

**SALT LAKE CITY  
HISTORIC LANDMARK COMMISSION  
Minutes of the Meeting  
Held at 451 South State Street, Room 126  
August 1, 2007**

A field trip preceded the meeting and was attended by Commission Members Dave Fitzsimmons, Paula Carl, Creed Haymond, Esther Hunter, Warren Lloyd, Jessica Norie, and Anne Oliver. Planning Staff present were Cheri Coffey, Janice Lew, Nick Norris, and Ana Valdemoros. A quorum was present, therefore, minutes were taken of the field trip.

**NOTES OF THE FIELD TRIP**

Pioneer Park at 350 South 300 West

Staff described the project, specifically the Phase I proposal which would be heard in the Historic Landmark Commission Meeting. Staff further stated that historical markers would be placed on the site in a future phase of the project.

Staff described changes made between 2003 and Phase I, which the applicant would propose during the meeting on this date.

Staff and the Commission discussed the process a developer must enter into when developing sites with archeological significance.

Trolley Square at 602 East 500 South

Staff described the project, including circulation and location of proposed buildings on the site. In response to a question from the Commission, Staff explained that the original reuse concept of the bank building was that of a museum. The developer is now considering other uses as well. Staff also explained that signage would not be considered in the meeting scheduled on that day, but would be considered at a later date.

The Commissioners asked whether the underground parking can be done, a geotechnical report was completed for the entire property. The water table was high on the entire lot with the northeast corner being the highest. Historically, the Northeast corner has had several structures on it, which are now removed. It was traditionally used as a dumping ground for the Trolley Company and later the bus company. There has not been an environmental study of any hazardous materials that might exist on the site; therefore cleanup of potential dangerous materials has not been addressed at this time.

In addition, the Commissioners asked if there was any way to get a sense of the building height as proposed. With grade changes on the block, the building C will be lower than the main building.

The Commissioners also asked for clarification on the window and parking structure proposal.

## MINUTES OF THE MEETING

The Historic Landmark Commission and Staff assembled for the meeting. Present from the Historic Landmark Commission were Chairperson Fitzsimmons, Commissioner Carl, Commissioner Haymond, Commissioner Hunter, Commissioner Lloyd, Commissioner Norie, and Commissioner Oliver.

Present from the Planning Staff were Cheri Coffey, Deputy Planning Director; Janice Lew, Principal Planner; Nick Norris, Principal Planner, and Ana Valdemoros, Associate Planner.

Chairperson Fitzsimmons called the meeting to order at 4:08 p.m.

An agenda was mailed and posted in accordance with Zoning Ordinance regulations for public hearing noticing and was posted in the appropriate locations within the building, in accordance with the open meeting law. Members of the Public were asked to sign a roll, which is being kept with the minutes of the Historic Landmark Commission meeting. An electronic recording of this proceeding will be retained in the Planning Division office for a period of no less than one year.

Chairperson Fitzsimmons inquired if all Commissioners had the opportunity to visit sites that would be the subject of discussion at this meeting. The Commissioners indicated they had visited the sites.

Commissioner Hunter made a motion to add Other Business to the agenda. All voted aye; the motion carried.

## WORK SESSION

Ms. Coffey reminded the Commission that Clarion Associates, LLC, the Preservation Consultants has been contracted with the City to develop a Preservation Plan. The first phase of the project involves meetings from that would take place from August 22 – 23, 2007. She read directly from the agenda of that meeting, a copy of which is filed with these minutes. She further stated that a list of issues is being created and presented to the consultants so that they could address them in the Preservation Plan.

Ms. Coffey asked the Commission to make suggestions for items that should also be brought to the attention of the consultants. She noted that at the last meeting of the Historic Landmark Commission on July 18, 2007, the Commission agreed if the thirty minute time allocated for this discussion proved to be inadequate to address all of the issues, a special meeting could be held prior to August 23, 2007 so that the Commission would have the opportunity to discuss the issues further.

Commissioners Hunter, Lloyd, and Oliver were on the Advisory Committee. Commissioner Hunter stated that the Advisory Committee was to meet with Clarion Associates, LLC and participate in the whole process to see all of the documents in an informal scope, give feedback, and get direction ahead of time. She suggested that the entire Landmark Commission meet with Staff and the consultants in a briefing or a

separate session to discuss the process from the beginning. She further stated that she did have a copy of the contract/agreement between Salt Lake City and Clarion Associates, LLC, which disclosed the scope of the project.

Chairperson Fitzsimmons noted that the role of the Commissioners on the Advisory Committee was to represent the views of the entire Commission to Clarion Associates, LLC and the Advisory Committee has not yet met as a group.

Commissioner Lloyd stated that it was important for the Commission to be involved with the Advisory Committee and how the project might specifically impact the Historic Landmark Commission. He has looked at the public survey and asked Commissioner Hunter if she felt it adequately addressed many of the issues or if other items need to be evaluated.

Commissioner Hunter stated that she hoped that the Commission would be involved in creating additional questions and consider the questions which have already been put out in the survey. She has received comment from the community that the survey questions were technical in nature and difficult to understand and the short response time was inadequate.

Some of the Commissioners stated that they did not get a copy of the survey. They were told that the survey was sent out on the City listserv and a second copy would be sent to them.

The Commission agreed that it was important to get a briefing from the consultants and from community. The survey questionnaire should be responded to by the each Commissioner. The Commission should consider what the gaps were prior to the meeting on the August 23, 2007.

The Commission generally agreed that use of the Advisory Committee to educate the public on the importance of the planning process would be appropriate. Further, Chairperson Fitzsimmons stated that anything not covered on the survey should be given to the Advisory Committee to take to Clarion Associates, LLC. It would be of value to see the agenda for the August 23, 2007.

Ms. Coffey briefly explained the process that would be undertaken to create a City-wide Preservation Plan. Phase I is to analyze the existing conditions of the preservation program and to identify issues. Clarion Associates, LLC would meet with decision makers, Stakeholders, the Advisory Committee, various other groups, and the general public in August to identify the issues. The Preservation Plan Questionnaire was a preemptive attempt to get feedback up front. All of these groups are invited to raise issues that they want addressed in the Preservation Plan.

