

**SALT LAKE CITY HISTORIC LANDMARK COMMISSION
MINUTES OF THE MEETING
Room 315, 451 South State Street
March 4, 2009, 5:45 p.m.**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on March 4, 2009.

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The regular meeting of the Historic Landmark Commission was held on March 3, 2009, at [5:45:49 PM](#) in Room 315 of the City and County Building, located at 451 South State Street, Salt Lake City, Utah, 84111. Commissioners present for the meeting included: David Fitzsimmons (Chairperson), Arla Funk, Sheleigh Harding, Polly Hart, Creed Haymond, Warren Lloyd (Vice Chairperson), Jessica Norie, Anne Oliver, and Earle Bevins, III.

Planning staff present for the meeting were: Pat Comarell, Assistant Planning Director; Paul Nielson, Senior City Attorney; Joel Paterson, Planning Manager; Robin Zeigler, Senior Preservation Planner; Nick Norris, Senior Planner; and Andrea Curtis, Acting Historic Landmark Commission Secretary.

A field trip was held prior to the meeting at 4:00 p.m. The field trip was attended by David Fitzsimmons (Chairperson), Arla Funk, Sheleigh Harding, Polly Hart, Warren Lloyd (Vice Chairperson), Jessica Norie, Anne Oliver, and Earle Bevins, III. Robin Zeigler Janice Lew attended for the Planning Division.

FIELD TRIP 4:00 p.m. ([Listen to the audio](#))

One commissioner asked if the tennis courts would be replaced and was told that there were no plans for the site at the moment but grass and sprinklers. A commissioner asked everyone to note the setback of the wall from the corner, since traffic site lines were an issue raised in the staff report. The staff report mentions a 1997 engineering report of the wall, and a commissioner asked if a more recent study had been done; it has not. A commissioner asked if the fence along the top of the concrete wall was original. Staff explained that, according to 1955 plans, it appears to have been installed in 1956. Staff further noted that the project was much different than what was reviewed in the staff report, so since this case was a discussion-only item, staff did not plan to present the staff report but would simply introduce the site and then have the applicant explain the project.

Since there was additional field trip time remaining, staff asked if the Commission would like to see Vice Chairperson Lloyd's project near Trolley Square. Since the property is not an item on the agenda, the recording was turned off. There was no further discussion of agenda items.

DINNER 5:00 p.m. 5:09:30

Ms. Zeigler gave an update on the Preservation Plan. She noted that the workshop had been very well attended and that many of the comments received were detail oriented which led her to believe that the project is on the right path. Many comments have also been received via email, and she anticipates that by the time the staff report is distributed there will be a lot for the commissioners to review.

Ms. Zeigler also provided an email comment regarding PLNHLC2009-00152, Reservoir Park, Major Alterations, that was not received in time to include in the commissioners' packets. A copy of the email was provided to Ms. Curtis for inclusion in the official record.

Julia Reynolds was introduced by Ms. Zeigler as an intern who will be working on several preservation projects.

Ms. Zeigler announced the inclusion of the Salt Lake City's Preservation Plan in an article entitled "Preservation Planning in American Cities" published in the National Preservation Trust's most recent magazine. A copy of the article was circulated for the commissioners to view.

Ms. Zeigler noted that the recent workshop on commercial design guidelines, staffed by Janice Lew, was well attended. Information was provided to community members about the purposes and implementation of design guidelines and suggestions solicited about issues in Salt Lake City. The consultant will now create a draft, which will be presented to the commissioners prior to the report being forwarded to the Planning Commission and City Council.

Ms. Comarell discussed the plans for a follow up work session to review the issues raised in her interviews with individual commissioners. She noted that some input will be needed from the commissioners regarding the policies and procedures. Information garnered from the interviews will be distributed to the commissioners prior to the follow up work session. She and the commissioners discussed possible dates and times for a 90-minute session; the commissioners agreed to email her with their availability during the lunch hour the week of April 5, 2009.

Vice Chairperson Lloyd commented that the commercial design guideline meeting had been very productive and that he was impressed with the consultant.

Chairperson Fitzsimmons inquired what the next major step in the Preservation Plan is. Ms. Zeigler replied that the comments were all being sent to Clarion (the consultants) and that they anticipate having a draft for the commissioners' review at the next meeting. At that point, the Commission will have an opportunity to approve it, deny it, or make additional comments and changes prior to the Plan being forwarded to the Planning Commission and City Council.

Ms. Zeigler updated the commission on the economic hardship ordinance changes, noting that the committee identified additional issues that she is currently researching; the Committee will meet again to revisit the issue. Vice Chairperson Lloyd confirmed that the Committee has not yet made any recommendations.

Vice Chairperson Lloyd asked Nick Norris if anything had changed in the staff report for Petition PLNHLC2008-00885 since its original submission months ago. Nick responded that no significant changes had been made.

