

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Held at 451 South State Street, Room 126
July 18, 2007**

A field trip preceded the meeting and was attended by Commission Members Noreen Heid, Paula Carl, Esther Hunter, and Anne Oliver. Planning Staff present were Cheri Coffey, Joel Paterson, Janice Lew, and Nick Norris.

MINUTES OF THE FIELD TRIP

A quorum was not present; therefore minutes of the field trip were not taken.

MINUTES OF THE MEETING

Present from the Historic Landmark Commission were Chairperson Fitzsimmons, Commissioner Heid, Commissioner Carl, Commissioner Hunter, Commissioner Lloyd, and Commissioner Oliver.

Present from the Planning Staff were George Shaw, Planning Director; Cheri Coffey, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Janice Lew, Principal Planner; and Nick Norris, Principal Planner.

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. The sign in sheet indicates that thirteen members of the public were present; however, twenty-six seats were filled. An electronic recording of this proceeding will be retained in the Planning Division office for a period of no less than one year.

WORKSESSION

Mr. Nelson Knight, tax coordinator from the State Historic Preservation Office (SHPO), gave a general explanation SHPO and how it works in conjunction with the City on specific projects. Mr. Knight stated that his organization is involved with the following types of programs: State and Federal tax credit programs for rehabilitation of historic buildings, the CLG grant program in conjunction with Salt Lake City, the National Register program, and also review of Section 106 cases: a review of development projects where Federal funds or permitting is involved, the cases must be reviewed to determine if any of the impacted structures are of historic significance. Highways and housing projects and the Frank Moss Federal Courthouse are typical cases of which would fall under Section 106.

Mr. Knight provided three handouts for the Commission's reference (*copies are filed with these minutes*) and explained that SHPO has the following grants/sources of funding:

- A. Description of tax Credit programs available through SHPO including State and Federal credits for building rehabilitation
- B. A current list of the State Historic Tax Credit projects from its inception in 1993
- C. National Parks Service fiscal year report for 2005

Mr. Knight noted that overall 600 tax credit projects were completed to date with about 75% of the projects located in the Avenues Historic District. He estimates 50 million dollars were distributed through this project with 20% of those funds used as a tax break, and returned to historic building owners in Salt Lake City.

Kurt Huffaker, Assistant Director, Utah Heritage Foundation (UHF). Explained the programs available through his organization and handed out a brochure to illustrate the points he made in his presentation (*a copy is filed with these minutes*).

Mr. Huffaker explained that the UHF is involved in educating the public regarding issues of historic preservation. He also stated that the UHF is actively involved in preservation of historic properties and real estate through preservation easements. The Foundation has entered into 115 private agreements with historic property owners using these easements to ensure that the property is protected and allows an avenue that the property owner can use to take advantage of tax breaks.

The most popular programs offered by the Foundation are the revolving fund which has been operating since the 1970s. Mr. Huffaker estimated that 75% of the loans made were part of this program. The loan program is operated State wide, but most of the funds have been used within the Salt Lake City limits. City funds have been donated to this program by means of an appropriation from the Salt Lake City Council in the form of a Community Development Block Grant (CDBG). He noted that the UHF is faced with many more loan requests that the program cannot fill.

Mr. Huffaker provided to the Commission a list of active advocacy issues, generated from the UHF Board meeting in June 2007, which demonstrates the Board's priorities and active advocacy issues (*a copy is filed with these minutes*).

In conclusion, Mr. Huffaker stated that Salt Lake City is looked to as a leader in the state of Utah regarding Historic Preservation. There is a wealth of knowledge as well as multiple landmark sites and protected neighborhoods.

Ms. Coffey described joint efforts that the City and SHPO or the UHF underwent in the past. With the I-80 expansion project, UDOT was going through the Section 106 review and decided that they wanted to make some type of mitigation effort. They consulted with Salt Lake City Planning and SHPO. During the survey, it was determined that they would need to demolish five to six contributing structures. To compensate for this action, they agreed to conduct a survey in the Forest Dale neighborhood and attempt to designate that area a National Register Historic District. Funds were allocated to the City by the Salt Lake City Council to allow more surveys and preservation efforts. The Planning Division works closely with SHPO to make sure that their contracts are in line with the guidelines and that the properties are entered into the state of Utah database.

In terms of the UHF, the City provides funds to assist the revolving loan program. The old Sugarhouse Post Office, which was owned by the Federal government, was given to Salt Lake City to list as a Landmark Site; the City ensured that the UHF placed an easement on the property so that there was a double protection against demolition.

