

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 326, 451 South State Street
December 1, 2010**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on December 1, 2010.

Historic Landmark Commission Meetings are also televised on SLCTV 17. Archived video of this meeting can be found at the following link listed under, "Historic Landmark Commission and RDA":
http://www.slctv.com/vid_demand.htm,

A regular meeting of the Historic Landmark Commission was held on December 1, 2010, at [5:59:59 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 Bill Davis, Sheleigh Harding, Polly Hart, Creed Haymond, Chairperson Warren Lloyd, Vice Chairperson Anne Oliver and Commissioner Dave Richards. Commissioners Earle Bevins, III and Arla Funk were excused from the meeting.

Planning staff present for the meeting were: Carl Leith, Senior Planner; Janice Lew, Senior Planner; Michael Maloy, Principal Planner; Ray Milliner, Principal Planner; Paul Nielson, City Attorney; Maryann Pickering, Principal Planner; Joel Paterson, Planning Manager and Cecily Zuck, Commission Secretary.

FIELD TRIP 4:00 PM

Field trip notes are on file in the Planning Division Office. The Commission visited sites on the agenda in the following order:

PLHHLC2010-00678, King Garage: Staff described the proposed project. The Commission inquired about the reason for requesting additional height.

PLNHLC2010-00567, Larson Fence: Staff described the proposal. The Commission asked no questions.

PLNHLC2010-00267, Keyes Fence and Wall: Staff described the proposed project and described options for Commission action. The Commission inquired about the storage of garbage cans in the public right of way and the cut out in the wall. The Commission also asked about grade changes and the possibility of requesting the wall be stepped.

PLNHLC2010-00611, Shop n Go Indian Groceries: Staff described the proposed project. The Commission asked about the purpose of the internally lighted awning and the use of a vinyl awning.

PLNHLC2010-00645, Tracy Aviary: Staff described the project. The Commission inquired about the trees that would be removed and existing guidelines for landscaping and site features.

DINNER AND WORK SESSION [5:24:35 PM](#)

Mr. Paterson noted the Commission had made several motions during the hearing on November 3, 2010 regarding the Yalecrest Local Historic District Designation. He noted staff was concerned there was a lack of findings present in the Commission's recent motions and wished to propose a recall of a motion from that hearing to include specific findings. Mr. Paterson stated staff had pulled some of the most pertinent findings from the staff reports on the item and had included them in the document before the

Commission. Mr. Paterson noted it was not required that the Commission recall the motion; however, staff felt it would be an appropriate action.

Chairperson Lloyd stated that during the recent LUAB appeal of the Trudell/Thompson case, it was apparent the Commission needed to make defensible findings which referenced the Design Guidelines and the Commission's discussion.

Commissioner Richards inquired what LUAB had taken issue with.

Chairperson Lloyd noted the issue seemed to be what LUAB could not find; a more consistent basis for the decision, a link in the discussion or findings which tied into the Design Guidelines.

Commissioner Harding concurred with Chairperson Lloyd and noted the original appeal had not included a transcript of the HLC proceedings.

Mr. Nielson noted that the latest appeal had included a transcript and it still seemed to LUAB that neither the staff report nor the Commission in their motion presented substantive enough findings for a denial.

Commissioner Harding noted it also seemed LUAB simply did not understand the decision of the Commission.

Mr. Nielson noted the HLC motion which had been appealed included the language, "to the trained eye" when describing the inappropriateness of internal muntins. He stated LUAB found that, "to the trained eye" was not a defensible or appropriate standard within the ordinance or Design Guidelines.

Commissioner Richards noted that "muntin" was an architectural term many people might not understand the significance of. He inquired if the Commission needed to better explain architectural terms and their significance.

Mr. Nielson noted he did not feel this was necessary; the two issues seemed to be that the ordinance contained no standard for, "to the trained eye" and that there could never be such a standard as it would be considered extremely difficult to quantify.

Chairperson Lloyd noted his perception that likely eighty percent of the guidelines were not appropriate in that particular case and inquired how the Commission could focus on relevant findings in such cases. He noted that the document in front of them seemed to include such findings for the Yalecrest item.

Commissioner Harding noted she did not agree the last item suggested should be included in the recall.

Mr. Nielson stated that the Commission would be voting on the minutes and the recall would not change the decision.