MEETING CALLED TO ORDER [5:55:08 PM](#)

APPROVAL OF THE MINUTES FROM FEBRUARY 4, 2009 [5:55:56 PM](#)

Commissioner Funk made a motion to approve the minutes as presented. Commissioner Harding seconded the motion. Commissioner Hart noted she would abstain from voting as she was not present at the last meeting. All others voted "Aye". The motion carried unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:56:30 PM](#)

Chairperson Fitzsimmons and Vice Chairperson Lloyd noted that there were no items to report this month.

REPORT OF THE PLANNING DIRECTOR [5:56:48 PM](#)

Mr. Paterson indicated that he had nothing to report for the Planning Division.

COMMENTS TO THE COMMISSION

[5:57:24 PM](#)

Cindy Cromer addressed the Commission regarding their purposes, jurisdiction, and authority. She referenced the City Zoning Ordinance Title 21A, noting that the Planning Commission, City Council, and Mayor have authority to initiate petitions but the Historic Landmark Commission does not. She encouraged the commissioners to write letters to those able to initiate legislation with the hope that those parties would recognize the benefit of giving the Commission that authority.

Ms. Cromer expressed her discomfort with comments made by the Redevelopment Agency on economic hardship. She observed that this was the second time in recent years that the Redevelopment Agency had weakened the direction the economic hardship revisions were headed. She defined blight in a historic district as a vacant lot, which is not historic and cannot be for 50 years. She stated that the RDA needed to recognize that when operating within a historic district, blight means something different than in other areas. She declared that the worst thing that could happen would be repeats of what had happened with the Bill & Nada's and Jewel Apartment sites, which are now empty and without landscaping.

Ms. Cromer requested that the outcomes of economic hardship be reviewed because the city has not been well served by granting developers the opportunity to opt out of historic preservation. She again referenced the Bill & Nada's site, stating the result has been less property tax and no sales tax being generated from a location that was demolished under economic hardship provisions. She requested that the Commission, when considering the changes to the economic hardship requirements, review the outcomes of economic hardship decisions be studied and whether they have served the city well.

[6:00:46 PM](#)

Esther Hunter addressed the benefits of the preservation plan, specifically the positive aspects of being able to designate and encourage areas for preservation. She noted that the city has

numerous nationally registered preservation districts, including the houses surrounding Christus St. Joseph's Villa, which has an open petition that will not come before the Historic Landmark Commission. If the petition to expand is approved by the City Council, six of the seven houses that will be demolished are contributory structures. She echoed Cindy Cromer's encouragement that the Commissioners write letters supporting preservation of areas that the city has not yet had the time, resources, or ability to protect in any other way. She stated that the Commissioners are the only ones who have a charter to help preserve these areas and urged them to use their outreach efforts in that way.

UNFINISHED BUSINESS

PLNHLC2008-00885 – Trolley Square, Minor Alteration 6:02:24 PM

A request by Trolley Square Associates for minor alterations to Building B at Trolley Square located at approximately 602 East 500 South in the Central City Historic District. The request includes adding storefronts, awnings and signs for the expansion of the Pottery Barn store. The property is zoned CS Community Shopping and is located in City Council District 4, represented by Council Member Luke Garrott. (Staff: Nick Norris, 535-6173, nick.norris@slcgov.com)

Staff Presentation 6:02:43 PM

Mr. Norris reviewed the request for the Commission. He stated that the applicants propose to add signage, storefronts, and awnings to the existing structure. Storefronts will be similar to the existing north elevation, with minor changes and additional awnings. He noted that the Zoning Ordinance allows one sign per store frontage; there is a sign over the current primary entrance to the building. The applicants propose adding signage similar to those on the elevation drawings. The Zoning Ordinance doesn't allow multiple signs, so the petitioner is requesting an exception.

Mr. Norris observed that the photos in the staff report identify existing arched openings, which are currently boarded. The applicant's proposal includes adding additional awnings like those on the existing storefronts. He stated that staff recommends against these additional square awnings because they block the arch, which is part of the historic fabric of the building. If the petitioner were to request arched awnings similar to that on Building A which keeps the brickwork and arch visible, staff would support that as an acceptable alternative.

Mr. Norris remarked that the proposal includes minor changes to the south elevation. The existing openings will have storefronts added; they are currently boarded. Signs are proposed over the storefronts. The Zoning Ordinance allows one sign per building frontage, and the interpretation from the Building Permits Office is that a sign would be allowed because this is a three-sided building.

Mr. Norris identified that the existing sign was originally approved by the Historic Landmark Commission as a halo illuminated sign but that the installed sign is internally illuminated, which does not meet the sign policy. He noted that staff recommends the sign be replaced as initially approved but that the Commission has the option to approve the existing sign if they determine it meets the policy. He also corrected a minor error in the staff report, stating that the Commission has three options: adopt staff's finding and approve the petition as recommended; make findings that the proposal does not meet the standards and design guidelines; or continue the item, requesting additional information. He concluded that staff recommends approval of the petition with the three conditions outlined in the staff report.

Questions from the Commission [6:06:06 PM](#)

Commissioner Funk asked if the awnings were part of the approval or not.

