

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 315, 451 South State Street
October 20, 2010**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on October 20, 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 October 20, 2010, at [6:00:15 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, Chairperson Warren Lloyd, Vice Chairperson Anne Oliver and Commissioner Dave Richards. Commissioners Earle Bevins, III; Arla Funk and Creed Haymond were excused from the meeting.

Planning staff present for the meeting were: Cheri Coffey, Assistant Planning Director; Carl Leith, Senior Planner; Paul Nielson, City Attorney; Joel Paterson, Planning Manager and Cecily Zuck, Commission Secretary.

There was no field trip prior to the meeting.

WORK SESSION [5:15:47 PM](#)

The Commission discussed the item before them that evening and requested information on proper procedure.

Mr. Paterson noted that staff had made the mistake of not publishing a newspaper notice for the map amendment and therefore, the Commission could not take action on that item at the hearing. He stated that the amendment would be continued to at least November 3, 2010 in order to place legal notice in the newspaper.

Commissioner Richards inquired what decision the Commission could make.

Mr. Paterson noted the Commission had two decisions to make, the first of which could be made during the hearing; whether or not to make an application requesting the creation of a local historic district for the Yalecrest neighborhood. He stated that the second decision would be to recommend boundaries for the area, and that would have to be continued to November 3rd. He noted that it could all be continued if the Commission felt they required further evidence or information.

Chairperson Lloyd noted that he had spoken with staff and CED Director Frank Gray earlier regarding further discussion about the Design Guidelines. He noted that this discussion clarified the difference in evaluating the Guidelines when regarding contributing and non-contributing structures.

Mr. Sommerkorn noted that there was a desire among all to create more consistency in the interpretation of the Guidelines.

Chairperson Lloyd noted that at this time, Yalecrest Yes was considered the petitioner for the item that evening and if the Historic Landmark Commission decided to create an application, the Commission

would become the applicant. He noted that the groups interested in the issue would each be given five minutes to speak at the hearing.

Commissioner Richards inquired if the Commission should consider the request made by the Yalecrest Preservationists for Property Rights (YCPPR) to postpone the hearing in light of their application for text amendments to the Zoning Ordinance sections governing the Commission.

Mr. Nielson noted the opinion of the Attorney's Office was that the YCPPR request to postpone the hearing had resulted as a misinterpretation of the portions of the law cited by their counsel. He noted that the Historic Landmark Commission could either disregard or honor the argument, but it was at their discretion; the City Attorney found it was not required that they stop the proceedings. He stated that the more discussion which occurred on that issue, the more it would be delayed.

Mr. Paterson noted that the state statute cited discussed petitions initiated by a municipality, not privately initiated petitions.

Mr. Nielson noted that this was correct; the City did not initiate the initial request, a citizen group did. He stated that even in the case that it was a City initiated petition, there were no vested rights involved in the issue, and therefore no reason to stop proceedings.

Mr. Sommerkorn noted all parties were aware that the petition by YCPPR existed and could take it into consideration if they chose to do so.

APPROVAL OF THE MINUTES from October 6, 2010 [6:01:26 PM](#)

Vice Chairperson Oliver moved to approve the minutes from October 6, 2010 as corrected. Commissioner Hart seconded the motion. All voted, "Aye". The minutes stand approved.

REPORT OF THE CHAIR AND VICE CHAIR [6:03:33 PM](#)

Chairperson Lloyd noted he had nothing to report.

Vice Chairperson Oliver concurred.

PUBLIC COMMENTS [6:03:44 PM](#)

Seeing no one present from the public to speak to an item not on the agenda, Chairperson Lloyd closed this item and moved to the Public Hearings portion of the agenda.

PUBLIC HEARINGS [6:04:15 PM](#)

Yalecrest Local Historic District Designation – A request by the Yalecrest Yes Heritage Preservation Committee to have the Salt Lake City Historic Landmark Commission consider the designation of a local historic district within the Yalecrest neighborhood which is located generally between 800 South/Sunnyside Avenue and 1300 South, from 1300 East to 1900 East. At the public hearing, the Historic Landmark Commission may decide whether or not to submit an application for a Zoning Map amendment to establish an H Historic Preservation Overlay district for all or part of the Yalecrest neighborhood and forward a recommendation regarding potential boundaries for the local historic district to the Planning Commission and the City Council. The area is located in City Council District 5

represented by Jill Remington Love and District 6 represented by JT Martin. (Staff contact: Carl Leith, (801) 535-7758, carl.leith@slcgov.com.)

Chairperson Lloyd noted that following the staff presentation, the Commission would take comments from the public. He indicated that the applicant, the Yalecrest Yes Heritage Preservation Committee (Yalecrest Yes); the Yalecrest Community Council (YCCC) and the Yalecrest Preservationists for Property Rights (YCPFR) were all present and as community groups; their representatives would be given five minutes to speak. He noted that individual citizens would then each be given two minutes to speak on the matter.