The Commission generally agreed that it would be appropriate for the Commission to hold an additional meeting to discuss their issues and the process prior to meeting with the consultants.

Commissioner Hunter stated that she has been keeping a list of issues the Commission raised over the past year with the comment that they (the Commission) would like to see these addressed in the Preservation Plan.

Commissioner Oliver stated that the consultant, Clarion Associates, LLC, should provide examples of past preservation plans so the Commission could get an idea of what the end product would look like. The Commission could then determine if the body wanted the City-wide Plan to look different. She also stated that she would like the opinion of the consultants regarding what has worked and what hasn't. She asked if the consultant had done any retroactive studies to determine success. Commenting that she is working on very little information, she stated that she would like to receive a "reading list" from the consultants.

### **Motion**

**Commissioner Lloyd moved that the Historic Landmark Commission determine a work session meeting time on August 20, 2007 from 11:30-1:00 p.m. Planning Staff is invited to brief the Commission on the process involved with the consultants. All Historic Landmark Commission members are to get a copy of the questionnaire that was distributed prior to the weeks end, and that the Commissioners review it and bring it to the meeting, in the hopes that the Commission would be able to report back to Planning Staff prior to the August 23, 2007 Historic Landmark Commission meeting with the Consultants.**

**Seconded by Commissioner Hunter**

**All voted aye; the vote was unanimous**

*(Note: Chairperson Fitzsimmons suggested that the Advisory Committee coordinate a date with Staff. The motion was accepted by Commissioner Lloyd and seconded by Commissioner Hunter. After further discussion entertained by the Commission, Commissioner Lloyd agreed to amend his motion to specify the date and time of the meeting.)*

Ms. Coffey clarified that she was to provide the Historic Landmark Commission with the following:

- Examples of other preservation plans created by Clarion Associates, LLC
- The contract/proposal bid that outlines what Clarion Associates will be doing
- The projected time frame
- Names of stakeholder groups
- A copy of the Preservation Plan Survey

Commissioner Hunter stated that the response time to the questionnaire was inadequate. Ms. Coffey explained that the response time was set to encourage the return of completed questionnaires in time for the consultants to review some of them before the meeting on August 23, 2007. The questionnaires will continue to be accepted after the stated deadline.

## REPORT OF THE PLANNING DIRECTOR

As the Planning Director was not yet present at the meeting, Ms. Coffey reported that it was "Community Development Block Grant" time. She stated that the Legislative Action item on February 2005, recommended that the Commission update the surveys in all of the City Historic Districts. Preservation funding was obtained for all of those surveys except for Central City. The Planning Division will be requesting funds to update the intensive level and reconnaissance surveys for that district. Staff is requesting that a portion of the money come from CBDG and a portion come from the general fund.

Ms. Coffey created a letter of support for the Chairperson's signature, requesting that \$100,000 be allocated from the Community Development Block Grant to pay for a portion the surveys. Staff is also trying to get letters of support from the Utah Heritage Foundation and the Community Council.

Chairperson Fitzsimmons read the letter to the Commission; a copy is filed with the minutes.

## COMMENTS TO THE COMMISSION

Chairperson Fitzsimmons stated comments would be taken from the public for issues impacting the Historic Districts and Historic Preservation in Salt Lake City. Seeing as no member of the public expressed the desire to speak, he turned to the next item on the agenda.

## CONSIDERATION OF THE MINUTES

Commissioner Hunter commented that the minutes of the June 6, 2007 meeting were tabled at the July 18, 2007 Historic Landmark Commission meeting so that she would have an opportunity to review the recording of the meeting and create a list of items that are to be included in the ratified minutes relating to the Trolley Square project. She explained that she had received two separate recordings of the meeting with the intent that she would listen to a recording of the meeting and then provide the list of issues which she believed were missing from the minutes. She further explained that as she had experienced technical problems with both compact discs she and had been unable to compile the list. Therefore, the minutes were not completed as directed in the last meeting. She stated that she would need to come into the office and listen to a recording of the meeting to compile the list or have the secretary complete the list. The minutes were approved with the condition that the list was to be included in the minutes and Commissioner Hunter was to review the draft to confirm that they were complete and correct.

Ms. Coffey asked Commissioner Hunter if she was comfortable with the Historic Landmark Commission secretary compiling the list. Commissioner Hunter stated that she was so long as she was able to review the list before the minutes were finalized.

Commissioner Oliver asked for a status of the LUAB transcript which was requested from that Board in the July 18, 2007, meeting. Ms. Coffey stated that Staff did request the transcript, but it has not yet been received.

Commissioner Hunter asked for a correction to page 4 of the July 18, 2007 minutes which would further clarify the discussion for the record.

Commissioner Carl moved to approve the minutes of the July 18, 2007, Historic Landmark Commission meeting with the noted corrections.

Commissioner Hunter seconded the motion. All voted "Aye"; the minutes were approved.

## PUBLIC HEARINGS

**Case No. 470-07-27 — a request by Salt Lake City Public Services Department, represented by Dell Cook in regards to Pioneer Park Phase I at approximately 350 South 300 West, for approval to make various improvements to the park including constructing a new sidewalk/ pathway around the inside perimeter of the park; installing new pavement, bollards and benches on the corners of the park; developing a new vehicular access off of 400 West; replacing some of the existing trees with new trees, constructing an off-leash dog park area within the park and replicating and relocating existing street lights. Pioneer Park is designated as a Landmark Site on the Salt Lake City Register of Cultural Resources and the property is zoned Open Space (OS).**

*(This item was heard at 4:38 p.m.)*

Ms. Valdemoros provided the history of the site as well as Phase I of the proposed project. A copy of the Staff Report is filed with these minutes.