Commissioner Hunter has worked as an advocate for the Deseret building. She indicated that there was of duplication in regards to education and enforcement. She expressed surprise that many of the City's historic buildings were not listed on the National Register. She suggested that Council members might take on individual roles to work on specific preservation projects and to coordinate efforts with entities such as the UHF and SHPO. It would be great for outreach to set aside time as a group to address the concerns regarding education of some of the buildings in the City that seemed to be vulnerable and create a proactive list to join forces with UHF and SHPO to encourage and assist in the preservation education effort.

Commissioner Hunter expressed the desire to use the work session time to meet with entities such as SHPO and come away with a list of action items the Commission could then work on individually and provide status reports during a follow up work session.

Commissioner Lloyd agreed that it was important to work in conjunction with SHPO and the UHF regarding preservation education and specifically preservation easements for the public.

Currently, the UHF does not require an easement when they issue a loan, but there are many existing easements that originated in the early 1990s that were required as a condition of a loan. When an easement is donated, there are fees charged to the property owner and the UHF generates yearly monitoring reports.

A tax write-off is generally available when a preservation easement is granted. In some cases, the City requires a preservation easement to be granted to the UHF when Conditional Use is approved for the re-used historic structure. If the easement is required as a condition of the approval, the property owner can not claim a tax write-off. Under the IRS guidelines tax benefits are only available if a preservation easement is granted under free will.

Ms. Coffey stated that the UHF along with Salt Lake City needs to figure out a way to encourage preservation while allowing the property owners to get that tax write-off.

Commissioner Carl asked for clarification of previous discussions and specifically how to educate people about the value of an easement if no prior discussion is allowed.

A further discussion ensued wherein Mr. Huffaker explained that the easement that the UHF places on the property does not prohibit the property owner from obtaining a tax write-off.

Commissioner Hunter proposed that a few volunteers from the Commission coordinate with representatives from SHPO and UHF in a recurring meeting in the same manner as the Chair and Vice Chair do with the RDA to brain-storm ideas and to come away with a

list of action items. Progress reports could be provided to the Historic Landmark Commission in a follow-up work session.

Commissioner Oliver, Commissioner Carl, and Commissioner Hunter volunteered to attend that meeting.

Commissioner Fitzsimmons closed the work session and moved onto the Report of the Planning Director.

REPORT OF THE PLANNING DIRECTOR

Ms. Coffey announced that a Preservation Plan meeting will be held on August 23, 2007, from 11:30 a.m.—1:00 p.m. Four to five people from various specialty groups would meet with the preservation planners on Wednesday at a Stakeholders meeting, after which the planners would meet with the Historic Landmark Commission Advisory Committee Thursday afternoon, involving Commissioner Hunter, Commissioner Lloyd, and Commissioner Oliver. The preservation planners would then hold an open house to get input from the public on Thursday evening.

In the course of multiple meetings, the Advisory Committee will identify issues and then finalize a draft plan to be presented to the Commission. The Commission would then revise or proceed with the adoption process based upon feedback.

Commissioner Hunter requested a list of Stakeholders.

Ms. Coffey requested recommendations for the Advisory Committee members to fill the seat for District two.

Ms. Coffey stated that the Historic Landmark Commission held an important role in regards to input for the Advisory Committee. Not only will the Commissioners be expected to provide input regarding issues that need to be addressed by the Committee, but they will also be expected to evaluate the plan from a practical standpoint and to recommend rejection or acceptance of the drafted preservation plan. The recommendation of the Historic Landmark Commission will carry a lot of weight.

Commissioner Hunter asked the Chair to consider setting aside dedicated time to discuss recommendations for the Advisory Committee. After a lengthy discussion, the Commission agreed to amend the August 1, 2007 agenda to change the work session subject, but to keep the allotted time at 30 minutes. If the Commission needed to discuss the subject further, a second meeting would be arranged before August 23, 2007.

Commissioner Hunter agreed to bring up a discussion regarding a rewrite of the Design Guidelines for Residential Historic Districts in Salt Lake City when the Historic Landmark Commission met to discuss issues to be presented to the Preservation Planners.

Seeing as there were no further items to be presented to the Commission at this time, Chairperson Fitzsimmons closed the Report of the Director portion of the meeting.

COMMENTS TO THE COMMISSION

Chairperson Fitzsimmons opened the meeting for comments from the public so long as they were not regarding the two cases scheduled for public hearing.