Staff Presentation [6:08:19 PM](#)

Mr. Leith noted that Yalecrest Yes had made a request for the Historic Landmark Commission to prepare an application for a Zoning Map Amendment in order to create a local historic district. Mr. Leith summarized the report sections for the Commission and the involved attachments. He noted the report evaluated the consideration, evaluation and adoption process for a local historic district in the Yalecrest Neighborhood. Mr. Leith stated that there was also a great deal of public commentary included in the staff report for the Commission's consideration.

Mr. Leith noted that the public process had and would continue to give citizens the chance to comment on the issue. He noted that the original request had been made on September 1, 2010 during the regular meeting of the HLC. He noted that since that date, a public forum had been held on September 28, 2010 to gather comment and the current hearing also served that purpose. Mr. Leith noted that after the Historic Landmark Commission finished their consideration and if they decided to forward an application, the issue would then be considered before the Planning Commission and City Council for separate public hearings at a date yet to be determined.

Mr. Leith presented background information on the process, including:

- An initial request was received in September 2009 from the Yalecrest Community Council for the Commission to look at a local district designation for the Yalecrest area.
- At that point in time, the Commission had begun to look at the criteria for prioritization of a number of historic neighborhoods within the City and their needs regarding preservation tools.
- On March 17, 2010, the HLC met to consider neighborhood presentations to determine which neighborhoods were ready to pursue an LHD designation; the conclusion of which determined that the University Expansion Area, Westmoreland Place and the Yalecrest neighborhood were in a position to move forward.
- Yalecrest Community Council meeting on April 7, 2010 to determine support.
- Public Meeting on April 22, 2010 to determine support.
- Between March and September 2010, the City Council enacted temporary regulations to protect the neighborhood from further demolitions. These regulations began a series of meetings in May and the boundary amendment to the temporary regulation area in July 2010.
- Consideration of a demolition review ordinance in July and August 2010 following City Council's discussions in July 2010. The Historic Landmark Commission and Planning Commission both forwarded negative recommendations to Council regarding the draft ordinance.
- The City Council retains a period of open discussion during meetings for the issue until January 15, 2011.

Mr. Leith reviewed findings regarding the significance of the area, including:

- The area was remarkably visually cohesive.
- Contained subdivisions full of Period Revival Cottages from the 1920s and 30s. (Important due to the lack of a local district preserving this particular style and period of home.)
- 91% of the buildings within the district were considered contributory; 74 percent of which were built between 1920 and 1939.
- Prominent landscaping featuring mature tree cover.
- Residential neighborhood of choice in Salt Lake City since inception, with several notable residents.

Mr. Leith reviewed attachments which contained public comments on the issue and noted the following common themes from commentators.

General comments in favor:

- Maintaining family and housing diversity in terms of both housing and lot size
- Rebuilds and remodels are out of scale and character with the neighborhood
- Local Historic Designation is the only and best tool available to protect architectural integrity
- Local Historic Designation provides a certainty in retaining the historic and architectural character of the neighborhood
- It is a process which respects the rights of all property owners
- It is a process that heightens community pride
- It preserves older neighborhoods which seem to have a sense of artistry and stability
- It includes economic benefits in terms of business recruitment and tourism
- Designation would help maintain a rich, walkable and sustainable community
- Enhances neighborhood appearance
- Increases property values
- Tried and tested tool in cities worldwide

General comments in opposition:

- Designation would adversely affect individual property rights
- Prevents energy efficiency and sustainability improvements
- Not friendly to larger families, does not allow them to expand current housing
- Standards proposed are too broad, too restrictive and too arbitrary
- Designation would decrease property values and increase rentals
- People make the neighborhood, not buildings
- It is too much government interference
- Regulations which would discriminate against small homeowners
- Certain sections and streets should not be included in the area
- Deterrent to homebuyers
- Remodels and repairs are seen as too expensive
- Seismic safety concerns

Mr. Leith noted that staff analysis and findings found that all Master Plan and Policy Considerations recognized the significance of the neighborhood and supported preserving its image and unique characteristics within the City. Mr. Leith stated that area also met all the selection criteria set forth in 21A.34.020.C including; significance, physical integrity and age of the site.

Mr. Leith noted that the evaluation of boundaries could be decided upon the following items; documented historic or architectural resources, documented historical boundaries, logical manmade or physical feature boundaries containing non-historic resources or vacant land.

Mr. Leith stated that the request also met the criteria for a map amendment, including; the application should be consistent with City purposes, goals, objectives and policies; the application and area defined should further specific purpose statements of the zoning ordinance; the effect upon adjacent properties should be considered; area should be consistent with the purposes and provisions of any applicable overlay districts and ensure that adequate public services and facilities are available.