Staff has reviewed the plans submitted by the Department of Public Services and finds that the proposed Phase I improvement plans are consistent with the "Final Use Plan" approved by the Historic Landmark Commission on December 17, 2003. Therefore, staff recommends approval of this project with the following conditions:

- 1) This approval is for design only and any major deviation from the proposed plan shall return to Historic Landmark Commission for review and approval.
- 2) This approval is for Pioneer Park Improvements Phase I only, other phases shall be reviewed by the Historic Landmark Commission for review and approval.
- 3) If the Historic Landmarks Commission determines that other design features are required, staff recommends that the Commission include those features as conditions of approval.
- 4) Construction may begin with the supervision and conditions approved by the attached Environmental Clearance Review, including the archaeological survey and monitoring plan by SWCA. (See Exhibit A, Application Materials)

The Chair invited the applicant, Dell Cook, representing the Public Services Department, to the table. In response to a question from the Commission, Mr. Cook

stated that Heather Stetler from the SWCA has reviewed the report which was submitted to the Director of Cultural Resources. He explained that only Phase I Stage I was being presented during this meeting, but that Phase I Stage III would include a History Garden and the placement of some type of historical marker. The existing monuments will be retained.

Charles Bollong, PH.D., Consultant with SWCA Environmental Consultants, who was the principle author of the report "A Class III Cultural Resource Inventory and Monitoring Plan for the Pioneer Park (Block 48) Improvements, Phase I, Salt Lake City, Salt Lake County, Utah" which as submitted, who was present and available to answer questions.

Commissioner Oliver stated that, as the Commission did not receive a copy of the report, she would like a description of the methodology, results, and recommendations of the report.

In response to questions posed by Commissioner Oliver, Mr. Bollong explained that the report encompassed 1) a file search of archaeological resources of the park and the surrounding area of up to one mile to discover what if any prehistoric archaeological resources had been discovered and studied previously. 2) a intensive surface survey of the park itself to record any evidence of prehistoric or historic resources that were present. 3) a sequence of the park's manifestations over the 100 plus years since its initial designation as a distinct entity of the old Pioneer Fort itself. The old Pioneer fort is on the National Register, the exact location has not been determined and there is no information that has determined the exact location of the site. Mr. Bollong noted that park itself was recorded distinct from the historic fort as an archaeological site, a historic resource and that the Commission had made recommendations as to the value of the park as an archaeological site eligible to the National Register of Historic Places (NRHP) as an active park, not as a static entity. The identity as a park made it eligible and accepted the multiple changes that have occurred over the 100 plus years of its use.

He made recommendations as to any minor or major excavation that might be required in Phase I of the proposal. He stated the report recommends intensive monitoring by an archaeological consultant during any ground disturbing activities, to identify, evaluate, and record any historic or pre-historic materials that might be discovered and the preparation of a detailed discovery plan for the actions which would need to be taken should any discovery be made. The report states that the person or persons selected to be responsible for monitoring the site would meet the Secretary of the Interior's professional standards. Funding has been allocated to the consultant team to cover that activity during construction.

In response to questions posed by Commissioner Hunter, Mr. Cook explained that Phase I had been broken into three stages and the Commission would consider Stage I only in the course of this meeting. The following is a brief description of the three stages:

- I The South side outer edge of Pioneer Park. It will encompass the infrastructure: power upgrades, sprinkler upgrades.

- II Common event and open space areas. New restrooms/ combination concession building with dining plazas throughout, a history garden, and playground with interactive water and remodeled volley ball courts

The applicant stated that Phases II and III included items that are not high on his priority list: such as an ice sheet. This was not seriously considered as it would be in competition with other city venues.

Chairperson Fitzsimmons requested that the applicant, approach the Commission to add to the presentation and to answer questions that the Commission might have.

Mr. Cook stated that he is proposing the removal of 14 of the trees in Pioneer Park and that Bill Rutherford, Salt Lake City Forestry, would be the expert to ask for more details regarding the condition of the trees and his recommendations.

At the invitation from the Chair, Mr. Rutherford approached the Commission. He stated that he sent a report to the applicant regarding the status of the trees in the park.

Mr. Cook stated that he had not provided a copy of that report to Staff and therefore Staff was unable to include it in the Staff report, which was provided to the Commission. He agreed to provide a copy of the report to Staff.

Mr. Rutherford delivered a summary of his report on the status of all of the trees, specifically those that were identified as impacted by the walkway improvements. There are some nice trees in that area which will be removed as a result of that improvement. He stated a concern with the largest trees which align 400 South, which are Poplars which are often referred to as Cottonwoods. Over the years there has been a number of breakage events and as an attempt to mitigate future events, the trees have been pruned and topped. The trees have continued to decline and continue to break. In view of the improved access on the corners and the proposal to remove some of those trees to improve access to the park, some of the remaining trees will become "edge" trees and will no longer be protected by adjoining trees. As they were once sheltered, the trees will be more problematic when they are forced to adapt once they are edge trees.

He stated that in view of the altered state of the remaining trees, he has recommended that all of the remaining sixteen trees be removed and replaced in developing Phase I through Phase III. Another option was to significantly reduce the size of the remaining trees. He was hesitant to recommend this method as many of the problems with trees throughout the City has been a result of topping the trees. Topping accelerates the column of decay, and the weeping of the mechanical support of the tree. Typically the physiological response to the topping is the tree will sprout epicormic sheaths, these sprouts are attached poorly, generally growing right under the surface of the bark with a rapid growth rate as the tree is trying to reestablish the leafs that the area needs to carry on all of its functions.

As a result, there is an increased rate of decline of the trees and the potential for breakage of these sprouts if they are not maintained for size control, becomes very high. He has been hesitant to endorse topping and recommends the trees be removed.



Based on the trees location, with a high exposure to the public, these trees may pose safety issues.

Efforts to mitigate the public's exposure to potential tree breakage in Liberty Park involved moving the public away from the trees by realigning the sidewalks. This option does not exist for Pioneer Park because it is not large enough.

He expressed the hope that the report listing the different options would be made available to the Commission prior to their making a decision and that his recommendation is to refrain from topping the trees with the removal and replacement of sixteen impacted trees.

Mr. Cook stated that thirty total trees would be removed during the course of this project if this recommendation was followed.

