:

Windows have been removed and replaced with boards or smaller windows:
The home is simply a shell that has been stripped of most of the historic elements:

Additionally, this home, like many others on Bishop Place, has deteriorated past the point of restoration. First, it lacks a foundation. Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing:

This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home.

Contrary to the intention, this provided no structural support. To properly create footings for 258 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home up and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.
Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman. The only remaining historical element on the home is the “Lap Siding”, which is so deteriorated that much of it could not be salvaged in a remodel.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 258 Bishop.\(^4\) First, 258 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home on Bishop Place was demolished in 1980 as a result of “too many violations to list.”\(^5\) This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

\(^4\) Photographs of the streetscape are enclosed as Tab 3.

\(^5\) See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property because there is a currently-listed home at 248 W. Bishop.
The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of the historic district, and particularly the western edge along 300 West. In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district.

Here, 258 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 258 Bishop.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

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

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6 See Capitol Hill Historic District Criteria enclosed as Tab 5.
7 See December 7, 1983 Meeting Minutes enclosed as Tab 6.
8 See Historic Survey enclosed as Tab 2(0).
9 Photographs of these noncontributing structures are enclosed as Tab 3.
a. Willful or negligent acts by the owner that deteriorates the structure.
b. Failure to perform normal maintenance and repairs.
c. Failure to diligently solicit and retain tenants.
d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 258 Bishop in 2015 in an effort to preserve the building. The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood. In 2012, the Salt Lake City Police Department cleared transients from the homes. The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.” Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses... there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.” Id.

IRES made every effort to secure 258 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 258 Bishop and the surrounding homes. 258 Bishop has 1,571 square feet above ground and 300 square feet in the basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $312,613.00. Based on current calculations, IRES cannot rehabilitate 258 Bishop for less than $1548,224.91. This amount does not include the cost of upgrading the infrastructure and road or acquisition costs. With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

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10 See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.  
11 Please see police reports for the last 4 years enclosed as Tab 8.  
12 See Salt Lake County Health Department Records enclosed as Tab 9.  
13 See Notification of Premises Closed to Occupancy enclosed as Tab 10.  
14 See Breakdown of Costs for Property enclosed at Tab 11(f).  
15 A breakdown of the estimated infrastructure expenses is enclosed as Tab 12.
More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. **Show Integrity of the Structure.**

This black and white photograph from 1936 shows the property as it originally existed.

The current photograph demonstrates that windows have been removed and enlarged.
Another view of the side shows a property wholly lacking in historic elements.

4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.\(^{16}\)

5. **Threat to Public Health and Safety.**

As detailed above, 258 Bishop is a threat to public health and safety. The boarded home is the location of continuing criminal activity.\(^{17}\) It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable.\(^{18}\) And, the property was closed to occupancy as "unfit" for dwelling in 2012.

6. **Show No Willful Neglect.**

IRES retained a tenant in the one inhabitable home to act as a caretaker. 258 is boarded and vacant. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well.\(^{19}\) IRES has simply taken steps to secure the building and ensure additional damage does not occur. It boarded the properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and has posted no trespassing signs.

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\(^{16}\) Available at Tab 3.
\(^{17}\) See police reports at Tab 8.
\(^{18}\) See Email enclosed as Tab 13.
\(^{19}\) See Salt Lake County Health Department Records enclosed as Tab 9.
Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability.\textsuperscript{20} Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. \textit{Id.} It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

7. \textbf{Additional Applications/Bond.}

An application for Economic Hardship is submitted concurrently with this Demolition Application.

Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures

\textsuperscript{20} See Bishop Place Blight Survey enclosed as Tab 14.
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives** - Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- **Policy 3.3j:** Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.

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

- **Policy 3.3l:** Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
**Planning Staff Comment:** These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

**Planning Staff Comment:** This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H:  HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

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<th>Standard</th>
<th>Finding</th>
<th>Rationale</th>
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<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “B”, which indicates an eligible and contributing structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District.</td>
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| The streetscape within the context of the historic preservation overlay district would not be negatively affected | Does not comply. | The demolition of the subject building would have a negative impact on the streetscape of Bishop Place, which the applicant has indicated a desire to make into a public street.

In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West.

Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the Capitol Hill Historic District as a whole.

Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would negatively impact the character of the district.

The demolition would not adversely affect the historic preservation overlay district due to the surrounding noncontributing structures | Does not comply. | The majority of the surrounding structures are contributing to the district.

Any demolition of contributing structures in this area would adversely affect the Historic Preservation Overlay District.

The base zoning of the site is incompatible with reuse of the structure | Does not comply. | As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing.

The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process.

The reuse plan is consistent with the standards outlined in subsection H of this section | Likely complies, to be determined. | The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’.

Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48.
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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant.

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

   a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

   b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

   c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer  
Bonneville Research  
170 South Main St. Suite 775  
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,  

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

[Signature]

Laura Arellano, Chair

Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,
Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to not approve the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
To: Salt Lake City Historic Landmark Commission
From: Anthony Riederer - Principal Planner
        (801) 535-7625 or anthony.riederer@slcgov.com
Date: April 20, 2017
Re: Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place

DESTRUCTION OF A CONTRIBUTING STRUCTURE IN A LOCAL HISTORIC DISTRICT

PROPERTY ADDRESS: 248 W. Bishop Place
PARCEL ID: 08-36-254-061
HISTORIC DISTRICT: Capitol Hill Historic District
ZONING DISTRICT: SR-3 – Special Development Pattern Residential District &
                H – Historic Preservation Overlay District
MASTER PLAN: Capitol Hill Community Master Plan – Low Density Residential

REQUEST: International Real Estate Solutions is requesting approval from the City to demolish the residential structure on the subject parcel. The building is a contributing structure in the Capitol Hill Historic District.

RECOMMENDATION: It is Planning Staff’s opinion that one (1) of the six standards for demolition have been met, with the findings for Economic Hardship yet to be determined (Attachment H). Therefore, staff recommends that the Historic Landmark Commission deny the request for demolition.

The applicant has submitted documentation to support an application of Economic Hardship, a process that would be available to them once the HLC makes a decision on the merits of the application for demolition. If there is a finding of Economic Hardship, the applicant could receive a Certificate of Appropriateness (COA) for demolition. If there is not a finding of Economic Hardship, the commission’s finding on this petition for demolition would stand.
BACKGROUND AND PROJECT DESCRIPTION:

International Real Estate Solutions is currently proposing to demolish the residential structure on the subject lot in order to prepare the site for an as-of-yet undetermined redevelopment project. The applicant has submitted documentation with the intent to substantiate their demolition request and to show why demolition is warranted in this case. The narrative portion of the application is included as Attachment F. The various attachments referred to in the applicant’s narrative are included as Appendix 1.

At the time of acquisition in 2012, the owner’s intention was to rehabilitate and, in some cases, expand the residential structures along Bishop Place. They engaged with Salt Lake City’s Redevelopment Agency to provide a portion of the financing to complete the project. This loan was provided contingent upon the preservation and restoration of the existing residential structures, as per RDA Board meeting minutes of October 8, 2013.

“Director LaMalfa asked whether the developer has sought other financing options. Mr. Maxim answered yes. He said it is difficult to get funding on this type of project, and expensive. The rate offered by the RDA would help make the project pencil. He said this would be a more lucrative deal if the structures were demolished, but that IRE is committed to renovating the homes.”

At the time of this proposed project, both the explicit intention of renovation of the historic structures and the condition of the properties was acknowledged and accounted for in the project profile, as per the RDA’s memorandum on the loan, dated October 8, 2013.

“The renovation of nine historic structures built between 1900 and 1906 would meet several of the goals of the West Capitol Hill Project area. First, Bishop Place is a blighted street with all housing structures in extreme states of disrepair. The Loan would facilitate the renovation of the existing housing structures to standards approved by the Historic Landmark Commission. Second, the development would result in the removal of blight and blighting influences currently present on the site. Third, the Development would result in upgrades to the existing infrastructure, including new sidewalks, landscape areas, and streetlights that would give the area a new look and attract additional development in the area. Fourth, the Development would create nine new owner occupied units with the potential of an additional four units as part of a second phase, further stabilizing the neighborhood’s existing mix of rental and single-family homes.”

The RDA also indicated that, in support of the proposed rehabilitation and restoration project, the city would be willing to take over Bishop Place as a public street including maintenance and snow-removal responsibilities.

In June of 2014, the Planning Commission approved a request for a Planned Development, Subdivision, and Zoning Map amendment on the Bishop Place site to allow for the rehabilitation of the existing homes as well as for the construction of several new homes on the site, as per the agreement with Salt Lake City’s Redevelopment Agency. A number of COA’s were approved as well, allowing for sensitive additions to some of the smaller structures so that they might better meet contemporary housing needs. That approval is still active, having been renewed by the applicant several times. The Planned Development approval was conditioned on the fact that the project would allow the retention of the historic structures, without that aspect of the project the approval would no long be valid.

No specific reuse plan has been submitted in conjunction with this request. If the request for demolition is granted, the applicant has indicated their intention is to landscape the site while determining the nature and design of the redevelopment of the site and preparing their application for New Construction.
LOCATION MAP

Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place
PROPERTY DESCRIPTION AND CONTEXT:
The subject building is a one and a half story, front-gabled house clad in wood siding. The building is constructed in what is generally considered the Folk Victorian style. This style represents the period in which the building forms and technologies made common through the National style were adorned in materials and details borrowed from the Victorian styles. Like the National styles on which they were based, the spread of the Folk Victorian style was made possible by development of the national railroad system.

The 2006 survey of the Capitol Hill Historic District specifically identifies this structures as a significant example germane to the developmental history of domestic architecture in Salt Lake City. The survey's narrative says, in part:

The coming of the railroad, access to a variety of materials, and the availability of pattern books and handbooks allowed local builders to produce replicas of Victorian cottages being built all across the United States. Ornamentation such as lathe-turned porch posts, spindle work and sometimes “gingerbread” cut woodwork was found on Victorian cottages throughout the district. The most common house type is Victorian Eclectic brick cottage, most often a cross wing or a central block with projecting bays. A good example is the Farnes House at 140 W. Girard Avenue. Frame houses became more common as the railroad brought lumber into timber-scarce Salt Lake City. For example, the frame cottage at 248 Bishop Place is an excellent example of the worker cottages built as infill during this period.

According to the 2006 survey, the residential structure on the property is rated “A” or “Architecturally Significant, Contributing”. This survey was conducted by an independent third party contractor who is/was qualified to conduct an inventory or historic resources for surveys of this nature and to provide survey data to the City. The HLC reviewed the survey information, took public comment, and adopted the survey. Planning Staff’s analysis is, in part, based on the information in this survey.

Additional research by city staff indicates that the buildings were most likely constructed on-site in the years between 1883 and 1927. (Attachment E)

The subject property is located fronting onto Bishop Place, a courtyard street immediately to the east of 300 West, a major north-south corridor in the city and the eastern-most boundary of the Capitol Hill Historic District. The site is currently zoned SR-3 (Special Development Pattern Residential District), which would allow for the reuse of the building and site for residential purposes.

Though its architectural context is mixed, the block face of 300 West, from which Bishop Place originates, retains significant integrity. In recent years, the area has seen rapidly increasing property values as well as significant interest in redevelopment. The scope of these projects have run from individual homeowners and small businesses improving their properties to larger-scale institutional and commercial redevelopment projects.

The 2012 Reconnaissance Level Survey of the Capitol Hill district identifies Bishop Place, along with several other residential courts, as significant and intact features of the larger district’s historic pattern of development. The report reads, in part:

“Several of the blocks include alleys or residential courts extending into the inner blocks with housing built around the turn of the century. The planning of the residential courts seems to be more haphazard, developed gradually by families. The following residential courts between 200 West and 300 West are completely or partially intact: Arctic Court, Ardmore Place, Baltic Court, and Bishop Place.”

That same report also specifically identifies several of the individual structures on Bishop Place as noteworthy examples of a specific style or type important to the development and architectural history of Salt Lake City.

The “Salt Lake City Community Preservation Plan” adopted on October 23, 2012, specifically addresses the Capitol Hill Historic District and provides a succinct description of this local historic district, of which the subject property is a part.

“The Capitol Hill Historic District was established as a National Register district in 1982 and was designated as a local district in 1984. This district is known for its steep narrow streets, irregular lots,
and for holding some of the oldest surviving residences in the City. It encompasses the predominantly residential blocks that are found to the south, southwest, west, and northwest of the State Capitol complex. The Capitol Building is not included within the district, but is listed in the National Register as an individual Historic Site. In this district are portions of the West Capitol Hill, Kimball, and Marmalade neighborhoods. Although the district had become derelict by the 1960s, it has experienced a revival through historic preservation in recent decades.

The blocks directly south of the Capitol Building are steeply sloped and contain a number of large residences exhibiting some of the finest high style architecture in Salt Lake City. The White Chapel and Council Hall, both important historic community buildings from the City’s earlier decades, face onto 300 North across from the Capitol (though are not in their original locations). Southwest of the Capitol and north of the LDS Convention Center, the blocks within the district are occupied by some historic residences but also contain a number of modern high rise apartment and condominium buildings dating from the 1970s and 1980s. These dominate Main Street, Vine Street, Almond Street, and West Temple Street, resulting in a diminished degree of integrity in this area. West and northwest of the Capitol, between Main Street/Columbus Street/Darwin Street and 200 West, the blocks are filled with the Pioneer Museum, three LDS ward churches, numerous historic homes, and the modern Washington School. This area has particularly narrow, steep streets and exhibits a good degree of integrity, with just a few modern intrusions aside from the school.

Much of 200 West is a parkway. The area west of this, bordered by 200 West and 300 West, and by 300 North and Wall Street/800 North, contains modest historic cottages, vacant land, and a number of non-historic intrusions of circa 1960s apartments and small industrial shop buildings. The houses in this area are of diminished quality in style, construction, and integrity compared to those located to the east of 200 West.

The City should consider redrawing the western boundary of the district due to integrity problems west of 200 West, but the west side of 200 West should remain within the boundary. The 1996 survey also recommended survey and expansion of the district boundaries to include the Kimball and DeSoto-Cortez neighborhoods; an intensive-level survey of Capitol Hill; and the implementation of action items from the Capitol Hill Community Master Plan.”

While this brief description of the Capitol Hill Historic District does recognize a number of challenges along this edge of the district, the block face adjacent to the subject property retains integrity, as does the ensemble of buildings set on Bishop Place. Please see Attachment D for a map illustrating the contributing status of properties in the area of the subject property.

**KEY ISSUES:**

**Issue 1 – Integrity of the Building:**

While it is evident that the subject building is in poor condition, the essential integrity of the building remains. The subject structure has been rated “B – Eligible” in the Capitol Hill Reconnaissance Level Survey (2006). This is a rating equivalent to an “EC” under the current system used by the Utah State Division of History. A rating of “EC” means that the structure was built within the historic period (at least 50 years old) and retains integrity. This means that it is considered a good example of an architectural style or building type, but may not well preserved or may have had substantial alterations or additions. The overall integrity has been retained and the building is eligible for the National Register as part of an historic district primarily for historic, rather than architectural, reasons.

An important consideration is that the integrity of the subject building and site is the standard by which the proposed demolition is evaluated, as opposed to the fact that the building is in poor condition and uninhabited.

**Issue 2 – Further Loss of Historic Resources:**

The subject property is one of nine properties proposed for demolition on Bishop Place. Each of the nine is a contributing historic property with various levels of integrity, as per the most recent survey of the properties,
which dates to 2006. The ensemble of houses at Bishop Place represent an intact grouping of workers housing from the late 19th/early 20th century, one of the exceptionally few examples of this period of development remaining in Salt Lake City.
While it is evident that structures have been modified and lost in this area, further losses – to say nothing of the wholesale removal of an intact ensemble – will be significantly detrimental to the integrity of the site specifically and to the Capitol Hill Local Historic District as a whole.

**Issue 3 – Visibility from 300 West:**

Despite being set at the back of the site, character defining elements of this structure are visible from the public way, including the projecting porch feature with turned balusters. Though portions of the front façade are obscured by a tree, it would be significantly more visible in winter months, or should the tree ever be removed.
The ability to, from the public way, look down Bishop Place and understand some of the historic pattern of development common to the area is a feature that contributes significantly to the character of the Capitol Hill Historic District.

**NEXT STEPS:**

If the Historic Landmark Commission finds that at least six (6) of the standards are met, the HLC shall approve the certificate of appropriateness for demolition. If the demolition request is approved by the HLC, the applicant would also need HLC approval for proposed New Construction in a Historic District, or approval of a landscape plan, in order to receive a COA for the demolition.

If the HLC finds that two (2) or less of the standards are met, the HLC shall deny the certificate of appropriateness for demolition. If the project is denied by the HLC, the applicant could choose to file an application for Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission's finding on the request for demolition would stand.

If the HLC finds that three (3) to five (5) of the standards are met, the HLC may defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site. The applicant may also choose to pursue a finding of Economic Hardship. If there is a finding of Economic Hardship, the applicant could demolish the structure. If not, the commission's finding on the request for demolition would stand.
ATTACHMENTS:
A. Vicinity Map
B. Historic District Map
C. Survey Information
D. Capitol Hill RLS – Results Maps
E. Additional Staff Research
F. Applicant Information
G. Master Plan Discussion
H. Analysis of Standards
I. Public Process and Comments
ATTACHMENT B: HISTORIC DISTRICT MAP

[Map of Capitol Hill showing approximate project location marked with a star.]

★ Approximate Project Location
ATTACHMENT C: SURVEY INFORMATION
Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place

Utah State Historical Society
Historic Preservation Research Office
Structure/Site Information Form

1

Street Address: 248 Bishop Place
Name of Structure:
Present Owner:
Owner Address:
Year Built (Tax Record):
Legal Description
Effective Age:
Kind of Building:

2

Original Owner: Alexander L. Bishop
Original Use: residence
Construction Date: 1898–1904
Demolition Date: Present Use: residence
Building Condition: Integrity:
Preliminary Evaluation:
Final Register Status:

☐ Excellent ☑ Good ☐ Site ☐ Unaltered ☐ Not of the
☐ Major Alterations ☐ Not Significant
☐ Unaltered ☐ Minor Alterations ☐ Contributory

Photography:
Date of Slides:
Slide No.:
Date of Photographs: Spring '80

Research Sources:
☑ Abstract of Title ☑ Sanborn Maps
☑ Plat Records/Map ☐ City Directories
☑ Tax Card & Photo ☑ Biographical Encyclopedias
☑ Building Permit ☐ Obituary Index
☑ Sewer Permit ☐ County & City Histories

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):
Salt Lake County Plat Records, 1860–1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.

Researcher: Fred Aegearter
Date: 6/80
**Architect/Builder:**

**Building Materials:** frame, shiplap

**Building Type/Style:** Victorian eclectic

**Description of physical appearance & significant architectural features:**

(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one and a half story gable roofed house with a gable facade having patterned shingle siding in the gable, pent eaves, a projecting front porch, turned porch posts, and a tripartite window. There are rear frame extensions.

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**Statement of Historical Significance:**

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1898 and 1904. There is a possibility that this house was moved to its present location from the site of the Denver-Rio Grande Station. The original owner of the house appears to have been Alexander Laredo Bishop.

Bishop was born about 1865 in England. He was married and his wife's given name was Mary Elizabeth. The couple had six children. Alex was employed as a well driver. He was in a partnership with his brother, Charles W. Bishop. Alexander Bishop died January 24, 1931. His wife resided at the residence through 1940.
CAPITOL HILL HISTORIC DISTRICT
Salt Lake City, Salt Lake County, Utah

Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place

RECONNAISSANCE LEVEL SURVEY – 2006
Page 40 of 90

248 W Bishop Place
A

249 W Bishop Place
B

253 W Bishop Place
B

258 W Bishop Place
B

262 W Bishop Place
B

265 W Bishop Place
B

CANYON ROAD

**Buildings in City Creek Canyon NRHP district

View of City Creek Park

135 N Canyon Road**
D

155 N Canyon Road**
D

160 N? Canyon Road**
Median Park
D

Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place
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<th>Yr(s)</th>
<th>Materials</th>
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<th>Plan (Type)/Orig., Use</th>
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<th>Comments/NR Status</th>
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<td>248 W BISHOP PLACE A 0/1 1985 SHINGLE SIDING</td>
<td>VICTORIAN ECLECTIC</td>
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<td>HALL-PARLOR</td>
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<td>GREEK REVIVAL VICTORIAN: OTHER</td>
<td>HALL-PARLOR</td>
<td>SINGLE DWELLING</td>
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<td>258 W BISHOP PLACE B 0/0 1 1 c. 1943</td>
<td>VICTORIAN: OTHER</td>
<td>HALL-PARLOR</td>
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<td>N05A</td>
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<td>262 W BISHOP PLACE B 0/1 1 1990 ALUM./VINYL SIDING</td>
<td>ASBESTOS SIDING</td>
<td>20TH C.: OTHER</td>
<td>FOURSQUARE (BOX)</td>
<td>N05A</td>
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<td>265 W BISHOP PLACE A 0/0 1 1927 STRIATED BRICK</td>
<td>BUNGALOW</td>
<td>DOUBLE HOUSE /MULTIPLE DWELLING</td>
<td>DOUBLE HOUSE A 265-267 W</td>
<td>N05A</td>
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<th>Materials</th>
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<th>Plan (Type)/Orig., Use</th>
<th>Survey Year</th>
<th>Comments/NR Status</th>
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<td>135 N CANYON ROAD D 0/0 1 1975 REGULAR BRICK</td>
<td>MANSARD</td>
<td>OTHER APT./HOTEL</td>
<td>SOUTH BLDG; ASSOCIATED WITH 155 N CANYON ROAD</td>
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<td>MONUMENT</td>
<td>DUP PLAQUE IN NEWER GRANITE BASE; LOCATED IN CITY CREEK CANYON PARK MEDIAN</td>
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C=ineligible/altered D=ineligible/out of period U=undetermined/lack of info X=demoliated
Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place
ATTACHMENT E: ADDITIONAL STAFF RESEARCH

Staff utilized a variety of resources to conduct further historic research on the subject properties including county recorder abstracts, Sanborn maps, census records, tax ledgers, city directories and written histories submitted by relatives of the Bishops obtained from familysearch.org. The following summarizes the information Staff found related to the properties:

All of the Bishop Place properties are located in Plat A, block 121, lot 3. The houses in Bishop’s Place initially had an address of “434 N 200 West.” or “rear 434 N 200 West”. The property was also known as Bishop’s Court.

YEAR

1880: Census records indicate Thomas and his family may have lived on the property now referred to as Bishop’s Place as early as 1880.

1883: Thomas Bishop and his wife Sarah acquired all of lot 3 in 1882.

1883: City Directories list Thomas Bishop at the address now known as Bishop’s Place

1885: City Directories list Thomas Bishop, Alexander Bishop, and Fredrick Bishop at r. 434 N 200 West

1894: Thomas Bishop’s first wife Sarah passed away in 1894. The record of death indicates 434 N 200 West as the place of death.

1897: Thomas Bishop married Amanda C. Fagerstrom

1898: City Directory lists Thomas Bishop, Fredrick Bishop at 434 N 200 West, and Alexander at res rear 434 N 200 West

1900: Based on census records it appears that at least four of the houses were in existence

1910: Based on census records it appears all seven of the houses were in existence.

1920: City Directory some of the addresses start to reference Bishop’s Ct.
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<th>No.</th>
<th>Name</th>
<th>Sex</th>
<th>Age</th>
<th>Occupation</th>
<th>Married</th>
<th>Family No.</th>
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<td>M</td>
<td>20</td>
<td>farmer</td>
<td>Y</td>
<td>123</td>
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<tr>
<td>2</td>
<td>Jane Doe</td>
<td>F</td>
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<td>3</td>
<td>Alex Jackson</td>
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<td>4</td>
<td>Sarah Lee</td>
<td>F</td>
<td>25</td>
<td>nurse</td>
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**Note:** Occupations are self-reported and may not reflect actual job titles.
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TROY—

STEAM

Laundry.

—142—

MAIN STREET.

SUPERIOR WORK.

Reasonable Prices.

—DESPATCH—

Petition PLNHLC2017-00018, Demolition of the Residential Structure at 248 W. Bishop Place
FIRE ARMS of all descriptions, Ammunition, Powder, Shot, Wads, Primers.

FISHING TACKLE and BASE BALL GOODS, Boxings Gloves, Fencing Foils, Masks, Etc.

Agents for the VICTOR BICYCLE and TRICYCLES.

RUDGE BICYCLES and TRICYCLES, BICYCLES and TRICYCLES for Children.

Dog Collars, Playing Cards, Rubber Boots and Blankets, Sportmen's Clothing, and in fact all that the Sportsman wants.

Best Brands of FLOUR at Isaac Sears, 46 W. First South Street.