Cindy Cromer commented on the Land Use Appeals Board (LUAB) meeting for Petition No. 07-002 on June 18, 2007. She expressed frustration with what she felt was under representation by the Commission, the City Attorney, and the proceedings in general. She urged the Commission to review and analyze the minutes of that meeting for further reference.

Ms. Coffey provided additional details of the Land Use Appeals meeting, stating that Staff was present at the meeting, she verified that the board was not receptive to the input by Staff and chose not to uphold the decision of the Historic Landmark Commission or to remand the case back to the Commission for reconsideration.

In the course of discussion, it was discovered that the Land Use Appeals Board does not routinely publish minutes of their meetings and that a transcription of the meeting would have to be requested if the Historic Landmark Commission wished to review a written copy.

Commissioner Hunter stated that she did attend the meeting and found it frustrating that comments she made at the Historic Landmark Commission meeting of April 4, 2007, were misquoted, but she was not given the opportunity to correct the misquotes.

She did obtain a recording of the meeting, but felt it would be important to obtain a transcription.

Motion

As a response to concerns voiced by the Historic Landmark Commission regarding the Land Use Appeals Board meeting on June 18, 2007, Commissioner Lloyd put forth a motion to request that a written transcript of that meeting be provided to the Historic Landmark Commission for their review.

Commissioner Heid seconded the request.

All voted aye; the motion passed.

Seeing as no further members of the public expressed the desire to speak, Commissioner Fitzsimmons closed the Public Comment portion of the meeting and moved on to the approval of the minutes.

(Prior to the consideration of the minutes, Commissioner Lloyd recused himself stating that he has a conflict of interest on Case No. 470-07-70 because he is the applicant and on Case No. 470-07-14 because he has a close association with the architect. He believed that his presence on the board during that hearing would represent a potential

conflict of interest. The cases would be heard immediately after consideration of the minutes.)

APPROVAL OF MINUTES

Commissioner Hunter stated that the minutes did not contain a list of issues she specifically stated in the meeting regarding Case No. 470-07-21. She further emphasized that the minutes should provide a detailed list of those concerns and not be summarized in a paragraph format.

Commissioner Heid moved to approve the minutes of the June 6, 2007, Historic Landmark Commission meeting provided that that they contain a list of concerns brought up by Commissioner Hunter with the condition that the final minutes are to be viewed by Commissioner Hunter to verify that they contain all issues she brought up in the meeting.

Commissioner Carl seconded the motion.

All voted "Aye"; the minutes were approved with the condition as stipulated.

OTHER BUSINESS

Ms. Coffey stated that a presentation would be made by consultant Korral Broshinsky on the findings of the City's recent historic surveys for the Capitol Hill Historic District. The presentation will be presented in the order specified by the agenda (*a copy of her presentation is filed with these minutes*).

Ms. Broshinsky made a comment regarding retaining walls and power lines in the district, and the contributing vs. non contributing status of new garages which she stated might be addressed by the Commission when considering a Preservation Plan for the Capitol Hill District. She suggested expanding the National Register Historic District to include the current Landmark Boundaries and possibly the DeSoto Cortez neighborhood.

The presenter noted that many communities used the National Register for their local landmark designation because the groundwork has already been done and it is easy to adopt on the local level.

Commissioner Hunter noted that Bee Luftkin made some recommendations at the South Temple Historic Survey presentation. As it is within the purview of the Historic Landmark Commission to make recommendations based upon the surveys to the City Council and the Planning Commission. She asked that consideration of Ms. Lufkin's recommendations be added to the work session agenda.

Ms. Coffey suggested that these recommendations should be discussed in the meeting that will be set up for the Commission to make a list of recommendations for the Preservation Plan.

Case No. 470-07-20, at approximately 573 East 600 South Street, by Warren Lloyd, Architect, to rehabilitate the existing residential building for an office use. The project includes renovating an existing boarded contributing structure, including the installation of solar panels on the roof, and constructing a rear addition that includes an attached four-car carport. The property is located in the Central City Historic District and is zoned Neighborhood Commercial (CN).

(This item was heard at 5:37 p.m.)

Ms. Lew introduced the proposal. The applicant is requesting approval for alterations to the residential building located at 573 East 600 South Street. The project includes the rehabilitation of an existing boarded contributing building by constructing a rear addition with an attached four-car carport, and upper level work space with the installation of solar panels on the roof.

The applicant proposes to adaptively reuse the residential building for business purposes. The proposed work includes the following:

- A rehabilitation of the existing building.
- Replacement of an earlier addition to the north end of the building with an attached four-car carport and upper level office space.