In response to a question by Commissioner Haymond, Mr. Cook responded that the proposed replacement trees and those used for the new urban forest would be Ash, as was recommended by the consultants. Both replacement trees and the urban forest trees would be planted at the same time to avoid placement at two separate times. He stated the consultants based their recommendation on the nature of the tree as they would generally be the same size and character of the original trees.

Mr. Rutherford stated that as the combined result of the unique specie and the climate of Salt Lake City, makes the Poplar tree very demanding of water. In the course of a hot summer day, it can't pull as much water as it requires. Any structural defects which are minor in the tree (fissures, cracks, and minute fault lines) expand longitudinally and radially in the heat of the hot summer day. In the cooler evening, the tree can catch up its hydration requirements and it takes in a lot of water. As a result, in the morning, the branches, laterals, and all parts of the tree are heavier than it was the previous day when it lost all of that water. Sometimes as a result of the cracks expanding and the tree hydrating, the tree can crack with no storm event or other provocation and heavy limbs fall off posing safety issues to the public and property damage.

His recommendation is based on the attempt to protect both trees and people. There is not a good option for the existing trees at Pioneer Park other than topping the trees which will expose them to future problems.

Mr. Rutherford stated that the Ash tree has a mechanism that responds to the heat which can slow the transpiration of water, thus avoiding the damage experienced by the trees in Pioneer Park. The Ash tree is nice for that reason, and also adds color in the autumn.

As a response to a question from Commissioner Lloyd, Mr. Cook stated that the LEED landscaping standards were specifically considered when the project was planned. For this purpose the developer chose to use crushed stone to meet much of the landscaping requirements of the proposal. The stone will allow water to percolate down to the ground. The standards were also considered when designing the irrigation system through the use of a complex central control system which is being implemented

throughout all City parks. A future goal is to get reclaimed water from the sewer treatment plant to meet the watering needs of the park.

Commissioner Norie stated that in 2003 the Staff recommendation and the motion was to acknowledge the entire history and surrounding neighborhood. She asked whether that was considered when making this plan.

Mr. Cook stated that that recommendation would not be enacted until there was additional funding in Stage III.

Seeing as the Commission had no further questions for the applicant, Chairperson Fitzsimmons opened the public hearing.

#### Public Comment

Michael DeGrot, citizen of Salt Lake City, stated that he was concerned about Pioneer Park. It is a historical site: he stated that there is a nexus of actual events and people and therefore, the park is vital to the historical record to Salt Lake City. He stated that the plans do not indicate that remnants of historic structures beneath the topsoil have been identified. He stated concern that the proposed changes to the Park could potentially damage those artifacts of historical value to the residents of the City and the State. He hoped that an investigation by use of ground penetrating software and infrared scans, would take place to find the exact locations of prior structures such as original cabins.

He stated that Pioneer Park has been relatively untouched as no structures have been constructed on the site in modern times. As a result the potential for finding the remnants of an original cabin or well where City Creek ran was high and he expressed the opinion that the site should be more thoroughly investigated. If a discovery was made, it would change the entire nature of how Pioneer Park was viewed as a historical site. It would no longer be a place where the City honored pioneers, but a place that holds significant historic relevance in and of itself. He expressed the hope that safeguards would be in place to protect and preserve any discoveries of archaeological evidence and that further exploration would take place if those artifacts were discovered.

Amanda Moore, a member of an advisory group for the on the County Council for the creation of a master plan of dog parks, for Salt Lake County, a member of the Millcreek Fidos, and a resident of Fairpark, thanked the Commission for considering a dog park. She is in favor of the plans for a dog park, stating that it is a quick way to activate a park and reduce crime. She further stated that approving a dog park could encourage other parks to incorporate a dog park into their master plans.

Kirk Huffaker, a resident of Salt Lake City, member of Millcreek Fidos, and Chairperson of the Farmer's Market Committee. He stated that he believed a dog park to be an appropriate use of Pioneer Park. He also stated that the enhancements to the sidewalk are appropriate will greatly improve the access to the vendors and that the power upgrades will be useful.

He made the recommendation that the Commission look at the lighting specification of the proposal. He encouraged LEED certification of the lighting, for the developer to move away from the standard lighting found in the historic neighborhoods of the City and go more along the lines of what has been in the American Society of Landscape Architects (ASLA) publications for curb lights, which direct the lighting downward and to preserve more night sky.

*(George Shaw joined the meeting at 5:27)*

Seeing as there were no additional members of the public who expressed the desire to speak to the subject, the Chair closed the public and moved to Executive Session.

#### Executive Session

Seeing as Mr. Cook had further information regarding the proposed lighting, the Commission agreed to reopen the Public hearing.

#### Public Comment

Mr. Cook stated that new lighting would be in the traditional theme, but it has shields which would point the light downward.

Commissioner Oliver asked if the lighting illustrated in the proposal was the lighting with downward shields, or another type of lighting. The applicant responded that it was similar with what Pioneer Park has now with the shields built into the luminaries.

Seeing as there were no further comments from the public, the Chair closed the hearing and moved to executive session.

#### Executive Session

Commissioner Haymond stated that he was uncomfortable with the removal of as many trees as proposed. Acknowledging that the removal of the existing trees and replacement with uniformly planted trees would improve the symmetry of the park border, he stated the trees are in Pioneer Park and should remain untouched. He stated that Pioneer Park has money allotted to take care of the existing trees and they should go out with old age rather than be taken down to accommodate an improvement. He asked the Commission to consider how few old trees above 65 feet remained in Salt Lake City. Replacing the trees in the park will cause the aged look of the Park to disappear as the parameter would look new.

Commissioner Lloyd stated that he felt disadvantaged that the report from the Urban Forester was not available even with the expert on trees present at the meeting to answer questions.

Commissioner Carl stated that she has mixed feelings about the proposal. As the proposal was for Pioneer Park and the subject trees were important to the Pioneers, it is difficult to decide their fate when making such a decision. She wished to defer to the expert when it comes to considering whether the trees were dangerous or not.

Commissioner Hunter also stated that she felt confident that Mr. Rutherford had offered expert testimony, but felt disadvantaged as she was not able to evaluate the options regarding the tree issue.