Mr. Leith noted the staff report recommended the Commission do the following:

1. Consider whether or not to make an application;
2. Determine whether significant documentation was present for the application;
3. Make findings and recommendations regarding the creation of a local historic district and the boundaries of that district;
4. Continue the public hearing to the Historic Landmark Commission meeting on November 3, 2010.

Questions from the Commission [6:38:43 PM](#)

Chairperson Lloyd requested clarification, noting he believed there were no requirements the Commission conclude gathering public comment on November 3, 2010, but the meeting needed to be continued to that date to meet a noticing requirement.

Mr. Leith noted this was correct.

Chairperson Lloyd invited the petitioner forward to speak.

Yalecrest Yes Presentation [6:40:30 PM](#)

Tracey Harty was present to speak for Yalecrest Yes. She noted they had created Yalecrest Yes to separate themselves from the Community Council and work solely on preservation education and goals. Ms. Harty stated Yalecrest Yes had canvassed the neighborhood and attempted to meet with and educate the owner of every home. Ms. Harty noted that they had created a website which had become a forum for commentary from both sides of the issue. She stated Yalecrest Yes was the representative body for 462 homeowners within Yalecrest who wanted the local historic district. Ms. Harty noted Yalecrest Yes believed that following the Council's recommendations to work in smaller groups would be tantamount to starting the process all over again and they felt they had gathered a good deal of public input already. She noted that the staff report was detailed and compelling and contained ample reasons as to why Salt Lake City should create Yalecrest as its eighth local historic district. Lastly, Ms. Harty requested that the Commission consider delaying the next hearing on the issue as November 3rd was also the date of the next Yalecrest Community Council meeting.

Yalecrest Preservationists for Property Rights Presentation [6:46:30 PM](#)

Ben Winchester, 1450 Princeton Avenue, spoke for YCPPR. He noted their mission had evolved from one of information to a mission of finding a compromise for the area. Mr. Winchester stated that YCPPR was adamantly opposed to the LHD. He noted that YCPPR hoped the HLC would recognize the petition for text amendments and noted that they had 427 signatures from homeowners in opposition to the request for the establishment of a local historic district overlay. He noted that Mayor Becker had stated

during the YCCC meeting on October 6, 2010 that an LHD would only be successful if supported by residents and YCPPR concurred with this assessment.

Yalecrest Community Council [6:51:54 PM](#)

George Kelner, Chairperson of the Yalecrest Community Council, noted the issue was not new; discussions regarding preservation may have begun in the neighborhood during the 1980s with the creation of the East Bench Master Plan. He noted that even then the Yalecrest area had been identified as needing preservation. He stated that in 1999, the demolition of the Hubbard House on the corner of the 1700 block of Hubbard Avenue and its consequent replacement with an 11,000 square foot structure brought the discussion to a boiling point and was the impetus for creation of the Compatible Infill Overlay requirements adopted in 2005. He noted that these requirements did not consider demolitions, building materials or architectural designs of new construction. Mr. Kelner noted that in 2009, another home was demolished on the 1500 block of Yale Avenue, a 2600 square foot house that was replaced with a 7200 square foot home. He stated that this home spurred conversations regarding preservation alternatives to the Compatible Infill Overlay. He noted that regardless of the outcome, the YCCC was pleased that the designation process was finally being considered by the City.

Public Comments [6:57:58 PM](#)

Katie Sorenson, 1836 East 900 South spoke in opposition. She noted she felt the overlay to be too large and restrictive and that family, friends and neighbors made the neighborhood, not houses. She indicated her concerns regarding the seismic stability of older homes such as her own. She relayed the children's story of "The Three Little Pigs" and noted that she wished to retain the ability to make her home more seismically secure and did not want her home to be as vulnerable as one made from straw or sticks.

David Gibson noted his support of designation and reviewed several portions of a letter from Kirk Huffaker with the Utah Heritage Foundation included in the public record with the staff report.

Lisette Gibson noted her support. She stated that the neighborhood was being decimated by teardowns and oversize additions. Mrs. Gibson noted that the neighborhood met all criteria for designation and should be moved forward. She noted that the Compatible Infill Overlay was written to address out of scale homes and additions but could not provide the protection against area teardowns that was needed.

Michael Brehm noted his support of designation and stated that in regards to property rights; it should be considered that the activities of an individual on their property could have significant impact on all surrounding properties and those owners' rights as well. He noted he was tired of all the straw polls being quoted as none were performed by neutral third parties. Mr. Brehm stated he was interested in preservation of the neighborhood and would like to see it preserved for future generations.

David Marceau , 1662 East Princeton, spoke in opposition. He noted that additions he had done in the past would have been prohibited under the LHD. Mr. Marceau stated that they had found 90 percent of the residents on their block were against designation.