Mr. Norris clarified that the awnings are addressed because they are included on the drawings, which have not been updated since the original submittal which was prepared for a public hearing in January. He indicated that the applicants would have to get approval for the square awnings.

Commissioner Oliver asked if the ordinance allows store names to be placed on the storefronts and awnings. Mr. Norris confirmed it is permitted.

Commissioner Funk inquired as to why the sign, which violates the original approval, has not been addressed previously. Mr. Norris responded that it had not been brought to the city's attention. Vice Chairperson Lloyd asked when the sign had been installed. Mr. Norris stated it had been approved in 1997; staff assumes it has been the same sign since then.

Commissioner Fitzsimmons asked if there were a statute of limitations regarding the sign violation; Mr. Norris replied there is no statute of limitations, as the violation continues to exist.

Applicant Presentation [6:09:10 PM](#)

Mr. Mike McCall introduced himself as the architect for the Pottery Barn store. He identified that the dark blue portions of the site plan identify the existing store and the light blue the proposed expansion. Mr. McCall confirmed that the north elevation drawings include the sign that is not in compliance and that the proposal includes awnings on that side. He clarified that the drawings indicate signs on alternating awnings but requested the application be amended to include signs on each awning, which is in compliance with the ordinance and within the square footage requirements. Mr. McCall agreed to remove the proposed banner signs. He acknowledged the existing sign is a face-lit white sign, which would be the preference for the additional requested signs. He stated that if that design were unacceptable, it would be changed to black lettering with halo lighting, which would conform with the sign criteria. He explained the preference for the current design stems from its visibility from the street and the entryway; the other sign is over the existing door. He explained that if two signs are not allowed, the preference is to keep the sign over the door. Mr. McCall noted that the adjacent tenant to the side will have its own sign, in addition to the Pottery Barn sign, and that the building could eventually sport five or more signs if the building were to be divided into small tenants.

Mr. McCall agreed with staff's opinion of the square awnings shown in the elevation drawing and assured the Commission the awnings will not be included in the project. He stated that the other sign shown in the elevation drawings is in compliance and would be of the same design as the one already discussed. He concluded by expressing his appreciation to the Planning staff for their efforts in working with him on this petition.

Questions from the Commission [6:13:05 PM](#)

Vice Chairperson Lloyd clarified that the proposal for the east elevation with the arch-topped windows does not include awnings; Mr. Call concurred, stating that the glass would not be restored glass but replacement glass. He referred the commissioners to the drawing of that elevation in the packets.

Commissioner Haymond inquired if the names on the awnings will reflect the style of the signs placed on the brick. Mr. McCall assured the Commission the two would be very similar with the same typeface and referred to sheet A503 for an example of the typeface. Commissioner

Haymond asked that Mr. McCall confirm the design and color of the signs for the awnings. Mr. McCall stated the letter will be white on black awnings.

Mr. McCall commented that the project wasn't presented to the Commission in January because there were concerns about it moving forward, which have now been resolved. He expressed hope that the Commission would approve the petition with any comments or conditions so that the development can proceed, indicating they would make whatever changes the Commission requested. Mr. McCall concluded by thanking the Commission.

Public Hearing [6:15:36 PM](#)

Chairperson Fitzgerald opened the case to a public hearing. No comments were made.

Executive Session [6:16:07 PM](#)

Commissioner Funk stated she supports requiring that the non-conforming sign be replaced with a sign which conforms to the original approval. She also expressed she had no objection to the request for two signs on the south elevation as long as the signs conform to the ordinance. Vice Chairperson Lloyd confirmed that the intent is to require the current sign with internal illumination be replaced with a halo sign.

Commissioner Oliver inquired if the proposed two signs are for the south or east elevation. Mr. Norris clarified that there is one sign on the south elevation, the existing non-conforming sign. He further explained that the Zoning Ordinance allows only one wall sign or blade sign per building frontage, so therefore the additional proposed sign is not allowed and cannot be approved by the Historic Landmark Commission. Additional signs would have to be approved by the Planning Commission. Commissioner Funk reiterated that the signs should be either halo or surface lighting.

Commissioner Hart requested clarification that the proposed white lettering on the black awnings would be in compliance with the sign code. Mr. Norris confirmed that the lettering on awnings is treated separately under the Zoning Ordinance and controlled by square footage and height of letters; the awnings will have to comply with those requirements.

MOTION [6:20:07 PM](#)

Commissioner Oliver moved that in the case of PLNHLC2008-00885 the Commission concur with the staff recommendations and approve the petition with the following conditions:

- 1. That all signs comply with Zoning Ordinance 21A.46.090.B;**
- 2. That all signs are illuminated by spot lighting, neon tube on the face of the sign, or by halo illumination;**
- 3. That the existing sign be illuminated in a manner that is consistent with how it was approved in 1997.**

Commissioner Bevans seconded the motion.

All voted in favor; the motion carried unanimously.