Commissioner Carl recommended that the application should be tabled with a specific request that the applicant provide a copy of the tree report written by Mr. Rutherford.

Commissioner Lloyd argued that it would be nice to proceed with the case.

Commissioner Fitzsimmons suggested a motion to defer the decision regarding trees while giving the applicant permission to proceed with the main body of the proposal. The Commission then entered a lengthy discussion regarding the safeguards in place to protect the site as Pioneer Park, which has historical value for the entire Salt Lake Valley.

The Commission concluded that the park would be sufficiently safeguarded by the State restrictions placed on the applicant for archaeological monitoring during the project. To require infrared scanning would place an expensive burden on the applicant. It would be inappropriate to recommend digging test pits which would make it an archaeological rather than a mitigation project.

As mandated by the Park Service standards and the State Archaeological standards, it is in the State standards that an archaeologist would be on site while the backhoes were being operated. Part of the standards to the construction language is that the improvements to the Park are not something that can't be undone in the future. The project does not involve digging out large ice rinks and permanently disturbing the earth, except the large tree boles, which makes it a surface improvement. It would not preclude anything that is discovered under the soil in the future from being studied.

As the applicant is not undertaking significant soil disturbance, any artifacts which lie beneath the soil will be there for generations. If in the future, there is money to fund this type of research, or in the course of digging these sidewalks, something is unearthed, then the project would come to a stop as archaeologists evaluate the site.

As a general comment, Commissioner Hunter stated that the education of the public regarding heritage is in Phase III of the project which signifies that it is a low priority for this site.

### **Motion**

**Regarding Petition 470-07-27, Commissioner Carl made a motion to approve the request for design approval of Stage 1 of Phase 1 of the Pioneer Park improvements as presented, deferring a decision upon the removal or replacement of trees until they have received and reviewed the report from the Salt Lake City Urban Forester with the direction that the tree issue comes back to the full Commission for approval and subject to the following conditions as listed in the Staff memorandum:**

1. **This approval is for design only and any major deviation from the proposed plan shall return to the Historic Landmark Commission for approval.**
2. **This approval is for Pioneer Park Improvements Phase I only, other phases shall be reviewed by the Historic Landmark Commission for review and approval.**
3. **If the Historic Landmark Commission determines that other design features are required, staff recommends that the Commission include those features as conditions of approval.**
4. **Construction may begin with the supervision and conditions approved by the attached Environmental Clearance Review, including the archaeological survey and monitoring plan by SWCA (See Exhibit A, Application Materials).**

**Commissioner Haymond seconded the motion.  
All voted "Aye". The motion passed unanimously.**

*(The Chair called a break while the equipment for the presentation was set up.)*

**Case No. 470-07-21** — a request by Trolley Square Associates, LLC, to build multiple new structures at Trolley Square, located at approximately 602 East 500 South. The new structures include a 10,372 square foot addition to an existing structure, a new 52,293 square foot building and a 23,500 square foot building. Trolley Square is designated as a Historic Landmark Site on the Salt Lake City Register of Cultural Resources and is located within the Central City Historic District. The property is zoned Community Shopping (CS).

*(This item was heard at 5:45 p.m.)*

Mr. Norris gave a PowerPoint presentation to illustrate his presentation. He stated that the Planned Development of Trolley Square includes the addition of multiple new structures in addition to renovation of existing structures and various site alterations. The Planning Commission approved the Planned Development and site plan with a number of conditions which are included in the Staff Report.

Because the site of the project is a Landmark site and is located within the Central City Historic District, the Historic Landmark Commission must review all new constructions, the addition, and the site alterations. The Commission has already reviewed the relocation of several structures, and in time the Commission will review the other changes.

There have been numerous meetings regarding this project including an Open House held in March. A briefing on the project, issues only hearing on the project, the relocation issues and the Planning Commission review of the Planned Development on July 11, 2007. In addition a joint subcommittee of Historic Landmark and Planning Commission members met to identify the key issues and provide guidance to the applicants.

Throughout these meetings, several issues were raised; some of these have been addressed by the Planning Commission through the Planned Development process. The issues which are relevant to the Historic Landmark Commission review at this meeting are the mass and scale of proposed Building C, the architecture of proposed Building C, the impact on the street structure on the streetscape, pedestrian connectivity, the height of the proposed building P Central and P South, and the addition to Building A.

The Planning Commission addressed the issues of: protection of existing street trees, parking, entrances to the site, and noise generated by existing and future mechanical equipment on the site.

The Historic Landmark Commission and the Planning Commission held issues only hearings where public comment was received. At the Historic Landmark Commission Hearing held on June 6, 2007 the public raised several concerns with the project, including the protection of the existing street trees, the historical planting patterns and the view of the existing structures, particularly from the north, east and west. The public felt that the proposed new buildings would block the views of the existing structures, particularly building B, which is located in the middle of the block. The views into the site from 600 East were also a concern.

At the Planning Commission Hearing held on June 13, 2007, the public raised similar concerns to those raised at the Historic Landmark Commission Hearing. The overall impact of proposed Building C, including the size of the building, the height, parking, the north elevation, and the location of the service/loading area, were the primary areas of focus. Pedestrian connectivity, particularly along 500 South at 600 East and 700 East, was also discussed at both public hearings. The visual impact of proposed Building P and the addition to Building A were listed as concerns. The importance of the existing street trees was also discussed by the Planning Commission and the public. In terms of parking, the public comment was directed towards the idea that parking is driving the development.

In response to the public comments that have been received, the petitioner modified their plans. The modifications include:

- The secondary access onto 700 East was abandoned which will preserve two of the street trees along 700 East. The parking ramp on the east side of Building C was modified with the addition of a screen wall and increased landscaping.
- A pedestrian access was added to the northeast corner. The entry feature at the corner was modified so that the two existing trees could be preserved.
- The entrance to Building C was modified so that it is not as wide as originally presented.
- The service area for Building C has been fully enclosed with roll up screen doors.
- The north elevation of Building C was modified to include cut outs and windows.
- Landscaping was increased around the service area. A total of 46 trees were added to the north elevation and around the service area.
- The height of the addition onto Building A was lowered so that more of the defining features of the west façade are visible.