BIS

Bishop Frederick T., boleermkr. Haynes & Son, r. 434 N. Second West
Bishop George F., carp., r. 603 N. Second West
Bishop Henry, Jennings Slaughter House, r. 35 Cain
Bishop James, steam fitter David James & Co., r. 613 W. First North
Bishop John, painter, r. 375 N. Second West
Bishop Thomas, lab., r. 35 Cain
Bishop Thomas, well borer, r. 434 N. Second West
Bisig Lewis, coller man A. Fisher Brewing Co., r. Brewery
Bithell Joseph, miner, r. 537 E. Fifth East
Bivens Catharine Mrs., r. 447 S. Fifth East
Bivens Frank, pressman, r. 447 S. Fifth East
Bjorklund Sam, barber, 222 S. Main, r. 276 W. First South
Black Diamond Coal and Coke Co., 231 S. Main
BLACK GEO. A., mining opr. r. 136 Third East
Blackham James, r. 41 E. First North
Blackburn Brigham, r. 123 W. Fourth South
Blackhurst Hiram, r. 123 W. Fourth South
Blackman James, servant 436 S. West Temple
Blair Ada Miss, hair worker, Mrs. W. B. Wilkinson, r. 157 S. Fourth West
Blair Edward, mason, Temple blk. r. rear 157 S. Fourth West
Blair Martha Mrs., wid., r. rear 157 S. Fourth West
Blake Benjamin, lab. r. 304 S. First West
Blake G., drayman, r. 462 S. Second West
Blake Samuel, teamster Mountain Ice Co. r. Parleys Canyon
Blake Wesley, U. S. Signal Service, r. 112 W. South Temple
Blake Wm., potter, Frederick Peterson, r. 304 S. First West
Blandin Chas. F., atty. 107 S. Main, r. 109 W. North Temple
Blanchard Lord, jun., court house, r. 72 W. Fifth South
Blassell Bella, domestie 69 W. Fifth South
Blattner Rudolph, musician, r. bet. 11 and 12 East on Third South
Blaeyr Betsy Mrs., wid. r. 729 W. Second North
Blodzard Mark H., carp., r. 517 S. West Temple
Bledsoe J. Franklin, carp. r. 237 S. Sixth East
Blicker Johann, chamber maid, Walker House
BLOHM F. W. Rev. (Baptist) Missionary Scandinavian, r. 451 W. Third South
Blomont Robert, lab. Third South, corr. Eighth West
Bloucham Humphrey, lab. r. 147 S. West Temple
Blunt Henry, shoemaker. r. 74 N
Blunt Joseph, shoemaker. r. 74 N

Cliff House, $2.00 Per Day.

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<th>No.</th>
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<th>Occupation</th>
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Birrell James, asst window trimmer Walker Bros Dry Goods Co, bds 1065 W 1st South.
— John H, res 1065 W 1st South.
— John H Jr, bds 1065 W 1st South.
— Susie D, bds 631 W South Temple.
Bisbee Louis S, trav auditor, bds The Manitou.
Bischoff Charles W, cellarman S L C B Co, res 1036 E 6th South.
Bishop Abbie R, tchr Grant School, bds 270 E 1st South.
— Alexander C, attorney general 150 City and County bldg, res Wey Hotel.
— Alexander L, well driver, res rear 434 N 2d West.
— Ann M, bds 47 Green.
— Bertha, bds 450 E 11th South.
— Charles S, lab, res 47 Green.
— Charles W, well driver res 107 Pear.
— Edward, furnaceman Germania Lead Wks, res Murray P O.
— Emma M, domestic 237 S 10th East.

Bishop Francis M,
Assayer 156 S West Temple, res 450 E 11th South.
(See right side lines.)
— Frederick T, boilermkr Haynes & Son, res 434 N 2d West.
— George, wks David James Co, bds 613 W 1st North.
— James, plumber David James Co, res 613 W 1st North.
— John, clk G F Culmer & Bros, res 421 W 1st North.
— Martha, bds 47 Green.
— Mary, domestic 220 Iowa av.
— Matthew, helper Germania Lead Wks, res Murray P O.
— Mrs Sarah A W, died Dec 6 '97, age 49.
— Thomas, porter The Topic, res 47 Green.
— Thomas, well driver, res 434 N 2d West.
— Willard, gardner 308 S West Temple and 176 W 5th South, res 176 W 5th South.
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*Note: This text is a screenshot of a page from the Twelfth Census of the United States, specifically the Schedule No. 1—Population section for Utah, Salt Lake County, Bishop City, and Censal 30. The page includes detailed information about individuals, including their names, relationships, personal descriptions, nativity, citizenship, occupation, trade or profession, education, and more.*
248 W. Bishop Place
January 9, 2017

SENT VIA HAND DELIVERY

Salt Lake City Planning
451 South State Street
Salt Lake City, Utah 84111

Re: 248 Bishop Place Demolition Application

To Whom It May Concern,

This law firm and the law firm of Bruce Baird represent International Real Estate Solutions, Inc. ("IRES"), the owner of the property located at 248 Bishop Place. Please consider this letter to be IRES’ demolition application.

1. Pre-Submittal Meeting Recommended.

A pre-submittal meeting took place with Anthony Riederer on March 18, 2016.

2. Project Description.

Demolition of 248 Bishop Place is necessary because it is a public nuisance, lacks historical character, and cannot be restored to usable condition. The property is a rundown Victorian Eclectic style home constructed of frame and shiplap. It is located on a small lane in Salt Lake City’s Marmalade district—on the western-most border of the Capitol Hill Historic District. It is the only home that is not boarded, and until recently was occupied by the caretaker hired by IRES to watch over the street. The caretaker was evicted and damaged the property further prior to vacating. 248 Bishop was poorly constructed in its time—lacking a foundation, subject to numerous unapproved and unsafe additions to create more interior living space, and is sagging and on the verge of collapse. The home is located at the end of the private road without proper ingress or egress for emergency vehicles, or space for landscaping or other aesthetic greenery. It lacks historic character, attracts criminals and vagrants, and is a danger to the developing neighborhood.
IRES purchased 248 Bishop in 2012 with the intention of rehabilitating and developing it and the surrounding properties. After four years of working with the Planning Department to obtain approval for a plat, IRES has been unable to find an engineer willing to sign off on the building plans. Three separate engineers refused to affix their stamp to the plans—stating that the degraded cut stone masonry walls lacked appropriate seismic support, lacked a foundation, contained rotten floor joists, and could not be rehabilitated. IRES, faced with uniform rejection of its rehabilitation plans, now believes that demolition of 248 Bishop is necessary. As outlined below, this letter provides the basis for demolition pursuant to Salt Lake City Ordinance 21A.34.020(L).

Standards for Demolition of a Contributing Structure

1. The physical integrity of the site in terms of location, design, setting, materials, workmanship, feeling and association is no longer evident.

The alterations made to 248 Bishop have resulted in only limited historical elements surviving. Also, according to the Utah State Historical Society, it is possible that this home was moved to its present location, and was not originally located on Bishop Place.²³

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² See 248 West Bishop Place Historical Society Structure/Site Information Form enclosed as Tab 2(b).
³ Photographs of the streetscape are enclosed as Tab 3.
This home, like many others on Bishop Place, has been added onto numerous times through the years. The photographs above show two separate additions that clearly post-date original construction.

Also, the home has deteriorated past the point of restoration. First, it lacks a foundation:
Some effort appears to have been made many decades ago to create a foundation by installing a cement-like product as a footing. This was accomplished by digging 4 to 6 inches below grade and pouring the cement-like product 4-6 inches above the wood base of the home. Contrary to the intention, this provided no structural support. To properly create footings for 248 Bishop, under the direction of a licensed engineer, IRES would need to undertake significant excavation, attempt to remove the cement-like material, and create new footings with rebar and cement. Alternatively, IRES could lift each home up and create a foundation or footing. Given the deteriorated state of the home, either effort would likely result in the collapse of the existing home.

Second, the lumber within the home has eroded, leaving floor beams, support studs and beams, and trusses in a dangerous condition. The home is sagging and leaning as a result of this deteriorating.

Third, the age of the home indicates that lead based paint and asbestos were likely used and continue to pose a health hazard.

As a result of the alterations that took place years before IRES purchased the property, there is very little that remains historic in the property. The home does not contain distinctive characteristics, noteworthy architectural details, and was not constructed by a notable architect or craftsman.

2. The streetscape within the context of the H historic preservation overlay district would not be negatively affected.

The streetscape of 300 West would not be negatively affected by the demolition of 248 Bishop.\(^4\) First, 248 Bishop is not visible from 300 West.

Second, the east side of 300 West is a hodgepodge of mixed commercial and residential homes that have not retained their historic character. The Marmalade Library is a striking and visible structure only a block away that highlights modern architecture and is not reflective of any historical preservation efforts. The Jardine Dry Cleaning does not embody historic elements.

\(^4\) Photographs of the streetscape are enclosed as Tab 3.
Third, because Bishop Place is located on the western-most boundary of the Capitol Hill Preservation District, it is directly across the street from a variety of commercial and non-historic buildings. Particularly, the Bavarian Motorcycle Workshop, built in 1972 and since remodeled in a variety of ways, is directly across the street. A Family Dollar is also nearby—located on the corner of 500 North and 300 West, and likely detracts from any historic elements that might be found in the area.

Finally, Salt Lake City’s building permit records indicate that a home (identified as 248 Bishop) on Bishop Place was demolished in 1980 as a result of “too many violations to list.”5 This demolition took place two months before the Utah State Historical Society’s survey of Bishop Place. At the time the Historical survey was done, the street and homes were already declining and on their way to the current blighted state. Demolition of the remaining structures would simply complete the cleanup started by the City in 1980.

3. The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures.

The criteria used for determining whether an area is eligible for listing on the City Register specifically excludes “structures that have been moved from their original locations” unless that structure is an “integral part” of the district or is “significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.”6

In 1983, when the City Council of Salt Lake City met to discuss adopting the Capitol Hill Historic District, concerns were raised about the edges of historic district, and particularly the western edge along 300 West.7 In discussing differing philosophies regarding the boundaries of historic districts, the Council minutes state,

Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive a less scrutiny than would a project that would impact the character of the district.

Here, 248 Bishop was likely moved from its original location from the site of the Denver Rio Grande station and after decades of neglect, does not have architectural value or an ability to be restored to its previous condition.8

Also, the City Council envisioned a sliding scale of scrutiny for properties located on the margins of the Historic District. This is logical because Bishop Place is located in a commercial

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5 See Salt Lake City Corporation Building Permit Inspection Listing enclosed as Tab 4. A handwritten note identifies the home as 248 West Bishop. The street may have been renumbered after the demolition of this property.
6 See Capitol Hill Historic District Criteria enclosed as Tab 5.
7 See December 7, 1983 Meeting Minutes enclosed as Tab 6.
8 See Historic Survey enclosed as Tab 2(b).
area surrounded by numerous noncontributing structures on the westernmost boundary of the Capitol Hill Preservation District. Properties directly across the street from Bishop Place are not in the historic district and have not been preserved. The Marmalade Library is the centerpiece of a gentrifying neighborhood, and is just one of the striking noncontributing structures in the area. Strictly scrutinizing the proposed demolition for this structure would be contrary to the intention of the City Council in adopting the boundaries of the Historic District.

4. The base zoning of the site is incompatible with reuse of the structure.

This element does not apply to 248 Bishop.

5. The reuse plan is consistent with the standards for new construction (see Section 21A.34.020H).

IRES plans to develop the property but will submit an application for a landscape bond after receiving approval for demolition.

6. The site has not suffered from willful neglect, as evidenced by the following:
   a. Willful or negligent acts by the owner that deteriorates the structure.
   b. Failure to perform normal maintenance and repairs.
   c. Failure to diligently solicit and retain tenants.
   d. Failure to secure and board the structure if vacant.

IRES boarded the vacant 248 Bishop in 2015 in an effort to preserve the building. The property was abandoned well before IRES took ownership, and was not habitable. The close proximity to West High School and history of vacancy made the property an attraction for truant high school students and the transient population in Salt Lake City. Bishop Place is regularly visited by Salt Lake City police officers—to address issues from mischief to drug use to theft—and is an impediment to renewal efforts in the neighborhood. In 2012, the Salt Lake City Police Department cleared transients from the homes. The police noted that the homes were “in a state of disrepair where the inside of the homes were mostly framed and lacked utilities.” All of the homes were closed to occupancy by order of the health department because they were “[d]ilapidated homes that lack utilities with transients squatting in unsecure homes.” Even after the homes were boarded in 2015, the health department observed that “transients have torn down boards and are living in these vacant houses...there have been reported burglaries reported in the same neighborhood, these vacant houses may be a housing for stolen property.” Id.

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9 Photographs of these noncontributing structures are enclosed as Tab 3.
10 See correspondence with Salt Lake City regarding boarding of the property, enclosed as Tab 7.
11 Please see police reports for the last 4 years enclosed as Tab 8.
12 See Salt Lake County Health Department Records enclosed as Tab 9.
13 See Notification of Premises Closed to Occupancy enclosed as Tab 10.
IRES made every effort to secure 248 Bishop, including installing a fence to secure the lane and renting out one of the habitable properties to a caretaker who watched over Bishop Place. However, transients continue to kick in the boarded doors and live in the properties, further deteriorating the homes.

7. The denial of a certificate of appropriateness for demolition would cause an “economic hardship” (see Section 21A.34.020K).

IRES has already invested a significant amount of time and resources in exploring rehabilitation of 248 Bishop and the surrounding homes. 248 Bishop has 1,690 square feet and no basement. An average resale estimate of $198.99 per square foot above ground results in a possible sale price of $336,293.10. Based on current calculations, IRES cannot rehabilitate 248 Bishop for less than $151,000.00.\textsuperscript{14} This amount does not include the cost of upgrading the infrastructure and road or acquisition costs.\textsuperscript{15} With the current state of the other homes on Bishop Place and the history of criminal activity, it will be very difficult to even locate a buyer for the property at this project price per square foot.

More information regarding the economic difficulties associated with renovating the property may be found in the concurrently-submitted Economic Hardship Application.

3. Show Integrity of the Structure.

The photographs above show that there is limited surviving historic integrity to the structure. A black and white photograph from 1936 shows that the home did not have the additions currently on the property. Decades of neglect have resulted in a deteriorating property without a foundation, causing the home to fall apart from the inside-out. There is little historical integrity in the current state.

\textsuperscript{14} See Breakdown of Costs for Property enclosed as Tab 11(c).
\textsuperscript{15} A breakdown of the estimated infrastructure expenses is enclosed as Tab 12.
4. **Show Streetscape Condition.**

See photographs showing the streetscape and surrounding contributing and noncontributing structures.  

5. **Threat to Public Health and Safety.**

As detailed above, 248 Bishop is a threat to public health and safety. The home is the location of continuing criminal activity. It draws drug users to the developing area and prevents rehabilitation of neighboring businesses and homes. The building inspector, Orion Goff, has acknowledged that the property is in bad condition and not habitable. And, it was closed to occupancy in 2012 by the Salt Lake County Department of Health.

Additionally, Bishop Place would qualify as a blighted area under Utah Code Ann. § 17C-2-303. A survey conducted by Bonneville Research Group indicates that the homes substantially impair the growth of the municipality, retard the provision of housing accommodations, and constitute an economic liability. Bonneville Research found “substantial physical dilapidation, deterioration, or defective construction of buildings” present in all of the parcels on Bishop Place. Id. It also determined that all of the parcels on Bishop Place exhibit four or more of the legislated “blight factors” and that renewal of the property is necessary to effectuate a public purpose. Without demolition of these structures, the property will continue to be a menace to the developing area.

6. **Show No Willful Neglect.**

IRES had retained a tenant in this home to act as a caretaker. 248 is now vacant and the previous tenant took active steps to further destroy the property prior to vacating it by breaking out windows and damaging the interior. Police were clearing transients from the home shortly after IRES acquired it in 2012, and the Health Department condemned the properties that year as well. After negotiations with the city, IRES was allowed to lease this home, but the condition is very rough. IRES boarded the other properties in 2015, erected a chain link fence to keep out vagrants and other criminal activity, and posted no trespassing signs.

7. **Additional Applications/Bond.**

An application for Economic Hardship is submitted concurrently with this Demolition Application.

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16 Available at Tab 3.
17 See police reports at Tab 8.
18 See Email enclosed as Tab 13.
19 See Bishop Place Blight Survey enclosed as Tab 14.
20 See Salt Lake County Health Department Records enclosed as Tab 9.
Please let me know if you have any questions or comments regarding this information. We look forward to hearing from you.

Very Truly Yours,

Bruce Baird
Brooke Johnson

Enclosures
ATTACHMENT G: MASTER PLAN DISCUSSION

While a discussion of adopted master plan policies is relevant to the demolition request by providing background and contextual information, it is important to note that master plans are not relevant to the demolition standards, and the HLC cannot use the master plans as a finding of whether a demolition standard is satisfied or not.

That said, the following are policies in various adopted master plans that provide policy information related to the subject demolition request:

**Plan Salt Lake (2015)**
- **Preservation Initiatives**— Preserve and enhance neighborhood and district character. Balance preservation with flexibility for change and growth (page 33, *Plan Salt Lake*).

**Capitol Hill Community Master Plan Policy (2001)**
The Capitol Hill Community Master Plan specifically identifies policies and action items designed to further the following goal:

“Provide for the preservation and protection of the historically and architecturally important districts as well as the quality of life inherent in historic areas. Ensure new construction is compatible with the historic district within which it is located.”

**Planning Issues**
Although the Capitol Hill Historic District has become a well-identified historic area of Salt Lake City, there are still many people, including property owners, who do not understand or know of the regulations and opportunities associated with this area being designated historic.

In addition, continued pressures from land speculators threaten the area. Because of its proximity to Downtown, the land is seen as more valuable than the historic structures by many speculators and developers. The adoption of design standards for the historic district to ensure compatible redevelopment and alteration which are sympathetic to historic resources, and measures to discourage the demolition of historic resources are paramount.

**Policies**
- Promote fullest and broadest application of historic preservation standards and design guidelines, especially relative to new construction, so that historic neighborhood fabric, character and livability are not compromised.

**Planning Staff Comment:** While the master plan policy does indicate that sensitive redevelopment is welcome in the district, it strongly encourages the adaptive reuse of contributing structures and explicitly supports measures to discourage demolition of historic resources.

**Salt Lake City Community Preservation Plan (2012)**
- **Policy 3.3j:** Support the modification of existing historic residential structures to accommodate modern conveniences in their homes when it does not otherwise negatively detract from the historic property.
- **Policy 3.3k:** Support modification of existing historic resources to allow for changes in use that will encourage the use of the structure for housing or other appropriate uses in historic districts in an effort to ensure preservation of the structure.
- **Policy 3.3l:** Demolition of locally designated Landmark Sites should only be allowed where it is found that there is an economic hardship if the demolition is not allowed or where the structure is declared by the Building Official to be a dangerous building.
**Planning Staff Comment:** These policies are designed to allow for the sympathetic restoration and renewal of contributing historic properties. This allows historic resources to evolve in amenity and function so that they may continue to serve the city into the future, significantly reducing the need for demolition.

Policy 3.3m: Ensure criteria for demolition of contributing structures are adequate to preserve historic structures that contribute to the overall historic district while allowing for consideration of other important adopted City policies.

Action 1: As part of the revisions to the demolition of contributing structure criteria, evaluate the appropriateness of including criteria that allows the consideration of whether the demolition would allow the advancement of other important adopted City policies to be part of the analysis.

Consideration of other adopted policies should not be weighted more heavily than the adopted preservation policies. The level of importance of the other adopted policies in the demolition analysis should be based on how relevant the contributing structure is to the overall historic district and the significance of the location of the contributing structure to the implementation of the other applicable adopted City policies.

**Planning Staff Comment:** This policy indicates that other City policies, including but not limited to housing and economic development, should not be more heavily weighted than adopted preservation policies.
ATTACHMENT H: HISTORIC PRESERVATION STANDARDS

21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:

A. Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

L. Standards for Certificate of Appropriateness for Demolition of a Contributing Structure in an H Historic Preservation Overlay District: In considering an application for a certificate of appropriateness for demolition of a contributing structure, the Historic Landmark Commission shall determine whether the project substantially complies with the following standards:

1. Standards for Approval Of A Certificate Of Appropriateness For Demolition:

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<th>Finding</th>
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<td>The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</td>
<td>Does not comply.</td>
<td>Although the subject structure is in a state of disrepair, the physical integrity of the subject site and structure is still evident in terms of location, design, setting, and materials. The 2006 Capitol Hill survey rates the subject building as “A”, which indicates an architecturally significant and eligible structure. This is further indication that the physical integrity of the site and structure is still intact, and contributes to the historic fabric that makes up the Capitol Hill Historic District. The 2006 survey specifically identifies this building as “an excellent example of the worker cottages built as infill during this period.”</td>
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<td>The streetscape within the context of the H historic preservation overlay district would not be negatively affected</td>
<td>Does not comply.</td>
<td>The demolition of the subject building would have a negative impact on the streetscape both Bishop Place and 300 West. In the case of Bishop Place, it would remove a member of a significant extant ensemble of historically-contributing courtyard-focused workers housing. The modification to the site would, ultimately impact the physical integrity, design, feeling, and association of Bishop Place, as experienced from 300 West. Any demolition of contributing structures on this block will have a negative impact on the character and integrity of the block face and the Capitol Hill Historic District as a whole. Despite previous discussions of modifications to the boundaries of the overlay district, this is a block with a significant number of contributing properties. Although this block face is on the edge of the district and has several buildings that have been altered, a further reduction of contributing structures would be negative.</td>
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<td>The demolition would not adversely affect the H historic preservation overlay district due to the surrounding noncontributing structures</td>
<td>Does not comply.</td>
<td>The majority of the surrounding structures are contributing to the district. Any demolition of contributing structures in this area would adversely affect the H – Historic Preservation Overlay District.</td>
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<td>The base zoning of the site is incompatible with reuse of the structure</td>
<td>Does not comply.</td>
<td>As noted previously, the zoning for the site is SR-3, which would allow for the reuse of the structures on Bishop Place as single-family housing. The applicant has rehabilitation plans and COAs approved for the site via the Planned Development and Preliminary Subdivision process.</td>
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<td>The reuse plan is consistent with the standards outlined in subsection H of this section</td>
<td>Likely complies, to be determined.</td>
<td>The applicant has not submitted a reuse plan beyond stating the intent to submit a landscape bond ‘after receiving approval for demolition’. Landscaping is an acceptable approach to reuse of the site. However, given that no specific landscape or reuse plan has been submitted, it cannot be determined whether the reuse plan is consistent with the Standards for New Construction as outlined in 21A.34.020(H) or the landscape design standards and guidelines in 21A.48.</td>
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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,
3. Failure to diligently solicit and retain tenants, and
4. Failure to secure and board the structure if vacant

| The denial of a certificate of appropriateness for demolition would cause an "economic hardship" as defined and determined pursuant to the provisions of subsection K of this section | To be determined. | Information pursuant to this standard has been submitted, however this is a process the applicant could pursue once a decision is made regarding the proposed demolition. |

The applicant’s narrative indicates that the building was vacant and in disrepair upon acquisition in 2012. The applicant did not choose to board the property until 2015, “in an effort to preserve the building.” This suggests that for the three years between acquisition and 2015, the structures were allowed to deteriorate without intervention by the owner.

As per their submitted narrative, the site was acquired by the applicant in 2012 with the intention of rehabilitating the homes. The applicant has provided no evidence that the current owner has done any routine maintenance or repairs since the time of purchase.

In the submitted narrative, the applicant indicates the property was vacant at the time of acquisition. No indication is given as to whether the property could have been improved for leasing at that time. Condition is provided as the rationale for which tenants were not solicited for the property.

At the time of acquisition in 2012, the structures were vacant and unsecured. In 2015, the applicant began fencing and boarding the structures in an attempt to prevent unwanted entry.

2. Historic Landmark Commission Determination of Compliance with Standards of Approval: The Historic Landmark Commission shall make a decision based upon compliance with the requisite number of standards as set forth below.

a. Approval of Certificate of Appropriateness for Demolition: Upon making findings that at least six (6) of the standards are met, the HLC shall approve the Certificate of Appropriateness for demolition.

b. Denial of Certificate of Appropriateness for Demolition: Upon making findings that two (2) or less of the standards are met, the HLC shall deny the Certificate of Appropriateness for demolition.

c. Deferral of Decision for Up To One Year: Upon making findings that three (3) to five (5) of the standards are met, the HLC shall defer a decision for up to one year during which the applicant must conduct a bona fide effort to preserve the site pursuant to subsection 21A.34.020M of the Salt Lake City Zoning Ordinance.
ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Recognized Organizations (Community Councils):
The Capitol Hill Community Council were formally contacted via email on February 2, 2017, to solicit comment regarding the demolition proposals.

The proposal was presented at their February 15th meeting. Subsequently, a letter was received indicating the community council’s position on the project. The board expressed a preference for the rehabilitation of the structures, but a willingness to support the demolition of some structures. This support is premised on the buildings being documented to the standards of the Historic American Building Survey (HABS). This letter has been included in this attachment.

Two additional emails were received: One indicating support for the demolitions, one in opposition. They have been included in this attachment.

Open House:
An open house was held on February 16. Approximately 12 interested members of the public attended, though only four chose to sign in. General consensus of those attending was that they were eager to see improvements to the area, but would prefer to see the buildings on Bishop Place restored and updated for modern living rather than torn down and replaced.

Public Comments:
Other than those previously mentioned, no specific comments have been received in relation to the proposals. A summary of comments received after this staff report was drafted will be provided to HLC commissioners.