Rehabilitation Work

The proposed scope of work includes the following:

- Repair original wood windows where possible.
- Replace missing windows with new clad wood windows in original openings.
- Repair or replace doors with new wood doors.
- Repair wood features at gables and eaves.
- Repair or replace the front porch element to match attached tax photograph.

New Addition

The applicant proposes to replace the existing rear addition with a two-story structure that has a forward sloping single-pitched roof. The new addition abuts the historic building at the rear and wraps around the east side. The cladding on the walls of the upper level of the addition would be HardiPanel with HardiTrim planks to create a board and batten look. The dominate features of the upper level balcony are overhanging wood timbers and a cable railing. Clad wood windows are proposed for the addition.

The proposed attached carport is approximately 22' x 41' in size, providing four (4) open parking bays. Access to the parking area would be from a shared driveway off of 600 East Street. Thus, the parking bays of the addition would face north, towards the rear of the property. The carport would have solid fire rated walls constructed of board-formed concrete and built to the side property boundaries. The shallow sloping roof would be covered with a single-ply membrane roofing material and rise approximately twenty-five feet (25') to the top of the wall.

The applicant proposes to use a solar panel system to convert energy from the sun into electricity. Such systems typically consist of the following components: panels, inverters, mounts and accessory equipment. In this case, the photovoltaic array will be integrated into the roof system. The panels would cover the tipped portion of the addition for a total length of approximately fifteen feet (15'). The submitted plans show a four (4) paneled system with each panel measuring 63.9"(w) x 30.1"(h) x 2.2"(d).

Based upon the comments, analysis and findings of fact noted above, Planning Staff recommends the Historic Landmark Commission approve the application request to construct a rear addition with an attached carport located at approximately 573 East 600 South, subject to the following conditions:

1. Approval of the final details of the design including materials and a landscape plan shall be delegated to the Planning Staff based upon direction given during the hearing from the Historic Landmark Commission.
2. The project must meet all other applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission.
3. The applicant must verify that proper access is available to the rear of the property.

In response to questions from the Commission, Ms. Lew explained that access to the parking area would be from a shared driveway off of 600 East.

Aaron Day, the applicant's representative, was invited to address the Commission to answer questions and to add to the presentation. He explained that the applicant has contacted the property owner of the property at the corner of 600 South 600 East to discuss the possibility of granting them an easement.

Commissioner Oliver stated that there appears to be easements that provide access over both properties located on 600 South. There is also a driveway to the west which leads to the apartment parking area, with fencing in that location and does not hoop around the structure very well.

The applicant was invited to address the Commission. He clarified the easement issue as well as answered general questions regarding the type of materials he wished to use.

In response to questions from the Commissioners, the Mr. Day explained that they would need six parking slots. He said he chose the batten panel pattern as a modern interpretation of historic materials. He would not consider a change of the roof form and design, which were specifically designed to accommodate the solar panels.

Commissioner Oliver stated that differentiating the old structure from the new addition is required in the City Historic Districts; the architect will typically employ a separation from

the old structure to the new modern design by using a passageway or corridor to provide a visible gap, a means which was not employed by the architect.

The applicant stated that he believed the use of a jog in the façade and the different sized windows adequately allowed for the required design style separation.

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

Public Comment

Mr. Kirk Huffaker, Utah Heritage Foundation, stated support for the project. The addition, while contemporary, maximized the use of the site, calling it an interesting interpretation that could only be used in certain situations, such as this one. He suggested that some of the materials of the original building should be used on the addition.

Seeing as no further members of the public expressed the desire to speak, Chairperson Fitzsimmons closed the public comment section of the hearing and moved to Executive Session.

Executive Session

The Commission entered a lengthy discussion regarding the proposal, and identifying the key issues and concerns.

Commissioner Heid stated that she was a resident of the neighborhood and was pleased that the applicant was proposing renovation because the existing structure is an eye-sore. She stated approval of the overall plan and use of solar panels, but did not feel the exterior board and batten design fit in the district as well as a more traditional material fenestration would. She stated that she had trouble envisioning what the materials would look like when the structure was completed, stating it seemed to jar with the traditional design of the house.

The Commission generally agreed that the carport was not meant to be viewed from the street. The Commission needed to consider the vacant lot to the east. Without an idea what the view from the street would be if a house was built on the vacant lot which would prominently expose the east elevation of the rear addition and make the abrupt change from historic to modern design too obvious. The east elevation did not blend or look compatible with the existing structure.