Commissioner Harding stated she did not feel the last item would support the noted motion.

Mr. Paterson noted the decision was that of the Commission and the Commission did not need to include every item listed if they did not wish to do so.

Mr. Nielson stated the Commission's decision was not appealable; as it was a recommendation only, any appeal would arise from the final decision made by City Council. He did note, however, that it would be useful to create a clean and defensible record.

The Commission further discussed the recall of the motion, particularly which motion to recall.

Mr. Paterson noted that staff recommended the recall of Commissioner Hart's motion from that evening which forwarded the recommendation on the application created in the motion made by Commissioner Davis.

Commissioner Hart noted she was willing to clarify her motion if the Attorney's Office felt it would lead to a stronger record and the Commission was comfortable with that action.

Mr. Nielson reiterated that any legal challenge or appeal would arise from City Council's decision. He stated that any action the Commission could take to assist in constructing a sound decision for the Council would be helpful.

Commissioner Davis inquired if the Commission could recall a motion that had been made previously.

Mr. Paterson noted that according to their policies the Commission could do so only prior to adopting their minutes, motions could not be recalled after the minutes were adopted.

Mr. Paterson noted it was time to move upstairs for the remainder of the meeting.

Chairperson Lloyd was excused from the meeting at this time. [5:52:24 PM](#)

The Commission moved upstairs to Room 315 to continue the meeting's agenda.

APPROVAL OF THE MINUTES from November 3, 2010 [6:01:17 PM](#)

Commissioner Hart made a motion to recall her motion from November 3, 2010 on the Yalecrest Local Historic District Designation for the purpose of clarification:

The November 3rd motion in question is noted as follows on pages 14 and 15 in the original minutes:

In the case of the Yalecrest Local Historic District Designation, Commissioner Hart made a motion on the petition created by the Commission, to forward a positive recommendation to create a local historic district based upon the same boundaries as the National Register District, based upon the strong recommendations within the surveys; that most of the buildings with the District are contributory and merit being included in a district and are stylistically cohesive.

Ms. Coffey asked Commissioner Hart to note findings that the district meets outlined criteria.

Commissioner Hart amended her motion to state that the entire district meets the criteria for a local historic district.

Commissioner Haymond seconded the amended motion.

Commissioner Hart clarified the Commission was making a positive recommendation as the application met all of the required criteria.

Discussion of the Motion [9:27:14 PM](#)

Commissioner Davis inquired if they should include within the motion initiating the creation of guidelines for the Yalecrest neighborhood.

Ms. Coffey noted that the Commission could create a distinct motion for that issue, and not further confuse the current motion.

Chairperson Lloyd called for a vote on the current motion.

Commissioners Davis, Hart, Haymond and Richards voted, "Aye". Commissioners Funk and Harding voted, "Nay". The motion carries 4-2.

Commissioner Hart noted that the motion was based upon the analysis and findings in the staff reports of October 20, 2010 and November 3, 2010, in particular the following considerations and findings:

- 1. This is the complete National Register Historic District which was well documented in the 2005 Survey and the 2007 NR Nomination, in accordance with national practice, methodology and criteria. The proportion of contributing buildings is recorded as being 91% of the district.**
- 2. Boundaries for the NR District have also been defined as meeting the national standards and consequently would meet the City standards for selection of a LHD and its boundaries.**
- 3. The distribution of contributing buildings within these boundaries is thought to be relatively evenly distributed within the boundaries. There are no obvious concentrations of non contributing buildings.**
- 4. Some of the houses were constructed in the later years of the historical sequence up to 1955 and are less readily perceived, in comments received, as historic or of architectural interest.**
- 5. Later architectural styles are characteristically simpler in architectural form, detail and materials, and are obviously more recent. At the same time they are part of the historical sequence of the development of the neighborhood.**
- 6. Post 1940 buildings appear to concentrate at the south east corner of the district, particularly within the Colonial Heights Subdivision, and Hillside Park Subdivision as it approaches 1300 South. Colonial Heights is at the same time one of the earliest plats in the neighborhood.**

Commissioner Haymond seconded the amendments to the recalled motion.

Commissioners Davis, Hart, Haymond and Richards all voted, "Aye". Commissioner Harding voted, "Nay". The recalled motion stands amended, 4-1.