- The roofline of the addition was modified by removing the swooping arch to make the addition less imposing on the existing structures.
- A direct pedestrian access to the Building A addition was added.
- The height of Building P was lowered to make the existing structures more visible.

At the request of the Commission at the last Historic Landmark Commission meeting, the applicant has placed the mission style arch behind the façades of the proposed building so that you can see the heights relative in form to each other.

Staff recommends that the Historic Landmark Commission approves petition 470-07-21 based on the analysis and findings in the staff report and discussed in the public hearing with the following conditions:

1. That the ground level windows on the east elevation of Building C be extended closer to the ground to create a knee wall that is consistent with the store fronts of the existing buildings at Trolley Square,
2. That the parking level of Building C have two cutouts per wall section and that the cutouts are similar in dimension to existing second story windows on the historic buildings at Trolley Square;
3. That the section of wall on the west elevation of Building C includes some design feature or artwork that creates a visually interesting terminus to Trolley Lane.
4. That any damage that was done to the west façade of Building A by the 1970's addition be repaired.
5. That all deteriorating design features on the existing structures be repaired based on historical photographs, existing features, etc.

Commissioner Lloyd verified with Mr. Norris that the Sand House would be dismantled and rebuilt in a new location.

Commissioner Oliver questioned the technicality of calling Building B a mid-block building, which it is now, but only has been since the 1970's. Prior to the construction of the parking to the west, it used to be a street front building on 600 East.

The area was used for trolley and bus service prior to its current use. Most of the main tracks for the trolley exited the storage barn and accessed 600 East and also provided access between Building A and Building B. It is 100 plus feet from the public right of way. Historically it did have frontage. When the parking structure was built, it created the streetscape instead of what used to be there.

Commissioner Fitzsimmons wondered if there was anything in this proposal that would conflict with the Planning Commission's recommendations, specifically condition thirteen: that the Landmark Commission pays particular attention to the screening of the area for Building C and the ramp located on the northeast corner of the development.

In response to a question from the Chair, Mr. Norris stated that the applicant had not submitted updated drawings since July 11, 2007. Mr. Norris passed around a material

board for the Commissioners to view a sample of the proposed brick and concrete materials.

The Chair invited the applicant to approach the Commissioners to enable him to add to the presentation and respond to anticipated questions from the Commission. The applicant, Marc Blancharte, explained that he continues to work with members of the community and that their input has been taken seriously. He listed some of the modifications to the proposed plans based upon feedback from the community:

1. Respect the historical fabric of the building to be consistent with the architectural fabric.
2. Setback and height, consistent with the zoning.
3. Removal of western parking structure
4. Encouraging a walkable community with a walkable European like street between buildings A and B with access to 600 East.
5. Building P along the western edge is creating a walkable at grade experience between Building D and Building P.
6. Investing about \$400,000 in siteware cost including fountain, paving, and fireplaces in the European like Street between Building A and Building P.
7. Reducing the parking count by 50%.
8. Densifying the project which is consistent with the guidelines.

Chairperson Fitzsimmons asked if the parking south of 600 South was being changed in any way. The applicant responded that the South parcel parking will remain as it is for now.

Commissioner Lloyd stated that the Commission wanted to know specifically what the developer was proposing and why the applicant moved away from a residential proposal on the west side of this block along 600 East.

Mr. Blancharte responded that the main piece of the parcel was retail in nature. (Across 600 South) There is an opportunity to introduce residential to the project on the South parcel. For this reason, he chose to withdraw his application to put a parking structure on the South parcel across 600 South.

Commissioner Lloyd stated that at the last meeting, the Commission requested a prospective view of the northwest corner showing the addition on Bldg A.

The Commission repeatedly stated that they were troubled by a lack of perspective of the project and the impact on the view corridors.

Gary Larsen, architect Movanny G2, new addition will be lower than the existing structure. The Cornice line of the addition will be in line with the cornice line of the existing building.

Commissioner Oliver expressed the desire to view the property using 3 dimensional models if available to evaluate the views from different proximities and locations. The drawings used in the PowerPoint presentation reflect changes the architect has made in



response to public feedback through various meetings and other methods of contact. As the Commission did not receive a copy of these changes beforehand, the Commissioners asked the applicant in detail to describe the changes reflected in the drawings. She was concerned that the views to Building B will be blocked by the new structures. She wondered if there could be a separation break in Building P so Building B could be better seen at the street instead of just from within the Trolley Square site.

Mr. Blancharte stated that he has revised his plan to use the Sand House as a museum. After discussions with a representative of the Utah Heritage Foundation, he has decided to create a walkable museum using some of the blank brick walls to display the History of Trolley Square. Mr. Blancharte stated that the west side of Building C, facing Trolley Lane is articulated with a rich brick that he considers an asset. He had been envisioning some type of mural or public art.

Ms. Coffey cautioned him to work closely with Staff to avoid delineating from the design guidelines.

In response to a question from Commissioner Lloyd, Mr. Larsen stated that, as a condition of approval, the windows on the east elevation of Building C could be lowered, which would allow natural light into the building. The upper portion of those windows could be glazing. If required, the windows would be constructed with some type of spendull. There would be additional planted material at that area of approximately fifteen feet in depth. The building has a need for a window sill. On the north elevation windows could be introduced.

The applicant is proposing for Building C to mirror the existing medallions found on the existing mall building alternated with cut outs to allow light penetration into the enclosed parking area.

In response to questions from Commissioner Lloyd, Mr. Larsen stated that the east elevation of Building C there would be two levels of parking above the store, with one being enclosed. The height at the opening above the parapet wall was proposed at five feet which would screen the majority of the views of the cars on that floor.

Mr. Blancharte stated that the height of the Building C ceiling would be about 21 feet with the openings able to screen the cars on those levels as the openings are actually above the elevation of the cars.

Commissioner Norie requested information regarding the service area which is different than the plans provided to the Commission.