Notice of the public hearing for the proposal include:
- Notice mailed on April 6, 2017.
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on April 6, 2017.
- Property posted on April 10, 2017.
March 8, 2017

Mr. Bob Springmeyer  
Bonneville Research  
170 South Main St. Suite 775  
Salt Lake City, Utah 84101

Re: Bishop Place demolition proposal

Dear Bob,

On behalf of the Capitol Hill Community Council, I’d like to thank you and your client for presenting your client’s proposal to demolish the structures on Bishop Place to the Council on February 15. The Board referred the matter to our Advocacy Committee which met on February 20 to discuss the proposal. This letter summarizes our response.

The Board strongly supports the improvement of Bishop Place to eliminate the hazards it currently poses and to provide housing in our neighborhood. Our priorities are that the project be beneficial for the neighborhood and respectful of the unique historical value of Bishop Place. That said, we recognize that the project must be financially feasible. We are ready to work with your client to create such a project.

In an ideal world, we would like to see the exteriors of all of the existing buildings on Bishop Place restored. They are all historically significant. The wood frame buildings are among the few remaining examples of adobe-lined construction in the City. If the developer deems it necessary, we could support the demolition of the wood frame buildings on the condition that they first be documented in accordance with the Historic American Building Survey (HABS) standards. The Board may be able to assist the developer in this process.

We do not support the demolition of the brick bungalow on 300 West or the brick duplex on the south side of Bishop Place. In addition to its historic value and handsome appearance, the scale of the bungalow is appropriate on 300 West, whereas the proposed pair of small frame houses would not be. The bungalow appears to be structurally sound. It might be financially viable as professional office space. The duplex is a unique structure and, thanks to its brick walls, has suffered much less damage than the wood frame houses. We are ready to help the developer apply for historic tax credits and other incentives to reduce the cost of renovating these structures.

The Board is ready to use its position with the City to support this project on the above conditions. It is our sincere hope that this project will go forward in a manner that will benefit both the developer and the neighborhood. We look forward to continuing conversations.

Sincerely,

Laura Arellano, Chair  
Capitol Hill Neighborhood Council
Mr. Riederer,

As a property owner on 300 W I request that each structure on Bishop Place be demolished. My family and I won't walk on that side of 300 W because of all the transients in and out of those buildings, even before the chainlink fence was erected. Those buildings are an eyesore and contribute nothing positive to the area. What use is a historic structure if it's inaccessible and neglected?

The area has greatly improved by the RDA and by individual property owner's initiative. I don't know what the plans are for Bishops Place, but an empty field would be an improvement over it's current state.

Thank you,
Galen Bagley
Good Afternoon,

Following receipt of the Historic Landmark Commission's notice regarding a hearing concerning the proposed demolition of nine historic structures on or surrounding Bishop Place, as a resident of the neighborhood, I feel it necessary to comment on these proposals, as I will be unable to attend the meeting in person.

Salt Lake City has an admirable track record of exercising extreme prudence concerning alterations to and the razing of historic structures. The properties on Bishop Place should be no exception. If anything, these structures should be help to en elevated status given the great pride which the West Capitol Hill neighborhoods have taken in gentrifying what was once considered to be an extremely dangerous and otherwise forgotten section of the city.

The houses in this neighborhood represent some of the earliest, continuously used living structures in the city. While progress is most certainly always a threat to history, it would be a great tragedy to see such a large number of historic buildings fall by the wayside in one fell swoop. As new development beings to spring up just a block to the north of Bishop Place, there should be a heightened sense of preservation which provides a greater context for the care taken by the new developers to integrate their new buildings into a well-established neighborhood. Bishop Place can and should be a model for this type of development which places a premium on the revitalization, rather than a reorganization of our shared history.

Living in a house which is listed as historic, I am well aware of the constraints which, in all honesty can seem onerous at times. However, over the three years in which I have lived in the Marmalade Neighborhood, it has become all to apparent that these restrictions are in place in order to preserve not only history, but a quality of life which is becoming all too rare in neighborhoods across America which are as close to an urban center, as the West Capitol Hill neighborhoods are. We need not look further than Pugsley Street and its recent revitalization as proof that renovation rather than demolition pave the way for aesthetically pleasing and congruent neighborhoods.

I strongly urge the Historic Landmark Commission to **not approve** the razing of the structures on Bishop Place. Progress is occurring in our neighborhood on the Marmalade Block Development, and the urgency to preserve and protect that which makes Salt Lake City unique cannot be overlooked in the name of making a quick buck to the lowest bidder.

Thank you,

Tyson Carbaugh-Mason
District 3
369 N. Quince St.
INTERNATIONAL REAL ESTATE SOLUTIONS, INC.

Demolition Applications and Supporting Documents for Bishop Place Structures
TAB 1
Date: 28 Dec 2016

Salt Lake City Building Department
Attn: Inspections

Subject: Bishop’s Place Structures

The purpose of this letter is to provide a brief follow-up to the letter written regarding the Bishop’s Place Homes [see attachment]. To my knowledge, nothing has changed since I wrote the attached letter except for the passage of time. Continued exposure to the elements has further degraded the structures. There is simply no way, that I can see, to repair these structures.

Please feel free to call with any questions or Concerns.

Respectfully Yours,

William M York, S.E.
Date: 14 Jan 2016

Salt Lake City Building Department  
Attn: Inspections

Subject: Bishop Place Structures

The purpose of this letter is to provide a brief summary of our findings and observations following a visit to the homes located along Bishop Place in Salt Lake City:

1. The homes appear to have been vacant and unattended for years. All of the degradation and damage that you expect to see was evident.
2. The homes do not appear to have any foundations or footings under them. Some have a concrete curbing around the perimeter but it is shallow and does little to support the structure and provides no frost protection.
3. The existing floor joist are sitting on or near the soil and as such are expected to be rotten and otherwise degraded and beyond repair.
4. The walls do not have any lateral resistance that can be quantified. In addition the roof/floor/wall/connections are highly deficient to resist any significant wind or earthquake event.
5. Their no any framing connections beyond simple nailing techniques of the period.
6. All of the roofs are sagging and the framing is expected to fall well below current standards. In addition, the roofing is degraded which has most likely led to significant water damage and rot throughout the structures. Missing and broken windows and doors have exacerbated the water problem.
7. Mechanical and electrical components will need to be completely replaced and updated.
In summary the structures have significant structural deficiencies and in my opinion, there exist no practical way to bring the existing structures up to current code requirements. I recommend that they be rebuilt from the ground up. As is the structures pose significant health and safety hazzards.

York Engineering will require that the Salt Lake City Building Department accept full responsibility for the existing structures, in writing, prior to any engineering for additions to the structures. In addition, York Engineering will require that a hold harmless agreement be provided which fully and completely indemnifies York Engineering or any of it's agents regarding the existing structures.

Please feel free to call if there are any questions or concerns.

Respectfully Yours;
York Engineering Inc.

William M. York, PE SE

14 Jan 2016
Breen Homes

February 19, 2015

Job Number 15021

RE: Bishop Place
Salt Lake City, UT

I have made two site visits to walk through Lots 3, 4, 8, 9, 10, and 11. The developer has proposed tearing down the homes on these lots and building new ones. As an engineer I concur with this proposal, for the reasons outlined below. All of these homes are very similar and have the same issues.

Lot #3: The roof is in decent shape and could reasonably be reinforced and properly attached to the walls below. The walls were originally built with cut stone masonry. The mortar has degraded to the point that the stones can be pulled out by hand increasing the seismic load the home must bear as well as causing a hazard. There are also wood studs inlaid into these exterior walls. These studs do not appear to be properly attached to the floor. The floor joists are rotting where they sit on the foundation wall. The attachment of the floor system to the foundation is nonexistent-it just sits on the foundation wall. The concrete foundations will not meet current code and are inadequate due to the lack of reinforcing. There are also many cracks and places of deterioration in the foundation. There is no separation between the soil and wood framing, causing the wood to rot.

Lot #4: The roof is in decent shape and could reasonably be reinforced and properly attached to the walls below. The home is framed with wood stud exterior walls. These studs do not appear to be properly attached to the floor and many of them are rotting. The floor joists are rotting where they sit on the foundation wall. The attachment of the floor system to the foundation is nonexistent-it just sits on the foundation wall. The concrete foundations will not meet current code and are inadequate due to the lack of reinforcing. There are also many cracks and places of deterioration in the foundation. There is no separation between the soil and wood framing, causing the wood to rot.

Lot #8: The roof is in decent shape and could reasonably be reinforced and properly attached to the walls below. The walls were originally built with cut stone masonry. The mortar has degraded to the point that the stones can be pulled out by hand increasing the seismic load the home must bear as well as causing a hazard. There are also wood studs inlaid into these exterior walls. These studs do not appear to be properly attached to the floor. The floor joists are rotting where they sit on the
foundation wall. The attachment of the floor system to the foundation is nonexistent—it just sits on the foundation wall. The concrete foundations will not meet current code and are inadequate due to the lack of reinforcing. There are also many cracks and places of deterioration in the foundation. There is no separation between the soil and wood framing, causing the wood to rot. This home has also sustained major damage by a fire in the south end of the home. It burned the walls and the roof has collapsed in this area.

Lot #9: The roof is in decent shape and could reasonably be reinforced and properly attached to the walls below. The walls were originally built with cut stone masonry. The mortar has degraded to the point that the stones can be pulled out by hand increasing the seismic load the home must bear as well as causing a hazard. There are also wood studs inlaid into these exterior walls. These studs do not appear to be properly attached to the floor. The floor joists are rotting where they sit on the foundation wall. The attachment of the floor system to the foundation is nonexistent—it just sits on the foundation wall. The concrete foundations will not meet current code and are inadequate due to the lack of reinforcing. There are also many cracks and places of deterioration in the foundation. There is no separation between the soil and wood framing, causing the wood to rot.

Lot #10: The roof is in decent shape and could reasonably be reinforced and properly attached to the walls below. The walls were originally built with cut stone masonry. The mortar has degraded to the point that the stones can be pulled out by hand increasing the seismic load the home must bear as well as causing a hazard. There are also wood studs inlaid into these exterior walls. These studs do not appear to be properly attached to the floor. The floor joists are rotting where they sit on the foundation wall. The attachment of the floor system to the foundation is nonexistent—it just sits on the foundation wall. The concrete foundations will not meet current code and are inadequate due to the lack of reinforcing. There are also many cracks and places of deterioration in the foundation. There is no separation between the soil and wood framing, causing the wood to rot.

Lot #11: The roof is in decent shape and could reasonably be reinforced and properly attached to the walls below. The walls were originally built with cut stone masonry. The mortar has degraded to the point that the stones can be pulled out by hand increasing the seismic load the home must bear as well as causing a hazard. There are also wood studs inlaid into these exterior walls. These studs do not appear to be properly attached to the floor. The floor joists are rotting where they sit on the foundation wall. The attachment of the floor system to the foundation is nonexistent—it just sits on the foundation wall. The concrete foundations will not meet current code and are inadequate due to the lack of reinforcing. There are also many cracks and places of deterioration in the foundation. A concrete curb has been added on the exterior of the home covering up a portion of the wood framing and siding.
All of these homes are constructed similarly, and the construction is very old and dilapidated. None of these homes have shear walls that are approved by code. Major repairs must be done to each home mainly at the foundation level. Each home needs a new foundation along with proper connections to the floor framing. These foundation fixes are very hard to do with the home remaining intact. Much of the floor needs to be replaced because of the rotting.

It is my opinion that these homes should be demolished and rebuilt because of the foundation issues and the ability of them to resist lateral pressures.

Sincerely,

Wayne Staker S.E.
Compass Engineering
**Structure/Site Information Form**

**Property Type:**

**Street Address:** 243 West Bishop Place

**Name of Structure:**

**Present Owner:**

**Owner Address:**

**Year Built (Tax Record):**

**Legal Description**

**Effective Age:**

**Kind of Building:**

**UTM:**

**Site No.**

---

**1**

**2**

**Original Owner:** Emily V.B. Harrison

**Construction Date:** 1904–1911

**Demolition Date:**

**Original Use:** residence

**Present Use:** residence

**Building Condition:**

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<thead>
<tr>
<th>Condition</th>
<th>Integrity</th>
<th>Preliminary Evaluation</th>
<th>Final Register Status</th>
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<td>Site</td>
<td>Significant</td>
<td>National Landmark</td>
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<tr>
<td>Good</td>
<td>Ruins</td>
<td>Not of the</td>
<td>National Register</td>
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<td>Multi-Resource</td>
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<td>Not Contributory</td>
<td>State Register</td>
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**3**

**Photography:**

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<tr>
<td>Other</td>
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<td></td>
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</tbody>
</table>

**Research Sources:**

- Abstract of Title
- Sanborn Maps
- Newspapers
- U of U Library
- Plat Records/Map
- City Directories
- U of U Library
- Tax Card & Photo
- Biographical Encyclopedias
- Personal Interviews
- BYU Library
- Building Permit
- Obituary Index
- LDS Church Archives
- USU Library
- Sewer Permit
- County & City Histories
- LDS Genealogical Society
- Other

**Bibliographical References** (books, articles, records, interviews, old photographs and maps, etc.):

- Polk, *Salt Lake City Directory*, 1924.
- Salt Lake County Plat Records, 1860–1940.

**Researcher:** Fred Aegarter

**Date:** 1980
Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one-story gable roof residence with a symmetrical main facade and a small gabled entrance hood. There is a rear frame lean-to.

Statement of Historical Significance: Construction Date: 1904-1911

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1904 and 1911. There is a possibility that this house was moved from the site of the Denver Rio Grande station. The original owner of the property, when the house was erected, was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. She was the mother of at least three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Louis Obispo, California.

Emily deeded the home to Bower Investment Company in 1925. Bowers deeded to Zach Partington and his wife, Mildred Bishop Partington in 1933.
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1
Street Address: 248 Bishop Place
Name of Structure:
Present Owner:
Owner Address:
Year Built (Tax Record): 1898
Legal Description
Effective Age:
Kind of Building:
Tax #: 

UTM:

T. R. S.

2
Original Owner: Alexander L. Bishop
Original Use: residence
Construction Date: 1898-1904
Demolition Date:
Present Use: residence
Building Condition: Good
Integrity:

Unaltered
Minor Alterations
Major Alterations

Excellant
Site
Ruins

Preparing Evaluation:

Significant
Contributory
Not Significant
Not Contributory

Historic Period

Final Register Status:

National Landmark
National Register
State Register
Multi-Resource
Thematic

Photography:
Date of Slides:
Slide No.:
Date of Photography: Spring '80

3
Research Sources:

☑ Abstract of Title
☑ Sanborn Maps
☐ Newspapers
☐ U of U Library

☐ Plat Records/Map
☐ City Directories
☐ Utah State Historical Society
☐ BYU Library

☐ Tax Card & Photo
☐ Biographical Encyclopedias
☐ Personal Interviews
☐ USU Library

☐ Building Permit
☐ Obituary Index
☐ LDS Church Archives
☐ SLC Library

☐ Sewer Permit
☐ County & City Histories
☐ LDS Genealogical Society
☑ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.

Researcher: Fred Aegerter
Date: 6/80
Architect/Builder:

Building Materials: frame, shiplap

Building Type/Style: Victorian eclectic

Description of physical appearance & significant architectural features:
(include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one and a half story gable roofed house with a gable facade having patterned shingle siding in the gable, pent eaves, a projecting front porch, turned porch posts, and a tripartite window. There are rear frame extensions.

Statement of Historical Significance:  Construction Date: 1898-1904

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1898 and 1904. There is a possibility that this house was moved to its present location from the site of the Denver-Rio Grande Station. The original owner of the house appears to have been Alexander Laredo Bishop.

Bishop was born about 1865 in England. He was married and his wife's given name was Mary Elizabeth. The couple had six children. Alex was employed as a well driver. He was in a partnership with his brother, Charles W. Bishop. Alexander Bishop died January 24, 1931. His wife resided at the residence through 1940.
STRUCTURE/SITE INFORMATION FORM

1. Street Address: 249 Bishop Place
   UTM:
   T. R. S.

2. Original Owner: Emily V.B. Harrison
   Construction Date: 1904–1911
   Present Use: residence
   Final Register Status:
   National Landmark
   National Register
   Multi-Resource
   State Register
   Thematic

3. Photography:
   Date of Photographs: 1980
   Views: ☑ Front ☑ Side ☑ Rear ☑ Other
   Research Sources:
   ☑ Abstract of Title
   ☑ Sanborn Maps
   ☑ Newspapers
   ☑ U of U Library
   ☑ Plat Records/Map
   ☑ City Directories
   ☑ Utah State Historical Society
   ☑ BYU Library
   ☑ Tax Card & Photo
   ☑ Biographical Encyclopedias
   ☑ Personal Interviews
   ☑ USU Library
   ☑ Building Permit
   ☑ Obituary Index
   ☑ LDS Church Archives
   ☑ SLG Library
   ☑ Sewer Permit
   ☑ County & City Histories
   ☑ LDS Genealogical Society
   ☑ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860–1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1917, 1924.

Researcher: Fred Aegerter
Date: 1980
Building Materials: fake brick asphalt over?

Building Type/Style:

Description of physical appearance & significant architectural features:
(Includes additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story gable roof house with an off center chimney. Its floor plan is the shot gun arrangement with rear extensions. There is a frame entrance porch with turned posts.

Statement of Historical Significance:

From evidence of title, city directories, and Sanborn maps, this home was built between 1904 and 1911. There is a possibility that this house was moved to its present site from the site of the Denver Rio Grande station. The original owner of the building was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. The couple had three children. She was a member of the L.D.S. Church. She died March 24, 1956. Harrison deeded the house to Walter Garrick in 1923.

Construction Date: 1904-1911
Structure/Site Information Form

Street Address: 253 West Bishop Place

Name of Structure:

Present Owner:

Owner Address:

Year Built [Tax Record]:

Legal Description

Effective Age:

Kind of Building:

Original Owner: Emily V.B. Harrison

Original Use: residence

Construction Date: 1904–1911

Demolition Date: residence

Building Condition:

Integrity:

Preliminary Evaluation:

Final Register Status:

☑ Excellent
☐ Site
☐ Unaltered
☐ Significant
☐ Not of the Historic Period
☐ National Landmark
☐ District

☑ Good
☐ Ruins
☐ Minor Alterations
☑ Contributory
☐ Not Contributory
☐ National Register
☐ Multi-Resource

☐ Deteriorated
☐ Major Alterations

☑ Excellent
☐ Site
☐ Unaltered
☐ Significant
☐ Not of the Historic Period
☐ National Landmark
☐ District

☑ Good
☐ Ruins
☐ Minor Alterations
☑ Contributory
☐ Not Contributory
☐ National Register
☐ Multi-Resource

☐ Deteriorated
☐ Major Alterations

Photography:

Date of Slides:

Slide No.:

Date of Photograph:

Photo No.:

Research Sources:

☑ Abstract of Title
☐ Plat Maps
☐ Sanborn Maps
☐ Newspapers
☐ U of U Library

☐ Plat Records/Map
☐ City Directories
☐ Utah State Historical Society
☐ BYU Library

☐ Tax Card & Photo
☐ Biographical Encyclopedias
☐ Personal Interviews
☐ USU Library

☐ Building Permit
☐ Obituary Index
☐ LDS Church Archives
☐ SLCC Library

☐ Sewer Permit
☐ County & City Histories
☐ LDS Genealogical Society
☐ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860–1940.
Sanborn Maps, SLC, 1898, 1911, 1903, 1969

Researcher: Fred Aegerter

Date: 6/80
This is a one story shotgun plan house with a gable roof and frame porch. It has a rear extension the same as 255 West Bishop Place.

Statement of Historical Significance:

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1904 and 1911. There is a possibility that this home was moved from the site of the Denver Rio Grande station. The original owner was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Saray Haynes Bishop. Emily married James W. Harrison on April 12, 1893. The couple had three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Luis Obispo, California. Chain of title is as follows:

1923 Harrison to Walter Garrick
1934 Garrick to Harry Bishop
Structure/Site Information Form

Street Address: 257 West Bishop Place

UTM:
T.  R.  S.

Name of Structure:

Present Owner:

Owner Address:

Year Built (Tax Record): Effective Age: Kind of Building: Tax #:

Original Owner: Emily Viletta Bishop Harrison

Construction Date: 1904

Demolition Date:

Present Use: residence

Original Use: residence

Building Condition: Integrity: Preliminary Evaluation: Final Register Status:

- Excellent
- Good
- Deteriorated
- Site
- Ruins
- Unaltered
- Minor Alterations
- Major Alterations
- Significant
- Contributory
- Not Contributory
- Not of the Historic Period
- National Landmark
- National Register
- Multi-Resource
- District
- State Register
- Thematic

Photography: Date of Slides: Slide No.: Date of Photographs: Spring '80 Photo No.:

Views: □ Front □ Side □ Rear □ Other Views: □ Front □ Side □ Rear □ Other

Research Sources:

□ Abstract of Title
□ Plat Records/Maps
□ Tax Card & Photo
□ Building Permit
□ Sewer Permit

☑ Sanborn Maps
☑ City Directories
☑ Biographical Encyclopedias
☑ Obituary Index
☑ County & City Histories

□ Newspapers
□ U of U Library
□ Personal Interviews
□ BYU Library
□ LDS Church Archives
□ SLC Library
□ LDS Genealogical Society
□ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860–1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Polk, Salt Lake City Directory, 1917, 1924.

Researcher: Fred Aegerter

Date: 6/80
This is a one story shotgun plan house with a gable roof and frame extensions on the west including a screen porch. Originally, it was similar to 253 West Bishop Place. It abuts a second house on the southeast, 257 1/2, a one story gable roofed structure with gable facade symmetrically arranged.

From evidence of title, city directories, and Sanborn Maps, this home was built in 1904. There is a possibility that this home was moved here from the site of the present day Denver Rio Grande station. The original owner of the house was Emily Viletta Bishop Harrison.

Harrison was born April 12, 1869, in Cheltenham, England. She was a daughter of Thomas and Sarah Haynes Bishop. Emily married James W. Harrison on April 12, 1893. She was the mother of at least three children. She was a member of the L.D.S. Church. She died March 24, 1956, in San Luis Obispo, California.

Emily deeded the home to Sidney E. Bishop, her brother, in 1925.
Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

1
Street Address: 258 West Bishop Place

UTM:
T. R. S.

Effective Age:

Tax #:

Name of Structure:

Present Owner:

Owner Address:

Year Built (Tax Record):

Legal Description

Kind of Building:

2
Original Owner: Charles W. Bishop

Original Use: residence

Construction Date: 1901-1911

Demolition Date:

Present Use: residence

Building Condition:

Integrity:

Preliminary Evaluation:

Final Register Status:

☑ Excellent ☐ Site ☐ Unaltered
☐ Good ☐ Ruins ☐ Minor Alterations
☐ Deteriorated ☐ Major Alterations
☐ Not Significant ☐ Not Contributory

☐ Not of the Historic Period

☐ National Landmark ☐ National Register

☐ Multi-Resource ☐ State Register

☐ Thematic

3
Photography:

Date of Slides:

Slide No.:

Date of Photograph:

Spring '80

Photo No.:

Views: ☑ Front ☑ Side ☐ Rear ☐ Other

Views: ☑ Front ☑ Side ☐ Rear ☐ Other

Research Sources:

☐ Abstract of Title ☐ Sanborn Maps

☐ Plat Records/Map ☐ City Directories

☐ Tax Card & Photo ☐ Biographical Encyclopedias

☐ Building Permit ☐ Obituary Index

☐ Sewer Permit ☐ County & City Histories

☐ Newspapers ☐ U of U Library

☐ Utah State Historical Society ☐ BYU Library

☐ Personal Interviews ☐ USU Library

☐ LDS Church Archives ☐ SLC Library

☐ LDS Genealogical Society ☐ Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Plat Records, 1860-1940.
Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
Folk, Salt Lake City Directory, 1901, 1924.

Researcher: Fred Aegerter

Date: 6/80
This is a one story gable roofed house with broad side to the street. There have been major window alterations. Originally this home was of the vernacular type. There is an off-center chimney. The rear extension with a gable roof creates a "T". There is also an entrance on the east.

From evidence of title, city directories, and Sanborn Maps, this house appears to have been built between 1901 and 1911. There is a possibility that this house was moved from the present location of the Denver Rio Grande station. The original owner of this house was Charles W. Bishop.

Bishop was born March 1, 1867. He was a son of Thomas and Sarah Haynes Bishop. Bishop was employed as a well driver from as early as 1897 until as late as 1937. His wife, Florence L., and he had seven children who survived him. He died August 27, 1938. The family kept the house through 1940.
Structure/Site Information Form

1. **Street Address:** 262 West Bishop Place
   **UTM:**
   **T.**
   **R.**
   **S.**

2. **Original Owner:** Amanda C.F. Bishop
   **Construction Date:** 1898-1911
   **Demolition Date:**

3. **Original Use:** residence
   **Present Use:** residence

4. **Building Condition:**
   - □ Excellent
   - □ Good
   - □ Deteriorated

5. **Integrity:**
   - □ Site
   - □ Ruins
   - □ Minor Alterations
   - □ Major Alterations

6. **Preliminary Evaluation:**
   - □ Significant
   - □ Contributory
   - □ Not Significant
   - □ Not Contributory

7. **Final Register Status:**
   - □ National Landmark
   - □ District
   - □ National Register
   - □ Multi-Resource
   - □ State Register
   - □ Thematic

8. **Photography:**
   - **Date of Slides:**
   - **Slide No.:**
   - **Date of Photographs:** Spring '80
   - **Photo No.:**

9. **Research Sources:**
   - □ Abstract of Title
   - □ Sanborn Maps
   - □ Taxes Card
   - □ City Directories
   - □ Tax Card & Photo
   - □ Biographical Encyclopedias
   - □ Building Permit
   - □ Obituary Index
   - □ Sewer Permit
   - □ County & City Histories

10. **Bibliographical References:**
    - Salt Lake County Plat Records, 1860-1940.
    - Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
    - Polk, Salt Lake City Directory, 1911, 1917, 1924.