Commissioner Hart moved to approve the minutes from November 3, 2010 as corrected. Commissioner Harding seconded the motion. Commissioners Davis, Hart, Harding, Haymond and Richards all voted, "Aye". The minutes stand approved.

REPORT OF THE CHAIR AND VICE CHAIR [6:08:27 PM](#)

Chairperson Lloyd was not present.

Acting Chairperson Oliver noted she had nothing to report.

PUBLIC COMMENTS [6:08:41 PM](#)

Cindy Cromer, 816 East 100 South, invited the Commission to a reception celebrating the reopening of the renovated Taylor Springs Apartments. She stated that the Commission should see what had happened to the Stanley Taylor home, as it had survived a rezoning and planned

development application, had been renovated and now looked wonderful. Ms. Cromer stated she would also like to see the Commission's awards program reinstated.

Seeing no one else present to comment on any item not on the evening's agenda, Acting Chairperson Oliver moved to the public hearings portion of the meeting.

PUBLIC HEARINGS [6:11:35 PM](#)

PLNHLC2010-00267 – Keyes Fence & Retaining Wall – a request by Brett Keyes for a Certificate of Appropriateness to retroactively approve the fence and retaining wall installed in the front yard of the property located at approximately 233 4th Avenue in the Avenues Historic District. The property is located in the SR-1A, Special Development Pattern Residential Zoning District in Council District 3, represented by Council Member Stan Penfold. (Staff Contact: Michael Maloy at (801) 535-7118 or michael.maloy@slcgov.com .)

Acting Chairperson recognized Michael Maloy as staff representative.

Michael Maloy introduced planning intern Josh Beech to present the petition.

Staff Presentation [6:12:05 PM](#)

Mr. Beech reviewed the site plan. He noted the proposal was for legalization of the existing retaining wall and cedar fence. Mr. Beech stated the existing retaining wall included a notch in the front for the owner's recycling and waste cans which impacted the public way. He noted the retaining wall had also incorporated a grade change to the subject property. Mr. Beech stated that the cedar fence in the front of the home was four feet tall. He reviewed photos of the existing fence and wall for the Commission. Mr. Beech stated that while other retaining walls existed on the block face, most were cobblestone inlaid or included some type of stone or concrete cap.

Questions from the Commission [6:16:51 PM](#)

There were no questions from the Commission.

Applicant Presentation [6:17:15 PM](#)

Brett Keyes was present as the applicant. Mr. Keyes noted he was not attached to the fence itself, but needed a way to retain his dog in his yard. Mr. Keyes stated that ultimately, he would like to install a wrought iron fence at the location, but required a temporary, less expensive alternative in the interim. Mr. Keyes noted the wall had been installed without a permit, but hoped the Commission could suggest options for mitigating its perceived effect upon the neighborhood without requiring a complete demolition. He stated he would defer to any questions or comments from the Commission.

Questions from the Commission

There were no questions from the Commission.

Public Comments [6:23:24 PM](#)

Acting Chairperson Oliver noted the Commissioners had all received copy of a letter from the Greater Avenues Community Council Chair which raised issue with the material of the retaining wall and the resulting change in the grade of the property. That letter is included with the record of these minutes.

Seeing no one present from the public to speak to the item, Acting Chairperson Oliver moved to executive session.

Executive Session [6:24:13 PM](#)

Commissioner Harding noted staff's recommendation was the application should be altered to meet the applicable guidelines and this seemed vague.

Acting Chairperson Oliver noted it was her understanding, according to discussion during the field trip, that tabling the petition was not the preferred action for the Commission to take.

Commissioner Haymond inquired what would happen if the Commission denied the request.

Acting Chairperson Oliver noted that the applicant could either appeal the decision or work with staff to suggest an alternate solution.

Commissioner Haymond stated that he would prefer the applicant be allowed to work with staff to mitigate the impact of the project on the neighborhood.

Commissioner Richards noted he disagreed with staff in part regarding the inappropriateness of the fence. He stated he believed it actually complied with the Design Guidelines for Fences, particularly standards 1.3 and 1.4.

Commissioners Harding, Haymond and Hart concurred with Commissioner Richards' assessment.

Commissioner Richards noted that the retaining wall, however, had altered the grade of the site significantly. He stated he believed it could be enhanced in some way to mitigate the perceived impact.