NEW BUSINESS [6:21:11 PM](#)

Petition PLNHLC2009-00021 – Boundary Adjustment, Map Amendment [6:21:16 PM](#)

A request by the Planning Commission for the Historic Landmark Commission to reconsider the boundaries of historic districts for clarification purposes. The project is a city-wide project. (Staff contact: Robin Zeigler, 535-7758, robin.zeigler@slcgov.com)

Staff Presentation [6:21:28 PM](#)

Ms. Zeigler noted that the proposed map amendment is essentially a clean up of district lines that left properties with split overlay zoning. She explained that when the historic districts were created, the lines were drawn a certain number of feet from the center of the street. While this created a tidy map, some properties that were intended to be included in the district were divided. She stated that the proposed amendment changes boundary lines to follow lot lines. All properties that are currently in a district will remain in the district, and, with a single exception, every property that is currently outside a district remains outside. She clarified that no property rights are being altered except those of four properties on Haxton Place.

Ms. Zeigler referenced the map included in the staff report, noting that Haxton Place is a dead end street. Four properties at the end of Haxton Place were not included in the historic district boundaries, consequently failing to adequately preserve the historic character of the street. She stated that the proposed amendment will incorporate those four properties into the historic district. Ms. Zeigler noted that the owners of these four properties were personally contacted by staff and had confirmed that they thought their lots were already part of the district; they have followed the guidelines on work completed on their properties. In response to an inquiry by Vice Chairperson Lloyd, Ms. Zeigler noted that all boundary properties had been verified with the original districting information and that the proposed changes comply with the original intent while resolving the unintended bisection of lots.

Questions by the Commission [6:24:11 PM](#)

None

Public Comments [6:24:17 PM](#)

Ms. Cromer expressed pleasure at seeing the proposed changes on Haxton Place. She noted that the 900 East property shown on the map in green with a blue line through it is a medical clinic; the Marianne Apartments around the corner are historic and tie in with the medical clinic parking. She stated that the building on the west corner of 900 East South Temple is very old despite its appearance because it has been progressively remodeled. Ms. Cromer inquired whether the proposal would have to go through a Planning Commission process. Mr. Paterson confirmed that the Historic Landmark Commission would make a recommendation to the Planning Commission, which would hold another public hearing before making a recommendation to the City Council, which has final decision-making authority.

Executive Session [6:26:17 PM](#)

Chairperson Fitzsimmons reiterated that the request is for the Historic Landmark Commission to forward a positive recommendation to the Planning Commission for a recommendation to the City Council.

MOTION [6:26:39 PM](#)

Commissioner Funk moved that in the case of Petition PLNHLC2009-00021 – Boundary Adjustment, Map Amendment the Historic Landmark Commission forward a positive recommendation to the Planning Commission to make a positive recommendation to the City Council to adopt the proposed map amendments as outlined in the staff report.

Commissioner Norie seconded the motion.

All voted in favor; the motion carried unanimously.

DISCUSSION [6:27:18 PM](#)

PLNHLC2009-00152 – Reservoir Park, Major Alterations [6:27:26 PM](#)

A request by the Salt Lake City Public Utilities Department for major alterations to the reservoir structure at Reservoir Park located at approximately 1319 East 100 South. Reservoir Park is located in both the South Temple and University Historic Districts. The request is to discuss potential demolition of the reservoir which is structurally unsound. The final design of the project has yet to be completed. As the design process progresses, the applicant will propose to retain, relocate or demolish the wall that fronts 1300 East and 100 South. The applicant proposes to fill and landscape the site. This item is scheduled for discussion only and no final decision will be made on this request by the Historic Landmark Commission during this meeting. The Commission may choose to open the item to public comments. Reservoir Park is zoned OS Open Space and is located in City Council District 4, represented by Council Member Luke Garrott. (Staff contact: Robin Zeigler, 535-7758, robin.zeigler@slcgov.com)

Staff Presentation [6:27:36 PM](#)

Ms. Zeigler noted that additional public comment not included in the staff report was provided to the Commission members prior to the meeting. She further clarified that no decision would be made on this petition during the meeting; the Commission would hold a discussion only at this time.

Ms. Zeigler stated that the portion of the park under discussion is the section of the actual reservoir which currently has a tennis court over it and a wall around it. She observed that Public Services was coming before the Commission at this time because the tennis court has become unsafe as a portion has collapsed. She stated that Public Services' intent was to secure and restore the area, converting it into a part of the park usable by the public. She referenced a photo in the staff report showing a utility box which is listing as a result of the structure collapse. Ms. Zeigler indicated that some changes had been proposed since the publication of the staff report and, for purposes of clarity, deferred to the applicant to discuss the project in greater detail.