**Researcher:** Fred Aegterer
**Date:** 6/80
ARCHITECTURE

Building Materials: asbestos shingles over?

Building Type/Style:

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story square plan house with a hip roof and carport extension to the east. There have been major window alterations.

HISTORY

Statement of Historical Significance: Construction Date: 1898–19

From evidence of title, city directories, and Sanborn Maps, this house was built between 1898 and 1911. There is a possibility that this house was moved to its present location from the site of the Denver Rio Grande station. The first resident of the house appears to have been Amanda Charlotte Fagerstrom Bishop.

Amanda was born March 1, 1866, in Sweden. She was a daughter of Erich and Sophia Carlson Fagerstrom. Amanda came to Utah in 1887. She married Thomas Bishop in 1898. She was a member of the L.D.S. Church. She died on May 4, 1951, in Bountiful, Utah. Three children survived her. The Bishop family has continued to own the house.
**Structure/Site Information Form**

**1. IDENTIFICATION**
- **Street Address:** 265-67 Bishop Place
- **Name of Structure:**
- **Present Owner:**
- **Owner Address:**
- **Year Built (Tax Record):**
- **Legal Description:**
- **UTM:** T.  R.  S.
- **Effective Age:**
- **Kind of Building:**
- **Tax #:**

**2. STATUS/USE**
- **Original Owner:** Samuel Holmes
- **Original Use:** duplex
- **Construction Date:** 1927
- **Present Use:** duplex
- **Demolition Date:**
- **Building Condition:**
- **Integrity:**
- **Preliminary Evaluation:**
- **Final Register Status:**
  - □ Excellent □ Site □ Unaltered □ Significant □ Not of the National Landmark □ District
  - □ Good □ Ruins □ Minor Alterations □ Contributory □ Historic Period □ National Register □ Multi-Resource
  - □ Deteriorated □ Major Alterations □ Not Contributory □ State Register □ Thematic

**3. PHOTOGRAPHY**
- **Photography:**
- **Date of Slides:**
- **Slide No.:**
- **Date of Photographs:** Spring '80
- **Photo No.:**
- **Views:** □ Front □ Side □ Rear □ Other
- **Views:** □ Front □ Side □ Rear □ Other

**4. RESEARCH SOURCES**
- □ Abstract of Title □ Sanborn Maps □ Newspapers □ U of U Library
- □ Plat Records/Map □ City Directories □ Utah State Historical Society □ BYU Library
- □ Tax Card & Photo □ Biographical Encyclopedias □ Personal Interviews □ USU Library
- □ Building Permit □ Obituary Index □ LDS Church Archives □ SLC Library
- □ Sewer Permit □ County & City Histories □ LDS Genealogical Society □ Other

**BIBLIOGRAPHICAL REFERENCES**
- Salt Lake County Plat Records, 1860-1940.
- Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
- Polk, Salt Lake City Directory, 1928, 1930.

**Researcher:** Fred Aegerter  
**Date:** 6/80
Street Address: 265-267 Bishop Place

Architect/Builder:

Building Materials: brick; concrete

Building Type/Style: duplex

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one story bungalow style duplex with a hip roof and symmetrical facade. The hipped roof entrance portico has battered supports.

Statement of Historical Significance:  

From evidence of title, city directories, and Sanborn maps, this duplex appears to have been built in 1927. The original owner of the duplex appears to have been Samuel Holmes. The first residents of the home were Joseph A. Anderson and Wade H. Pickett.

Samuel Holmes was born April 8, 1858, in Enfield Highway, Middlesex, England. He came to Utah in 1876. He married Mary Louise Deeks on September 23, 1880. After Mary died he married Lucy Widdison in 1918. He was employed with the Utah Central Railway and in 1889, he opened up Holmes Boiler Company. He worked there until 1933. He was a member of the L.D.S. Church. He died May 7, 1935.
# Structure/Site Information Form

**Property Type:**

**Historic Preservation Research Office**

**Site No.** __________

**Structure/Site Information Form**

1. **Street Address:** 434 North 300 West

   **UTM:**

   **T.**  
   **R.**  
   **S.**

2. **Name of Structure:**

   **Present Owner:**

   **Owner Address:** Bountiful, UT 84010

   **Year Built (Tax Record):** 1913

   **Legal Description**

   **Effective Age:**

   **Kind of Building:**

3. **Original Owner:** Leo A. Jones

   **Original Use:** residence

   **Construction Date:** 1913

   **Demolition Date:**

   **Present Use:** residence

   **Building Condition:**

   **Integrity:**

   **Preliminary Evaluation:**

   **Final Register Status:**

   - □ Excellent
   - □ Site
   - □ Unaltered
   - □ Significant
   - □ Not of the
   - □ National Landmark
   - □ Outstanding
   - □ Good
   - □ Ruins
   - □ Minor Alterations
   - □ Contributory
   - □ Historic Period
   - □ National Register
   - □ Multi-Resource
   - □ Poor
   - □ Major Alterations
   - □ Not Contributory
   - □ State Register
   - □ Theme
   - □ Deteriorated
   - □ Major Alterations
   - □ Not Contributory
   - □ Thematic

4. **Photography:**

   **Date of Slides:**

   **Slide No.:**

   **Date of Photographs:** Spring '80

   **Photo No.:**

   **Views:** □ Front □ Side □ Rear □ Other

   **Views:** □ Front □ Side □ Rear □ Other

   **Research Sources:**

   - □ Abstract of Title
   - □ Sanborn Maps
   - □ Newspapers
   - □ U of U Library
   - □ Plat Records/Map
   - □ City Directories
   - □ Utah State Historical Society
   - □ BYU Library
   - □ Tax Card & Photo
   - □ Biographical Encyclopedia
   - □ Personal Interviews
   - □ UUB Library
   - □ Building Permit
   - □ Obituary Index
   - □ LDS Church Archives
   - □ SLCC Library
   - □ Sewer Permit
   - □ County & City Histories
   - □ LDS Genealogical Society
   - □ Other

   **Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):**

   - Salt Lake County Plat Records, 1860–1940.
   - Sanborn Maps, Salt Lake City, 1898, 1911, 1930, 1969.
   - Polk, Salt Lake City Directory, 1913, 1914.

5. **Researcher:** Fred Aegerter

6. **Date:** 6/80
Street Address: 432 North 300 West

Architect/Builder:

Building Materials: brick

Building Type/Style: Bungalow

Description of physical appearance & significant architectural features:
(include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one and a half story Bungalow which shows the influence of the Craftsman style. It has a gable roof and a large front dormer. Gables have large wooden brackets, and rafter ends are left exposed in the eaves for decorative effect. The wide front porch has squat wooden columns on brick railing walls. There is a curved south side bay window.

--Thomas W. Hanchett

Statement of Historical Significance: Construction Date: 1913

From the evidence of a building permit entry, this house was built in 1913. The one story brick home is listed as costing $4,000. The original owner is listed as W.H. Jones, although the title of the land was given to Leo A. Jones and he is listed as the first resident.

Leo A. Jones was born March 8, 1878, in Salt Lake City. He was a son of William and Lucy Patmore Poulton Jones. He married MaBel Whipple on December 11, 1901. Jones was employed as a jeweler for 73 years. He was the father of four daughters. He died September 1, 1970. Jones lived in this house through 1940.
TAB 3
 Photographs of Bishop Place
Photographs of Neighboring Structures on 300 West
Photographs of Neighboring Noncontributing Structures
TAB 4
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| Comment: | N/O ISSUED |

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| Inspector: | 34 | Inspection Stage: | PAR |
| Comment: | HOUSE IS BEING DEMOLISHED |

| Insp Date: | 04/14/1980 | Inspection Kind: | HO |
| Insp Time: | 00:00:00 | Inspection Type: | 999 |
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| Comment: | HOUSE DEMOLISHED SOME DEBRIS STILL REMAINING |

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| Insp Time: | 00:00:00 | Inspection Type: | 999 |
| Inspector: | 34 | Inspection Stage: | COM |
| Comment: | OWNER COMPLIED WITH N/O. HOUSE DEMOLISHED AND LOT CLEARED |
| | AND LOT CLEARED |</p>
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TAB 5
Capitol Hill Historic District
Page 3

ANALYSIS:

The criteria used for determining whether an area is eligible for listing on the City Register is essentially the same as the National Register:

The following criteria are designed to guide the States, Federal agencies, and the Secretary of the Interior in evaluating potential entries (other than areas of the National Park System and National Historic Landmarks) for the National Register.

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

A. that are associated with events that have made a significant contribution to the broad patterns of our history; or

B. that are associated with the lives of persons significant in our past; or

C. that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. that have yielded, or may be likely to yield, information important in prehistory or history.

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

A. a religious property deriving primary significance from architectural or artistic distinction or historical importance; or

B. a building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

C. a birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his productive life; or

D. a cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

E. a reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

F. a property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or

G. a property achieving significance within the past 50 years if it is of exceptional importance.

The Capitol Hill Historic District is currently listed on both National and State Registers.

The Historical Landmark Committee, in recommending that the historic district be created in response to the neighborhood's original petition in 1980, had found that the area met the criteria and was eligible for listing on the City Register.

In the three years that have elapsed, there has been no substantial change in the area to change this 1980 evaluation. Some erosion of the character has taken place in some areas due to insensitive work and yet some historic preservation has continued. Although rehabilitation, demolition, and new condominium construction has occurred without design review, the character of the area still warrants protection as an historic district and still meets the criteria for evaluation.
BOUNDARY ISSUE:

The boundaries for the proposed Capitol Hill Historic District submitted by the Citizens for Capitol Hill Historic District vary slightly from both the National Register Historic District and the boundaries proposed in 1980. Major differences are:

1. The State Capitol Building grounds have been excluded since the City has no design review authority over State buildings.
2. The southern boundary has been modified to exclude major intrusions.
3. Wasatch Springs Building and Park have been excluded. The building is already individually listed on the City Register.
4. The residential area west of Canyon Road is included. This area is listed on the National Register in the City Creek Historic District and was proposed earlier to be placed on the City Register as an expansion to the Avenues Historic District.

The boundary should be drawn to circumscribe that area of Capitol Hill developed before 1930 and still substantially intact. It should be drawn to exclude potential intrusions on or near the boundary and at the same time to produce an intelligible boundary for the areas where the density of significant and contributing structures is high. The boundary should also be easy to administrate.
HISTORIC LANDMARK COMMITTEE RECOMMENDATION

The Historic Landmark Committee recommends designation of the Capitol Hill Historic District to the City Register with the boundary changes as indicated on the attached map. The boundaries of this district would be "squared off" and be easier to administer. The major intrusions in the border areas will receive less scrutinization if the changes proposed during the design review will have no impact on the character of the district than those projects which do impact the character of the district. When a street is involved as a demarcation of a district boundary, that boundary will include the entire public right-of-way so a consistent treatment for both sides of a street will be reviewed when City projects are proposed affecting those boundaries.

The following is an excerpt from the Historic Landmark Committee minutes of December 7, 1983, involving the boundary discussion:

"Mrs. Churchill moved that the Capitol Hill Historic District be nominated to the City Register of Cultural Resources as proposed by the Citizens for Capitol Hill Historic District. Mr. Rich seconded the motion. Discussion then took place on the motion. Mr. England indicated his concerns with boundaries, particularly the western boundary line. Mr. Atherton (representing the Citizen for Capitol Hill Historic District) indicated he felt that 300 West should be in the Capitol Hill Historic District because of its impact on the remainder of the area, the small scale fabric, and also because the residents want to be included in the district. Mrs. Churchill stated that the Committee must make sure that the boundaries of the district are defensible. Mr. Loosli suggested the possibility of extending the boundary on 300 West to include all of the public property on 300 West. Ms. Edeiken stated that there are two philosophies relating to boundaries of historic districts. One philosophy is that they are defensible strictly on professional evaluations (the building is or isn't of the period and contributory to the district). Intrusions on the borders are generally excluded. The other philosophy is that the historic district boundary should include a buffer zone or transition area as the Committee will only have design review over what is in the historic district, not over "impacts" as the Federal review would allow. The second philosophy of including a buffer zone in the district might offer the area more protection from
the Committee's standpoint. Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutiny. This would mean that a project that would not impact the character of the district would receive less scrutiny than would a project that would impact the character of the district. Mr. Atherton said that looking at 300 West at a pedestrian level the fabric of the Capitol Hill Community does extend to 300 West in the area outlined as the historic district boundary. Discussion also took place on the fact that the Salt Lake City Board of Education property is excluded in this proposal. Mr. Atherton said that since the school board opposed being a part of the historic district in 1980, when it was first proposed, it was excluded in this proposal. Mr. Loosli felt that since the Committee has been reviewing the school board's projects in the Avenues Historic District and the school board is now familiar with the Committee, perhaps they would be in favor of being included in the Capitol Hill Historic District. It was felt that the property should be included in the district because if the property were sold, its development could impact the character of the historic district.

Mrs. Churchill moved that the Committee approve the nomination of the Capitol Hill Historic District with the following boundary change from what was originally submitted in the petition: Main Street along 200 North for the southwest boundary, up 300 West to the outer edge of the public property on all edges (i.e. the outer edge of the street rather that the inner edge). Mr. Rich seconded the motion, all voting "Aye."
A public hearing was held at 6:30 p.m. to consider this issue.

Mrs. Linda Edeiken, planning and zoning, showed pictures of the James Jensen Granary. She said that the building was constructed in 1870 by James Jensen and is significant as the only 19th Century agricultural building identified in the Central City area survey.

Mrs. Edeiken said that the owners of the Donahue house could not attend this meeting and they requested that their hearing be postponed.

No one from the audience addressed this issue.

Councilmember Parker moved and Councilmember Fonnesbeck seconded to place the James Jensen Granary on the City Register of Cultural Resources and designate the structure as a landmark site; also to continue the hearing on the Donahue house to April 10, 1984, which motion carried, all members present voting aye.

(L 84-1)

Petition 400-138 of 1983 by Citizens
for the Capitol Hill Historic District

RE: Requesting that Capitol Hill be designated as a historic district.

A public hearing was held at 6:45 p.m. to discuss this petition.

Mr. Mark Hafey, planning and zoning, said that the Capitol Hill Historic District currently listed on the national and state registers was first formerly proposed for designation to the city register in 1980. The Historic Landmark Committee and the Planning Commission recommended to the Council that the designation be made but because of opposition expressed at a public hearing in December of 1980, the City Council postponed a decision and took the matter under advisement. Late last year a request was made that this matter be acted upon but because of the time lapse the Council felt that a new petition should be submitted.

Mr. Hafey said that the Capitol Hill District is significant as the oldest surviving residential area in the city. Its streets and houses document over 130 years of residential construction and neighborhood development. The District preserves a representative cross section of the city's and the state's architectural and historical resources ranging from the high-style mansions to the tightly-packed cottages. The buildings and patterns of the neighborhood life on the hill are representative of other early neighborhoods of the city now broken and vanished. Mr. Hafey said that the Capitol Hill master plan adopted by the Planning Commission and the City Council recommends the establishment of a historic district as a means of implementing the stated goals of preserving the historic integrity of the neighborhood by application of the landmarks ordinance, protection of the significant buildings from demolition, and reasonable design controls for the new buildings and substantial remodelings of the structures within the proposed district.
Mr. Hafey said that the Historic Landmark Committee, when they originally recommended creation of the district, found that the area met the criteria and was eligible for listing on the city's register. In the three years that have lapsed there has been no substantial change in the area to change the 1980 evaluation. Mr. Hafey outlined the proposed district on a map and said that the Planning Commission has reviewed this petition and recommends approval.

Councilmember Fonnesbeck said that this request is before the Council with a favorable recommendation from the Landmarks Committee and Planning and Zoning, it is part of the master plan recommendation, and it is currently on the state and national registers.

Mr. Peter Atherton, 430 North Main, spoke on behalf of the citizens who filed the petition. He said that they recognize the unique quality of Capitol Hill as a neighborhood close to downtown with a certain variety of character. This area has survived and continues today as an active neighborhood. Mr. Atherton said that it was important to maintain a residential base within the city. Having identifiable and specific different neighborhood units is an important part of any city's planning guidelines. The intention of the historic district is to encourage the growth and the life of the historic district without compromising the quality that already exists. In order to do this the individuals within the district must make certain sacrifices so that a larger cooperative spirit to maintain the character of the district may benefit. Mr. Atherton said that while this district is important to the future of Capitol Hill it is equally an important planning tool and benefit for the city as a whole to maintain its contact with its past and to maintain unique quality and character among its various residential neighborhoods.

The following people opposed the creation of the historic district:

Darryl Thomas, 234 North State
Preston Parkinson, 2069 Yale Avenue, representing the R. L. Bird family who owns three low-cost units in the area
Leo Adams, 125 West 500 North
Mike Reed, 376 No. 200 West
Richard Reed, 686 Hilltop Road
Richard Rowly, 331 North Center
Betty Packard, 180 North State
Charlene Booth, 208 North State
Audrey Allison, 105 East Capitol
Paul Allison, 105 East Capitol
Steve Reed, 376 No. 200 West
Juan Renteria, 358 No. 300 West
Mr. Cannon, owner of nine units in the area
Bob Sykes, 430 Wall
Calvin Smith, 47, 49, 51, and 53 Gordon Place

These citizens opposed the added regulations which would be imposed on the property owners by the creation of the district. They felt that their rights as property owners would be unduly restricted and that present zoning regulations allow adequate restrictions. They felt that the significant homes in the area should be individually placed on the register because not all the homes in the area are historic. Many felt that this issue should be voted upon by the people.
The following people supported the creation of the historic district:

Barbara Petty, 960 East Capitol Boulevard, representing the Children's Museum
Representative Jim Witucky, 566 DeSoto Street
Allen Roberts, 670 North 200 West
Rob White, 352 Quince
Nancy Cohn, 414 Quince
Helen Draper, 680 Wall Street
Sandy Jenkins, 344 North 200 West
Randall Dixon, 726 Wall Street
Craig Pozzi, 584 Wall Street
Laura Young Wells, 108 East Capitol Street
Hermoine Jex, 272 Wall
Stephanie Churchill, representing the Utah Heritage Foundation
Roger Crandall, 429 Wall
Gordon Hashimoto, Emigration Canyon
Steve England, 540 West Capitol
Wallace Cooper, 364 Quince, representing Ronald Walker who is a member of the Salt Lake City Board of Education
Norman Carley, 69 and 71 Gordon Place
Greg Maines, 152 West 300 No.
Sidney Draper, 680 Wall Street

These citizens felt that the district would preserve the historic value of the area and would also serve to make the area more desirable. Many of the citizens indicated that property values and the quality of housing would increase and that crime would decrease. They felt that the restrictions would serve to upgrade the area and that current zoning regulations already restrict the use of property. The new restrictions would add a review process to ensure the visual quality of construction. Many felt a need to protect the heritage and character of this area because they feel it is a unique and interesting residential area close to the city. Comments were also made that the decline of this area is being reversed and the creation of the district would aid this improvement trend.

Written comments were received from the following people (these comments are on file in the Office of the City Recorder):

W. Audrey Allison
Ronald W. Walker
Hermoine Jex
Charlene Booth and Earl Booth
Paul W. Allison

Mr. Carl Child, Salt Lake City Board of Education, requested that the properties belonging to the Board of Education be excluded from the proposed district. This would include the entire Washington Elementary School site and all of the West High School site lying east of 300 West between 200 North and 300 North. The Board does not want the restrictions to apply to Board-owned property.

Councilmember Fonnesbeck indicated that since Washington School is in the middle of the district it may not be legally possible, according to state law, to remove that school from the district.
Mayor Wilson expressed his support for the formation of the Capitol Hill Historic District. He said that Capitol Hill is a symbol of downtown proximity. The integration of people into the downtown part of the city is very unusual and is only found in maybe one or two other cities in the country. Because of that, Mayor Wilson felt the restoration of the quality of that neighborhood was very important. He said that the city policy has supported renovation. CDBG funds have been put into the neighborhood and continual support has been given to the improvement of historical properties in the neighborhood. Mayor Wilson felt that this historical district would only be a natural extension. He felt that each neighborhood in the city offers some visual contribution. Newer neighborhoods offer new homes and new presentations and older neighborhoods offer the historical perspective.

Mayor Wilson also felt that the regulatory aspect is reasonable. This regulation doesn't forbid anybody from redoing their home but it does require a design review. It does not affect the use mix because that's controlled by zoning. Again, Mayor Wilson added his support for this district and felt that it would be an improvement to the city.

Councilmember Whitehead asked about the current zoning of the area and the appeal process in regards to structural improvements.

Mr. Hafey said that the zoning in the area includes Residential "R-5", which allows high density development, Residential "R-4", and Residential "R-2", which is the majority of the zoning and allows duplexes as maximum development. He said that there is some "R-5A" zoning which allows for multiple units. Mr. Hafey said that there is the Capitol Hill protected area which covers the south side of the Capitol Building and a portion of the west side, which restricts the height of the buildings.

Mrs. Linda Edeiken, planning and zoning, said that whether an area is a historic district or not, building permits are required. Any modification on the exterior needs a building permit except for minor repairs, painting, and landscaping. When a home owner is proposing a change on the exterior that requires the permit, they first apply to the Landmark Committee for the review process. If they get a favorable response from the Landmark Committee and the Planning Commission then they get a permit. Anyone who has a complaint about a recommendation by the Landmark Committee can appeal it to the Planning Commission. The Planning Commission will make a decision and if the party is not satisfied by the Planning Commission's decision they can bring their complaint to the City Council.

Councilmember Parker asked if the City Council could ignore the wishes of the School Board, which is an elected body. Earlier Mr. Hafey indicated that the state statute has been modified so that the School Board would have to abide by local zoning ordinances. Mr. Roger Cutler, city attorney, said that he had not researched this question but he accepted Mr. Hafey's statement and indicated that the state legislature has the power to give the city this authority.

Councilmember Fonnesbeck felt that the neighborhood would not be opposed to the exclusion of the School Board's property if state statute allows this to be done.
Concerning Case No. 428 Mr. Loosli moved that the Committee approve the placement of two 4 foot by 4 foot backlit panel signs on the face of the building on the south elevation in two separate locations (the end recessed panels). They do not have to be recessed within the panels. Mr. Rich seconded the motion. Question was called on the motion with Mr. Stransky voting "Nay" and the other members voting "Aye."

Case No. 432 by Wallace Wright, Jr. to relocate an exterior stairway at 199 Trolley Square.

Fred Babcock, project architect, was present. Ms. Edeiken explained that at the last meeting there were two proposals from the applicant: one to move the stairway to the east facade of the building (front) and another to leave it on the south side of the building with some modifications. The Committee had indicated they wanted it left on the south side of the building but had some additional concerns that needed to be dealt with. Mr. Babcock showed the drawings and explained the stairway's relationship to the glassed walkway that was approved in Case No. 410. The canvas awning that presently exists would be taken down when the greenhouse connector is constructed. A signage proposal was not discussed. Mr. Babcock explained that the stairway is necessary to provide access to the second story level above the "EIBO's" restaurant.

Mr. Loosli moved that the Committee approve the modification of the stairway on the south facade as proposed because it would not detract from the east facade of the building in this location. (It was emphasized that the proposal did not deal with signage or awnings; approval is only for the stairway.) Mr. Rich seconded the motion, all voting "Aye."

NOMINATIONS

Capitol Hill Historic District

Ms. Edeiken read a letter from Citizens for Capitol Hill Historic District asking for the nomination of the Capitol Hill Historic District to the City Register of Cultural Resources. (The letter is in the official minute book with the original copy of these minutes). Peter Atherton, a resident of 430 North Main, was present representing the Citizens for Capitol Hill Historic District. Ms. Edeiken explained in detail the proposed boundaries for the district and how they differ from the boundaries suggested in the Capitol Hill Master Plan, those proposed for a city register district in 1980, and those for the National Register District. She reviewed the information contained in the staff report dealing with the boundary issue; the major differences are:

1. The State Capitol Building grounds have been excluded in this proposal since the city has no design review authority over State buildings.

2. The southern boundary has been modified to exclude major intrusions.
3. Wasatch Springs Building and Park have been excluded. The building is already individually listed on the City Register.

4. The residential area west of Canyon Road is included. This area is listed on the National Register in the City Creek Historic District and was proposed earlier to be placed on the City Register as an expansion to the Avenues Historic District.