During further discussion the Commission also agreed that there was a difference between aesthetics and compatibility, for example; plank type Hardiplank material was approved by the Commission in the past, but is not proposed in this design.

Commissioner Carl stated that it seemed capricious to ask the applicant to not imitate the existing structure design and ask them to blend the new addition with the building. She suggested that the applicant make the Hardiplank more compatible with a pattern that would typically be found within the Central City Historic District.

(It is noted that Ms. Lew then exhibited an older drawing, which demonstrated how the material would look. It did not show the window openings which are proposed in the application.)

Chairperson Fitzsimmons stated that the addition is not snug to the back of the existing structure, but rather touches lightly, which very nearly separates the old from the new. He temporarily suspended the Executive Session part of the hearing to allow the Commission to ask the applicant further questions.

Public Comment

Chairperson Fitzsimmons reopened the public comment session so that the applicant could respond to questions from the Commission.

The Commissioners inquired why the architect chose board and batten siding rather than a typical horizontal siding on the east elevation.

The applicant stated that the decision was made to appease the design requirement and the style of the new structure, not imitate but compliment the existing historical structure. He would be open to a change of orientation if it were a condition of the approval.

Commissioner Oliver asked for clarification regarding the applicant's decision to direct drainage from the sloped roof of the new structure into the existing wooden historical structure. Specifically, she asked how snow accumulation and rain water drainage would be handled.

The applicant explained that the run-off would be directed to the east side of the roof, through a gutter system which would funnel it away from the historic building.

Seeing as no further members of the public expressed the desire to speak, Chairperson Fitzsimmons closed the public comment section of the hearing and returned the meeting to Executive Session.

Executive Session

Commissioner Oliver stated that there were so many Design Guidelines unmet by the proposal that she would like to see further exploration of the design. She quoted the following from the Design Guidelines for Residential Historic Districts in Salt Lake City:

9.3: ...do not attach garages and carports to the primary structure.

The proposed carport with a second story office space is attached to the structure.

In regards to ground level additions on page 10:

8.14: keep a new and additional building subordinate the historic building.

The addition is very large and modern, while attached directly to the historic building. It also states that the addition should be in scale and character of the historic building or structure, but large additions should be separated from the building using a small connecting element to link the two.

Those things, combined with the potential damage to the building from the shed roof lead Commissioner Oliver to strongly recommend that the applicant examine the easement issues and examine establishing a connector between the two structures. She found the addition to be large and looming, which wraps around the house and gives it a “heavy feel”.

She commends the applicant for his willingness to rehabilitate the structure, but wants the applicant to explore other options before the Commission allows the very large structure to be attached directly to the historical structure. Another option for the applicant is to move the entire structure back and reorient the parking to the south.

In response to Ms. Coffey’s request for clarification, Commissioner Oliver stated the addition be totally disconnected from the structure and placed by the back property lines so the access easement would go between the addition and the house. She proposed that the applicant violate the prescriptive easement if it is not legally binding and reorient the parking for the duplex through the driveway between the grocery store; a much more commercial use and likely to have parking requirements that could be shared.

She noted that between the grocery store and this structure there is a driveway with a chain link fence at the back, a potential source of access through the interior parking lot. The property would then be self contained by use of a driveway on the east side, it could still be a two story historic structure, but it could be accessed from the south.

Commissioner Heid stated that it leads to a hardship for the applicant if the second story space would be used differently than originally planned by detaching the garage and relocating the carport to the north.

Chairperson Fitzsimmons reminded the Commission that design by Committee is beyond the purview of the Historic Landmark Commission. The Commission needed to decide if the changes were so sweeping that the application should be denied or if the needed changes can be handled by approval with conditions. In his opinion, tabling the case did not seem to be a good solution as it would not leave the applicant with a clear direction to follow.

Other Commissioners argued that the applicant indicated that he was attempting to obtain clarification regarding the easement issue, but the Commission agreed that the case was difficult because the easement issues had not been fully resolved. Tabling the case could give the applicant a month to come to a conclusion regarding the legality of the prescriptive easement upon the property.

Commissioner Fitzsimmons again closed the Executive Session part of the hearing and invited the applicant back to the table to answer questions from the Commissioners.

Public Comment

Chairperson Fitzsimmons reopened the public comment part of the hearing for a second time.

In response to questions from the Commission, the applicant approached the table and stated that he had not obtained a legal decision regarding the prescriptive easement, but believed that there was one in place. He was meeting with the neighboring property owner next week to discuss an easement.