Byron Little, 1823 Michigan Avenue, spoke in opposition. He stated that he was passionate about preservation of the neighborhood, but was now against the LHD as he did not believe the neighborhood should be dragged down over the preservation issue. He noted he would rather see the community work towards a common goal.

Amy Dolce, 1830 Michigan Avenue, noted her opposition. She stated that 16 of the 21 homes on her block had additions that she believed would not be in conformance with the proposed LHD. Ms. Dolce stated that she had anticipated they would be able to make her home fit her growing needs and planned to stay in the neighborhood. She stated that the LHD restrictions unquestionably raised constitutional implications in her mind.

Scott Brown, 1861 E Michigan Avenue, noted his opposition. He noted he believed the area to be much too broad, and felt that a less restrictive option could be found. Mr. Brown stated that he believed the neighborhood should break into smaller groups and referenced the YCPPR petition as a possible solution.

Adam Shaw, 1637 Princeton Avenue, spoke in opposition. He noted that they had also performed renovations which would not be allowed under the LHD regulations.

Sally Patrick, resident of Yalecrest, noted her support. She noted that in creating a LHD the Commission would fulfill its stewardship purpose, "to preserve buildings and related structures of historic and architectural significance as part of the City's most important cultural educational and economic assets". She stated that staff reminded all that expressions of public support were not one of the criteria established by the Ordinance for evaluation, selection and designation. She reviewed portions of the staff report outlined in Mr. Leith's earlier presentation.

Susan Porter, long time resident, noted her opposition. She stated that she believed the LHD would lead to the destruction of what she loved best about the neighborhood and felt the existing Compatible Infill Overlay could be amended to address issues which pitted neighbor against neighbor. She also referenced the YCPPR petition included in the record. Ms. Porter noted that residents had also requested a neutral facilitator to work through issues, which had been rejected by members of the City Council. Ms. Porter also noted concerns regarding seismic stability and the right to make improvements to secure her home.

Michelle Barber, resident, noted her opposition. She stated she believed everyone should have the opportunity to tastefully renovate their home and a compromise should be reached.

Fientie Allis, 1410 Princeton Avenue, noted her support. She stated that failure to preserve the area would be tantamount to exposing a valuable sweater to moths. She noted that holes could be filled in but the sweater would be ultimately destroyed. Ms. Allis noted that delaying designation allowed developers to further compromise the integrity of the area. She urged the Commission to preserve the area for future generations.

Kelly White, long time resident, noted her support. She stated her belief that the voluntary solution proposed by YCPPR would not work well for the area. Ms. White inquired how during the current recession the City could find the financial resources to uphold the new ordinances. She noted the proposed amendments did nothing to address demolitions. She noted that the LHD would accomplish all that the YCPPR amendments proposed and protect against further teardowns of homes which deserved protection.

Cathy Kelner, 1000 Military Drive, noted her support. She stated Yalecrest was a neighborhood with a variety of housing stock which attracted a variety of residents. She noted her belief that the composition of the neighborhood was threatened by the current development trend of one story homes being remodeled into much larger homes; removing much of the affordable entry-level housing stock in the area. Mrs. Kelner stated that changes made to homes would endure and homeowners should be stewards for future generations.

Jan Ellen Burton, 1340 Gilmer Drive, noted her support. Ms. Burton noted that the quality of the neighborhood was beginning to slide and the current Compatible Infill Overlay was not working. Ms. Burton stated that it seemed Mayor Becker had also indicated on October 6, 2010, that a voluntary amendment would not work as it was not mandatory and there would be no way to enforce protection of the area. She stated that she believed the historic designation of the Avenues had only helped the area.

Jim Pechman, resident of Sunnyside Avenue, noted his opposition. He stated that he believed Sunnyside Avenue should be excluded from the designation as they were adjacent to a major thoroughfare with large power lines along one side of the street. Mr. Pechman noted that he did not feel the polls by Yalecrest Yes regarding public opinion to be accurate.

Jon Dewey, 1700 block of Princeton Avenue, noted his support. He stated that he had gone through the HLC process to add an addition to his home. He noted he believed it to be a worthwhile process which removed the burden of creating a compatible project from his shoulders. He noted that having the Commission's endorsement removed much pressure from the process. Mr. Dewey stated that it was clear that the neighborhood wanted and deserved protection and felt the only way to accomplish that goal was through an LHD designation.

Marianne Bicksler, former resident of 1621 Harvard, spoke in support. She noted that the lots in the area were designed to be proportionate to the size and scale of the homes and homes which recently had been built replacing original homes were out of scale. Ms. Bicksler noted that once the history of the area was gone, it was gone forever. She stated that they had moved from Yalecrest to Old Town in Park City, Utah. She stated that the value of homes in Old Town had quadrupled since 2002 strictly because of the historic value of the area. She urged the Commission to recognize the designation of Yalecrest as an obligation to preserve a portion of Salt Lake City's history.