The proposed City Register western boundary would take in 300 West but exclude the properties on the face of the blocks between 300 and 400 North. Mr. Stransky asked Ms. Edeiken if the differences in the boundaries for the State, National and City Historic Districts creates conflicts. She said it would be well if the boundaries coincided in many instances, but that the emphasis of the Historical Landmark Committee on local significance can differ somewhat from the National and State Registers. The Committee may want to include 300 West in the city historic district for a design control function while the National Register is looking strictly at what buildings are and are not significant (historical evaluation only). The National Register only affects Federal involvement in a proposed project and review can extend to bordering projects having "impact" on the District. The Historical Landmark Committee's design review's jurisdiction is limited to the legal boundaries of the area. From a professional standpoint the boundaries need to be defensible; the boundaries need to encompass an area that is identified as meeting the historic district criteria such as association, setting, and design. Ms. Edeiken also mentioned that a concern of the Committee is that the boundaries for the historic district would be easy to administer. Delineating edges of a district and their treatment are debatable issues among professionals. The concept of a buffer zone or transition are to protect the character of an area was explained. There are no clear-cut answers.

Ms. Edeiken gave a slide presentation describing the Capitol Hill area and the proposed historic district. Facts mentioned were: (1) the proposed Capitol Hill Historic District preserves houses that date from the 1850's to the 1980's, (2) there are three sections of the Capitol Hill area--Arsenal Hill consists of highstyle homes, Marmalade District so named because of the original street names (Apricot, Strawberry, Quince, etc.) and the workmen's cottage area including Reed Avenue and Fern Avenue--and (3) the majority of the area has maintained its residential area; there are fewer commercial and industrial structures in the area now than in 1900. In the slide presentation Ms. Edeiken also showed some examples of new construction sites and restoration of older buildings that would be in the design review purview of the Committee if the district were designated.

Mrs. Churchill moved that the Capitol Hill Historic District be nominated to the City Register of Cultural Resources as proposed by the Citizens for Capitol Hill Historic District. Mr. Rich seconded the motion. Discussion then took place on the motion. Mr. England indicated his concerns with the boundaries, particularly the western boundary line. Mr. Atherton indicated
he felt that 300 West should be in the Capitol Hill Historic District because of its impact on the remainder of the area, the small scale fabric, and also because the residents want to be included in the district. Mrs. Churchill stated that the Committee must make sure that the boundaries of the district are defensible. Mr. Loosli suggested the possibility of extending the boundary on 300 West to include all of the public property on 300 West. Ms. Edeiken stated that there are two philosophies relating to boundaries of historic districts. One philosophy is that they are defensible strictly on professional evaluations (the building is or isn't of the period and contributory to the district). Intrusions on the borders are generally excluded. The other philosophy is that the historic district boundary should include a buffer zone or transition area as the Committee will only have design review over what is in the historic district, not over "impacts" as the Federal review would allow. The second philosophy of including a buffer zone in the district might offer the area more protection from the Committee's standpoint. Mr. VanAlstyne suggested that the boundaries of the district be squared off and that it would be realized that not all projects would receive the same level of scrutinization. This would mean that a project that would not impact the character of the district would receive less scrutinization than would a project that would impact the character of the district. Mr. Atherton said that looking at 300 West at a pedestrian level the fabric of the Capitol Hill Community does extend to 300 West in the area outlined as the historic district boundary. Discussion also took place on the fact that the Salt Lake City Board of Education property is excluded in this proposal. Mr. Atherton said that since the school board opposed being a part of the historic district in 1980 when it was first proposed it was excluded from this proposal. Mr. Loosli felt that since the Committee has been reviewing the school boards projects in the Avenues Historic District and the school board is now familiar with the Committee perhaps they would now be in favor of being included in the Capitol Hill Historic District. It was felt that the property should be included in the district because if the property were sold its development could impact the character of the historic district.

Mrs. Churchill moved that the Committee approve the nomination of the Capitol Hill Historic District with the following boundary change from what was originally submitted in the petition: Main Street along 200 North for the southwest boundary, up 300 West to the outer edge of the public property on all edges (i.e. the outer edge of the street rather than the inner edge). Mr. Rich seconded the motion, all voting "Aye."

James Jensen Granary at 626 South 400 East

Ms. Edeiken gave a slide presentation and indicated the granary is behind the home located at 626 South 400 East. She read the statement of significance for the granary: "Probably built by James Jensen, a local farmer, in the 1870's, this granary is significant as the only nineteenth century agricultural building identified in the central city area of Salt
NOTICE AND ORDER

International Real Estate Solutions, Inc.
Altn: Donald E Armstrong
6839 Bufflehead Drive
Park City, UT 84098

RE: Properties located at 432 North 300 West, Salt Lake City, Utah, Sidwell Number: 08-36-254-009; 267 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-022; 265 West Bishop Place, Salt Lake City, Utah, Sidwell Number 08-36-254-023; 259 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-024; 249 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-025; 241 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-026; 244 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-062; 248 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-081; and 258 West Bishop Place, Salt Lake City, Utah, Sidwell Number: 08-36-254-018.

NOTICE
Notice is hereby given that the above referenced properties are vacant, unsecured or improperly boarded. If the structures are left unsecured, they are likely to become a haven for vagrants and a dangerous eyesore for the entire neighborhood. Sections 9.16.030 and 18.48.090 of the Salt Lake City Ordinance require that all unsecured structures be legally boarded, to prevent entry by unauthorized persons. In addition, the properties are to be cleared of all weeds, solid waste or other unsightly or deleterious objects. Boarding must be completed as per Salt Lake City Ordinance No. 80 of 1994 Sections 18.48.120, 18.48.130 and 18.48.250 with landscaping per section 21A.48. Whenever a property owner, manager or tenant intends to clean, repair, renovate, reopen or reoccupy a building that has been boarded, the building is to be inspected and a permit must be issued by the Salt Lake City Building Services Division prior to the building owner, manager or tenant initiating any of the above action. Any person conducting any work on a building that has been boarded or closed to occupancy must have a copy of the permit on site, or they will be evicted from the premises.

ORDER
You are hereby ordered to secure these properties with a six foot fence around entire perimeter to prevent unauthorized access. Failure to secure these properties will cause this office to hire a contractor to secure these properties with a 6’ construction fence around the entire perimeter. The charges and all unpaid contractor costs and fees will then be levied against the properties in the form of a property tax lien.

Section 18.48.110 specifies fees as follows:
1. The fees and charges for services, which would otherwise have been charged for the securing of a boarding permit pursuant to Section 18.48.140
2. A One Hundred Dollar ($100) fee to partially recover the City's cost in administering the boarding, and
3. The actual costs of the boarding and maintenance as billed to the City by the contractor.

This is the only notice you will receive regarding this problem.

Your cooperation is appreciated. If you have any questions regarding this Notice and Order, please call me at 801-535-6002 between 7:00 a.m. and 9:30 a.m. or between 1:30 p.m. and 5:00 p.m. Tuesday through Friday.

Phil Booth, Boarded Building Inspector
08/36-254-009-0000 DIST 01M
INTERNATIONAL REAL ESTATE TAX CLASS UPDATE REAL ESTATE 107400
SOLUTIONS, INC
ATTN: Donald E. Armstrong
PRINT P TOTAL VALUE 163890
6839 Bufflehead Dr NO:
PARK CITY UT 84098 EDIT 0 FACTOR BYPASS
LOC: 432 N 300 W EDIT 0 BOOK 10043 PAGE 7241 DATE 08/08/2012
SUB: BLK 121 PLAT A TYPE PLOT PLAT
01/03/2013 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
BEG 2 1/2 RDS S OF NW COR OF LOT 3 BLK 121 PLAT A SLC SUR S
4 RD E 120 FT N 4 RD W 120 FT TO BEG LESS R OF W.
5202-1446,1447 5202-1448 3173-419 6959-1628 9388-5816
9427-2387 9476-8712 10043-6967

Board 8 72 Phil Booth 6002

Include All Address & Sidewalk #s 90

PFKEYS: 1=RXPH 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV
<table>
<thead>
<tr>
<th>Parcel Address</th>
<th>Parcel Number</th>
<th>Parcel Land used</th>
<th>Parcel Zoning</th>
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<tr>
<td>267 W BISHOP PL</td>
<td>08-36-284-022-0000</td>
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Parcel Structure Addresses:

Parcel Sub Structure Addresses:

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<thead>
<tr>
<th>Owner:</th>
<th>INTERNATIONAL REAL ESTATE SOLUTIONS, INC</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>6839 BUZZLEHEAD DR</td>
</tr>
<tr>
<td></td>
<td>PARK CITY, UT 84098-</td>
</tr>
</tbody>
</table>

| Legal | 0808 |
| Desc.: | COM 3.5 RDS N & 89.84 FT E FR SW COR LOT 3 BLK 121 PLAT A SLC SUR E 31.32 FT S 3.5 RDS W 31.32 FT N 3.5 RDS TO BEG 3173-418 6959-1628 9389-5816 9427-2387 9476-8712 10049-0967 |

| Acreage: | 0.04 |
| Taxable Value: | $34670.00 |
| Bldg. Value: | $38900.00 |
| Green Belt value: | $0.00 |
| Final Value: | $63400.00 |

<p>| C.C.: | CAPITOL HILL |
| C.D.: | COUNCIL DISTRICT 3 |</p>
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<td>RESIDENTIAL DISTRICT</td>
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Parcel Structure Addresses: 265 W BISHOP PL
Parcel Sub Structure Addresses: 257 W BISHOP PL
Owner: INTERNATIONAL REAL ESTATE SOLUTIONS, INC
6639 BUFFLEHEAD DR
PARK CITY, UT 84098

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Legal 0908
Desc.: COM 3.5 RDS N & 121.16 FT E FR SW COR LOT 3 BLK 121 PLAT A
SLC SUR E 43.84 FT S 3.5 RDS W 43.84 FT N 3.5 RDS TO BEG
3173-417 6959-1628 9388-5816 9427-2387 9476-8712
10043-6967

C.C.: CAPITOL HILL
C.D.: COUNCIL DISTRICT 3
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Parcel Structure Addresses: 259 W BISHOP PL

Parcel Sub Structure Addresses:

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Legal: 0731

Desc.: BEG 10 RDS E FR SW COR LOT 3, BLK 121, PLAT A, S L C SUR; E 2.5 RDS; N 3.5 RDS; W 2.5 RDS; S 3.5 RDS TO BEG 4702-0832

6335-1036 9350-3342 9350-8580 9354-2202 9386-0994

G.G.: CAPITOL HILL
C.D.: COUNCIL DISTRICT 3
Parcel Address: 249 W BISHOP PL  
Parcel Number: 08-36-254-025-0000  
Parcel Land used: SINGLE FAMILY RESIDENCE  
Parcel Zoning: SR-3: SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT

Parcel Structure Addresses:  249 W BISHOP PL

Parcel Sub Structure Addresses:

Owner: INTERNATIONAL REAL ESTATE SOLUTIONS, INC
249 W BISHOP PL
SALT LAKE CITY, UT 84103-1250

Acreage: 0.05  
Land Value: $25200.00  
Taxable Value: $35475.00  
Bldg. Value: $39300.00  
Green Belt value: $0.00  
Final Value: $54500.00  

Legal: 0830
Desc.: BEG 12 1/2 RD E OF SW COR OF LOT 3 BLK 121 PLAT A SLC SUR E 2 1/2 RD N 3 1/2 RD W 2 1/2 RD S 3 1/2 RD TO BEG 6191-835
6191-0837 7154-0695,0667,0658 7264-1694 7469-0420 8550-1227
8678-7541 8791-8470 8800-0339 9092-1389 9933-3650
9977-9680
Parcel Address | Parcel Number | Parcel Land used | Parcel Zoning
---|---|---|---
241 W BISHOP PL | 08-36-254-026-0000 | MULTIPLE RESIDENTIAL | SR-3 SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT

Parcel Structure Addresses: 241 W BISHOP PL; 245 W BISHOP PL

Parcel Sub Structure Addresses:
Owner: INTERNATIONAL REAL ESTATE SOLUTIONS, INC
6639 BUFFLEHEAD DR
PARK CITY, UT 84098

Acreage: 0.11
Land Value: $31,300.00
Taxable Value: $56,210.00
Bldg. Value: $70,900.00
Green Belt Value: $0.00
Final Value: $102,200.00

Legal Description:
0016
BEG AT SE COR LOT 3, BLK 121, PLAT A, SLC SUR; N 3 1/2 RDS; W 5 RDS; S 3 1/2 RDS; E 5 RDS TO BEG 4022-0225 5673-2843 5873-2846 5745-1047 5950-473 9473-2413 9501-8140 10046-1143, 1147

C.G.: CAPITOL HILL
C.D.: COUNCIL DISTRICT 3
<table>
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<tr>
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<tr>
<td>244 W BISHOP PL</td>
<td>08-36-254-082-0000</td>
<td>IMPROVED RESIDENTIAL LOT</td>
<td>SR-3:SPECIAL DEVELOPMENT PATTERN</td>
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**Parcel Structure Addresses:**

**Owner:** INTERNATIONAL REAL ESTATE SOLUTIONS, INC
6839 BUZZLEHEAD DR
PARK CITY, UT 84098-

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**Legal Desc.**
BEG NE COR LOT 3, BLK 121, PLAT A, SLC SUR; W 82.5 FT; S 95.25 FT; E 82.5 FT; N 95.25 FT TO BEG. LESS 5 SQ FT OUT OF CENTER. ALSO LESS BEG W 45 FT FR NE COR 5D LOT 3; W 37.5 FT; S 95.25 FT; E 37.5 FT; N 95.25 FT TO BEG. 8031-2802 8831-7649

**C.C.:** CAPITOL HILL
**C.D.:** COUNCIL DISTRICT 3
<table>
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<tr>
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<td>SINGLE FAMILY RESIDENCE</td>
<td>SR-3: SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT</td>
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**Parcel Structure Addresses:** 248 W BISHOP PL

**Parcel Sub Structure Addresses:**

**Owner:** INTERNATIONAL REAL ESTATE SOLUTIONS, INC
6839 BUFFLEHEAD DR
PARK CITY, UT 84098-

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<th>Acreage</th>
<th>Land Value</th>
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<th>Bldg. Value</th>
<th>Green Belt Value</th>
<th>Final Value</th>
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**Legal**
0930

**Desc.:** BEG W 45 FT FR NE COR LOT 3, BLK 121, PLAT A, SLC SUR; W 37.5 FT; S 95.25 FT; E 37.5 FT; N 95.25 FT TO BEG. 8031-2802
8957-4156 8966-8034 9935-5988

**C.G.:** CAPITOL HILL

**C.D.:** COUNCIL DISTRICT 3
<table>
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Parcel Structure Addresses:

258 W BISHOP PL

Parcel Sub Structure Addresses:

Owner: INTERNATIONAL REAL ESTATE SOLUTIONS INC

6939 BUFFLEHEAD DR
PARK CITY, UT 84068-

Acreage: 0.18  Land Value: $38200.00
Taxable Value: $34680.00  Bldg. Value: $25400.00
Green Belt value: $0.00  Final Value: $63600.00

Legal 0930
Desc.: BEG 10 RDS E OF NW COR OF LOT 3 BLK 121 PLAT A SLC SUR E 5 RD S 95 1/4 FT W 5 RD N 95 1/4 FT TO BEG 6126-0641 6755-2398
7024-0433 9063-2551

C.C.: CAPITOL HILL
C.D.: COUNCIL DISTRICT 3
Utah Business Search - Details

INTERNATIONAL REAL ESTATE SOLUTIONS, INC.

Entity Number: 5122501-0142
Company Type: Corporation - Domestic - Profit
Address: 6839 BUFFLEHEAD DR PARK CITY, UT 84098
State of Origin:
Registered Agent: DONALD E ARMSTRONG
Registered Agent Address:
6839 BUFFLEHEAD DR
PARK CITY, UT 84098

Status: Active

Status: Active as of 06/14/2005
Renew By: 05/31/2013
Status Description: Good Standing
The "Good Standing" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.
Employment Verification: Not Registered with Verify Utah

History

Registration Date: 05/13/2002
Last Renewed: 04/13/2012

Additional Information

NAICS Code: 9999 NAICS Title: 9999-Nonclassifiable Establishment

Doing Business As

MOUNTAIN PACIFIC REAL ESTATE

Refine your search by:

- Search by:
  - Business Name
  - Number
  - Executive Name
  - Search Hints

BISHOP PLACE GARY R. 1-3-13
AFFIDAVIT

Address of Subject: N 300 W, Salt Lake City, UT

NOTICE AND ORDER POSTED

I HEREBY CERTIFY that I executed the posting of the Notice and Order in the following manner on 1/14/2013

☐ Affixed to front door.

NOTICE and ORDER SERVED

I HEREBY CERTIFY that on the day of , 2013, the attached Notice and Order was served at the time of . The method of personal service was as follows.

Name of person served:
Connection of person with the property:
Address/location of personal service:

NOTICE AND ORDER SENT

I HEREBY CERTIFY that on , 2013 the attached Notice and Order was sent by certified mail with return receipt requested to:

Civil Enforcement
451 South State Street Room 406
PO Box 145481
Salt Lake City, UT 84114

Philip Booth, Housing/Zoning Officer

STATE OF UTAH )
   ) ss
COUNTY OF SALT LAKE )

On this day of , 2013, personally appeared before me, Phillip Booth, Housing/Zoning Officer of Salt Lake City, Utah, who acknowledged that he signed the above certificate and that the statements contained therein are true.

Notary Public, Salt Lake City, UT
Incident Location
Address: 262 W BISHOP PL
District: 1  Beat: Z3  Grid: 131
Telephone no.: 414-8353

General Information
Report number: 2012-155642
Case Type: THEFT/LARCENY INVESTIGATION  Priority: 4
Cleared: Sep-04-2012 19:01:35
How call received: TELEPHONE

Call taker ID: 28J HAGGERTY, CORTNEY

Complainant Information
Name: ABAIO THOMAS
State: UT
Remarks:
Sep-04-2012 19:00:19 - THEF -

Clearance Information
Final Case type: LARCENY - FROM MOTOR VEH (PROWL)
Report expected: NO  Founded: YES
Cleared by: DISPATCHER LOGS/NOT FOR OFFICER CLEARANC

Dispatch Details
Related text page(s)
Document: ProQA DOC
Author: 28J - Haggerty, Cortney
Subject: ProQA Log
Related date/time: Sep-04-2012 1901

ProQA LOG
Problem Description: THEF
Dispatch Level: LOW PRIORITY CALL - DISP OR TELE OR FIELD
Callback Number: 801-414-8353
Location: 262 W BISHOP PL
Caller: THOMAS ABAIO
Dispatch Level: 130B01
CAD code: 130B1
Incident: P12-155642
Chief Complaint: THEFT (LARCENY)

[Short Key Questions]
(sorted by user configured order and then sequence)
1. Caller on scene.
2. Vict caller.
4. Susp not in area.
6. Prop taken: LADDER
7. Est value: 200
3. Time lapse: LAST NIGHT

Unit/Officer Details

19:01 Sep 04 CT4   28J
PROQA DISPATCH LEVEL IS LOW PRIORITY CALL - DISP O

**END OF HARDCOPY**
CP 2015-113885
Reported: Jun-23-2015 22:07:42

Incident Location
Address: 248 W BISHOP PL
District: 1 Beat: Z3 Grid: 131
Telephone no.: 618-8871

General Information
Report number: 2015-113885
Case Type: TRESPASSING/UNWANTED - IND/SMALL GROUP Priority: 3
At Scene: Jun-23-2015 22:14:52
Cleared: Jun-23-2015 22:35:25
How call received: TELEPHONE
Unit ids: #1 - B125 #2 - B243
Call taker ID: 181D RODDOM, KELLIE

Complainant Information
Name: TOM
State: UT
Home Telephone: 801 618-8871
Remarks:
Jun-23-2015 22:07:42 - PS CIVIL ISSUE...WIFE REFUSING TO LEAVE -

Clearance Information
Final Case type: PUB ORD - CIVIL CASES
Report expected: NO Founded: NO
Cleared by: NO FURTHER ACTION REQUIRED
Reporting Officer: N34 - Cook, Matthew

Dispatch Details
Unit number: B125 Dispatched: Jun-23-2015 22:11:25
Officer 1: N34 - Cook, Matthew
At scene: Jun-23-2015 22:14:52
Cleared: Jun-23-2015 22:35:06
Dispatcher ID: 217D

Officer 1: O25 - Sanders, Ryan
At scene: Jun-23-2015 22:17:08
Cleared: Jun-23-2015 22:35:25
Dispatcher ID: 217D

Related text page(s)
Document: ProQA DOC
Author: 181D - Roddom, Kellie
Subject: ProQA Log
Related date/time: Jun-23-2015 2210

--------2015-06-23 22:08:52--------
248 W BISHOP PL
TRESPASSING / UNWANTED
PROBLEM DESCRIPTION: PS CIVIL ISSUE...WIFE REFUSING TO LEAVE
CALLBACK#: 801-616-8871
CALLER: TOM

--------2015-06-23 22:09:04--------
DISPATCH LEVEL: HIGH PRIORITY-133D02
5. NO KNOWN WPNS INVOLV.
2. VICT CALLER ON SCENE.
4. NOT A REFERRAL.
6. TRESPASSING/UNWANTED - 1 SUBJ INVOLV.
1. CALLER ON SCENE.
3. IN PROGRESS.

--------2015-06-23 22:09:50--------
***PERSON #1***
TYPE: SUSPECT
RACE: BLACK
GENDER: FEMALE
CLOTHING: BLU FLOWERED SUNRESS
AGE: 26
DOB: 12/05/1986
NAME: RAVEN WAGNER

--------2015-06-23 22:10:15--------
1. SUSP ON SCENE.
4. NO ONE IN DANGER.
2. SUSP DESC:

3. NO SUSP VEH INVOLV.
5. PROPERTY OWNER: OCMP

Unit/Officer Details

22:09 Jun 23 CT16  181D
PROQA DISPATCH LEVEL IS HIGH PRIORITY

22:11 Jun 23 WEST  217D E:B125 P N34
248 W BISHOP PL

22:11 Jun 23 WEST  217D E:B243 P O25
248 W BISHOP PL

22:14 Jun 23 WEST  217D S:B125 P N34

22:14 Jun 23 WEST  217D S:B125 P N34
Sent to MDT: B125, Status changed to S by WEST
<table>
<thead>
<tr>
<th>Time</th>
<th>Details</th>
</tr>
</thead>
</table>
  Sent to MDT: B243, Status changed to S by WEST |
| 22:35  | Jun 23 B125 N34 A :B125 P N34 |
| 22:35  | Jun 23 B125 N34 A :B125 P N34  
  UPDATED CASE SL113885 FOUNDED-N REPORT-N CLEARED  
  BY-N FINAL-73993 BOLO-N STUDY FLAG- REM- |

**END OF HARDCOPY**
SALT LAKE POLICE DEPARTMENT
CAD CALL HARDCOPY

CP 2016-105469
Reported: Jun-14-2016 21:18:38

Incident Location
Address: 248 W BISHOP PL
District: 1  Beat: Z3  Grid: 131
Telephone no.: 833-6213

General Information
Report number: 2016-105469
Case Type: TRESPASSING/UNWANTED - IND/SMALL GROUP  Priority: 2
Dispatch: Jun-14-2016 21:41:45
Enroute: Jun-14-2016 21:41:45
At Scene: Jun-14-2016 21:50:51
Cleared: Jun-14-2016 22:15:11
How call received: TELEPHONE
Unit ids: #1 - C132  #2 - C131
Call taker ID: 45L ANDERSON, THERESA

Complainant Information
Name: KATELYN
State: UT
Home Telephone: 801 833-6213
Remarks:
Jun-14-2016 21:18:38 - PEOPLE TRESPASSING IN A VACANT HOUSE -

Anderson, Theresa(at CT16) on 2016-06-14 21:21:14
- TWO ARE CURRENTLY ON THE ROOF......BOTH ETOH

Anderson, Theresa(at CT16) on 2016-06-14 21:21:26
- NOW ANOTHER M CLIMBING UP....

Anderson, Theresa(at CT16) on 2016-06-14 21:21:34
- TURN DOWN THE ALLEY FROM THIS ADDR

Anderson, Theresa(at CT16) on 2016-06-14 21:21:49
- SUSPS ARE SCREAMING PROFANITIES,YELLING,ON THE ROOF

Hutchison, Loni(at CT07) on 2016-06-14 21:29:40 -
ANOTHER CALL FROM KATELYN 801 833 6213 ...STATING MS ARE NOW AT THEIR ADDRESS DIRECTLY ACROSS THE ST FROM WASHINGTON ELEMENTARY...STATES SUSPS CAN BE CLEARLY SEEN AND HEARD FROM DISP ADDRESS

Hutchison, Loni(at CT07) on 2016-06-14 21:30:15 -
REQ AREA CHECK DUE TO M BEING VISIBLE AND STILL HAVING THE OPEN CONTAINER

Hutchison, Loni(at CT07) on 2016-06-14 21:31:38 -
COMPLEX WHERE SUSPS ARE AT 439 N 200 W...AT MARMALADE HILL APARTMENTS,

Gundersen, Rebekah(at WEST) on 2016-06-14
21:37:55 - B130 COPIES HOLDING
Clearance Information

Remarks:

JOSHUA OLSON 05-20-1985 ADMITTED TO TRESPASSING AND WAS INTOX. HE WAS GIVEN A WARNING AND TOLD TO STAY OFF PROP.