Commissioner Harding inquired how Commissioner Richards felt the impact of the wall could be mitigated.

Commissioner Richards noted a stone cap could be put into place. He stated the wall could also be faced with cut cobblestones, but it would likely look artificial and therefore be self-defeating.

Commissioner Hart noted as the streetscape progressed from west to east, retaining walls began as all cobblestones but began to lose that quality further into the block. She noted that there were other retaining walls on the block that contained only caps and piers with cobblestones.

Commissioner Richards noted a pre-cast cap might be available in such a finish. He stated that the Commission might delegate such a review to staff.

The Commission briefly discussed the issue of the utility cans in the public way.

Acting Chairperson Oliver noted she believed the fence was actually more important than the wall, as it was more modern and did not believe it met standard 1.4. She stated that she would like to see a more appropriate fence.

Mr. Paterson stated that the guidelines also typically requested front yard fences built within the historic district to be between 24 and 36 inches and the fence in question was 48 inches or four feet tall.

Acting Chairperson Oliver noted that she did not take as much issue with the retaining wall as it was concrete, a material typically used for retaining walls within local historic districts. Chairperson Oliver stated that using cobblestones on a new retaining wall might also be considered inappropriate as she believed the area to the immediate west of the site was once called, "Cobble Hill", and those properties had been developed simultaneously. She noted, therefore, incorporating cobblestones might create a false sense of history as well.

Commissioner Haymond noted that vegetation could alternately help to soften the wall. Commissioner Haymond noted that he would suggest the Commission continue the item and allow staff to work with the applicant to return with an alternate proposal.

Mr. Paterson inquired if the Commission could provide more guidance to that end.

Commissioner Hart noted that this would require agreement from the Commission and it seemed the Commission was not in agreement. She stated that she did not feel the placement of a cobblestone cap would create a false sense of history.

Commissioner Davis stated that he concurred with Commissioner Oliver in that the retaining wall was less an issue than the fence. He stated he would encourage a more see-through fence.

Commissioner Harding noted she did not take issue with the fence as it seemed a modern interpretation of a traditional fence and was certainly in a traditional material.

Commissioner Hart stated she would prefer a fence with more transparency.

Acting Chairperson Oliver stated there at least seemed to be an agreement among the Commission regarding the treatment of the retaining wall.

Mr. Paterson noted the Commission could decide on one item and table the other.

Commissioner Haymond inquired if the applicant might remove some of the slats in the fence and retain the current fence in place.

Commissioner Hart noted it might be better to defer the issue of the fence to staff.

Acting Chairperson Oliver reminded the Commission that the fence was also over height in comparison to other fences in the district.

The Commission invited Mr. Keyes back to elaborate upon the fence's construction.

Mr. Keyes noted that the front anchor posts had not been replaced and the height of the new fence had not changed from that of the original. He noted he would install a wrought iron fence if required. He stated he could also take down the rear slats of the current fence to provide more transparency if required.

Motion [6:46:53 PM](#)

In the case of Petition PLNHLC2010-00267, Commissioner Harding moved to approve the application in accordance with the following conditions; that the applicant remove the slats in the rear of the fence to create a more transparent quality and that the applicant work with staff to find a cap for the wall that would be acceptable with staff along the lines discussed during the public hearing.

Commissioner Hart seconded the motion.

There was no discussion of the motion.

Commissioners Davis, Harding, Hart, Haymond and Richards all voted, “Aye”. The motion carries unanimously.

PLNHLC2010-00567 – Larson Fence – a request by Shane Larson for a Certificate of Appropriateness to retroactively approve the fence installed located at approximately 391 North Wall Street in the Capitol Hill Historic District. The applicant is seeking retroactive approval for a portion of the fence already built and approval to continue to building the fence along the property line. The subject property is located in an SR-1A (Special Development Pattern Residential) zoning district in Council District 3, represented by Council Member Stan Penfold. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com).

Staff Presentation [6:48:40 PM](#)

Ms. Pickering noted that the applicant sought to legalize the existing fence and obtain approval to continue construction of the same fence. She stated the home was considered to be a contributing structure within the Capitol Hill Historic District. Ms. Pickering noted that the subject fence did not comply with the Design Guidelines or Policy Document of the Commission. She stated staff recommended denial of the request.

Questions from the Commission [6:49:58 PM](#)

There were no questions from the Commission.

