

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 326, 451 South State Street
February 2, 2011**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on February 2, 2011.

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 Wednesday February 2, 2011, at [5:31:02 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 Earle Bevins, III, Bill Davis, Polly Hart, Acting Chairperson Anne Oliver and Commissioner Dave Richards. Commissioners Arla Funk, Sheleigh Harding, Creed Haymond and Chairperson Warren Lloyd were excused from the meeting.

Planning staff present for the meeting were: Janice Lew, Senior Planner; Ray Milliner, Principal Planner; Paul Nielson, City Attorney; Joel Paterson, Planning Manager and Michelle Poland, Senior Secretary.

FIELD TRIP 4:00 PM

Field trip notes are on file in the Planning Division Office. Commissioners Bevins, Hart and Richards were present along with staff members Joel Paterson and Ray Milliner.

Commissioners visited the Tracy Aviary, where they viewed the existing trees to be removed. Mr. Milliner and the applicant discussed the proposal along with approximate locations of future exhibits planned for the area which were not yet designed. Discussion revolved around the health of the existing trees as well as the species of trees to be used in the replanting plan. Commissioners discussed future phases of the project.

WORK SESSION [5:20:57 PM](#)

Ms. Lew discussed the Preservation Newsletter with the Commission and inquired if the Commission wished to suggest any future topics. Ms. Lew stated the Newsletter would likely be published in May 2011 to highlight National Preservation Month.

Commissioner Bevins inquired who the newsletter was distributed to.

Ms. Lew stated they hoped to use the available CLG (Certified Local Government) funding to mail the newsletter to all properties in the City's local historic districts.

Commissioner Hart stated she would appreciate having a monthly column on myths and facts regarding historic preservation issues.

Ms. Lew noted this could be addressed in future editions of *Urbanus*, the Planning Division Newsletter, which was a monthly publication. She noted past issues of the Planning Division newsletters were on the website.

Acting Chairperson Oliver noted the newsletter should emphasize available tax credits, outline a typical review process for an application and include the percentage of applications which actually came before the Commission versus those that were approved administratively.

Commissioner Davis indicated the newsletter could outline Commission processes in the vein of a quick start guide.

Acting Chairperson Oliver stated the newsletter could address frequently asked questions and include a number of web links for further information. She noted the newsletter should also include basic information as to why residents were receiving the publication.

Ms. Lew thanked the Commission for their comments and noted that any further suggestions could be emailed to her or Carl Leith.

APPROVAL OF THE MINUTES from January 5, 2011 [5:31:34 PM](#)

Commissioner Richards moved to approve the minutes from January 5, 2011 as presented. Commissioner Bevins seconded the motion. Commissioners Bevins, Davis and Richards voted, “Aye”. Commissioner Hart abstained from the vote as she was not present on January 5th. The minutes stand approved.

REPORT OF THE CHAIR AND VICE CHAIR [5:32:32 PM](#)

Acting Chairperson Oliver noted Chairperson Lloyd was absent and that she had nothing to report.

PUBLIC COMMENTS [5:32:40 PM](#)

Cindy Cromer, 816 East 100 South, noted the Commission had accomplished a fair amount during 2010, including the approval of Westmoreland Place as a local historic district, streamlining the process with the Planning Commission for approval of multiple-unit projects in the Central City Historic District, the review of proposed Commercial Design Guidelines with several City and public bodies and approval of an improved reuse plan for the Elks Building. Ms. Cromer stated the Yalecrest issue had resulted in several additional meetings for the Commission during 2010. Ms. Cromer submitted a document to staff regarding concerns the Commission might consider addressing during 2011.

PUBLIC HEARINGS [5:35:51 PM](#)

PLNHLC2010-00018 Tracy Aviary - A request by The Friends of Tracy Aviary to approve a tree plan that will enable further development of the property. The subject property is located in the OS (Open Space) zone in Council District 5, represented by Jill Remington Love. (Staff contact: Ray Milliner at 801-535-7645 or ray.milliner@slcgov.com)

Staff Presentation [5:36:20 PM](#)

Mr. Milliner noted Tracy Aviary had been before the Commission several times recently to approve renovations that were all part of a 19.2 million dollar bond released to improve the Aviary. Mr. Milliner noted the current application requested the Commission review a plan which would remove 32 trees in the east central area of the Aviary to construct a new tropical bird exhibit and amphitheatre. Mr. Milliner stated that in light of past discussion on Aviary trees, the applicant had decided to bring the tree plan before the Commission prior to any design being submitted.