Final Case type: PRIVACY - TRESPASS
Report expected: NO  Founded: YES
Cleared by: NO FURTHER ACTION REQUIRED
Reporting Officer 1: Q25 - Fox, Clinton
Reporting Officer 2: N33 - Leong, Conrad

Dispatch Details

Unit number: C132  Dispatched: Jun-14-2016 21:41:45
Officer 1: Q25 - Fox, Clinton
Officer 2: N33 - Leong, Conrad
Enroute: Jun-14-2016 21:41:45
At scene: Jun-14-2016 21:50:51
Cleared: Jun-14-2016 22:11:29
Dispatcher ID: 209D

Unit number: C131  Dispatched: Jun-14-2016 21:46:20
Officer 1: M26 - Simpson, Jason
Enroute: Jun-14-2016 21:46:20
At scene: Jun-14-2016 21:54:12
Cleared: Jun-14-2016 22:15:11
Dispatcher ID: 209D

Related text page(s)

Document: ProQA DOC
Author: 45L - Anderson, Theresa
Subject: ProQA Log
Related date/time: Jun-14-2016 2120

----------2016-06-14 21:19:19----------
248 W BISHOP PL
TRESPASSING / UNWANTED
PROBLEM DESCRIPTION: PEOPLE TRESPASSING IN A VACANT HOUSE
CALLBACK#: 801-833-6213
CALLER: KATELYN

----------2016-06-14 21:19:53----------
Dispatch Level: HIGH PRIORITY-133D02
2. 2ND PTY CALLER ON SCENE.
4. NOT A REFERRAL.
6. TRESPASSING/UNWANTED
1. CALLER ON SCENE.
3. IN PROGRESS.
5. NO KNOWN WPNS INVL.

----------2016-06-14 21:20:09----------
**PERSON #1**
SALT LAKE POLICE DEPARTMENT
CAD CALL HARD COPY

CP 2016-105469
Reported: Jun-14-2016 21:18:38

TYPE: SUSPECT
RACE: WHITE
GENDER: MALE
CLOTHING: DARK SHIRT, WHI SHORTS
BUILD: 6'

------------- 2016-06-14 21:20:25 ------------
*** PERSON #2 ***
TYPE: SUSPECT
RACE: WHITE
GENDER: MALE
CLOTHING: DRESSED UP WITH A TIE, DRESS SHIRT, SHOES

OTHER CHARACTERS: GLASSES

------------- 2016-06-14 21:20:37 ------------
1. SUSP ON SCENE.
2. SUSP DESC:
3. NO ONE IN DANGER.
4. PROPERTY OWNER: COMP

Unit/Officer Details

21:19 Jun 14 CT16 45L
PROQA DISPATCH LEVEL IS HIGH PRIORITY

21:41 Jun 14 WEST 209D E: C132 P Q25
248 W BISHOP PL

21:41 Jun 14 WEST 209D E: C132 P N33
248 W BISHOP PL

21:46 Jun 14 WEST 209D E: C131 P M26
248 W BISHOP PL

21:50 Jun 14 WEST 209D S: C132 P Q25

21:50 Jun 14 WEST 209D S: C132 P N33

21:50 Jun 14 WEST 209D S: C132 P M26
Sent to MDT: C132, Status changed to S by WEST

21:54 Jun 14 WEST 209D S: C131 P M26

21:54 Jun 14 WEST 209D S: C131 P M26
Sent to MDT: C131, Status changed to S by WEST

21:59 Jun 14 C132 Q25 S: C132 P Q25
EXT Q PERS-NAME: OSLON JOSHUA RACE: W
STATE: UT REC: Y CAD: N EXT: Y EXTD: Y EXT5: N
EXTJ: N PKJ: N TONC: Y UNIT: C132

21:59 Jun 14 WEST 209D S: C131 P M26 (BUSY) W/COPM
W/COPM

21:59 Jun 14 WEST 209D S :C131 P M26 (BUSY) Sent to MDT: C131, Status changed to S B by WEST

21:59 Jun 14 C132 Q25 S :C132 P Q25
RMS Q PERS-NAME: OLSON G1: JOSHUA RACE: W
STATE: UT REC: Y CAD: N EXTN: Y EXTD: Y EXT5: N
EXTJ: N PK1: N TONC: Y UNIT: C132


22:11 Jun 14 C132 Q25 A :C132 P N33

UPDATED CASE SL105469 FOUND-Y REPORT-N CLEARED
BY-N FINAL-5707 BOLO-N STUDY FLAG- REM-JOSHUA
OLSON 05-20-1985 ADMITTED TO TRESSPASSING AND WAS
INTOX. HE WAS GIVEN A WARNING AND TOLD TO STAY
OFF PROP.

22:15 Jun 14 WEST 209D A :C131 P M26

** END OF HARDCOPY **
Incident Location
Address: 248 W BISHOP PL
District: 1  Beat: Z3  Grid: 131
Telephone no.: 532-4805

General Information
Report number: 2016-109814
Case Type: OTHER NOISE COMPLAINT  Priority: 4
Dispatch: Jun-21-2016 01:12:12
Enroute: Jun-21-2016 01:19:27
At Scene: Jun-21-2016 01:19:27
Cleared: Jun-21-2016 02:15:59
How call received: TELEPHONE
Unit ids: #1 - C135  #2 - C213
Call taker ID: 29L THOMPSON, BRENAN

Complainant Information
Name: FEHLBERG CORY
State: UT
Home Telephone: 801 532-4805
Remarks:
   Jun-21-2016 01:10:03 - LOUD MUSIC -

Clearance Information
Remarks:
    NO MUSIC OR NOISE
Final Case type: PUB PEACE - FREE TEXT
Report expected: NO  Founded: NO
Cleared by: NO FURTHER ACTION REQUIRED
Reporting Officer1: 190 - Sauers, Peter F

Dispatch Details
Unit number: C135  Dispatched: Jun-21-2016 01:12:12
   Officer 1: Q16 - Collins, Matthew
At scene: Jun-21-2016 01:19:32
Cleared: Jun-21-2016 02:13:42
Dispatcher ID: 211D

Unit number: C213  Dispatched: Jun-21-2016 01:12:12
   Officer 1: 190 - Sauers, Peter F
At scene: Jun-21-2016 01:19:27
Cleared: Jun-21-2016 02:15:59
Dispatcher ID: 211D

Related text page(s)
Document: ProcQA DOC
Author: 29L - Thompson, Brennan
Subject: ProcQA Log
Related date/time: Jun-21-2016 0110
----------2016-06-21 01:10:29----------
248 W BISHOP PL
DISTURBANCE / NUISANCE
PROBLEM DESCRIPTION: LOUD MUSIC
CALLBACK#: 801-532-4805
CALLER: CORY FEHLMERG

----------2016-06-21 01:10:37----------
DISPATCH LEVEL: LOW TO MEDIUM PRIORITY-113B03

2. 2ND PTY CALLER ON SCENE.
5. NOISE SOURCE: DISP ADDR
1. CALLER ON SCENE
3. NOISE COMPLAINT
4. IN PROGRESS.

Unit/Officer Details

01:10 Jun 21 CT10 29L
PROQA DISPATCH LEVEL IS LOW TO MEDIUM PRIORITY
01:12 Jun 21 WEST 211D DP:C135 P Q16
248 W BISHOP PL
01:12 Jun 21 WEST 211D DP:C213 P I90
248 W BISHOP PL
01:19 Jun 21 WEST 211D S:C213 P I90
Sent to MDT: C213, Status changed to S by WEST
01:19 Jun 21 WEST 211D S:C213 P I90
01:19 Jun 21 WEST 211D S:C135 P Q16
01:19 Jun 21 WEST 211D S:C135 P Q16
Sent to MDT: C135, Status changed to S by WEST
02:04 Jun 21 WEST 211D S:C135 P Q16
HAD CONTACT
02:04 Jun 21 WEST 211D S:C213 P I90
HAD CONTACT
02:13 Jun 21 EAST 252D A:C135 P Q16
PREEMPT
02:15 Jun 21 C213 I90 A:C213 P I90
Cleared Case SL109814 FOUNDED-N REPORT-N CLEARED
BY-N FINAL-5399 BOLO-N STUDY FLAG- REM-NO MUSIC
OR NOISE

** END OF HARDCOPY **
**SALT LAKE POLICE DEPARTMENT**  
**CAD CALL HARDCOPY**

**Incident Location**  
Address: 248 W BISHOP PL  
District: 1  Beat: Z3  Grid: 131  
Telephone no.: 403-8804

**General Information**

- **Report number:** 2016-85141  
- **Case Type:** DRUG PROBLEM  
- **Priority:** 3  
- **Dispatch:** May-16-2016 11:43:29  
- **Enroute:** May-16-2016 11:43:29  
- **At Scene:** May-16-2016 11:43:30  
- **Cleared:** May-16-2016 12:10:59  
- **How call received:** TELEPHONE  
- **Unit ids:** #1 - A132  #2 - A213  #3 - D583  
- **Call taker ID:** 94K ALLRED, LESLIE

**Complainant Information**

- **Name:** KATELYN  
- **State:** UT  
- **Home Telephone:** 801 403-8804  
- **Remarks:**  
  - May-16-2016 11:36:28 - TRESPASSERS, DOING DRUGS -  
  - Allred, Leslie(at CT20) on 2016-05-16 11:41:10 -  
  - PER CALLER, THIS IS DOWN THE ALLEYWAY... IN THE 6TH ABANDONED HOUSE FROM THE RIGHT  
  - Renteria, Angie(at WEST) on 2016-05-16 11:46:20 -  
  - COMP STATING KIDS WERE RUNNING SB PRIOR TO ARRIVAL

**Clearance Information**

- **Final Case type:** PUB ORD - FREE TEXT  
- **Report expected:** NO  
- **Founded:** YES  
- **Cleared by:** NO FURTHER ACTION REQUIRED  
- **Reporting Officer 1:** O21 - Armstrong, Matthew

**Dispatch Details**

- **Unit number:** A132  Dispatched: May-16-2016 11:43:29  
  - Officer 1: O21 - Armstrong, Matthew  
  - Enroute: May-16-2016 11:43:29  
  - At scene: May-16-2016 11:43:30  
  - Cleared: May-16-2016 12:10:22  
  - Dispatcher ID: 19J

- **Unit number:** A213  Dispatched: May-16-2016 11:43:54  
  - Officer 1: Q11 - Robinson, Scott  
  - Officer 2: O50 - Lindquist, Mikah  
  - Enroute: May-16-2016 11:43:54  
  - Cleared: May-16-2016 11:51:02
SALT LAKE POLICE DEPARTMENT
CAD CALL HARDCOPY

CP 2016-85141 Reported: May-16-2016 11:36:28

Dispatcher ID: 19J

Unit number: D583 Dispatched: May-16-2016 11:51:19
Enroute: May-16-2016 11:51:19
At scene: May-16-2016 11:51:19
Cleared: May-16-2016 12:10:56
Dispatcher ID: 19J

Related text page(s)

Document: ProQA DOC
Author: 94K - Allred, Leslie
Subject: ProQA Log
Related date/time: May-16-2016 1140

--------2016-05-16 11:37:43--------
248 W BISHOP PL
DRUGS
PROBLEM DESCRIPTION: TRUSSPASERS, DOING DRUGS
CALLBACK#: 801-403-8804
CALLER: KATELYN

--------2016-05-16 11:38:07--------
DISPATCH LEVEL: HIGH PRIORITY-116D01
2. VICT CALLER ON SCENE.
1. CALLER ON SCENE.
3. IN PROGRESS.
4. DRUG POSSESSION/USE
5. NO KNOWN WPN'S INVOLVED.

--------2016-05-16 11:39:28--------
***PERSON #1***
TYPE: SUSPECT
RACE: HISPANIC
GENDER: 4 MALES
CLOTHING: ONLY SAW 2 OF THE 4, HAD BLACK SWEATERS AND HATS ON
AGE: 14 TO 16

--------2016-05-16 11:40:17--------
1. SUSP ON SCENE.
2. SUSP DESC.
3. NO SUSP VEH INVOLVED.
4. NO ONE IN DANGER.
5. UNK LOC OF DRUGS/PARAPHERNALIA.
6. NO MEDICAL NEEDED.

Unit/Officer Details

For: OA8095 Saturday July 16, 2016
<table>
<thead>
<tr>
<th>Time</th>
<th>Date</th>
<th>Type</th>
<th>Location</th>
<th>Action</th>
<th>Notes</th>
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<td>CT20</td>
<td>PROQA DISPATCH LEVEL IS HIGH PRIORITY</td>
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<td>11:43</td>
<td>May 16</td>
<td>WEST</td>
<td>248 W BISHOP PL</td>
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<tr>
<td>11:43</td>
<td>May 16</td>
<td>WEST</td>
<td>S : A132 P O21</td>
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<tr>
<td>11:43</td>
<td>May 16</td>
<td>WEST</td>
<td>E : A213 P O50</td>
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<tr>
<td>11:43</td>
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<td>11:43</td>
<td>May 16</td>
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<td>11:51</td>
<td>May 16</td>
<td>WEST</td>
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<td>UNIT: A132</td>
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<td>UNIT: A132</td>
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<td>12:10</td>
<td>May 16</td>
<td>WEST</td>
<td>A : A132 P O21</td>
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<td>PREEMPT</td>
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<td>May 16</td>
<td>WEST</td>
<td>A : D583 P</td>
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</table>

** END OF HARDCOPY **
Incident Location
Address: 248 W BISHOP PL
District: 1  Beat: Z3  Grid: 131
Telephone no. : 882-3637

General Information
Report number: 2015-77023
Case Type: THEFT FROM VEHICLE INVESTIGATION Priority: 4
Dispatch: May-03-2015 10:41:28
Enroute: May-03-2015 12:14:31
At Scene: May-03-2015 12:14:31
Cleared: May-03-2015 12:53:29
How call received: TELEPHONE
Unit ids: #1 - O60  #2 - O60
Call taker ID: 65H RYAN, JOANN

Complainant Information
Name: CHILD THOMAS
State: UT
Home Telephone: 801 882-3637
Remarks:
May-03-2015 10:32:25 - CTM...CAR PROWL... -
Ryan, Joann(at CT16) on 2015-05-03 10:35:50 - THE 2 PLATES TAKEN...ARE DL 9339003 OR 9339004

Clearance Information
Final Case type: LARCENY - FROM MOTOR VEH (PROWL)
Report expected: YES  Founded: YES
Cleared by: INVESTIGATION CONTINUING
Reporting Officer1: O60 - Smith, Chris

Dispatch Details
Unit number: O60  Dispatched: May-03-2015 10:41:28
  Officer 1: O60 - Smith, Chris
Cleared: May-03-2015 10:41:30
Dispatcher ID: 17L

Unit number: O60  Dispatched: May-03-2015 12:14:31
  Officer 1: O60 - Smith, Chris
Enroute: May-03-2015 12:14:31
At scene: May-03-2015 12:14:31
Cleared: May-03-2015 12:53:28
Dispatcher ID: 216D

Related text page(s)
Document: ProcQA DOC
Author: 65H - Ryan, Joann
Subject: ProQA Log
Related date/time: May-03-2015 1035

--------2015-05-03 10:34:22--------
240 W BISHOP PL
THEFT (LARCENY)
PROBLEM DESCRIPTION: CTM....CAR PROWL...
CALLBACK#: 801-882-3637
CALLER : THOMAS CHILD

--------2015-05-03 10:35:04--------
DISPATCH LEVEL: LOW TO MEDIUM PRIORITY-130B03

2. VICT CALLER ON SCENE.
4. SUSP UNK.
1. CALLER ON SCENE.
3. TIME LAPSE: DURING THE NITE
5. THEFT FROM VEHICLE
6. PROP TAKEN: 2 DEALER PLATES
7. EST VALUE UNK.

Document: DISPATCH QUERY
Author: 65H - Ryan, Joann
Subject: VMI.KKE/VMI.ORI/UT0180300.ST/U
Related date/time: May-03-2015 1037

UTAH MOTOR VEHICLE REGISTRATION

Dealer Plate:9339003 Plate Status:OK
Clear Status:False

Dealer Name:ALL KINDS OF AUTO SALES
Address:261 W PARAMOUNT AVE; SALT LAKE CITY, UT (84115)
Phone Type:Business Phone Phone Number:8014320218

>>> ORIGINATING TRANSACTION <<<

MKE/QVEH.LIS/UT.LIC/9339003.NCIC_FLAG/Y.DMV_FLAG/Y.ORI/UT0180300.XMT_LIS/UT.
**SALT LAKE POLICE DEPARTMENT**  
**CAD CALL HARDCOPY**

**CP 2015-77023**  
Reported: May-03-2015 10:32:25

**Dealer Plate:** 9339004  
**Plate Status:** OK  
**Clear Status:** False

**Dealer Name:** ALL KINDS OF AUTO SELLS  
**Address:** 261 W PARAMOUNT AVE; SALT LAKE CITY, UT (18 - SALT LAKE); 841150000; USA  
**Phone Type:** Business Phone  
**Phone Number:** 8014320218

>>> ORIGINATING TRANSACTION <<<

MKE/QVEH.LIS/UT.LIC/9339004.NCIC_FLAG/Y.DMV_FLAG/Y.ORI/UT0180300.XMT_LIS/UT.

**Unit/Officer Details**

<table>
<thead>
<tr>
<th>Time</th>
<th>Date</th>
<th>CT</th>
<th>Lan</th>
<th>DP</th>
<th>PH</th>
<th>Location</th>
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<td>10:35</td>
<td>May 03</td>
<td>CT16</td>
<td>65H</td>
<td>PROQA Dispatch Level is Low to Medium Priority</td>
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<td>10:41</td>
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<td>17L</td>
<td>DP:O60</td>
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<td>216D</td>
<td>S :O60</td>
<td>PH :O60</td>
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</table>

For: OA8095  Saturday July 16, 2016  
Page: 3 of 4
SALT LAKE POLICE DEPARTMENT
CAD CALL HARD COPY

CP 2015-77023
Reported: May-03-2015 10:32:25

12:22 May 03 O60 S:O60 PH O60
RMS Q PERS-NAME: CHILD G1:TOM DOB:06301976
EXT5:N EXTJ:N PKI:N TONC:Y UNIT:O60

12:22 May 03 O60 S:O60 PH O60
EXT Q PERS-NAME: CHILD G1:TOM DOB:06301976
EXT5:N EXTJ:N PKI:N TONC:Y UNIT:O60

12:32 May 03 O60 S:O60 PH O60
RMS Q PERS-NAME: ACCAIAIO G1:THOMAS DOB:06301976
EXT5:N EXTJ:N PKI:N TONC:Y UNIT:O60

12:32 May 03 O60 S:O60 PH O60
EXT Q PERS-NAME: ACCAIAIO G1:THOMAS DOB:06301976
EXT5:N EXTJ:N PKI:N TONC:Y UNIT:O60

12:51 May 03 O60 S:O60 PH O60
RMS Q BUS-NAME: ALL KINDS OF AUTO SALES PKI:N

12:53 May 03 O60 A:O60 PH O60
12:53 May 03 O60 A:O60 PH O60
CLEARED CASE SL 77023 FOUND-Y REPORT- Y CLEARED
BY-1 FINAL-2305 BOLO-N STUDY FLAG-

** END OF HARD COPY **
# Utah Environmental

SLCO - Salt Lake County Health Department
Request/Complaints

Date Range: 1/1/1997 to 11/29/2016
Reporting Area: ALL
Request Status: Open Resolved Closed

<table>
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<th>Reporting Area:</th>
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<tbody>
<tr>
<td>Status</td>
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<tr>
<td>Resolved</td>
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<tr>
<td>Date Ent</td>
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<tr>
<td>9/14/04</td>
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<td></td>
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</tbody>
</table>

Conditions: (TENANT) WORK. WATER SHUT OFF 9/9/04, VERIFIED OFF & OCCUPIED 9/13/04.

<table>
<thead>
<tr>
<th>Reporting Area:</th>
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<tbody>
<tr>
<td>Status</td>
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<td>--------</td>
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<tr>
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<td>Date Ent</td>
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<tr>
<td>6/2/05</td>
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<tr>
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</tbody>
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Conditions: GARBAGE CAN LEFT OUT AFTER DAY OF PICKUP.
Utah Environmental
SLCO -Salt Lake County Health Department
Request/Complaints

Date Range: 1/1/1997 to 11/29/2016
Reporting Area: ALL
Request Status: Open Resolved Closed

Premise Grid Range: 230 W to 300 W
Cross Street Grid Range: 430 N to 440 N

Reporting Area: Housing

<table>
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<tr>
<th>Status</th>
<th>Rqst# / Sanit#</th>
<th>Complainant</th>
<th>Person or Premises to see</th>
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<td>439 N 300 W</td>
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<td>Sanit #: 350187</td>
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<td>Salt Lake City UT, 84103</td>
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<tr>
<td>Date Ent</td>
<td>3/22/06</td>
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<td>PR Street: 439 N</td>
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<td>Cross Street: 300 W</td>
</tr>
</tbody>
</table>

Conditions: GARBAGE CANS RIGHT IN FRONT OF COMPLAINANTS DOOR, PICK UP DAY IS FRIDAY.

Date printed: 11/29/2016 Time: 10:51:11AM

Inspection Activity Date: 11/05/2009 Sanit#:350008 Activity Desc: Follow-up (No Fee) Inspection

Comments: Bodily...Inspection showed that there is deficiency but the tenant had to be out of the apartment by 12:00 the day of inspection wouldn't be able to get back in to reinspect hae also made a list but have the same problem landlord is a constant problem as a landlord, wall and see if get new tenant. List: Downstairs faucet leaks; wall in poor repair; no railing on stairs; downstairs drain doesn't drain very well; upstairs wall board falling off.
Utah Environmental  
SLCO - Salt Lake County Health Department  
Request/Complaints

Date Range: 1/1/1997 to 11/29/2016  
Premise Grid Range: 230 W to 300 W  
Reporting Area: ALL  
Cross Street Grid Range: 430 N to 440 N  
Request Status: Open Resolved Closed

<table>
<thead>
<tr>
<th>Reporting Area</th>
<th>Solid Waste</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status</td>
<td></td>
</tr>
<tr>
<td>Resolved</td>
<td>Rqst #: 105549</td>
</tr>
<tr>
<td>Date Ent</td>
<td>Sanit #: 350006</td>
</tr>
</tbody>
</table>
| Person or Premises to see | 258 W BISHOP PL  
SALT LAKE CITY UT 84103  
PR Street: 258 W  
Cross Street: 430 N |

Conditions: Water storage all over in their neighbors yard across the street.  
Activity Desc: Complaint Investigation (Field)

Comment: The deck was removed at open storage will talk to owner about this.

<table>
<thead>
<tr>
<th>Inspection Activity Date</th>
<th>Sanit#: 350008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspection Activity Date</td>
<td>Sanit#: 350008</td>
</tr>
<tr>
<td>Inspection Activity Date</td>
<td>Sanit#: 350008</td>
</tr>
</tbody>
</table>

Conditions: Washing machine outside, hose hanging over fence pumping water into yard.  
Activity Desc: Complaint Investigation (Field)

Comment: Washing machine hooked up water being dumped on the ground sending notice.  
Activity Desc: Complaint Investigation

Comment: Drove to address. Discussed with, who has been hired by owner to clean up properties in area before remodeling starts. He said the occupants of 258 W. have been given until 30 Sep 12 to vacate the premises. Copy of letter from Sanitation and Safety on mailbox. Washing machine still hooked up, in operation at time of inspection. Discussed with son of occupant; he said they were washing clothes in preparation for move and intended to have everything out of the house by the end of today. Advised him of water quality regulations, hand delivered S+S letter to him.

Comment: clothes is now vacant resolved.
Utah Environmental
SLCO - Salt Lake County Health Department
Request/Complaints

Date Range: 11/1/1997 to 11/30/1997
Reporting Area: ALL
Request Station: Open Beef butchery不能读取部分
Reported Area: Housing

Status | Req# / Sanit# | Complainant | Person or Premises to see
--- | --- | --- | ---
Resolved | Req #: 109338 | DET. | 437 N 300 W
Date: 5/1/13 | Sanit #: 350008 | | SALT LAKE CITY UT, 84103

Conditions: Housing issues, lack of utilities, flophouse??

Inspection Activity Date: 05/07/2013 | Sanit#:350008 | Activity Desc: Complaint Investigation (Field)

Comments: Went with police there was a person sleeping in a camper trailer told him that he couldn't live there said that he only did it on occasion. He had one warrant from UTA nothing the police would address.
**Utah Environmental**
**SLCO - Salt Lake County Health Department**
**Request/Complaints**

**Date Range:** 1/1/1997 to 11/29/2016  
**Reporting Area:** ALL  
**Premise Grid Range:** 230 W to 300 W  
**Cross Street Grid Range:** 430 N to 440 N  
**Request Status:** Open Resolved Closed

<table>
<thead>
<tr>
<th>Status</th>
<th>Report / Study</th>
<th>Complainant</th>
<th>Person or Premises to see</th>
</tr>
</thead>
</table>
| Received | R-176-1097297 | BAVARIAN MOTORCYCLE SHOP | 437 N 300 W  
SALT LAKE CITY, UT 84103 |
| Dated | 6/11/13 | SALT LAKE CITY, UT 84103 | 437 N 300 W  
SALT LAKE CITY, UT 84103 |

**Condition:** Vacant house, has vagrants coming and going, living there. No work in house. Drug dealing a possibility as well. Property is next to Bavarian Motorcycle Shop. There are dogs on the property but shop owners next door have gotten to know dogs and take care of the property if they come uninvited. If you walk down street please don't always hear them phone.