He further stated that he did not choose to move the building to the rear property line out of a desire to be a good neighbor, as the neighboring apartment uses that section of property to gain access to the street.

He stated that he was not an architect, but believed adding a three foot connector would not prohibit him from creating the parking, but it seemed to change significantly. The proposed plan is a culmination of the consideration of all of the factors.

Commissioner Oliver questioned if Metro Envision Real Estate, owned the right of way both between the subject building and the store to the west, as well as through the subject property on the north side.

The applicant responded that Metro Envision Real Estate was the owner of the apartment building to the north and the corner lot abutting the property on the east and the building to the west of the applicant's lot.

The Commission noted that Dennis Killian owns the apartments and the accessory parking, while Metro Envision Real Estate owns the other adjacent lots. Dennis Killian is Metro Envision Real Estate which means he has two routes of access to his property through the back.

The applicant stated that there is no recorded easement through the supermarket and the house. But the Commission pointed out that the site plan indicated that the easement was conveyed to Mr. Killian. The Commission came to the conclusion

The applicant stated that they have not had a legal opinion regarding the easement. When the owner of the property was contacted, she was unsure of the legal status of the easement, so the applicant has assumed that there was a legal prescriptive easement. The applicant has met with the firm's attorney in an attempt to determine if that was the case. It would take a court action to determine if there is a prescriptive easement does exist.

Seeing that the Commission had no further questions for the applicant at this time, Chairperson Fitzsimmons closed the public comment part of the hearing.

Executive Session

Chairperson Fitzsimmons opened the Executive Session portion of the hearing. Commissioner Heid stated that is was her understanding that the carport was as far back as it could be to allow the twenty-four foot easement to stay as is. Unless there is

extra depth built into the carport, a lot more than the depth of a standard car, there wouldn't be anything to push it back further.

Commissioner Oliver stated that the applicant could be required to reduce the square footage of the existing design.

Commissioner Carl stated that she did not find the design troubling enough to make the applicant go through the legal process to obtain an easement.

Commissioner Oliver argued that to allow the design to proceed would make the decision of the Historic Landmark Commission a matter of opinion rather than insist the applicant adhere to the existing guidelines, thereby ensuring that decisions made regarding all applications were made equally.

Commissioner Carl and Commissioner Heid responded that the guidelines do state that the carport is not to be attached, but this guideline is to be used on a case by case basis.

Ms. Coffey cautioned the Commission that if they chose to deviate from the guidelines, they must be specific in their findings.

Motion

Commissioner Carl put forward a motion in case No. 470-07-20, that the Historic Landmark Commission accept staff findings and approve the design as presented with the following conditions:

- a) The Commission encouraged the applicant to revisit the use of board and batten siding at the second level and to look at the use of horizontal siding which is a more traditional approach.**
- b) The applicant is to consider some fenestration in the east façade of the addition as well.**

The Commission also added the following recommendation:

- c) The applicant is encouraged to explore different easement options to allow a small separation connector between the addition and the existing structure.**

The Commission made note that in this particular case the Commission was allowing the addition to abut the existing structure because it was not just a carport or garage, but an office structure as well.

Commissioner Heid seconded the motion.

Commissioner Hunter, Commissioner Heid, and Commissioner Carl voted aye; Commissioner Oliver voted against the motion; the motion passed.

It is noted that after discussion with the remaining members of the Commission, Commissioner Carl agreed to amend the motion to change item a and b to conditions of approval and to add item c as a recommendation.

Case No. 470-07-14, at approximately 540 East 500 South, by Derek Whetten, for determination of contributing status of the commercial building located in the Central City Historic District.

(This item was heard at 6:34 p.m.)

Mr. Norris introduced the project proposal.

The subject property is located on the south side of 600 South in the Central City Historic District. The property has a split zoning designation, with the front portion of the property zoned RO Residential Office. The back portion of the property is zoned RMF-35 Moderate Density Multi-Family Residential.

During the normal review process, staff was informed and provided with the original construction drawings of the building that is proposed for demolition and a biography of the architect, Glen Ashton Lloyd. The structure was built in 1965 (42 years ago).

The design of the structure has a number of characteristics that are common to structures designed in the International Style, including large expanses of glass, open interior spaces, visible structural elements of concrete and/or steel and a lack of ornamentation. The structure has had few modifications to it since it was originally built. The most notable are the exterior lights. The original fixtures were white, pendant style lights that hung along the front wall of the structure and over the entrance.