Applicant Presentation [6:50:12 PM](#)

Shane Larson was present as the applicant. He noted his intent was to continue the fence in replacing the old fence and secure the rear yard of the property. Mr. Larson stated that his home was in a corner side yard in an area with a fair amount of traffic and was across the street from a larger apartment complex. He noted that he was not opposed to changing the materials of the fence if required, but hoped to maintain some privacy in his yard.

Questions from the Commission [6:51:50 PM](#)

Commissioner Haymond inquired what Mr. Larson had meant by suggesting he would change the fence.

Mr. Larson noted he would move forward based upon the decision of the Commission.

Commissioner Haymond stated he thought it was a beautiful fence, but not appropriate for the district.

Public Comments [6:52:38 PM](#)

Seeing no one present to speak on the item, Acting Chairperson Oliver moved the item to executive session.

Executive Session [6:52:45 PM](#)

Commissioner Harding noted she concurred with Commissioner Haymond. She stated that while the fence was lovely, she did not believe there was anything the Commission could do to change the fence that would make it appropriate for the district.

Commissioner Richards inquired if there were precedents for corner side yards regarding alternate materials other than composites such as Trex which had been approved in the past.

Acting Chairperson Oliver noted that there were not, however, there had been leniency granted in the past in regards to transparency. She stated she would suggest that the Commission allow the same leniency regarding transparency in this case.

Commissioner Richards stated he believed the Commission should be more lenient on corner side yards in general as it was more difficult for an owner to utilize such a lot for personal use.

Commissioner Hart stated that she concurred with Commissioner Richards regarding transparency, however, the design and materials of the fence were in stark contrast to its surroundings.

Acting Chairperson Oliver noted the Commission could entertain a motion at any time.

Motion [6:56:57 PM](#)

In the case of Petition PLNHLC2010-00567, the Larson Fence Replacement, Commissioner Harding moved to deny the petition based upon the findings and analysis of the staff report.

Commissioner Haymond seconded the motion.

There was no discussion to the motion.

Commissioners Davis, Harding, Hart and Haymond voted, “Aye”. Commissioner Richards voted “Nay”. The motion carries, 4-1.

PLNHLC2010-00678 – King Garage – a request by Robert King, represented by Tom Buese, to allow additional building and wall height for an accessory structure on the property located at approximately 711 North 200 West in the Capitol Hill Historic District. The proposed overall height of the accessory structure is 16 feet and 11 inches with a wall height of 10 feet. The maximum allowed overall height is 14 feet and the maximum wall height allowed is 9 feet. The property is zoned SR-1A, Special Development Pattern Residential District in City Council District 3, represented by Council Member Stan Penfold. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com).

Commissioner Hart disclosed her work with Mr. King on the Capitol Hill Community Council. She noted her belief that she would not gain anything personal or financial from the decision and could remain impartial on the matter

Commissioner Richards disclosed he was a long time friend of Mr. Buese, the architect, however, he felt he could remain impartial.

There was no objection to the continued participation of either Commissioner from the Commission as a whole.

Staff Presentation [7:00:17 PM](#)

Ms. Pickering presented an overview the project noting the proposed garage met all the Ordinance standards and applicable Design Guidelines except for the requested height of 16 feet 11 inches for the roof and nine feet for the walls. Ms. Pickering noted that the additional height had been requested to incorporate attic storage into the garage design. She stated staff found the proposal complied with several key components of the Design Guidelines and the Commission's Policy Document and staff therefore recommended approval of the project.

Questions from the Commission [7:01:46 PM](#)

There were no questions for staff from the Commission.

Applicant Presentation [7:02:07 PM](#)

Tom Buese, the project architect, noted he had nothing to add but would be happy to answer any questions from the Commission.

Questions from the Commission [7:02:30 PM](#)

Commissioner Richards inquired what the impetus for the additional height had been.

Mr. Buese stated that there was a two story garage behind the King's lot and the intent was to allow enough height to allow the roof enough sunlight to melt the winter snow load as well as allow room for an internal overhead storage space.

Public Comments [7:04:01 PM](#)

Noting no one present to speak to the item, Acting Chairperson Oliver moved the item to executive session.

Executive Session [7:04:09 PM](#)

Commissioner Hart stated that given the garage next door was easily one and a half stories and the proposed garage would be at a lower grade and height than the home itself; she had no issue with the application.