Janet Hemming noted her support. She noted she had worked in Washington D.C. surrounded by infamous historic districts and had moved to Yalecrest believing it to be a place of special, unrivaled beauty. She reviewed photos of structures in the area for the Commission. She stated that Yalecrest met every standard for historic preservation criteria. Ms. Hemming noted that as part of community stewardship the neighborhood belonged to everyone and should be saved for future generations to see and enjoy.

Bryce Jones, 1064 South 1700 East, noted his opposition. Mr. Jones noted that it seemed those who had already accomplished renovations were in favor, and those who had not were against it. He stated that he believed this to be unfair and cynical. He noted that Millcreek Township had solved a similar problem by changing their ordinances. He noted that the administration of the district would create considerable expense and inquired who would pay that cost.

Michael Broadbent, 1400 block of Harvard Avenue, noted his support. He stated his belief it was the only effective, practical way to balance individual rights with community interests. Mr. Broadbent noted that he was amused by the fact that the meeting was in the historic City and County Building as there had been much debate 25 years ago regarding the seismic safety of the structure and the cost of renovation. He stated that in 25 years residents could be just as happy that the City preserved Yalecrest.

Joseph Cook, 980 Military Drive, noted his opposition. He stated that the precedent had been set in repeated hearings that the neighborhood did not want designation.

Margaret Tennant, long time resident, noted her opposition. She quoted Mayor Becker as well. Ms. Tennant asked that the Commission not force district regulations on the neighborhood.

Suzanne Winchester, 1450 Princeton Avenue, noted her opposition. She noted she loved her home and had spent a considerable sum to restore a stained glass window in their home. She noted that another choice however, had been to replace every other window in their home and had they been required to replace them in kind, with wood as would be suggested by the Commission, it would have cost them \$30,000 more to replace them. Mrs. Winchester noted that she wished to retain these kinds of choices for her home.

Virginia Hylton, long time resident, noted her support. She noted that an LHD would not squeeze out larger families as several homes in the area currently for sale were over 4,000 square feet. Ms. Hylton noted that an LHD would not prevent people from adding to their homes. She stated that implying that real estate prices decreasing more in other LHDs in Salt Lake City due to their designation was just speculation. She noted that real estate prices in Yalecrest had also decreased.

Roger Little, resident of Laird Avenue, noted his opposition and also quoted Mayor Becker. He submitted signatures in opposition for the record. Mr. Little noted that both City Council and the Mayor had indicated that they would not support designation if the neighborhood did not want it.

Kelly Marinar, 1700 block of Harvard, noted her support. She stated her hope that the Commission would continue its role as an objective third party to further preservation goals for the City. Ms. Marinar stated she believed Yalecrest qualified for, deserved and needed the designation.

Libby Peterson, 1221 South 1300 East, noted her support. She stated that several residents misbelieved that Yalecrest Yes had submitted several petitions. She noted that Yalecrest Yes was not behind the proposed demolition ordinance either. She reviewed other misinformation. Ms. Peterson stated that the amount of misinformation present had made it difficult to educate or discern the truth. She noted she did not believe that what many residents were asking for was exactly what they would receive with an LHD designation.

Barbara Madsen noted her opposition. She stated that she believed most residents were in favor of retaining the character and scale of the neighborhood and a compromise could be reached. She quoted unknown polls.

Matt Janke, 1621 Laird Avenue, noted his opposition. He stated his concerns regarding the limit on roofline changes which would be required under the LHD. Mr. Janke stated that he believed it was possible to create an addition which did not conform to the guidelines but still maintained neighborhood character. He urged the Commission to table the issue for further exploration of alternatives.

Monte Luker, 1452 East Gilmer Drive, noted his opposition to the “enslavement” district. He noted that he believed this was a conspiracy by the City to force an issue and deprive people of their free agency and basic constitutional rights to life, liberty and pursuit of happiness. He ended with a prayer.

Janine Sheldon, 1784 Yalecrest Avenue, noted her support. She submitted her comments for the record.

James Bennion, noted his opposition. He stated that the public needed a legal standing point in the process and their comment should count for something under the law.

Allison Dayton, 1576 Yale Avenue, noted her opposition. She stated her belief that those in favor were largely older empty nesters, while those against the proposal were mostly younger people with growing families. She noted that the Lowell school in the Avenues had closed due to declining enrollment in the area and wondered if it had anything to do with the restrictions imposed by the LHD.

Kenn Dayton, 1576 Yale Avenue, noted his opposition. He stated it would be lamentable if the LHD caused families to leave the area and noted he was in favor of continuing to work towards a compromise which would allow residents to maintain the character of the neighborhood without an LHD.