Applicant Presentation [6:29:06 PM](#)

Tom Ward, Deputy Director of Public Utilities, introduced himself and Bob Sperling, Project Manager for the project. Mr. Ward recounted that Reservoir Park began being used to supply water to Salt Lake City in 1901. Due to changes in water standards, a lid was put on the reservoir in 1956. In the 1990s, the reservoir was taken out of service and the tennis courts topping it closed and restricted from public access due to concerns about structural integrity of the reservoir. In 1997 a consultant recommended a method of demolishing the reservoir and returning the area to park space. Mr. Ward noted that should the city require additional water supply in the future, changes in water pressure requirements would necessitate moving the reservoir to the higher grade in the northwest quadrant of the park; he reiterated this is not currently planned and not part of the current discussion.

Mr. Ward identified that the current issue focuses on the structurally unsound and unsafe facility located in that space. He observed that Public Utilities had previously identified the need to return the reservoir space to usable open space and that information received from Nancy Boskoff at the Art Barn regarding the collapse of the tennis court spurred them to move forward

on the project. He noted that the proposed project is expensive and had been delayed due to needed repairs on water mains.

Mr. Ward noted that the University of Utah is currently engaged in multiple construction projects and remarked that transfer of fill dirt from those sites to this project could significantly lessen both the cost of the project and the impact of heavy truck hauling through the neighborhood. He expressed Public Utilities' desire to engage the stakeholders, including the public, in their proposal and recognized that the wall around the reservoir has historical significance to the community. Mr. Ward emphasized that the project will maintain, restore, and protect the wall along 1300 East and will simply remove the collapsing concrete structure. He stated their intention to recycle the concrete in place and use dirt from the University projects to bring the fill level to a few feet below the existing grade of the tennis courts and then install sprinklers and turf grass or other similar materials to provide a usable space for the community.

Mr. Ward explained that the plans created in 1997 are being reviewed and adjusted to utilize the opportunity provided by the University projects. The University's project schedule indicates that earthmoving will begin this summer, potentially July 1. Mr. Ward offered additional information about the project, reiterating the desire to minimize the impact of the required heavy machinery on traffic, the park space, and neighborhoods. He noted that Mr. Sperling's preliminary discussions with contractors identified the need for access from 100 South for an estimated 3,000 trucks, the number of trucks needed to haul enough fill material for the reservoir, which has a capacity of 10-12 million gallons. He reiterated their intention to make every effort to minimize the impacts of the project and their desire to return this area to a space with benefit for the public.

Commissioner Lloyd requested clarification about the structural feasibility of the west wall. Mr. Ward confirmed that the wall was constructed prior to the roof being placed on the reservoir and clarified that the reservoir roof is structurally connected to a separate pony wall constructed independent from the historic wall. He acknowledged that there is some exposed rebar on the historic wall but stated they do not anticipate the wall will be damaged by the proposed project. Mr. Sperling added that the 1997 plans included retaining the existing wall, which is still their intent. Mr. Ward noted that discussions with Transportation, Parks, and planning staff have all included maintaining the current wall. He reiterated that the future use of the space would be determined by the city's Parks Division and the public, which might also include discussion about the wall, options for which are identified in the staff report. He also noted that in the unforeseen event that the reservoir were needed as a water source sometime in the future, the records will include their commitment to historic preservation of the original 1901 architectural and aesthetic elements.

Commissioner Haymond inquired whether the reservoir has been supplying water for anything downstream. Mr. Ward confirmed that it has been empty and out of service since the mid-1990s; he also confirmed the supply lines have been capped and closed. He explained that as part of the proposed project, the capped lines which currently terminate into the ground will be protected by small structures in harmony with the landscape.

Chairperson Fitzsimmons inquired as to the potential to improve the traffic site lines. Mr. Ward reiterated that alterations to anything except the reservoir is beyond the scope of their project authority; altering the site lines would involve removing the wall. Chairperson Fitzsimmons clarified that he was inquiring about the site lines along 100 South. Mr. Ward and Mr. Sterling committed to verify whether or not that could be included in the project. Mr. Ward noted that Public Utilities and the water department are an enterprise fund, which requires that all project

fund expenditures be directly related to their responsibility for the water supply and cannot extend to other improvements such as traffic flow, pedestrian accessibility, and park amenities.

Commissioner Bevans requested clarification of the proposed truck traffic flow. Mr. Sterling explained that the preference is to enter and exit to the north of the tennis courts. Commissioner Bevans asked if this would necessitate removal of trees. Mr. Sterling stated that would not be necessary but acknowledged there would be some damage to the grass, which would be replaced as part of the project. Mr. Ward added that the project contract would include severe penalties for impacting the trees and that project supervisors would be present to ensure the trees' well-being. He noted their intention is to utilize space within the reservoir as a staging area for the heavy equipment, and committed that, if it were not possible to do that, they will work with the Parks Division to set up a perimeter fence on the turf and then restore that area when the project is completed. Chairperson Fitzsimmons clarified that trucks would turn right into the north end of the reservoir, dump their loads, and then return to exit on the north. Mr. Ward confirmed that is the preference and stated that meetings are scheduled with Transportation to determine the best route.

Chairperson Fitzsimmons inquired to what degree demolishing the walls not along 1300 East would affect the site. Mr. Ward explained that the reservoir bowl walls are not straight, which will minimize the impacts to the adjacent areas. He noted they will avoid the trees to the east and north, as well as the historic wall and the road to the west. Their goal is to extend as little as possible beyond the limits of the reservoir.