Commissioners Harding and Haymond concurred.

Motion [7:05:07 PM](#)

In the case of petition PLNHLC2010-00678, Commissioner Hart moved to approve the application based upon the analysis and findings in the staff report.

Commissioner Harding seconded the motion.

There was no discussion of the motion.

Commissioners Davis, Harding, Hart, Haymond and Richards all voted, “Aye”. The motion carries unanimously.

PLNHLC2010-00611 – Shop n Go Indian Groceries – a request by Neah Parmar, represented by John Hubych of Intermountain Signs for approval of an internally illuminated awning sign for a new grocery store business located at approximately 577 East 300 South in the Central City Historic District. The subject property is located in an RMF-35 (Moderate Density Multi-Family District) zoning district in Council District 4, represented by Council Member Luke Garrott. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com).

Staff Presentation [7:06:41 PM](#)

Ms. Pickering reviewed the request. She noted the awning canopy was proposed to have the name of the business on either end and two statements of goods available for purchase at the store. She noted that the design of the proposed sign was modern in material and design and would be illuminated internally. Ms. Pickering stated that the sign met all standards of the Commercial Neighborhood Zoning District, but staff felt the proposal did not meet the intent of the Design Guidelines or the Policy Document, particularly Standard 13.33. She indicated that surrounding commercial signage was comprised primarily of flat panel lettering and was not internally illuminated, but rather lit by alternate means such as directional lamps. Ms. Pickering stated staff recommended denial of the proposed sign.

Questions from the Commission [7:09:23 PM](#)

Commissioner Haymond inquired if the sign would be illuminated 24 hours a day.

Ms. Pickering noted that the applicant could clarify for the Commission.

Commissioner Richards inquired how the awning would be illuminated.

Ms. Pickering noted she was not certain; however, noted that John Hubych was present from Intermountain Signs and could clarify for the Commission.

Commissioner Harding inquired if staff had provided an alternate recommendation regarding appropriate signage.

Ms. Pickering stated that when initially discussing the project, staff had suggested the use of individual cut letters placed on the building, which could be illuminated non-internally.

Commissioner Harding stated that the letters could therefore, still be quite large, but provide a more low-key sign as requested in the Design Guidelines.

Commissioner Hart noted the building would soon be eligible to be considered a contributory structure and inquired if individual letters would do more damage to the exterior of the building than the awning.

Ms. Pickering noted it was possible individual letters might do more damage.

Applicant Presentation [7:12:41 PM](#)

John Hubych, the applicant's representative, noted that the greatest challenge of the site lay in transformation of the existing office building into a visible, viable retail site. He noted that the awning would accomplish this goal in a non-permanent way. He stated that the awning would have a life of about fifteen years, after which, replacement would be recommended. Mr. Hubych noted that the awning would also light the east elevation entrance, providing a secure walkway for employees and patrons. He noted that it was a crossroads and meeting place for the local Indian community. Mr. Hubych reviewed examples of signage within the neighborhood which included exposed neon letters.

Questions from the Commission [7:16:17 PM](#)

Commissioner Richards noted he understood the concerns of the applicant in regards to security, lighting and changing the appearance of the building. He inquired what the opposition would be to a sign comprised of individually cut letters with gooseneck lighting, which would still provide security, but be more appropriate.

Mr. Hubych stated gooseneck lighting would not work for the site or the owner's needs.

Commissioner Richards inquired what fixture would be installed to illuminate the awning.

Mr. Hubych noted a diffuser would be included along the bottom of the florescent strips.

Commissioner Davis inquired if the sign would be lighted all night.

Neah Parmar, the applicant, noted that the glare issue would be just as evident with a down-lighted sign as the proposal. She noted that the sign would only be illuminated during their business hours. Ms. Parmar stated the sign would deter crime and help retain the business's already established identity. Ms. Parmar noted that the building would thrive under their ownership and would be preserved.

Commissioner Davis inquired if the other store they were moving from had an identical awning.

Ms. Parmar noted that the existing sign was not identical. She stated that the proposed sign was a compromise from the original which still worked to retain the identity.

Commissioner Davis noted the building currently had two extremely bright spotlights and inquired if they would be removed.

Ms. Parmar stated the spotlights were temporary until signage could be installed. She noted that the closest apartment building was across the street from the structure.