Jeff Justice, resident of the area, stated his opposition. He believed the division was not as wide as everyone believed and that there were concerned citizens on both sides of the argument. Mr. Justice noted he felt the LHD was restrictive in nature and while it would prevent demolitions, it also dealt with areas that people did not want to have touched. Mr. Justice stated that the proposal was too broad sweeping.

Bill Harty, resident on Harvard Avenue, noted his support. He indicated he lived in a smaller home and was not an empty nester, but was in support of the LHD. Mr. Harty noted that there were numerous studies over several decades which indicated that property values consistently increased in LHDs. Mr. Harty noted that studies showed that rentals decreased in LHDs and studies showed it was more attractive in the real estate market. He noted that it was shown to decrease speculation and flipping.

Lynn Pershing, resident on Laird Avenue, noted her support. She stated that many residents agreed that they lived in a unique neighborhood with a diversity of charming home styles and sizes which offered both modest and moderately affluent residents, young and old, with and without children, a safe, friendly and quiet neighborhood within the urban area. Ms. Pershing stated she believed the LHD to be the tool to achieve the goals of preserving the neighborhood's character while allowing changes in the homes over time. Ms. Pershing noted the example of TRAX, that the transit system had not been accepted initially and had become the most successful new mass transit system in the United States.

Kim Childs, long time resident, noted his support. He stated that many residents seemed to have misconceptions regarding what having an LHD meant. Mr. Childs noted that it had been established that the Commission was not required to make a decision based on a majority from any survey results. Mr. Childs noted that he hoped the Commission would recommend the creation of a district.

Mike Jones, 1703 Yalecrest Avenue, stated his support. He noted his letter included in the record from October 18, 2010. Mr. Jones commended Mr. Leith on his staff report. He stated that public input was not required and felt it inappropriate. He noted that it was the Commission's duty to assess the request and act accordingly.

Ashley Hoopes, resident, noted her opposition. She stated that she wanted to expand her home to work for her family which would require installing a dormer on the front facade. Ms. Hoopes stated that streets like hers would become rental rows if the LHD were approved.

Pam Clawson, 1619 Yalecrest Avenue, noted her opposition. She stated that she was in favor of amending the Compatible Infill Overlay to address the issues over which all seemed concerned. Ms. Clawson noted that the LHD would be very restrictive, placing a large burden on homeowners and was not the right tool in the current economy.

Alex Schiel, resident, noted his opposition. He stated his concern regarding the restrictions on second story additions. Mr. Schiel noted that he believed that deeming the neighborhood historic to be a bit of a stretch.

McKay Edwards, 1400 East 900 South, stated his opposition. Mr. Edwards stated he felt the proposal to be overbroad. He stated that appropriate, well scaled infill was a green building practice and should be allowed.

Cindy Cromer, 816 East 100 South, inquired what other measures there might be of the community interest in the neighborhood. Ms. Cromer noted that the clearest example to her was the May 2009 home tour sponsored by the Utah Heritage Foundation in the neighborhood, which was the most successful fundraising event for the organization.

Craig Mordant, resident, noted his opposition. He stated he believed the neighborhood needed to examine the YCPPR proposal and find a compromise to preserve the neighborhood, but allow for change.

Cassia Nielsen, 1620 Laird Avenue, noted her opposition. Ms. Nielsen stated she felt a compromise could be reached.

Elwood Powell, 1650 Harvard Avenue, noted his opposition. He stated that he had been allowed to rebuild his home and none of those renovations would be allowed under the Guidelines which would be imposed by the LHD.

Donald Brady, 1380 Princeton Avenue, noted his opposition. Mr. Brady stated that people cared about the neighborhood and could continue to do so without an LHD.

Jodi Howick, resident, noted her opposition. Ms. Howick stated her belief that the proposed restrictions would not be beneficial for the neighborhood. She stated that neighbors should be able to discuss the issue and come to a consensus before meeting with the City.

Butch Adams, 1658 East 900 South, noted his opposition. He stated that he believed the regulations would force an unfair hardship on the owners of smaller, less architecturally significant homes in the area. He noted there was compromised housing stock in the area which should not be subject to the same regulations as pristine estates.

Stan Hansen, resident, noted his opposition. Mr. Hansen noted that the neighborhood had responded well to its own changing needs while remaining charming and in character. He stated there were a few remodels in poor taste, however, most had been extremely tasteful and beneficial to the neighborhood. Mr. Hansen stated he believed it placed unreasonable financial restrictions on young families as well.

Scott Parkinson, resident, noted his opposition. He indicated his belief that much of the divisiveness arose from the size of the area proposed for designation.

David Hall, resident, noted his opposition. Mr. Hall stated that he was troubled by the representative for Yalecrest Yes suggesting that the Commission nominate the entire area; not excluding the portion previously carved out by the City Council in July 2010 and felt this was inappropriate.