Mr. Ward explained that Mr. Sterling's team would be updating a project write up that will be available on the Public Utilities website, including the traffic plan and timeline for construction, which is currently anticipated to begin July 1. Chairperson Fitzsimmons questioned if the applicant plans to return to the Commission in the next month or two in order to meet that start date. Mr. Ward stated that because they are not moving the historic wall, they did not anticipate needing additional approvals but that they would gladly return if needed. Chairperson Fitzsimmons asked Ms. Zeigler for her expectations on the next steps. Ms. Zeigler stated that the proposal to only fill the reservoir could be administratively improved, since there is no discussion about moving the historic wall, should the Commission determine that is appropriate.

Commissioner Lloyd stated that during the field trip they noted the sidewalk terminates along 1300 East at the wall. He inquired as to whether the sidewalk might be extended across the finished grade to maintain pedestrian access. Mr. Ward reiterated that the Parks Division would determine where any paths or sidewalks might go, noting that a pathway behind a wall does create some public safety concerns. He explained that Transportation's preference to move the wall back would allow for an extension of the pedestrian path along 1300 East.

Commissioner Lloyd asked how the finished grade of the renewal was established, as the proposal indicates it will be lowered several feet. Mr. Ward explained that the deck which supports the tennis courts is three to four feet in depth; the grade was chosen as a reasonable level. He stated there is some latitude in the final grade level based on what the Parks Division prefers.

Mr. Sterling and Mr. Ward concluded by mentioning that they were presenting project information the Greater Avenues Community Council meeting directly following the Commission meeting and that they also intend to meet with Ms. Hunter's University group [University Neighborhood Committee of the East Central Community Council] as part of their community outreach efforts.

Public Comments [6:45:58 PM](#)

Chairperson Fitzsimmons invited Esther Hunter to address the Commission.

Ms. Hunter stated that she has extensive personal knowledge of the park and confirmed her intention to provide additional photographs of the park from her family's library. She emphasized the significance of the park and its location in the historic district. She referred the Commission to the National Register nomination for the district, page 8 of 15, which identifies the reservoir as one of the first constructed to serve the city population and a prominent visual landmark for the neighborhood historic district. It further classifies the reservoir as a unique example of this type of urban design element in the city. Ms. Hunter affirmed her belief that the city has not yet come to accept the historic value of parks and the structures, trees, and other elements they contain, despite the National Trust's recognition of their importance. She stated that the city operates from the National Trust's 1990 guidelines, which have been revised to include a residential component with initiatives to protect landscapes. She expressed concern that the city attempts to apply simple standards to preservation efforts for ease of convenience and lack of time when what is needed is a return to the origins of that which is being preserved in order ensure key elements of place and time are saved.

Ms. Hunter stated that the University has 44 anticipated construction projects during the upcoming year from which fill dirt could be obtained. She stressed that while safety is a top priority, additional study and work is needed before moving forward on the project. She raised several questions she believes need answered, such as who designed and constructed the reservoir wall, how it was constructed, how else the space could be utilized, and what standards will actually be applied. She conceded that current standards have been applied but noted that if a house demolition were being presented to the Commission, standards specific to the impact of that action and time to evaluate full reuse plans would be utilized. She asserted that a similar process is needed for not only parks but for all city-owned property, noting that processes for privately-owned property require not a community outreach effort but advance participation with and formal noticing to the community councils. She expressed her belief that this project should involve a review and approval of the full plans, including engineering view and reuse plans. She concluded by expressing that the site has been chained off for a long time and that additional steps could secure the property sufficiently to allow these questions to be answered.

Chairperson Fitzsimmons invited Mary Bishop to address the Commission.

Ms. Bishop acknowledged that, like Ms. Hunter, she has lifetime memories of the park. She queried what remains if the reservoir is taken from Reservoir Park, wondering if the project simply provided a convenient place to dump the dirt excavated by the University. She stated that the project had not been taken to any community council and was being presented as a 'done deal,' noting that she originally understood the wall would be removed which disturbed her as it is a beautiful wall. She strongly urged the Commission and others involved to follow the appropriate process to avoid another problem like the tennis bubble [in Liberty Park]. She affirmed there is plenty of time for a thorough review and discounted the idea that anyone would be accessing the collapsing tennis courts. She concluded by thanking the Commission for hearing her concerns.

Chairperson Fitzsimmons invited Robert Bliss to address the Commission.

Mr. Bliss asserted that he and his wife live at 28 University Street, which provides a wonderful view over Reservoir Park. He reminisced about many pleasant hours playing tennis on the courts and expressed his regrets about their needing to be closed. He asserted his support for

the previous comments requesting a more thorough review of the project and what might be done. He acknowledged confusion about what city department would be responsible for the redesign. He emphasized that the issue of the blind corner on 1300 East is an issue no one has discussed and maintained that it is a constant wreckage problem. He suggested that despite the historic aspect of the wall, it could perhaps be shortened to alleviate the traffic problems it causes. He concluded by strongly advising the postponement of the project to allow sufficient time to study how it can be developed as a continuing, landscaped, open space for the city.