Commissioner Davis noted the applicant had made several references to the security of the site and inquired if the applicant felt the area was particularly crime-ridden.

Mr. Hubych noted there actually was a fair amount of crime in the area, as with any downtown of a fair size.

Commissioner Davis inquired how the awning could provide security for the property.

Ms. Parmar stated that she did not feel the area to be particularly crime ridden, however, lighting was essential as a point of fact to provide a secure place of business.

Mr. Nielson noted that crime deterrence was not a consideration of the Residential Design Guidelines.

Public Comments [7:30:40 PM](#)

Ghulam Hasnain was present to speak in support of the application. He noted he was the CEO of a non-profit group working with refugees in the area. He stated that the business was a small family owned operation and the owners were role models within the local Indian and Pakistani communities. He stated that any assistance the Commission could provide for the Shop N Go would be appreciated by this community.

Esther Hunter, resident, noted that there were already several neon signs in the windows of the building and that she would encourage the owner and the Commission to investigate alternate signage which would honor the neighborhood character and its historic nature.

Mani Grewal, present to speak in support of the application, stated that as a long time resident of the area he appreciated the services and dedication to the community which Shop N Go provided. Mr. Grewal noted the owners had provided all groceries for a recent dinner for the homeless that had fed 800 people. He stated he hoped the Commission would approve the signage to assist the business owners.

Jack Gupta, present to speak in support of the application, stated the sign, being on the east side of the building, would help to advertise the business; particularly to patrons traveling on foot who traditionally would be coming from adjacent bus routes throughout the valley.

Applicant Response [7:37:10 PM](#)

Ms. Parmar noted there were only two neon signs located in the windows of their business.

Executive Session [7:39:02 PM](#)

Commissioner Haymond noted he appreciated the local business located in this residential neighborhood. He stated he did not take issue with the sign.

Commissioner Harding noted the proposed sign was not in keeping with design standards for the district. She stated there were other attention-grabbing options which would be more appropriate.

Acting Chairperson Oliver concurred with Commissioner Harding and noted a backlit sign was not in keeping with the character of the district and there were other ways to create business appropriate signage.

Commissioner Richards noted that the building was more contemporary and felt the proposal would be appropriate to the design.

Commissioner Hart noted that the proposed awning would be more subtle than many signs in the area which had been approved for non-contributing structures.

Acting Chairperson Oliver stated that the issue she took with the proposal was more regarding the material and backlighting. She noted that these types of signs were of a very modern era, 1980s or later. She inquired if the Maverick station sign referenced earlier was within the district.

Ms. Pickering noted it was.

Commissioner Harding stated the proposed sign clearly conflicted with the guidelines which specified that signs should be low-key and sophisticated, such as brass lettering or painted signs keeping with the historic character of surrounding structures. She noted the guidelines discouraged illuminated signs. Commissioner Harding reiterated that the character of the sign did not fit the neighborhood nor did it meet the guidelines.

Mr. Paterson stated the Commission's existing sign policies applied to both contributing and non-contributing buildings.

Commissioner Davis stated the building was very contemporary and felt the effect would be more subdued than some might believe.

Commissioner Haymond stated he felt the sign to be compatible with the building.

Commissioner Hart noted it seemed the sign respected the building itself and the building was fairly different from other surrounding structures.

Motion [7:47:06 PM](#)

In the case of petition PLNHLC2010-00611, Commissioner Hart moved to approve the application, contrary to staff's recommendation, as the sign compliments the building in terms of location, size, illumination, materials, size and color. The Historic Landmark Commission considers the entire principal façade as the sign. This sign does relate to the architecture of the building and does not have a negative impact on neighboring properties and the streetscape.

Commissioner Richards seconded the motion.

There was no further discussion of the motion.

Commissioners Davis, Hart, Haymond and Richards voted, "Aye". Commissioner Harding voted, "Nay". The motion carries 4-1.