Deborah Hill, 1876 Gilmer Avenue, noted her opposition. She stated that she believed homes could be updated tastefully and safety issues addressed without the initiation of the LHD.

George Kelner, resident, noted his wholehearted support of the LHD. Mr. Kelner stated he believed the staff report presented overwhelming evidence for designation. He noted the City needed to decide whether the neighborhood needed to be preserved and hoped that the Commission moved forward with a positive recommendation.

The following individuals submitted speaker cards, but did not wish to speak:

Ed Archer – I am in favor of making Yalecrest an LHD. I have lived in the neighborhood for 20 years and believe the LHD designation is the best mechanism for preserving the charm and character of the neighborhood I love.

Susan D. Jones – I support the Local Historic District. Please submit the application to the City Council.

Gary C. Harding – I favor preserving the historic character and oppose the amendments proposed by YCPPR. I favor guidelines for alterations or buildings that protect and preserve the rights and quality of the immediate environment of adjacent land holders.

Geraldine Storbeck – I am in favor of making the Yalecrest area a historic district.

Chris Latour- I strongly support Yalecrest LHD.

Deni Morrison – I am very much opposed to our area becoming an LHD. This issue has caused severe contention in our neighborhood and has been brought up again by the very people who understand how destructive it is. I feel it is shameful. An issue of this magnitude can only be fairly decided by referendum. The City Council asked our community to discuss this matter and we should be given ample opportunity to do just that; everyone deserves input. As a community, our reputation has been tarnished by this sordid event. One friend of mine summed it up this way when I told her I live in Harvard-Yale: “Oh, I love that neighborhood, or at least I did until I started hearing about how nasty it is to live there.” A community is only as charming as its residents.

Ray Morrison – It’s divisive and unnecessary. Way too subjective and draconian.

Sid Spencer – Draft as presented – too restrictive.

Sydney Stack – I am opposed to the implementation of an LHD in the Yalecrest area. Although I am in favor of restoration and against teardowns, I feel an LHD would be too restrictive and too costly for home owners.

Heather Weight – in favor. Why did I pay so much for custom streetlights? So they match the historic lights, when you want to take down the original homes?

Jill Vanbangeveld – Yalecrest was first to get some protection with an overlay. When the R-1 zoning revision came, Yalecrest could not benefit from the mere restrictions because their overlay was less restrictive. They need to have the same benefits as the rest of the City enjoys with R-1. In the Avenues, we have more restrictions with the R1-A. We also have a historic district in our boundaries.

Bryan Young- Historic districts are important to keep the character of our City which is more important than individual properties. “The needs of the many outweigh the needs of the few. It’s logical.” – Mr. Spock, Science Officer, U.S.S. Enterprise

Kathleen Garcia- Strongly support Yalecrest LHD.

Dawn Ann Bailey – In support.

Nathan J Morgan – Please weigh the public interests as greater than the personal interests and approve the LHD.

Karen Morgan – I am strongly in favor of LHD. It is a much superior tool than other propositions.

Chairperson Lloyd called for a recess at [9:03:06 PM](#) . The meeting reconvened at [9:23:54 PM](#).

Executive Session [9:24:09 PM](#)

Chairperson Lloyd reminded the audience that the Commission was tasked with responding to the request by Yalecrest Yes and was to consider making an application for a local historic district for the Yalecrest neighborhood.

Vice Chairperson Oliver noted that they were obliged to consider the issue within the existing plans, policies and ordinances of the City. She noted that support of the designation in all of these aspects was clearly and adequately reflected in the staff report. Vice Chairperson Oliver stated that while it was not required that the Commission take comment on the issue, it was one of the criteria for consideration which they had developed in March, 2010.

Commissioner Hart stated that they were listening to those on both sides of the issue. She noted it was heartening to know that people cared about the neighborhood. Commissioner Hart noted someone had commented that they would not be able to add on to their home as it would require a front dormer. Commissioner Hart noted the Commission had approved a similar case earlier that year and noted the Commission tried to be sensitive to necessary compromise and understood that there was human involvement in every situation.

Chairperson Lloyd noted that the process for Yalecrest had not been regular; Yalecrest, by action of the City Council, had been thrust under the Historic District regulations. He noted that people in the area therefore, either directly or indirectly, had some experience in dealing with the design guidelines. He stated that of the applications that came to the City under those regulations, only a handful was reviewed by the Commission. Chairperson Lloyd noted he had concerns regarding smaller one story structures which had little room for expansion below the roofline and regretted that there were no guidelines to govern these homes that could use more space. Chairperson Lloyd noted that the proposed boundaries were also a concern, as the Commission had not discussed the current boundaries or alternatives.

Commissioner Harding inquired how they should be interfacing public opinion with the ordinance requirements.

Vice Chairperson Oliver noted she was not certain and public opinion would notably gain more weight before the City Council, but it had been important to the Commission to hear those opinions.