Mr. Milliner stated that staff had reviewed past documents regarding trees in Liberty Park. He noted that the first document which referenced trees was the Liberty Park Landscape Scoping Project, a collaborative effort in 1997 between City agencies and various non-profit organizations to create a park master plan. He noted that the park's trees were noted as significant within that plan; however, the trees within the Aviary were not specifically mentioned. Mr. Milliner noted that the National Register Nomination also referred to the significance of trees, but did not refer specifically to the Aviary. He noted that the Tracy Aviary Master Plan listed trees as an aspect of the historic significance of the area, however, did not point to specific planting patterns or species.

Mr. Milliner noted that staff had created seven findings located on page five of the staff report as follows:

1. Individual trees in the Aviary are not part of the historic planting pattern of Liberty Park.
2. The overall planned and planted environment of the Aviary is a contributory feature of Liberty Park.
3. All trees proposed to be removed will be replaced per the direction of the Salt Lake City Urban Forester.
4. All trees that can reasonably be relocated will be relocated.
5. The proposed plan is consistent with the 1997 Liberty Park Landscape Scoping Project.
6. The HLC will review a landscape/replanting plan as part of future development projects in the Aviary.
7. The proposed tree plan does not significantly impact the findings in the local landmark site designation or the National Register Nomination of Liberty Park.

Mr. Milliner noted that staff therefore recommended approval of the proposed tree plan.

Questions from the Commission [5:42:36 PM](#)

Commission Richards noted he had a question regarding the wording of Condition of Approval number one as suggested in the staff report, inquiring if it implied the HLC would later review the exhibit building design and replanting plan.

Mr. Milliner noted that this was true, but the hope for the plan being reviewed was that if the Commission believed there were specimens which required preservation, those trees could be identified and the design of the Aviary exhibits be made to work around them or the applicant replant those trees elsewhere.

Acting Chairperson Oliver noted the Commission had approved an original plan for structural upgrades within the Aviary and inquired if these trees had been included therein.

Mr. Milliner stated the request before the Commission now was a specific plan relating only to a future exhibit.

Applicant Presentation [5:45:33 PM](#)

Paul Svensen, with Friends of Tracy Aviary (FOTA), noted there were several facets to the issue; that the Aviary had been in decline for nearly thirty years, the low point of which came in 2006 when the Aviary was denied accreditation by the American Zoological Association (AZA). He stated the lifeline which

would keep the Aviary alive in the foreseeable future was the bond released in 2008. He noted that this bond had five components including; renovation of the Wilson Pavilion, replacement of the existing entry structure with a new guest services complex, complete renovation of existing underground utilities, new bird exhibits with indoor and outdoor components and new bird show facilities.

Mr. Svensen noted all these projects would impact trees within the Aviary. He noted the Aviary to date planned to transplant 16 trees and plant over 200 new trees. Mr. Svensen stated the current tree plan would create room to construct the new bird attraction and central plaza. He noted this plan would remove 32 trees and that many of those trees were in fairly poor condition. He reviewed the purpose of proposed structures and features for the future exhibits and the plaza site. Mr. Svendsen noted that FOTA intended to choose an architect for this phase in the immediate future and having a tree plan approved beforehand would help facilitate a better project. Mr. Svensen noted FOTA believed that not facilitating a rehabilitation of the surrounding canopy now would be a regrettable decision even in the foreseeable future, especially when considering the current condition of several of the 32 trees slated for removal. Mr. Svensen stated FOTA would return to the Commission with conceptual and final plans for the new structures when they became available.

Tim Brown, director of Tracy Aviary, noted they hoped to retain their AZA accreditation and these improvements would help in that goal. Mr. Brown noted the bond allowed the Aviary to initiate phase two of their master plan. He stated the planned structures would require the removal of all trees in certain areas. He noted that in the past three years, the majority of the 43 trees that had been removed had been Siberian Elms, Box Elders and Cottonwoods. He noted that 80% of the trees scheduled to be removed in the current plan were the same three species. Mr. Brown noted that in replanting trees, the Aviary would introduce 33 new species to the grounds.

Questions from the Commission [6:16:26 PM](#)

Acting Chairperson Oliver noted it was easier for everyone to have the applicant involved at such an early phase.