Mr. Larsen stated that the service area would be fully enclosed with a closed or permeable screen. He also described the ramp on the east side which he views as a landscape feature. He has lowered all of the edges down to the minimum required for safety. Along the upper edge of the ramp they plan to incorporate stepped planting to obscure the volume of the ramp.

Mr. Blancharte discussed the current pedestrian connectivity, which is awkward. As a solution, they are looking at the northwest and northeast corners to allow easy access to the Traxx station and connection from 600 East.

Commissioner Norie stated that the applicant appears to have improved pedestrian circulation nicely. She asked if there have been other changes to the plans after the June 29, 2007 plans were created.

Mr. Larsen stated the changes to Building C which were demonstrated in the PowerPoint presentation and the addition to Building A where there is a flat roof on the southerly portion of the building as opposed to a curve.

Commissioner Lloyd asked the percentage of the public who visit Trolley Square and arrive as pedestrians vs. by automobile. Mr. Blancharte responded that no formal studies have been conducted at this time to determine that. They are attempting to draw from a broad geographic population.

Mr. Larsen stated that as the area densifies more people will be using alternate means of modality. Mr. Blancharte stated that they are increasing the number of bike riding stations and scooter parking.

In response to a question from Commissioner Carl, Mr. Blancharte illustrated the access to different parking areas in the proposal. The ratio, which includes the parking across the street is 4.5 per 1000, they are dropping it down to 2.7 per 1000.

Commissioner Oliver asked if the applicant had considered reducing the size of Building C and what the justification was for the proposed size. She noted that one of the citizen comments made in the past was that the average size of a Whole Foods store was 32,000 square feet while this would be approximately 53,000 square feet.

Mr. Blancharte responded that Whole Foods wanted to build a flagship store and this was the size they wanted.

Seeing that there were no further questions from the Commission, the Chair opened the meeting for public comment.

#### Public Comment

Joel Brisco, Chair of East Central Community Council, stated that his grandfather was a trolley conductor. He has met with Mr. Blancharte outside of the context of this meeting to discuss concerns he had regarding the project. As a result of the discussion with the developer, he is generally in favor of the project. However, he has three remaining issues:

- 1) He is aware that some of the work would impact the trees on Trolley Square and hoped that the plans do not include removal of the two large cottonwoods on the north side of 600 East.
- 2) He has an issue with the size and scope of the "Whole Foods" building. He expressed the opinion that the building is not visually compatible when you talk beyond

the façade and design of the building. The proposed building is large enough in scale to significantly block some of the streetscape views of the Trolley Barn. He is asking the Commission to require the developer to rework the north and west side views.

He stated that the original Staff Report on page 10 reads "...that the size of this building can be buffered because there are numerous mature plane trees on all four sides of the building." This is true for six months of the year, but the trees will be without leaves for the remaining six months when the size and mass of the building will be seen. The trees and unique buildings make Trolley Square what it is.

3) He further recommended that the amount of parking stalls be reduced or put the parking underground.

Conley Thompson, resident of Salt Lake City, expressed concerns about the elevations, height, and fenestration on proposed Building A. The fenestration appears to be contemporary in design and does not maintain the character of the rest of the development. The height and views into Building P block the prominent architectural features on the west side of Building D.

Traffic into the parking lot has to be entered from the north into the downward ramp. He does not believe that there is sufficient stacking and turning radius to approach it from the west. He requested some information on stacking and transportation access to the buildings.

He expressed agreement with Mr. Brisco in regards to maintaining the views of the buildings.

Wally Wright, the former owner and developer of Trolley Square, stated that he has been involved in the project from the beginning and is in favor of the proposal. He stated that he looks forward to enjoying the development.

Kirk Huffaker, from the Utah Heritage Foundation, encouraged the Commission to discuss signage on the proposed "Whole Foods" Building and lighting which will be incorporated into the buildings. A lighting plan has been submitted to the City which replicates lighting that is already on the site without incorporating any new material.

Trolley Square is more than a contributing site to a historic place. The public does lose something important with the new plan. The developer has been very good to incorporate public ideas into the plan. The additions leave very little public view outside the block. It is in the best interest of the public to recommend to the developer that he work with the Utah Heritage Foundation (UHF), the State Historic Preservation Office (SHPO), and the City to develop a series of plaques and displays of historic photographs with a short text to explain these buildings and give a walking tour of the site. In this manner it would give back to the public something that it may be losing through the development.

Luke Garrot, a resident of Salt Lake City, expressed concern regarding the height, mass, and scale of Building C. He stated that justifying the larger building to

accommodate a retail chain will exact a cost on the historic site and that the benefits do not outweigh the costs.

Seeing as there were no additional members of the public who expressed the desire to speak, the Chair closed the hearing to public comment and moved to Executive Session.

#### Executive Session

Commissioner Hunter commended the developer for his willingness to work with the public and the City, but wondered if there was more that could be done to protect the building, the view, and the linkage to history. She suggested that the project be tabled and discussed in an Architectural Subcommittee to better help the Commission understand exactly what the applicant is proposing as the plans distributed to the Commission were different than the presentation in the meeting.

Commissioner Lloyd stated that the Staff Report does seem to adequately address the mission that the Historic Landmark Commission is charged with. It is consistent with the Standards for New Construction, specifically 11.4-11.13 and 13.23-13.28. The traditional development pattern seems maintained by the addition of the new building. The new building seems compatible in scale, but adds a density which is denser than is typical for the historic development pattern of the block.

The Commission expressed concerns regarding discrepancies between the PowerPoint images vs. what was in the packet and wondered if the Commission had enough information to delegate to Staff the final approval of those drawings based upon what was in the packet. They were unclear which set of plans they were being asked to approve.

Commissioner Haymond suggested that the Commission consider disapproving certain points of the proposal; specifically the issues of size with the "Whole Foods" Building and the view.

Chairperson Fitzsimmons stated that the Commission could approve the proposal with conditions or deny it outright.

Ms. Coffey stated that if there are certain things the Commission wanted addressed by the applicant, the Commission could table the application, and give direction to him to address the specific issues.

Mr. Norris stated that what was presented by the applicant was a response to the Staff Report and Staff's conditions. The new plans exhibit drawings with Staff's conditions implemented.