Commissioner Davis noted it was a courtesy to the neighborhood. He stated that it was difficult to consider the publicly obtained data as both sides claimed near seventy percent support. He noted that according to the empirical data; comments on the web, plus comment cards and emails, the split was about 50/50 and not definitive. He noted that therefore, the Commission needed to return to the staff report and findings and note that the district clearly met the specific guidelines. Commissioner Davis noted that the Commission was not charged with approving the district, they were charged with recommending to City Council that it met all the technical qualifications.

Commissioner Harding concurred with Commissioner Davis' assessment.

Vice Chairperson Oliver noted that there was no other neighborhood in the City which met the criteria better than Yalecrest.

Commissioner Richards noted that it was a special neighborhood and agreed with Davis that the purview to decide public opinion rested with the City Council. He stated that through the staff report and his own assessment, the neighborhood met all the criteria for designation. He stated that the HLC was an advisor to the Planning Commission and the City Council and as the City Council was a political body, it was their purview and responsibility to make decisions based upon the will of the community.

Chairperson Lloyd noted he wished to consider boundaries. He noted that they had not considered the proposed boundaries adequately.

Commissioner Richards noted he did not feel that Sunnyside Avenue belonged as a boundary of the district, as it did seem compromised as was mentioned earlier during the public comment portion of the hearing.

Vice Chairperson Oliver noted that staff could further investigate options as far as boundaries were concerned and the maps provided within the staff report could provide a starting point for this analysis.

Commissioner Richards noted that he did appreciate the involvement of the neighborhood in the process.

Commissioner Harding inquired if they needed to table the item.

Vice Chairperson Oliver noted that they could continue the item, but could decide to create an application and later consider the boundaries.

Mr. Nielson stated that the Commission could hold off a discussion on boundaries and still vote to create an application. He noted that a vote could not be taken to forward a recommendation to the City Council and Planning Commission as an application was needed first and the proposed change to the boundaries had to be noticed in the newspaper.

Chairperson Lloyd noted that the City Council had previously considered boundaries, but the Commission had not and did not feel that further consideration of the boundaries would exclude them from voting to create an application.

Commissioner Hart stated she felt a bus tour before the next meeting to discuss the area would be beneficial.

Commissioner Richards concurred.

Commissioner Hart noted it would help to physically analyze the area in greater detail.

Vice Chairperson Oliver noted boundaries had to be logical in a historic context as well and suggested that the Commission analyze the individual subdivisions and evaluate them as a whole. She noted that the current National District held together well as a cohesive piece of land with a continuum of development in the same area and the Commission should decide what to consider within that area.

Ms. Coffey stated that the Commission might tell the audience what their intent was in regards to an application; whether they intended to prepare an application or not and then continue the item to consider boundaries.

Mr. Nielson noted that there were several options which the Commission could consider.

Chairperson Lloyd noted it would be helpful to direct staff on what information the Commission would like to see prior to November 3, 2010.

Motion [9:57:45 PM](#)

Vice Chairperson Oliver, in the case of the Yalecrest Historic District Designation on October 20, 2010 moved that the Commission intends to make an application for a Zoning Map Amendment to establish an H Historic Preservation Overlay District for part or all of the Yalecrest National Historic District; determining that there is sufficient documentation in the staff report to support that Zoning Map Amendment, but the Commission feels that further research is necessary to create appropriate boundaries for this district; continuing the hearing until November 3, 2010 and instructing staff in the intervening weeks to carefully evaluate potential boundaries for such a local historic district, ranging from encompassing the National Historic District to the smaller subsections mentioned in the Reconnaissance Level Survey and other potential ways of creating a unified district out of a larger whole.

Commissioner Richards seconded the motion.

Commissioner Davis noted he believed it was important to take a step forward.

Ms. Coffey inquired if Vice Chairperson Oliver would consider amending her motion to include the wording, continue the public hearing to November 3, 2010.

Vice Chairperson Oliver noted she would amend her motion to continue the public hearing to the November 3, 2010 Historic Landmark Commission meeting. Commissioner Richards seconded the amendment.

All voted, “Aye”. The motion carries unanimously .

Chairperson Lloyd noted that staff would continue to take comments and information.

Mr. Nielson clarified that Yalecrest Yes was the applicant and once the HLC made the application, HLC became the applicant.

Ms. Coffey noted that there would not be another notice mailed to everyone and asked all involved to please tell anyone who wants to be present to come to the meeting on November 3, 2010.

Mr. Paterson noted that staff would also return with potential boundaries for the district.

OTHER BUSINESS [10:04:30 PM](#)

Vice Chairperson Oliver moved to adjourn. Commissioner Davis seconded. All voted “Aye”. The meeting adjourned at 10:04 p.m.

Cecily Zuck, Historic Landmark Commission Secretary