Commissioner Hart stated she had a question for the City's Urban Forester, Bill Rutherford. She inquired about the report with more extensive descriptions of the trees; noting the affected area appeared to mirror an emergency room report and inquired if this was typical of the entire Aviary.

Mr. Rutherford stated this was not an unusual condition in the park or the City as a whole, but that the report did not necessarily indicate the trees were on Death's doorstep.

Commissioner Richards stated his appreciation of the applicant's current approach. He inquired what the overall impact to the tree canopy would be.

Mr. Svensen stated there would be more trees than were currently present. He noted the canopy would likely be very similar once planted trees reached full maturity.

Commissioner Hart inquired what the long-term planting plan would be.

Mr. Brown stated that there were heavily and lightly impacted areas planned and that the intention was to rotate these areas over time to facilitate the continued health of the interior forest.

Acting Chairperson Oliver stated it seemed the applicant was taking the continued health of the Aviary canopy into careful consideration, especially as they planned to invest in diversifying their interior forest.

Public Comments [6:22:28 PM](#)

Matthew Utley, 1759 Garfield Avenue, noted he was the director of horticulture and facilities at Tracy Aviary. Mr. Utley stated he believed the proposed exhibits and plantings which would replace the existing trees would greatly increase the biological diversity and visual interest of the Aviary.

Monica Call, 730 Windsor Street, stated she was a frequent visitor to the park and a current Aviary board member. Ms. Call stated the future plan would help to facilitate a successful outcome, sustaining the Aviary.

Esther Hunter, 606 Trolley Square, noted the process for the proposal had been more of a collaborative effort than others in the past and thanked everyone involved. Ms. Hunter stated that the Commission should address their policies regarding parks; particularly, if an alteration was considered significant, the Commission should give substantive direction on the future preservation of that area.

Tom Barton, 1763 East 900 South, noted he was the current board chair of the Aviary. Mr. Barton stated that the periphery trees within the Aviary were being maintained wherever possible to keep the feeling of a sanctuary within the City.

Cindy Cromer, 816 East 100 South, noted she believed the Commission should have a protocol or defined guidelines for the removal of such large numbers of trees within locally designated historic sites. Ms. Cromer stated she believed there were trees within the collection which were not contributory at all. Ms. Cromer stated that the Commission should increase their consideration of the existing Landscape Scoping Project for the park.

Executive Session [6:33:25 PM](#)

Commissioner Richards noted he agreed with Ms. Cromer regarding the creation of future guidelines for historic landscapes.

Acting Chairperson Oliver concurred, noting there was little existing philosophy in the guidelines to work with and a philosophy should be established.

Commissioner Bevins noted the function of the Aviary was changing and in the short run, the perceived impact would be significant. He noted that the long term impact was less discernable; however, was a necessary part of the price to be paid for upgrading the facilities.

Commissioner Richards stated he believed it was difficult to determine whether all the trees would require removal with no proposed design. He noted, however, that from a design standpoint it was a sound approach, allowing a blank slate and easier overall process.

Acting Chairperson Oliver noted the impact would be limited to the interior of the Aviary as peripheral trees would remain. She stated the interior trees had no known or noted historic intent as a planting group or otherwise. She stated she therefore agreed with the plan and the staff report findings.

Commissioner Richards concurred.

Motion [6:39:42 PM](#)

In the case of petition PLNHLC2011-00018, Commissioner Richards moved to approve the application including the conditions as listed in the staff report and based upon the findings listed in the staff report. Conditions of approval as follows;

- 1. A landscape plan clearly delineating location, size and type of tree to be replanted will be reviewed and approved by the HLC as part of any future design approval.**
- 2. The applicant shall continue working with the City arborist to ensure that all trees removed and replaced are appropriate for the site, and that as many existing trees as possible are preserved and maintained.**

Commissioner Hart seconded the motion.

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

OTHER BUSINESS [6:41:31 PM](#)

The Commission had no further business on the agenda to discuss.

Vice Chairperson Oliver moved to adjourn. There was no objection. The meeting stood adjourned at [6:41:58 PM](#)

At this time the Commission adjourned to their Retreat in Room 335. The Retreat was open to the public for observation. Retreat notes are on file in the Planning Office, Room 406 of the City and County Building

Cecily Zuck, Historic Landmark Commission Secretary