**Inspection visited Date:** 6/25/2013  
**Sanitation:**  
**Activity Descrip/Complainant/Investigation (if any):**  
Communitian: Even when closed house was vacant not secured called owner he called his property manager and told him to secure. There's a checking book there is a notice from a collectable taped in the window and the house is secured.
Utah Environmental
SLCO -Salt Lake County Health Department
Request/Complaints

Date Range: 1/1/1997 to 11/29/2016
Reporting Area: ALL
Request Status: Open Resolved Closed
Premise Grid Range: 230 W to 300 W
Cross Street Grid Range: 430 N to 440 N

Reporting Area: Solid Waste

<table>
<thead>
<tr>
<th>Status</th>
<th>Rqst # / Sanit#</th>
<th>Complainant</th>
<th>Person or Premises to see</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open</td>
<td>Rqst #: 109774</td>
<td>BAVARIAN MOTOR SHOP</td>
<td>437 N 300 W</td>
</tr>
<tr>
<td></td>
<td>Sanit #: 350008</td>
<td></td>
<td>SALT LAKE CITY UT, 84103</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>PR Street: 437 N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Cross Street: 300 W</td>
</tr>
</tbody>
</table>

Conditions: CTO The vacant house next door has trash all over the yard that was left behind by the tenants. The house has a CTO and no water, but owner won't clean up property.

Inspection Activity Date: 05/30/2013
Sanit#: 350008
Activity Desc: Complaint Investigation (Field)
Comments: Same complaint as 109767

Inspection Activity Date: 05/12/2013
Sanit#: 350008
Activity Desc: Complaint Investigation (Field)
Comments: Evidence of tenants house is "CLOSED TO OCCUPANCY"

Inspection Activity Date: 02/14/2014
Sanit#: 350403
Activity Desc: Joint Field Activity
Comments: Joint inspection with Lowell B. CTO placard was gone. We reposed on front of house. The house was secured at this time.

Inspection Activity Date: 02/18/2014
Sanit#: 350008
Activity Desc: Complaint Investigation (Field)
Comments: reaposed the houses as someone removed the CTO signs.

Inspection Activity Date: 06/02/2014
Sanit#: 350008
Activity Desc: Complaint Investigation (Field)
Comments: Still CTO

Inspection Activity Date: 02/23/2015
Sanit#: 350228
Activity Desc: Complaint Investigation (Field)
Comments: Met with (Bldg Insp), homeowner, and his contractor. Many problems with home still, list created (by and me) for owner so that he knows what still needed to be addressed. Lowell and I will wait for a call from either or (owner) next month. Some issues were screens on windows, treat for roaches (live or seen in basement, paint and carpet, cabinets to be cleaned, bathrooms to be repaired so that they arent leaking into the floor, tub surround upstairs in both units need to be addressed, heating elements need to be in working order in both units. Water was not hot enough but was not turned up all the way when I was there.

Inspection Activity Date: 07/14/2016
Sanit#: 350008
Activity Desc: Complaint Investigation (Field)
Comments: evidence of people inside the house the climb the tree walk across the porch and go through the upstairs window.
Utah Environmental
SLCO - Salt Lake County Health Department
Request/Complaints

Date Range: 1/1/1997 to 11/29/2016
Reporting Area: ALL
Request Status: Open Resolved Closed

Premise Grid Range: 230 W to 300 W
Cross Street Grid Range: 430 N to 440 N

Reporting Area: Subdivision Review

Status | Resolved | Rqst# / Sanit# | Complainant |
-------|----------|----------------|-------------|
Resolved | Rqst #: 129034 | Sanit #: 350401 | INTERNATIONAL REAL ESTATE \nSOLAYWEST STE 2002 \nSALT LAKE CITY, UT 84101 |

Person or Premises to see

BISHOP PLACE
430 N 300 W
SALT LAKE CITY, UT, 84103
PR Street: 430 N
Cross Street: 300 W

Conditions: Lots 13, Aces 1
Water letter - Salt lake city

09/23/2015 - re-signed subdivision review due to a change in the name of entity and date, signed and authorized by supervisor Dan Moore.
Utah Environmental
SLCO -Salt Lake County Health Department
Request/Complaints

Date Range: 1/1/1997 to 11/29/2016
Premise Grid Range: 230 W to 300 W
Reporting Area: ALL
Cross Street Grid Range: 430 N to 440 N
Request Status: Open Resolved Closed

Reporting Area: Housing
Status | Rpt# / Sanit# | Complainant | Person or Premises to see
--- | --- | --- | ---
Resolved | Rpt # 195014 | 241 W BISHOP PL. SALT LAKE CITY UT, 84103 | 
Date Ent: 10/7/15
Sanit #: 351008 | | PR Street: 241 W | Cross Street: 430 N | 

Conditions: VACANT HOUSES HAD BEEN BOARDED UP, BUT TRANSIENTS HAVE TORN DOWN BOARDS AND ARE LIVING IN THESE VACANT HOUSES, THERE HAVE BEEN REPORTED LRORIARIES REPORTED IN THE SAME NEIGHBORHOOD, THESE VACANT HOUSES MAY BE A HOUSING FOR STOLEN PROPERTY, BISHOP PLACE IS THE NAME OF THE STREET WITH MANY VACANT HOUSES, 241 W THRU 267 W BISHOP PLACE, THAN 432 N 300 W.

Inspection Activity Date: 12/10/2015
Sanit #: 251222
Activity Date: Investigative Activity
Comments: Site Visit. No evidence of aquatic.

Inspection Activity Date: 10/14/2015
Sanit #: 251063
Activity Date: Complaint Investigation/Field
Comments: Presence of aquatic in house. Covered under the historical of Utah.

Reporting Area: Administrative Fee
Status | Rpt# / Sanit# | Complainant | Person or Premises to see
--- | --- | --- | ---
Resolved | Rpt # 139753 | MANNING CURTIS BRADSHAW & BRADSHAW TEMPLE, SUITE 1500 SALT LAKE CITY, UT 84111 | 241 W BISHOP PL.
Sanit #: 359507 | | SALT LAKE CITY UT, 84103 | 
Date Ent: 11/29/16

Conditions: Phase 241- 432 W Bishop Place

Date Printed: 11/29/2016 Time: 10:31:11AM
Notification of Premises Closed To Occupancy

December 28, 2012

INTERNATIONAL REAL ESTATE SOLUTIONS INC
C/O DONALD E ARMSTRONG
6839 BUFFLEHEAD DR
PARK CITY UT 84098

Dear Mr. Armstrong;

RE: 245 W Bishop Place through 267 W Bishop Place
RN #107313

The Salt Lake Valley Health Department has been referred to the property identified above for which you are responsible.

On December 24, 2012, a Health Department inspection was conducted at Bishop Place from 245 West through 267 West. The following conditions were observed:

- Dilapidated homes that lack utilities with transients squatting in unsecure homes.

You are notified that these conditions are in violation of Health Department Regulation #3 Housing (Health regulations may be obtained in their entirety at www.slvhealth.org or you may contact our office):

See Attached Document

These deficiencies render the homes unfit for human habitation. The homes were posted with a "CLOSED TO OCCUPANCY" placard on December 24, 2012 in accordance with the following portions of Health Department Regulation #3 Housing:


4.8.1. Closing Unfit Dwellings. Any dwelling or dwelling unit which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested that it creates or may create a hazard to the health or safety of the occupants or of the public may be deemed unfit for human habitation, closed to occupancy, and posted with a placard by the Director. Lack of electricity, potable water, heating facilities during cold weather, or sewer service may be considered prima facie evidence of a health or safety hazard sufficient to require closure.

4.8.2. Vacating Required Upon Closing to Occupancy. Any dwelling or dwelling unit which is closed to occupancy shall be vacated within a reasonable time as ordered by the Director.
4.8.3. **Closed-to-Occupancy Placard.** Closed-to-occupancy placards shall be conspicuously posted on entryways to the respective dwelling unit(s). The placard shall state the address of the dwelling, the date of closure, name and phone number of the Director, and may denote the hours of permitted entry of authorized persons for the express purpose of abating noted violations.

4.8.4. **Tampering with Placard Prohibited.** No person, other than the Director, shall deface or authorize the removal of a closed-to-occupancy placard.

4.8.5. **Approval Required Prior to Occupancy of Closed Dwelling.** It shall be unlawful for any person to occupy any dwelling or dwelling unit that has been closed to occupancy until approval of the Director is given and all placards are removed.

4.8.6. **Securing of Unoccupied Structures.** If a vacant building or any part of a building has become a nuisance or unfit for human habitation, the Director may require that the premises be properly secured to prevent entry by unauthorized persons. The owner, lessee, or occupant shall be given notice to secure, close, or make safe the building within a reasonable time. If the owner, lessee, or occupant fails to secure the building or its part as required, the Director may proceed to secure it and charge the costs against the owner, lessee, or occupant. If a building or any part thereof is vacant and not secure, or is accessible to the public, this may be considered prima facie evidence it is a nuisance, and securing may be required.

4.8.7. **Occupying Closed Dwelling Unlawful.** It shall be unlawful for any person to occupy, prepare food, or sleep in any structure, dwelling, or other place that is currently closed to occupancy. Authorized persons may be allowed entry by the Director during the prescribed hours for violation abatement as specified in 4.8.3.

The homes will remain posted "Closed to Occupancy" until all deficiencies have been corrected and a re-inspection is made by the Health Department. The homes are not to be rented or otherwise occupied until an inspection by the Health Department indicates it is fit for the use intended. Please be aware that representatives of the Salt Lake Valley Health Department, zoning, and law enforcement agencies may periodically check that the house is unoccupied and that the placard remains posted.

You have the right to appeal this action. To do so, you must request an informal meeting, department conference or hearing within 5 days of receipt of this notice. We recommend an informal meeting be conducted first, followed by a departmental conference and/or hearing if you desire. The request to appeal must be filed in writing with the Division of Environmental Health, 788 E. Woodack Lane, Suite 140, Murray Utah 84107-6379. Failure to request or attend a scheduled meeting, conference, or hearing may render the Department’s action, as described herein, final. A copy of the Salt Lake Valley Health Department’s adjudicative procedures is available upon request.

Your cooperation in this matter will be appreciated.

Sincerely,

Karla Bartholomew, L.E.H.S.
Sanitation & Safety
385-468-3798

KB/pa

CERTIFIED MAIL: 7010 3090 0003 0121 7619
CLOSED TO OCCUPANCY
BY ORDER OF
THE SALT LAKE VALLEY HEALTH
DEPARTMENT
TAB 11
## BISHOP PLACE REDEVELOPMENT
### Summary of costs

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concrete curbing</td>
<td>$114,400.00</td>
</tr>
<tr>
<td>Driveways</td>
<td>$16,000.00</td>
</tr>
<tr>
<td>Ext Demo and cleanup</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Dumpsters</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Privacy Fencing</td>
<td>$46,800.00</td>
</tr>
<tr>
<td>Landscaping</td>
<td>$108,000.00</td>
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<tr>
<td>Lamps</td>
<td>$5,700.00</td>
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<td>Lamp post installation</td>
<td>$6,000.00</td>
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<tr>
<td>Asphalt</td>
<td>$19,200.00</td>
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<tr>
<td>Engineering</td>
<td>$4,200.00</td>
</tr>
<tr>
<td>Surveys</td>
<td>$4,200.00</td>
</tr>
<tr>
<td>Water line</td>
<td>$182,700.00</td>
</tr>
<tr>
<td>Tree Trimming and removal</td>
<td>$4,800.00</td>
</tr>
<tr>
<td>Garage demo</td>
<td>$1,890.00</td>
</tr>
<tr>
<td>Fencing around homes</td>
<td>$18,000.00</td>
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<tr>
<td>Retaining wall in back</td>
<td>$8,600.00</td>
</tr>
<tr>
<td>Other Ext St Improvements</td>
<td>$30,980.00</td>
</tr>
<tr>
<td>Parking spaces signage</td>
<td>$1,210.00</td>
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<tr>
<td><strong>Total Costs</strong></td>
<td><strong>$410,700.00</strong></td>
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<tr>
<td><strong>General Contractor Fees</strong></td>
<td><strong>$10,000.00</strong></td>
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### ADDRESS COST

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<td>257</td>
<td>$112,888.17</td>
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<tr>
<th>TOWNHOMES</th>
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<td>$</td>
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<tr>
<td>Location</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>262 West</td>
<td>Excavation/Earth work</td>
</tr>
<tr>
<td></td>
<td>Footing/Foundation (Lab and Mat) w/ Pump</td>
</tr>
<tr>
<td></td>
<td>Steel</td>
</tr>
<tr>
<td></td>
<td>Engineering</td>
</tr>
<tr>
<td></td>
<td>Framing/Beam/Brace</td>
</tr>
<tr>
<td></td>
<td><strong>Totals</strong></td>
</tr>
<tr>
<td>258 West</td>
<td>Excavation/Earth work</td>
</tr>
<tr>
<td></td>
<td>Footing/Foundation (Lab and Mat) w/ Pump</td>
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<td><strong>Totals</strong></td>
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<tr>
<td>259 West</td>
<td>Excavation/Earth work</td>
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</table>

**Total**: **$169,350.80**

**UDOT**

Bonds: $50,000.00 Not included in costs
<table>
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<th>Item</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Street Boarding</td>
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<td>Flowable Fill</td>
<td>$4,250.00</td>
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<td>Connections</td>
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<td>Materials</td>
<td>$2,500.00</td>
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<tr>
<td>Labor</td>
<td>$13,500.00</td>
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<tr>
<td>Street Signs and Safety</td>
<td>$1,500.00</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>$39,750.00</strong></td>
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</table>

**GRAND TOTALS $ 209,100.80**

**CARRYING COSTS ESTIMATES**

<table>
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<tr>
<th>Item</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>$30,000.00</td>
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<tr>
<td>Utilities</td>
<td>$18,000.00</td>
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<tr>
<td>Interest</td>
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<tr>
<td>Points</td>
<td>$25,000.00</td>
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<tr>
<td>Maintenance</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

**Total** $218,000.00
# 241 West Bishop Place Cost Breakdown

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Permit &amp; Fees</td>
<td>Estimated Cost</td>
<td>$1,600.00</td>
</tr>
<tr>
<td>Blueprints &amp; Estimating</td>
<td>Job Cost Breakdowns and Estimations</td>
<td>$360.00</td>
</tr>
<tr>
<td>Engineering</td>
<td>Structural Engineering</td>
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</tr>
<tr>
<td>Imported/Exported Fill</td>
<td>Addition</td>
<td>$600.00</td>
</tr>
<tr>
<td>Temporary Utilities</td>
<td>Power, water, gas, john, etc</td>
<td>$1,750.00</td>
</tr>
<tr>
<td>Water Lateral</td>
<td>New 1&quot; poly line</td>
<td>$380.00</td>
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<tr>
<td>Sewer Lateral</td>
<td>New PVC Line</td>
<td>$100.00</td>
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<tr>
<td>Power Cables Lateral</td>
<td>New Conduit II needed</td>
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## 245 West Bishop Place Cost Breakdown

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### 249 West Bishop Place Cost Breakdown

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Total Costs: $4,352.50
Total Costs: $8,856.00
**258 West Bishop Place Cost Breakdown**

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### 262 West Bishop Place Cost Breakdown

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# 265/267 West Bishop Place Cost Breakdown

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$380,00
TAB 12
January 4, 2017

RE: International Real Estate Solutions, Inc., and Don Armstrong
Bishop Place Properties

To Whom It May Concern:

I am a Certified Public Accountant with 46 years of experience. I am the owner of Swen A. Mortenson, C.P.A. Inc. with extensive experience in real estate. I ran a company that purchased, built, managed apartments throughout the United States. The Company also converted apartments complexes into condominiums. This letter is provided for International Real Estate Solutions, Inc., and Don Armstrong ("IRES"). I am qualified to make the statements set forth below based on my experience and education and review of the documentation submitted with this letter.

IRES owns the twelve parcels located on Bishop Place in Salt Lake City, Utah, referred to herein as the project.

Attached please find the following exhibits:
   Exhibit "A" Cost of Acquisition and Ownership
   Exhibit "B" Total Cost to Complete
   Exhibit "C" Remodel Income Potential

I have reviewed the following numbers and Exhibit "A" shows Don Armstrong’s Cost of Acquisition and Ownership to date in the amount of $1,355,545.

Exhibit "B" shows the total cost to complete the project in the amount $4,436,070.73.

Exhibit "C" shows a net loss of $442,320.73, which includes Historic Demo Cost.

I have reviewed these exhibits, containing the actual numbers and projected numbers. Based on my experience and opinion, these numbers are accurate.

Sincerely,

[Signature]

Swen A. Mortenson
C.P.A.

Phone: 801.466.0041  Fax: 801.466.0255
1348 East 3300 South Suite 202 Salt Lake City, Utah 84106
Exhibit "A"
Costs of Acquisition and Ownership
Bishop Place Properties

Acquisition Costs

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<td>$103,920.15</td>
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<tr>
<td>249 W Bishop Pl</td>
<td>$99,107.86</td>
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<td>258 W Bishop Pl</td>
<td>$67,788.64</td>
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<tr>
<td>432 N 300 West SLC</td>
<td>$145,016.19</td>
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<tr>
<td>262 W Bishop Pl</td>
<td>$55,000.00</td>
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<tr>
<td>265-267 Bishop Pl</td>
<td>$80,000.00</td>
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<td>259 W Bishop Pl</td>
<td>$55,000.00</td>
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<tr>
<td>245 Bishop</td>
<td>$39,538.40</td>
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<tr>
<td><strong>Total Acquisition Costs</strong></td>
<td><strong>$645,371.24</strong></td>
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</table>

Hard Money Costs

<table>
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<tr>
<th>Description</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>3 points</td>
<td>$19,361.14</td>
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<tr>
<td>Interest at 12%</td>
<td>$77,444.55</td>
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<tr>
<td>4 Years</td>
<td>$309,778.20</td>
</tr>
<tr>
<td><strong>Total Acquisition Costs</strong></td>
<td><strong>$974,510.57</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Thru 8/30/2016</th>
<th>Thru 11/10/16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development and Ownership Costs</td>
<td>$42,612.00</td>
<td>$42,612.00</td>
</tr>
<tr>
<td>Legal and Accounting</td>
<td>$13,652.70</td>
<td>$20,895.56</td>
</tr>
<tr>
<td>Projected Legal Fees</td>
<td>$15,000.00</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Additional Legal</td>
<td>$280.00</td>
<td>$280.00</td>
</tr>
<tr>
<td>Insurance</td>
<td>$18,797.76</td>
<td>$18,797.76</td>
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<tr>
<td>Architect Fees</td>
<td>$9,000.00</td>
<td>$9,000.00</td>
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<tr>
<td>Appraisal Fees</td>
<td>$7,750.00</td>
<td>$7,750.00</td>
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<tr>
<td>General Contractor</td>
<td>$25,791.50</td>
<td>$25,791.50</td>
</tr>
<tr>
<td>Engineering</td>
<td>$26,754.63</td>
<td>$29,254.63</td>
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<tr>
<td>Blueprints &amp; Estimating</td>
<td>$5,985.00</td>
<td>$5,985.00</td>
</tr>
<tr>
<td>License Fees</td>
<td>$5,403.97</td>
<td>$5,403.97</td>
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<tr>
<td>Projected Application fees</td>
<td>$5,979.96</td>
<td>$5,979.96</td>
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<tr>
<td>Building Permits and Fees</td>
<td>$8,988.84</td>
<td>$8,988.84</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>$483.26</td>
<td>$483.26</td>
</tr>
<tr>
<td>Equipment Rental</td>
<td>$789.81</td>
<td>$789.81</td>
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<tr>
<td>Building Supplies</td>
<td>$10,112.93</td>
<td>$10,112.93</td>
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<tr>
<td>Plumbing</td>
<td>$1,255.30</td>
<td>$1,255.30</td>
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<tr>
<td>Wages</td>
<td>$30,164.62</td>
<td>$30,554.62</td>
</tr>
<tr>
<td>Laborers</td>
<td>$7,552.00</td>
<td>$7,552.00</td>
</tr>
<tr>
<td>Item</td>
<td>Amount</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------------------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Employer Expenses</td>
<td>$252.89</td>
<td>$252.89</td>
</tr>
<tr>
<td>Federal Express</td>
<td>$49.78</td>
<td>$49.78</td>
</tr>
<tr>
<td>Demo</td>
<td>$50,318.84</td>
<td>$340.50</td>
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<tr>
<td>Sewer Fire Hydrants</td>
<td>$1,480.00</td>
<td>$1,480.00</td>
</tr>
<tr>
<td>Drafting</td>
<td>$2,250.00</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>Water Line</td>
<td>$13,245.00</td>
<td>$13,245.00</td>
</tr>
<tr>
<td>Storm Drains</td>
<td>$85.00</td>
<td>$85.00</td>
</tr>
<tr>
<td>Gas--Questar Gas</td>
<td>$5,869.62</td>
<td>$130.94</td>
</tr>
<tr>
<td>Electricity</td>
<td>$4,855.91</td>
<td>$252.66</td>
</tr>
<tr>
<td>Water</td>
<td>$12,458.64</td>
<td>$742.13</td>
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<tr>
<td>Interest US Bank</td>
<td>$35.17</td>
<td>$35.17</td>
</tr>
<tr>
<td>Bank Fees</td>
<td>$34.00</td>
<td>$34.00</td>
</tr>
<tr>
<td>Miscellaneous Bank Fees</td>
<td>$20.00</td>
<td>$36.00</td>
</tr>
<tr>
<td>Property Taxes</td>
<td>$30,386.82</td>
<td>$10,248.46</td>
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<tr>
<td>Wire Fees</td>
<td>$212.50</td>
<td>$212.50</td>
</tr>
<tr>
<td>Office Assistance</td>
<td>$1,242.43</td>
<td>$1,242.43</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$338,170.92</td>
<td>$42,863.51</td>
</tr>
</tbody>
</table>

Total Investment as of 8/30/2016 $1,322,681.49

Total Investment as of 11/10/2016 $1,355,545.00
### EXHIBIT "B"

**TOTAL COST TO COMPLETE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering and Permits</td>
<td>$30,700.00</td>
</tr>
<tr>
<td>SWPP</td>
<td>$9,900.00</td>
</tr>
<tr>
<td>Excavation and cleanup</td>
<td>$23,000.00</td>
</tr>
<tr>
<td>Grading</td>
<td>$4,501.10</td>
</tr>
<tr>
<td>Import and Export and Tempo</td>
<td>$11,000.00</td>
</tr>
<tr>
<td>Landscaping</td>
<td>$85,706.60</td>
</tr>
<tr>
<td>Storm Drains</td>
<td>$9,000.00</td>
</tr>
<tr>
<td>Road</td>
<td>$30,043.40</td>
</tr>
<tr>
<td>Fencing</td>
<td>$28,000.00</td>
</tr>
<tr>
<td>ADA Ramps</td>
<td>$1,900.00</td>
</tr>
<tr>
<td>Water line</td>
<td>$27,715.00</td>
</tr>
<tr>
<td>Retaining wall in back</td>
<td>$10,750.00</td>
</tr>
<tr>
<td>Misc</td>
<td>$2,050.00</td>
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<tr>
<td><strong>Total Costs</strong></td>
<td>$832,016.10</td>
</tr>
<tr>
<td><strong>General Contractor Fees</strong></td>
<td>$10,000.00</td>
</tr>
</tbody>
</table>

**ADDRESS**

| SFR's | 241   | 131,174.83 | $14,511.11 |
|       | 245   | 103,618.79 | $14,511.11 |
|       | 249   | 131,668.58 | $14,511.11 |
|       | 254   | 114,248.40 | $14,511.11 |
|       | 253   | 155,649.33 | $14,511.11 |
|       | 256   | 135,071.11 | $14,511.11 |
|       | 262   | 189,702.98 | $14,511.11 |
| TWINS            | 265   | 117,688.17 | $14,511.11 |
|                 | 267   | 117,688.17 | $14,511.11 |
| TOWNHOMES        | 432 N 300 W |               |
| STREET           | see CB for breakdown | $352,916.10 |

**TOTAL REMODEL COST**

$1,520,917.80

**Contactor/Management Fees**

$140,569.99

**Total Construction Contract**

$1,661,517.79

**ACQUISITION COST/INTEREST**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition</td>
<td>$645,371.24</td>
</tr>
<tr>
<td>Points</td>
<td>$10,361.14</td>
</tr>
<tr>
<td>Interest at 12%</td>
<td>$305,779.20  approx running total for 48 months to start to finish</td>
</tr>
<tr>
<td>RDA Interest</td>
<td>$100,000.00  Approximate</td>
</tr>
<tr>
<td>Description</td>
<td>Cost</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>UDOT Requirements at 300 W</td>
<td>$63,065.00</td>
</tr>
<tr>
<td>6&quot; of old wells</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Galvanized Water Line</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Groom Driveway Basalt</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Cleanout Box</td>
<td>$505.00</td>
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<tr>
<td>Fire Sprinklers</td>
<td>$49,700.00</td>
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<tr>
<td>New-Fire Hydrant</td>
<td>$7,000.00</td>
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<tr>
<td>Copmacris Tealage</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>New Drive approach</td>
<td>$5,500.00</td>
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<tr>
<td>Total additional improvements</td>
<td>$73,520.00</td>
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</table>