The proposed project would require the demolition of the existing structure. The Historic Landmark Commission has the authority to determine if a structure is contributing or non-contributing within an H Historic Preservation Overlay District or Landmark Site. Prior to processing the petition for demolition, the Historic Landmark Commission needs to determine if the structure is considered a contributing or non-contributing structure in a historic district. Staff believes that the Historic Landmark Commission should make the determination because the structure is nearing the 50 year age requirement, the City has received documentation on the architect of the building and the original building drawings and the structure is a distinct architectural style.

Based on the research and information available, Staff finds that the structure located at 540 East 500 South is not a contributing structure in the Central City Historic District because the structure does not meet the standards for contributing structures as outlined in Zoning Ordinance Section 21A.34.020(C)(2) based on the following findings:

- 1) The structure is less than 50 years old and has not achieved significance within the past fifty (50) years of exceptional importance.

(Mr. Shaw joined the meeting at 6:41p.m.)

Derek Whetton, property owner, was invited to approach the table and address the Commission. He stated the opinion that by losing this building, the City will not be losing a structure of historical significance. He stated that he plans to demolish the structure as he does not wish to remodel it for commercial use. The reuse plan for the property would be a change of use from office space to residential.

Caroline Anderson, who was the architect for the proposal, stated the work of the specific architect of the building will not be lost as there are many structures in Salt Lake City which were designed by him. The building, if remodeled would only be suited for commercial use.

Public Comment

Kirk Huffaker, Utah Heritage Foundation, stated that post World War II architecture is still being defined in terms of preservation. The subject building is part of a new formalism movement of architecture, which is a subtype of the International Style. This building has had some great influences nationally, which are not found in the Staff report. There are features that are part of new formalism. New formalism is part of a maturing modernism that showed buildings that had a uniform construction grid, part of the uniformity that came out of the international style.

- a) carefully organized hierarchy of a building
- b) clarity of geometric form
- c) used materials which were made to look expensive, but not costly.

Other buildings of the new formalism style are:

Lester and General Insurance Agency, 1967 by Edward Miles Navy.

Masonic Temple and Weber County Public Library both in Ogden, by John Piers.

The best known examples in the United States of this style were built in the 1960s included: Los Angeles music Center, the Lincoln Center for the Performing Arts, and The Kennedy Center, in New York City.

The Historic Landmark Commission needs to consider the degree of which the new formalism style, which is within the International Style was constructed within the State of Utah.

The breadth of this architect's practice within the context of what other architects were building in the 1960s and how different or new this style might have been in that time period.

He encouraged the Commission to seek more information about this particular style of architecture before making a decision regarding this structure.

Ms. Anderson rebutted the comment by Mr. Huffaker by asking if the City were to consider preserving every style of architecture would there be room to allow demolition and introduction of new styles.

Seeing as there were no further members of the public who expressed the desire to speak, Chairperson Fitzsimmons closed the public comment section of the hearing.

Executive Session

Chairperson Fitzsimmons opened the Executive Session portion of the hearing.

Commissioner Carl stated that, though the applicant's comment was noted, the building is an unaltered example of this particular style.

Commissioner Oliver stated that the building is in a historic district, and the goal is to preserve history, not just a chunk of history. This building and the Zions Bank building at 700 East and 400 South are two remaining examples of monumental structures of this style in this historic period. It is one of the finest examples of this type of style and retains a remarkable degree of exterior integrity. Other than the loss of globe lights referenced in the staff report, it is pristine. Type of building is coming under pressure because it is less than 50 years old and the lots are big, making it attractive sites for redevelopment.

Commissioner Hunter stated that the general purpose of the Historic Landmark Commission is to preserve buildings that are of architectural significance which is part of the City's most cultural, educational, and economic assets. The fifty year guideline is a guideline and doesn't necessarily represent some of the difficult decisions we are about to come into because buildings are not quite hitting the fifty year mark.

Commissioner Hunter stated that based on the statement of Mr. Huffaker, the Commission did not have all of the information necessary to make a decision. She asked if the case could be tabled to allow more time for consideration. She stated that the Commission needed some discussion and formulation of guidelines to address situations such as this where the Board received testimony that they do not have enough information to make a decision.

Commissioner Carl stated that the property does meet the existing criteria under paragraph A condition 3.

Ms. Coffey stated, in response to questions from the Commission regarding what information was used to reach Staff recommendation, that Mr. Norris did research what materials were on hand and requested additional information from SHPO and the UHF, he further gathered information on the architect from outside sources. He based his recommendation upon that information.