PLNHLC2010-00645 – Tracy Aviary Owl Forest – a request by The Friends of Tracy Aviary for a Major Alteration to construct an "owl forest" on the Aviary grounds. The Aviary is generally located at approximately 589 East 1300 South within Liberty Park. The subject property is zoned OS (Open Space) and is located in City Council District 5, represented by Council Member Jill Remington Love. (Staff contact: Ray Milliner at (801) 535-7645 or ray.milliner@slcgov.com)

Staff Presentation [7:53:04 PM](#)

Mr. Milliner noted that voters had approved a 19 million dollar bond for the Aviary which the Aviary was using to improve their facilities. He noted the current application was for the Owl Forest, a construction project incorporating seven new display structures located along a trail within the Aviary. Mr. Milliner noted that the structures had been reviewed by staff. He stated that staff found the structures complied with the Design Guidelines and therefore recommended approval of the request. He stated that the applicant was also working with City Forester Bill Rutherford to create a tree preservation plan within the Aviary. Mr. Milliner reviewed the tree plan for the particular site of the Owl Forest. Mr. Milliner noted this plan was included as Exhibit B in the staff report.

Questions for Staff [7:56:30 PM](#)

There were no questions from the Commission.

Applicant Presentation [7:56:45 PM](#)

Paul Svendsen, project representative, noted the Owl Forest would be the center of the Aviary's membership marketing drive next year. Mr. Svendsen noted the proposal would add over 100 new conifer trees to the Aviary. He stated that the proposal would also create seven new exhibits in compliance with and exceeding current standards for owl enclosures. Mr. Svendsen noted the front of each holding structure would be comprised of raw timbers and mesh, designed to blend in with the surrounding conifers. He stated the rear of the structures would incorporate a two door vestibule to prevent escape of the birds. He noted the structures would otherwise be very rudimentary; with no foundation, a light, one outlet and would be given shiplap siding to create a forest cabin appearance.

Questions [8:01:52 PM](#)

Commissioner Harding inquired how the project would incorporate existing trees.

Mr. Svendsen reviewed the approximately ten existing trees on site which would remain in place or be transplanted, including five green ashes, one black locust, elms, a magnolia and a scotch pine.

Public Comments [8:06:10 PM](#)

Esther Hunter, Co Chair of the East Central Community Council, commended the efforts of the project team in their work with the Aviary, the City Forester and the newly formed citizen group, "Friends of the Tracy Aviary and Liberty Park". Ms. Hunter noted that the park itself was a national landmark site, including the landscaping and key features of the park. Ms. Hunter stated there was a clear need for replanting trees which had been lost over time within the park. She noted her appreciation of the proposal and of the renewed dedication towards preservation of the older and more significant shade trees within the Aviary.

Executive Session [8:09:03 PM](#)

Commissioner Harding noted it seemed the Aviary had worked with the community to provide a thoughtful planting plan.

Motion [8:10:10 PM](#)

In the case of Petition PLNHLC2010-00645, Commissioner Harding moved to approve the application by the Tracy Aviary for their Owl Forest pursuant to the findings, analysis and conditions of approval, 1-3 as listed in the staff report;

- 1. The applicant shall continue working with the City arborist to ensure that all trees associated with the Aviary are appropriate for the site, and that as many existing trees as possible are preserved and maintained.**
- 2. Final approval of exterior materials shall be delegated to staff for compliance with the SLC Historic District Design Guidelines review.**
- 3. Each owl enclosure must meet all applicable Zoning Ordinance requirements, including setbacks, maximum footprint and lot coverage.**

Commissioner Haymond seconded the motion.

There was no discussion of the motion.

Commissioners Davis, Harding, Hart, Haymond and Richards all voted, “Aye”. The motion carries unanimously.

OTHER BUSINESS [8:11:21 PM](#)

Commissioner Hart noted the Commission had requested an update of the University Historic District Extension at their previous meeting on November 3, 2010.

Ms. Lew noted staff had received a letter from the University Community Council (UCC). She stated staff was reviewing the issue and had since requested documentation from the cottage meetings held by the UCC earlier in the year. Ms. Lew noted that this information would be needed for further analysis before making a request for an application.

Commissioner Hart inquired what the Commission needed to do to move forward with the issue.

Ms. Lew stated staff had previously understood the UCC did not want to move forward with the issue while the “Yalecrest Yes!” request to create a local historic district within the Yalecrest neighborhood was being considered. She noted staff would begin the effort of further investigating the University Extension.

Commissioner Hart moved to adjourn. Commissioner Davis seconded the motion. There was no objection. The meeting stood adjourned at [8:15:55](#)

Cecily Zuck, Historic Landmark Commission Secretary