At this point the Commission generally agreed that the applicant might benefit from meeting with an Architectural Subcommittee

Commissioner Hunter stated that she found some errors in the July 11, 2007 drafted minutes of the Planning Commission, which she stated contained minor and odd contradictions. She requested a ratified copy of those minutes.

Commissioner Lloyd stated that the Commission has in the past made a conditional approval which required the applicant to return back to the Commission with more information. The Commission could innumerate items which appear unclear and request that those specifically come back to us.

Ms. Coffey stated that such an action would send the message that the massing and scale are appropriate and all of the other things are appropriate, but the Commission wants to see the final details.

*(George Shaw joined the meeting at 7:07 p.m.)*

Commissioner Oliver stated that the Commission should not approve the first two points because the drawings of Building C were so different in regards to the two cut outs and the windows. The proposal could be tabled with a long list of items the Commission wished to look at further such as:

- Reducing the size of building C;
- Comparing between the size of Building C and D;
- Evaluate options to provide better site lines to Building B from 600 East; and
- Enhance the view corridor Building B from the East by perhaps reducing the size of Building C

She also commented that Trolley Square was so important to Salt Lake City that it did not seem to be the appropriate location for a flagship grocery store. She expressed concern regarding the height of Building C as it might block views. The developer should return to the Commission with a proposal to open the view corridors. A possible solution would be to reduce the height and width of Building C by three feet in every direction.

Mr. Norris stated that the setback was approved by the Planning Commission and the setback in the CS zone is 30 feet. The developer is actually addressing the design guidelines by pushing the larger massing of the structure further back from the street so that the view corridor is protected.

Commissioner Norie read from the Planning Commission minutes which say that the Planning Commission did approve the massing of the building but expected the Historic Landmark Commission to pay attention to screening and the ramping.

Commissioner Hunter stated that the Historic Landmark Commission stated that clarification was needed from the Planning Commission. Commissioner Norie stated in the final note of the minutes, the Planning Commission directed the Historic Landmark Commission to receive a copy of their minutes.

Chairperson Fitzsimmons stated that the need for clarification would be a reason for tabling. He stated that if further information was needed from the developer, the Commission should be very specific in what was required.

Commissioner Lloyd reminded the Commission of the request the Historic Landmark Commission made a month ago as to how these views would be affected. The developer should provide a 3 dimensional or perspective view along Trolley lane and one along the east corridor along Building C. Such a perspective would help the Commission to perceive the view when the trees were defoliated.

The Commission entered a discussion as to what side of the project was considered historically significant as in comparison to the other sides. Commissioner Hunter stated that all sides of the site could be considered significant under the guidelines of the National Park Service.

### **Motion**

**In regards to Case No. 470-07-21, Commissioner Oliver moved to table the case and refer it to a subcommittee to investigate further options for the following:**

- a. In regards to Building C, the Historic Landmark Commission asks the applicant to investigate potential reduction of size of the building or changes in roof structure which would perhaps allow terracing to allow site lines into the interior into the lot.**
- b. Building P Central the applicant is to investigate the design or location of that building to allow site lines into Building B.**
- c. The applicant is to provide a set of updated drawings.**
- d. The applicant is to work with the Utah Heritage Foundation and the State Historic Preservation Office to create a proposal for incorporating the exterior walking tour for the site in order to retain the historic nature of the site.**
- e. The applicant is to comply to the request at the last regular meeting of the Commission and provide the Commission with a 3 dimensional model or perspective drawings to allow the Commission to understand the site lines of the plans as proposed and any plans they change to meet the previously stated requirements stated in this motion.**
- f. The applicant is to provide a written tree protection plan.**
- g. The applicant is to address each issue brought up in the issues only meeting on June 6, 2007.**
- h. The applicant is to gather and present the requested materials, meet with the Architectural Subcommittee and come back to the full Commission on September 5, 2007.**

**Commissioner Carl seconded the motion**

**All voted "Aye"; the motion passed unanimously**

*(It is noted that Commissioner Lloyd suggested an amendment to the motion to include scheduling the case to be reheard on September 5, 2007. Commissioner Oliver agreed to add the amendment to her motion.)*

A subcommittee was selected for the case as follows: Commissioner Lloyd, Commissioner Haymond, Commissioner Heid, and Commissioner Hunter. As Commissioner Heid was not present at the meeting, the Commission was unable to confirm whether or not she would be able to attend the meeting. Commissioner Oliver volunteered to act as an alternate in the instance that Commissioner Heid was unable to attend the meeting. Mr. Norris agreed to contact the subcommittee members and set a date for the meeting.

#### OTHER BUSINESS

Commissioner Hunter asked Ms. Coffey to provide an update on Case No. 470-06-57 which was heard by the Land Use Appeals Board (LUAB). As there was no public decision being made at this time, Commissioner Hunter noted it was not necessary for Commissioner Fitzsimmons to recuse himself from the discussion.

Ms. Coffey updated the Commission explaining that the case was originally heard on June 18, 2007 with the finding that the decision of the Historic Landmark Commission was to be overturned. On July 20, 2007, LUAB met a second time and determined that they would reconsider the matter.

Commissioner Hunter stated that she wanted a full verbatim transcript of the deliberation of the Historic Landmark Commission to be given to LUAB prior to their making a decision at the meeting on August 13, 2007. She stated that in the June 18, 2007 meeting, she was misquoted and was not given the opportunity to rebut the statements. She is concerned about representation, as the applicant had an attorney to argue his case, but the City Attorney who was present at both the Economic Hardship hearing and the subsequent regular hearing of the Historic Landmark Commission was not able to attend the meeting on June 18, 2007.

Ms. Coffey agreed to confer with the City Attorney's Office and receive a decision as to whether the verbatim transcript would be allowed or considered as new evidence. She also agreed to discover if the Commission could be at the meeting to represent themselves.

There being no further business, Commissioner Lloyd moved to adjourn the meeting at 7:40 p.m.

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David Fitzsimmons, Chairperson

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Kathryn Weiler, Secretary