Chairperson Fitzsimmons invited Cindy Cromer to address the Commission.

Ms. Cromer maintained that without the intervention of the Commission, the project would have gone forward with no public process because the problem would have simply been repaired. She complimented Public Utilities as one of the most excellent departments in the city which fulfills their mission to ensure water is available when the taps are turned. She identified two items of relevance, the first being that legislation is now in the City Council Office proposing a new Parks Board, which she anticipates will have oversight of projects like this proposal. However, until that time, the Historic Landmark Commission is the only governing authority and that only because the project site is located in a historic district. Secondly, she noted the excavation of dirt from what is now the Rice-Eccles stadium was hauled to Liberty Park to create berms she identified as unnatural and artificial. She expressed unease about the fill height of the proposed project and whether it will harmonize naturally with the rest of the park, as well as that the wall might appear to be a retaining wall.

Ms. Cromer stressed that she has very strong and well-founded concerns about soil compaction in the proposed staging area north of the actual site where trucks would come off the streets with heavy loads, which would affect tree roots and the growth of any future plantings. She expressed unease about vibrations in the reservoir itself caused by the demolition work and their impact on the surrounding historic homes, noting that homes in historic districts have been damaged by construction projects. She recommended that this aspect of the project be considered more fully. She also noted there is a fault line somewhere in the project area.

Ms. Cromer advised that a plan regarding access to this portion of the park both during and after construction is needed, as access from the Art Barn parking lot is limited and inconvenient. Without ways for the public to access and utilize the space it will not be useful. She admitted to being less than enthused about the area being landscaped with grass without an end use plan that warrants grass, which requires large amounts of water to maintain.

Ms. Cromer concluded by recommending that the Commission require as part of the project the inclusion of some type of plaque with educational illustration about the reservoir itself, highlighting the historical value of the reservoir and its engineering.

Executive Session [7:00:12 PM](#)

Chairperson Fitzsimmons reiterated that the Commission was not being asked to make a decision on the reservoir proposal at this time but had been encouraged earlier in the meeting to write letters representing their viewpoints. He submitted that, if the Commission were desirous of formulating a recommendation regarding the disposition of the park, a letter summarizing their position could be written.

Ms. Zeigler clarified that the intent of this presentation by Public Utilities was to seek feedback from the Commission in order to prepare the best application possible that meets the design guidelines of the ordinance and not to request a decision at this time.

Commissioner Funk queried whether the petitioner intended to return for a decision or was seeking an administrative approval. Ms. Zeigler explained that just filling in the reservoir could be approved administratively but that the Commission may opt not to do so based on the controversial nature of the petition. She confirmed that although any changes would require a Certificate of Appropriateness, no such approvals were being sought at this meeting. Chairperson Fitzsimmons invited the petitioner to return to the podium for clarification.

Mr. Ward confirmed that receiving feedback from the community and the Commission was the purpose of his presence in this meeting. He verified his understanding that the wall is of historical significance and expressed the desire to receive public comments regarding the site regardless of whether or not they apply directly to the proposed project. He reiterated that the future purpose and use of the site will be determined by the Parks Division. Public Utilities appreciates the public safety issue of the collapsing structure, which adds urgency to their project. He recognized the importance of preserving the wall but distinguished that from a historical reconstruction of the actual reservoir, reiterating his earlier statement that the site no longer meets the requirements of the water system. Mr. Ward repeated that determining whether the site would have turf grass or other amenities is not part of the project and is outside the scope of Public Utilities. He expressed appreciation of the comments regarding future use but emphasized the purpose of this meeting is to assure the Commission the wall would not be impacted by the proposed project.

Mr. Ward addressed the earlier query about what process would be used to determine the site's future use and who would participate in that project, stating that those issues would be the responsibility of the Parks Division, which has no current funding for alterations to Reservoir Park. Public Utilities will restore the area to a minimum level of service but has no purview for additional alterations. Mr. Ward assured the Commission that Public Utilities is eager to entertain suggestions for other landscaping that could be provided instead of sprinklers and turf with the understanding that the costs cannot exceed those allowed for sprinklers and turf. Mr. Ward underscored the expediency of progressing with the project to ensure public safety, noting that recent efforts to further secure the site revealed that kids had scaled the outer fence in order to access the collapsing area. He emphasized that it cannot be left as it is, unwilling to accept the possibility that someone might be injured because of delays in determining how to proceed. He assured the Commission that Public Utilities is committed to ensuring that their project will not preclude any future decision of the community about other uses for the site.