<table>
<thead>
<tr>
<th>Address</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>241</td>
<td>$33,079.20</td>
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<tr>
<td>245</td>
<td>$21,744.85</td>
</tr>
<tr>
<td>246</td>
<td>$20,000.00</td>
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<tr>
<td>249</td>
<td>$27,875.05</td>
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<tr>
<td>252</td>
<td>$23,599.50</td>
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<tr>
<td>253</td>
<td>$23,123.20</td>
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<tr>
<td>255</td>
<td>$20,320.10</td>
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<tr>
<td>Total</td>
<td>$169,360.80</td>
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Contingency VG Request Difference: $1,097,400.59

TOTAL COSTS FOR PHASE 1 $3,163,405.04

<table>
<thead>
<tr>
<th>Phase 2</th>
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</thead>
<tbody>
<tr>
<td>432 N 300 W (Twin Homes)</td>
<td>$482,215.71</td>
</tr>
<tr>
<td>242 W</td>
<td>$265,653.00</td>
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<tr>
<td>245 W</td>
<td>$355,856.37</td>
</tr>
<tr>
<td>Total</td>
<td>$1,103,725.08</td>
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</table>

| Phase 2 Architect and Engineer     | $89,290.78 |

| Total Cost for Phase 2 Project     | $1,292,864.78 |

<table>
<thead>
<tr>
<th>Total Project Costs (Phase 1 and Phase 2)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>With Big House</td>
<td>$4,436,070.73</td>
</tr>
<tr>
<td>Without Big House</td>
<td>$3,798,956.27</td>
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</table>
## Exhibit "C"

### Remodel Income Potential

#### PHASE 1

<table>
<thead>
<tr>
<th>Address</th>
<th>Sq Ft</th>
<th>Basement</th>
<th>Total Sq Feet above ground</th>
<th>Type</th>
<th>acres</th>
<th>Appraisals November 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>267 W Bishop Pl</td>
<td>1640</td>
<td>460</td>
<td>1180</td>
<td>Twin</td>
<td>0.04</td>
<td>$305,000.00</td>
</tr>
<tr>
<td>265 W Bishop Pl</td>
<td>1640</td>
<td>460</td>
<td>1180</td>
<td>Twin</td>
<td>0.06</td>
<td>$305,000.00</td>
</tr>
<tr>
<td>262 W Bishop Pl</td>
<td>1714</td>
<td>470</td>
<td>1244</td>
<td>SFR</td>
<td>0.06</td>
<td>$365,000.00</td>
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<tr>
<td>259 W Bishop Pl</td>
<td>1490</td>
<td>290</td>
<td>1200</td>
<td>SFR</td>
<td>0.05</td>
<td>$325,000.00</td>
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<tr>
<td>258 W Bishop Pl</td>
<td>1571</td>
<td>300</td>
<td>1271</td>
<td>SFR</td>
<td>0.18</td>
<td>$305,000.00</td>
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<tr>
<td>249 W Bishop Pl</td>
<td>1122</td>
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<td>1122</td>
<td>SFR</td>
<td>0.05</td>
<td>$297,000.00</td>
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<td>248 W Bishop Pl</td>
<td>1093</td>
<td>0</td>
<td>1690</td>
<td>SFR</td>
<td>0.09</td>
<td>$340,000.00</td>
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<tr>
<td>245 W Bishop Pl</td>
<td>514</td>
<td>80</td>
<td>834</td>
<td>SFR</td>
<td>0.08</td>
<td>$251,000.00</td>
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<tr>
<td>241 W Bishop Pl</td>
<td>1580</td>
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<td>1580</td>
<td>DMX</td>
<td>0.01</td>
<td>$320,000.00</td>
</tr>
</tbody>
</table>

**TOTAL PROJECT PROFIT MINUS 10% SALES CONCESSIONS, COMMISSIONS AND MARKETING**

RDA Grant

| RDA Grant | $205,350 |

**TOTAL Phase 1 COST**

| $3,153,406.04 | $ (335,356) |

**WITH additional requested RDA Grant**

| $335,356.04 | $ (335,356.04) |

#### PHASE 2

<table>
<thead>
<tr>
<th>Address</th>
<th>Sq Ft</th>
<th>Basement</th>
<th>Total Sq Feet above ground</th>
<th>Type</th>
<th>acres</th>
<th>Appraisals November 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 W 432 N Unit 1</td>
<td>2166</td>
<td>725</td>
<td>1128</td>
<td>SFR</td>
<td>0.18</td>
<td>$375,000.00</td>
</tr>
<tr>
<td>300 W 432 N Unit 2</td>
<td>2112</td>
<td>725</td>
<td>1128</td>
<td>SFR</td>
<td>0.18</td>
<td>$375,000.00</td>
</tr>
<tr>
<td>244 W Bishop Pl</td>
<td>2600</td>
<td>2400</td>
<td>2400</td>
<td>LOT</td>
<td>0.09</td>
<td>$475,000.00</td>
</tr>
<tr>
<td>237 W Bishop Pl</td>
<td>2600</td>
<td>2400</td>
<td>2400</td>
<td>LOT</td>
<td>0.06</td>
<td>$450,000.00</td>
</tr>
</tbody>
</table>

**TOTAL PROJECT PROFIT MINUS 10% SALES CONCESSIONS, COMMISSIONS AND MARKETING**

| $1,597,500 |

**TOTAL Phase 2 COST**

| $1,282,664.69 | $ 224,850.31 |

**WITH RDA 1st Grant**

| $4,436,070.73 | $ (110,521) |

**NOT INCLUDING HISTORIC DEMO COSTS**

| $311,520.00 |

**Total Loss**

| $442,520.75 |
Ms. Johnson, we have discussed the contents of your letter dated June 24, 2016 and the attachments, with the City Attorney’s Office. We are familiar with the site and do not require a site visit at this time in order to respond to your letter.

The homes on Bishop Place are obviously in bad condition and are definitely not habitable by any standard. This condition is well represented in the letters from the structural engineers, which you have provided. However, in their current condition, they are boarded up and also fenced off from 300 West. In addition, they do not appear to be an imminent threat to collapse into the public right of way or onto an adjacent occupied structure possibly imperiling the occupants of those structures or those using the public right of way.

Under these conditions, it has not been our policy, (continually vetted through the City Attorney’s Office and City Administration) to order any type of emergency demolition permit.

In addition, it is our understanding that the structure(s) are ‘historic’ in nature and are included in a recently extended subdivision plat process that requires the renovation, not demolition of the homes in question.

Respectfully,

ORION GOFF, CBO
Building Official
Director, Building Services and Civil Enforcement

BUILDING SERVICES DIVISION
COMMUNITY and ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-6681
FAX 801-535-7750

"It was impossible to get a conversation going, everybody was talking too much" Yogi Berra

From: Brooke Johnson [mailto:bjohnson@mc2b.com]
Sent: Monday, June 27, 2016 2:43 PM
To: Goff, Orion <Orion.Goff@slc.gov.com>
Subject: RE: Bishop Place

Mr. Goff,

Thank you for the email. I look forward to hearing from you.
Sincerely,

Brooke Johnson
Manning Curtis Bradshaw & Bednar PLLC
136 East South Temple, 13th Floor
Salt Lake City, Utah 84111
801-363-5678
Facsimile 801-364-5678
bjohnson@mc2b.com

From: Goff, Orion [mailto:Orion.Goff@slcgov.com]
Sent: Monday, June 27, 2016 2:27 PM
To: bjohnson@mc2b.com
Subject: Bishop Place

I am in receipt of your letter and I have forwarded it to the City Attorney’s Office for follow up. I’ll let you know when I hear back from them.

Have a nice afternoon.

ORION GOFF, CBO
Building Official
Director, Building Services and Civil Enforcement

BUILDING SERVICES DIVISION
COMMUNITY and ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL  801-535-6681
FAX  801-535-7750

"It was impossible to get a conversation going, everybody was talking too much" Yogi Berra

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TAB 14
November 2, 2016

Brooke Johnson  
Manning Curtis Bradshaw & Bednar PLLC  
136 East South Temple, 13th Floor  
Salt Lake City, Utah 84111  
801-363-5678  
bjohnson@mc2b.com

Bruce Baird  
2150 South 1300 East, 5th Floor  
Salt Lake City, UT 84103  
(801) 328-1400  
baird@difficuldturf.com

Re: Blight Study for Bishop Place

This information is intended to provide Salt Lake City (the “City”) the information to assist the City in making a technically sound determination of whether or not blighted conditions are present in Bishop Place, located generally at 432 North 300 West in Salt Lake City.

Bishop Place Findings:

The Bishop Place contains 0.96 acres +/- of real property divided into 11 parcels.

The Bishop Place does meet the following tests:

1. The Survey Area consists predominantly of non-greenfield parcels;

2. The Survey Area is currently zoned for urban purposes and generally served by utilities; zoned for urban purposes - Restricted to certain uses and development, such as industrial, commercial and residential.

3. At least 50% of the parcels within the Survey Area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses.

4. The present condition or use of the Survey Area substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic liability or is detrimental to the public health, safety or welfare, as shown by the existence of at least four of the statutory factors of blight, leading to the cumulative conclusion of blighted conditions in the Survey Area and Survey Area. Eleven (11) of the total of eleven (11) or 100% of the number of parcels for a total of 0.96 +/- acres or 100% of the total Bishop Place exhibit four or more of the legislated "blight" factors.

As a result of our survey, and the additional information presented it is our opinion that the Bishop Place would meet the tests of a "blighted area" in conformity with Sections 17C-2-301 and 17C-2-
303 Utah Code Annotated 1953, as amended, and that the renewal of which would be necessary to effectuate a public purpose.

Sincerely,

Bob Springmeyer
Bonneville Research

Bob Springmeyer
BLIGHT ANALYSIS SURVEY OBJECTIVES AND SUMMARY

The term "blight" describes a wide range of problems ranging from the physical deterioration of buildings to the presence of health and social problems of the survey population. The Utah "Community Development and Renewal Agencies Act" requires the collection of technical documentation, which could be considered by the legislative body in supporting a legislative finding of blight.

To examine this requirement, Bonneville Research undertook the collection of technical documentation which could be considered by the Redevelopment Agency and the legislative body in supporting a finding of blight, as defined and determined by Sections 17C-2-301 and 17C-2-303 Utah Code Annotated 1953, as amended.

For this report the definition of "blight", and the technical process followed to determine the presence of blight, is specific to Sections 17C-2-301 and particularly 17C-2-303 Utah Code Annotated 1953, as amended, which defines the existence of blight and the "factors" which contribute to blight.

Legislative "Blight" Factors:

✓ (a) (i) the Survey Area consists predominantly of non-greenfield parcels;
   (ii) the Survey Area is currently zoned for urban purposes and generally served by utilities;
   (iii) at least 50% of the parcels within the Survey Area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses;
   (iv) the present condition or use of the Survey Area

✓ substantially impairs the sound growth of the municipality,
✓ retards the provision of housing accommodations, or
✓ constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the Survey Area of at least four of the following factors:

1. One of the following, although sometimes interspersed with well maintained buildings and infrastructure:
   a. substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure; or
   b. significant noncompliance with current building code, safety code, health code or fire code requirements or local ordinances;
2. Unsanitary or unsafe conditions in the Survey Area that threaten the health, safety or welfare of the community;
3. Environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development;
4. Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;
5. Abandoned or out-dated facilities that pose a threat to public health, safety, or welfare;
6. Criminal activity in the project area, higher than that of comparable non-blighted areas in the municipality or county;
7. Defective or unusual conditions of title rendering the title non-marketable;

(v) (A) at least 50% of the parcels within the Survey Area are affected by at least one of the factors, but not necessarily the same factor, listed in Subsection (1)(a)(iv); and
(B) the affected parcels comprise at least 100% of the acreage of the Survey Area;

Key Elements of “Community Development and Renewal Agencies Act”:

The “Community Development and Renewal Agencies Act” requires the assembly of a substantial body of information on a wide range of physical conditions in the Survey Area. The data must exhibit the characteristics of detail and reliability in measuring the characteristics enumerated in the before quoted statutes. Further, the data collected must be supported by a methodologically sound procedure, carried out by experienced professionals.

It is important to note the finding of blight is a cumulative conclusion attributable to the presence of a number of blighting factors.

✓ No single factor may be authoritatively cited as a "cause" of blight.

✓ It is a function of the presence of several physical or environmental factors, which, in combination produce the phenomenon known as blight.

The goal of the proven Bonneville Research approach has been to formulate a broad range of measurable indices capable of measuring the presence or lack of presence of the physical and environmental factors set forth in the “Community Development and Renewal Agencies Act”, as amended.

Legislative Criteria - Methodology or Index

(a) (i) the Survey Area consists predominantly of non-greenfield parcels;

(ii) the Survey Area is currently zoned for urban purposes and generally served by utilities;

(iii) at least 50% of the parcels within the Survey Area contain nonagricultural or nonaccessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses;

(iv) the present condition or use of the Survey Area substantially impairs the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the Survey Area of at least four of the following factors:
(A1) Substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure

- Detailed survey of the building conditions, environmental deficiencies, and land use.
  - Needs maintenance
  - Needs rehab
  - Needs major repair
  - Needs removal

- Building, Electrical, Fire, Energy, Seismic, and ADA Codes; Structural deficiencies, significant lack of code compliance, the nature and quality of landscaping, building facade conditions, the condition of paving, street and sidewalk conditions.

- Infrastructure - Aging, obsolete, broken infrastructure.

- Land Use Configurations - The design, layout and use of areas including access, parking, visibility, and other factors which impact on vacant and underutilized buildings. Poor, awkward or now illegal plot plans and property dimensions. Inability to create workable land assemblies or reuses without intervention. Inadequate public r-o-w and public purpose easements.

OR

(A2) Significant noncompliance with current building code, safety code, health code or fire code requirements or local ordinances.

- Building, Electrical, Fire, Energy, Seismic, and ADA Codes; Structural deficiencies, significant lack of code compliance, the nature and quality of landscaping, building facade conditions, the condition of paving, street and sidewalk conditions.

(B) Unsanitary or unsafe conditions in the Survey Area that threaten the health, safety or welfare of the community;

- Detailed survey of public health, social, facilities and economic problems.
- Excessive Fire Danger
- FEMA flood zone
- Geocoding of public health, social, facilities and economic problems.

(C) Environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development;

Detailed survey of environmental deficiencies, and land use.
• CERCLIS, LUST & UST computer search of Utah State files.
• Field survey of potential environmental problems, including asbestos construction, petroleum storage, and other hazardous waste problems.

(D) Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;
   • Location of vacant, boarded or empty structures, properties for sale, and non-owner occupied residences and properties.
   • Detailed survey of trash and debris, overgrown weeds, vacant and boarded structures.

(E) Abandoned or out-dated facilities that pose a threat to public health, safety, or welfare;
   • Roofs in need of replacement or significant maintenance.
   • Building masonry in need of replacement or significant maintenance.
   • Buildings built prior to the state enactment of Seismic and other building codes.
   • Obsolete, vacant, structures and properties.
   • Detailed survey of the building conditions, environmental deficiencies, land use, age, incompatibility, and assessed valuation.
   • Detailed survey of trash and debris, overgrown weeds, vacant and boarded structures.

(F) Criminal activity in the project area, higher than that of comparable non-blighted areas in the municipality or county;
   • Detailed review of calls for service, criminal activity, social and economic problems.

(G) Defective or unusual conditions of title rendering the title non-marketable;
   • No Findings

The finding of blight is a cumulative conclusion attributable to not one, but several physical and environmental factors. No single factor should be cited as a cause of blight. Indeed, blight is attributable to a multiplicity of influences, which, in combination, produce the phenomenon of "Blight".
SURVEY AREA FINDINGS

Under terms of the contract with the Agency, the Bonneville Research project team performed a field survey and analysis of conditions relating to blight in the Bishop Place, as defined by the "Community Development and Renewal Agencies Act", and specifically Sections 17C-2-301 and 17C-2-303 Utah Code Annotated, 1953, as amended. The survey and analysis was performed from May 2014 to current to collect the physical data pertaining to conditions enumerated in the completed blight study.

The Bishop Place comprises the following:

- Total Non Public Acreage in the Survey Area: 0.96
- Number of Private Parcels in the Survey Area: 11
- Total Public Acreage in the Area: 0.0
- Number of Public Parcels in the Area: 0
- Privately owned acreage in the Survey Area with Buildings or Improvements: 0.72
- Number of Private Parcels with Buildings or Improvements: 10
Blight Findings:

Bishop Place:

1. The Survey Area consists predominantly of non-greenfield parcels.
   - "Greenfield" means land not developed beyond agricultural or forestry use
   - The Survey Area contains no greenfield parcels.

2. The Survey Area is currently zoned for urban purposes and generally served by utilities; zoned for urban purposes - Restricted to certain uses and development, such as industrial, commercial and residential:
   - The Survey Area is served by Electric, Water/Sewer, and Gas utilities, and is served by roads.
   - The Survey Area is zoned SR-3 or RMF-35 in its entirety.

3. At least 50% of the parcels within the Survey Area contain nonagricultural or non-accessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses:
   - 11 of the 11 parcels in the Survey Area contain buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes.
   - The parcels containing buildings or improvements represent 100% of the total parcels in the Survey Area.
   - The parcels containing buildings or improvements represent 100% of the acreage in the Survey Area.

4. The present condition or use of the Survey Area:
   - substantially impairs the sound growth of the municipality,
   - retards the provision of housing accommodations, or
   - constitutes an economic liability or is detrimental to the public health, safety, or welfare, as shown by the existence within the Survey Area of at least four of the following factors:
     - One of the following, although sometimes interspersed with well maintained buildings and infrastructure:
       - substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure; or

        Eleven (11) of the eleven (11) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage. Some of the conditions exhibited are: substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure, inadequate streets and sidewalks, lack of fire hydrants and inadequate storm drainage.
2. Significant noncompliance with current building code, safety code, health code, or fire code requirements or local ordinances;

Eleven (11) of the eleven (11) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage. Some of the conditions exhibited are: buildings built prior to enactment of current building and seismic codes, safety codes, health codes and fire codes requirement and/or local ordinances.

B. Unsanitary or unsafe conditions in the Survey Area that threaten the health, safety or welfare of the community;

Eleven (11) of the eleven (11) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage. Some of the conditions exhibited are: likely asbestos, open outside storage of used materials, buildings built before enactment of current building and seismic codes, inadequate streets, lack of fire equipment access, lack of fire hydrants, inadequate storm drainage and weeds.

Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition is determined to be an AREA WIDE FINDING.

C. Environmental hazards, as defined in state or federal law, that require remediation as a condition for current or future use and development;

Eleven (11) of eleven (11) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage. Some of the conditions exhibited are: likely asbestos, open outside storage of used materials, weeds and likely storage of hazardous materials.

D. Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;

Eleven (11) of the eleven (11) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented ninety two percent (100%) of the total acreage. Some of the conditions exhibited are: excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities.

The residential vacancy rate for this area is 2.9%.

Due to the number of affected parcels and the area-wide nature of this blight factor, this blight condition is determined to be an AREA WIDE FINDING.
E. Abandoned or out-dated facilities that pose a threat to public health, safety, or welfare;

Eleven (11) of the eleven (11) or one hundred percent (100%) of the parcels met this blight factor. The affected parcels represented one hundred percent (100%) of the total acreage... Some of the conditions exhibited are: Buildings built before enactment of current Seismic and Building Codes, lack of fire hydrants, possible asbestos, illegal dumping, and roofs and/or masonry in need of replacement or significant maintenance.

F. Criminal activity in the project area, higher than that of comparable non-blighted areas in the municipality or county; and

Criminal activity in the Survey Area was 311% higher than that of a comparable non-blighted area in the municipality.

Therefore this blight factor is attributed to all of the parcels in the Survey Area and is determined to be an AREA WIDE FINDING.

G. Defective or unusual conditions of title rendering the title non-marketable;

Zero (0) of the eleven (11) or zero percent (0%) of the parcels exhibit defective or unusual conditions of title rendering the title non-marketable.
Bishop Place:

FINDING A.
1. The Bishop Place contains 0.96 +/- acres of real property.
2. The Bishop Place does meet the following tests:
   • The Survey Area consists predominately of non-greenfield parcels;
   • The Survey Area is currently zoned for urban purposes and generally served by utilities.
   • At least 50% of the parcels within the Survey Area contain nonagricultural or nonaccessory buildings or improvements used or intended for residential, commercial, industrial, or other urban purposes, or any combination of those uses
   • At least 50% of the parcels within the Survey Area are affected by at least one of the blight factors, but not necessarily the same factor.
   • The affected parcels comprise at least 66% of the acreage of the Survey Area

FINDING B.
Eleven (11) of the total of eleven (11) or 100% of the number of parcels for a total of 0.96 +/- acres or 100% of the total Bishop Place exhibit four or more of the legislated "blight" factors.

FINDING C.
The Bishop Place is a blighted area, the renewal of which is necessary to effectuate a public purpose. Evidence of "blight" conditions or indicators was found in the Survey Area, sufficient to be determined to be present area wide, and therefore leads to the cumulative conclusion of blighted conditions in the Bishop Place.
DINNER – Will be served to the Historic Landmark Commissioners and Staff at 5:00 p.m. in Room 118 of the City and County Building.

HISTORIC LANDMARK COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

Approval of the Minutes from March 16, 2017.

Report of the Chair and Vice Chair

Director’s Report

Public Comments - The Commission will hear public comments not pertaining to items listed on the agenda.

Public Hearings

1. **New Single Family Dwelling at approximately 717 South (previously identified as 715) 500 East** – Jordan Atkin, Fifty-Fifty Real Estate, LLC, is requesting approval from the City to construct a single family residence at the above listed address. The lot is currently vacant and is zoned RMF-30 (Low Density Multi-Family Residential) and lies within the Central City Historic District protected by the H Historic Preservation Overlay. The proposed development requires approval from the Historic Landmark Commission for new construction in an historic district. The subject property is within Council District 4 represented by Derek Kitchen. This project was tabled at the January 5, 2017 meeting. (Staff contact: Carl Leith at (801)535-7758 or carl.leith@slcgov.com) Case number PLNHLC2016-00800

2. **Demolition of a Historic Structure at approximately 241 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00014

3. **Demolition of a Historic Structure at approximately 245 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00015

4. **Demolition of a Historic Structure at approximately 249 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00021
5. **Demolition of a Historic Structure at approximately 259 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at approximately 259 West Bishop Place. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00023

6. **Demolition of a Historic Structure at approximately 265 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00028

7. **Demolition of a Historic Structure at approximately 432 North 300 West** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00031

8. **Demolition of a Historic Structure at approximately 262 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00027

9. **Demolition of a Historic Structure at approximately 258 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00022

10. **Demolition of a Historic Structure at approximately 248 W Bishop Place** - Don Armstrong is requesting approval for the demolition of the historic structure located at above listed address. City surveys indicate that the building in question is a contributing property within the Capitol Hill Historic District. The subject property is located within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number PLNHLC2017-00018

11. **Demolition of a Historic Structure at approximately 652 E. 600 South** - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number PLNHLC2016-00915
12. **Demolition of a Historic Structure at approximately 658 E. 600 South** - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number **PLNHLC2016-00918**

13. **Demolition of a Historic Structure at approximately 664 E. 600 South** - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number **PLNHLC2016-00919**

14. **Demolition of a Historic Structure at approximately 632 S. 700 East (665 E. Ely Place)** - Trolley Square Ventures, LLC, is requesting approval for the demolition of the historic structure located at the above listed address. City surveys indicate that the building in question is a contributing property within the Central City Historic District. The subject property is located within City Council District 4, represented by Derek Kitchen. (Staff Contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com) Case number **PLNHLC2016-00920**

The next regular meeting of the Commission is scheduled for Thursday, May 4, 2017, unless a special meeting is scheduled prior to that date.

Appeal Of Historic Landmark Commission Decision: The applicant, any owner of abutting property or of property located within the same historic preservation overlay district, any recognized or registered organization pursuant to title 2, chapter 2.62 of this code, the Utah State Historical Society or Preservation Utah (Utah Heritage Foundation), aggrieved by the Historic Landmark Commission’s decision, may object to the decision by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued.

Files for agenda items are available in the Planning Division Offices, Room 406 of the City and County Building. **Please contact the staff planner for more information.** Visit the Historic Landmark Commission’s website [http://www.slcgov.com/planning/planning-historic-landmark-commission-meetings](http://www.slcgov.com/planning/planning-historic-landmark-commission-meetings) to obtain copies of the Historic Landmark Commission’s agendas, staff reports, and minutes. Staff reports will be posted by the end of the business day on the Friday prior to the meeting and minutes will be posted by the end of the business day two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Historic Landmark Commission.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.