The regulation in place states the time frame of fifty years, architectural importance, or the importance of the person associated with the structure. The Historic Landmark Commission should be able to make a determination even if the building is less than fifty years old using one of these criteria.

Mr. Norris stated that he reached the Staff Recommendation after viewing the Standards for Development in the ordinance. He stated that the ordinance lists the criteria as A, B, AND C. As the structure did not meet all three criteria, Staff recommended the finding that the building is not a contributing structure.

Ms. Coffey stated that all of the criteria should be considered, but it is not required for a structure to meet all three criteria. If the Historic Landmark Commission is still in doubt, clarification can be obtained from the Salt Lake City Attorney's office.

Chairperson Fitzsimmons stated that as there are not many structures of this style in the City, it would be nice to know more about it and the history in Salt Lake City in regards to that movement. He stated that he can recall other instances, when older structures have come before the Commission because owners want to change the building as they do not care for the style of the structure. This structure speaks to an important phase in our history.

When a motion is put forward, it must be as to whether the structure is contributing or non-contributing. To move as contributing would be in opposition to Staff recommendation and such a motion must clearly state findings to support the motion.

Ms. Coffey reminded the Historic Landmark Commission that a status of contributing or non-contributing would impact the manner in which a request for demolition would be processed.

Commissioner Heid expressed frustration that the findings of the Historic Landmark Commission have been successfully overturned repeatedly by appeal to the Land Use Appeals Board.

Motion

In regards to Case No. 470-07-14 Commissioner Oliver moved that the Historic Landmark Commission oppose Staff Recommendation and find the structure as contributing to the Central City Historic District because it meets criteria:

- A. Representing distinctive characteristics of type and method of construction, and contains information important in understanding the history of Salt Lake City,**
- B. Maintains an extremely high degree of physical integrity in terms of location, design, setting, materials, workmanship, feeling, association as defined by the National Park Service for the National Register, and**
- C. The site is not fifty years old but the Historic Landmark Commission believes that it has achieved sufficient importance to waive that criteria.**

Seconded Commissioner Hunter

Amended

It is noted that based on evidence presented tonight by the Utah Heritage Foundation and discussion, the Commission finds the site to be of cultural significance.

In addition to these findings: The Historic Landmark Commission incorporates today's discussion and the presentation by Kirk Huffaker, Assistant Director of the Utah Heritage Foundation as information supporting the motion.

Restated motion:

In regards to Case No. 470-07-14, Commissioner Oliver put forth a motion that the Historic Landmark Commission does not accept staff recommendation that the building is non contributory that the Commission finds that the structure is contributory in the Central City Historic District based on the following criteria:

- A. The site does have significance in local, regional, and state history architecture and culture, associated in part with lives of persons significant in Salt Lake City; one of the more high style buildings designed by Glen Ashton Lloyd, the architect and his associate Ron Mullen. Specifically, the Commission finds that the building retains distinctive characteristics of a type, period, or method of construction, namely the new formalism, which is a subcategory of the International Style. New formalism came to Salt Lake City slightly after the rest of the world, in the mid 1960's and was around for a brief time before it was superseded by other architectural styles. As such, there are not a great number of structures that represent this style in this particular area of Salt Lake City, which makes it not important to understanding the history of Salt Lake City, particularly the architectural history and the history of development, land use, financial decline, and financial recovery of the Central City Historic District.**
- B. It retains physical integrity in terms of location, design, setting, materials, workmanship, feeling, and association as defined by the National Parks Service in the National Register of Historic Places. This building is exceptional in its degree of integrity, in respect to its exterior. As the Commission has not seen the interior, they are unable to speak to that.**
- C. The Criteria states that the site must be at least fifty years old or have achieved significance within the past fifty years if the properties are of exceptional importance. It is the Commission's opinion that because architectural history of this period is still being written, and because the monumental little structure does meet the first two criteria, that it does have exceptional importance in understanding our history and the history of the local area, as well as Salt Lake City, the State of Utah, and the western region in general.**

It is noted that further clarification of the basis for the Commission findings refer any interested party to the minutes and discussion that the Commission had as well as the presentation by Kirk Huffaker, Assistant Director of the Utah Heritage Foundation.

Seconded by Commissioner Hunter

Commissioner Carl, Hunter, Oliver voted Aye; Commissioner Heid abstained. The motion passed.

There being no further business, Commissioner Carl moved to adjourn the meeting at 7:17 p.m.

David Fitzsimmons, Chairperson

Kathryn Weiler, Secretary