Addressing some of the public comments, Mr. Ward reiterated that solutions will be sought regarding the blind corner on 1300 East that do not impact the wall but stressed that the constraints of this project do not extend to resolving that issue. He noted the concerns expressed about the aesthetics of the fill grade and assured the Commission that the final level could be flat or slightly sloped as determined by the Parks Division. Mr. Ward acknowledged the validity of concerns about soil compaction; he assured the Commission of careful coordination between the construction engineers and demolition experts to minimize compaction activity. He explained that construction codes requirements necessitating a certain degree of compaction must be juxtaposed against the sensitivity of nearby historic structures. He assured the Commission that every effort will be made to achieve satisfactory outcomes on both sides.

Mr. Ward confirmed that there is a fault line that runs through the site, which underscores the need to address this issue before it becomes an even greater attractive nuisance. Mr. Sterling

also noted that an educational plaque such as that suggested by Ms. Cromer has been identified as an important part of the project.

Commissioner Oliver asked about the potential for ensuring the seismic stability of the wall while it is open and visible during the project. Mr. Ward assured her that some of the most sound structures are those that are older and made of concrete and steel. Commissioner Oliver queried whether additional reinforcements to the wall might be needed, noting that the wall is not currently under stress but will be as it again functions as a retaining wall, holding back earth rather than water. Mr. Ward conceded there has not yet been study of the wall's seismic stability but assured the Commission that the project consultant is tasked with having structural engineers review how to remove the reservoir and maintain the wall's stability during and after the project. He acknowledged that the stabilization of the wall may require stabilizing underpinning or other reinforcements. Commissioner Oliver noted that in her experience working with historic structures and structural engineers, it is possible to get any answer from anyone and suggested that Public Utilities utilize someone with expertise in historic structures. Mr. Ward assured her that the structural engineer will also provide ongoing observation and support to prevent damages.

Commissioner Bevan inquired if the reservoir is lined. Mr. Ward responded that it is concrete.

Vice Chairperson Lloyd expressed that the Commission views the wall as a historic element and the park as a historic landscape. He recognized the need to speedily address safety issues but recommended that the timing is ideal to look beyond simple reuse plans to consider and do the design work for the potential of this open space on a historic site, regardless of the limited funding available for the Public Utilities portion of the project. He cautioned that nothing should be done that might be regretted in the future, including making assumptions about the elevation grade and reuse plans. Vice Chairperson Lloyd urged that options for the open space use and design be considered, stating that while safety issues require the project move forward there should also be discussion about how this park will be used five, ten, and twenty years into the future.

Commissioner Oliver agreed with Vice Chairperson Lloyd, asserting that some type of master plan for the park, even as a preliminary outline, be considered so that the Public Utilities project does not constrain future options for the Parks Division. She noted that pedestrian access is vital and suggested alternative ways to interpret the area as a reservoir, such as grade changes that identify contours of the reservoir, landscaping, etc. She concluded that maintaining the grade as low as possible would allow for greater flexibility in the future. She requested again that discussions with the Parks Division incorporate public comment generated by this proposal to shape a preliminary master plan for the park and for the site.

Commissioner Funk emphasized that this proposal should not be administratively approved but should be reheard by the Commission. She expressed support for the idea of a master plan for the park. She maintained that the site can be secured sufficiently until a master plan is in place. She stated that the current plans do not have enough detail to approve proceeding with the project.

Commissioner Hart reiterated what Commissioner Funk stated regarding the need for the proposal to be reheard by the Commission and not approved administratively. She noted that three of the four citizens who spoke in the meeting addressed the reservoir, while those who drive by tend to forget the reservoir and only note the wall. She strongly urged the Commission

to visit the park, walk the reservoir site, and acknowledge it as a historic resource in the park before a decision is made to fill it in.

Commissioner Funk added that parking is another issue that needs to be addressed so that the park is more usable. She noted that surrounding street surfaces are filled with University students and that the Art Barn has insufficient parking for its exhibits. She stressed she is not in favor of using the site as a parking lot but that parking needs should be incorporated into a master plan that addresses all of the uses and needs of the park, reiterating that such a plan should be in place before anything moves forward.

Commissioner Hart restated the need for the Commission to get out on the physical site and consider the reservoir as part of the park before making any decisions.

Commissioner Bevans noted that he lives near the park and considers himself a moderate user. He recognized that the tennis court area has been a hazard and an eyesore for a number of years. He identified two key issues at hand: getting rid of the attractive nuisance and providing flexibility for future use. He stated that many different ideas have been proposed for the area over the years, which emphasizes the need for long-term planning.

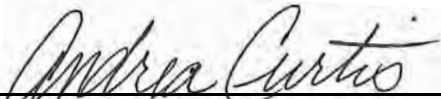
Mr. Ward and Mr. Sperling thanked the Commission for their input and affirmed they will work with Planning staff on the next steps.

Chairperson Fitzsimmons noted that this concluded the business of this meeting; the next meeting will be held on April 1, 2009.

Vice Chairperson Lloyd made a motion to adjourn. [7:19:40 PM](#)

Commissioner Oliver seconded the motion.

All voted "Aye". The meeting adjourned.



Andrea Curtis, Acting Historic Landmark Commission Secretary