

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 326, 451 South State Street
January 5, 2011**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on January 5, 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 January 5, 2011, at [5:57:45 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, Arla Funk, Sheleigh Harding, Creed Haymond, Chairperson Warren Lloyd, Vice Chairperson Anne Oliver and Commissioner Dave Richards. Commissioner Polly Hart was excused from the meeting.

Planning staff present for the meeting were: Cheri Coffey, Assistant Planning Director; Carl Leith, Senior Planner; Janice Lew, Senior Planner; Ray Milliner, Principal Planner; Paul Nielson, City Attorney; 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:

PLNHLC2010-00791; 550 S 600 East, Western Garden Center Major Alterations: Staff described the proposed project. The Commission inquired about the pitched roof and proposed openings which would be cut into the block wall in the South and East elevations. Aged addition is approximately 50 years old; questions were raised to whether or not to review it as a contributing structure.

PLNHLC2010-00801; Westmoreland Place, COA for Public Art Project: The Commission inquired why the project was coming to the Commission (as the proposal seemed straightforward). They also asked how many benches were proposed for the installation.

Westmoreland Place National Register Nomination: The Commission reviewed boundaries of the district and the nomination process.

PLNHLC2010-00772; 935 E Third Avenue, legalization case: Staff reviewed the proposal including the work that had been completed to date. The Commission asked questions regarding fence height regulations and how the height could be measured. The Commission also inquired about the grade changes. Staff discussed letters regarding the project that had been received in the last few days. The Commission asked about the missing horizontal screening element on the side yard fence.

DINNER AND WORK SESSION [5:19:32 PM](#)

The Commission discussed the possible reinstatement of a preservation awards program. The following points were raised:

- The annual awards program was discontinued in 2004.
- CLG program funding was available until the end of August 2011 to hold a program.
- Several Commissioners noted an increased emphasis on publicity of such an event should be made, including community outreach and press involvement.
- A general consensus existed among the Commission that the program should start small with four or five awards and expand from there if successful.
- Several Commissioners noted that the process should be at least partially open to the public through the involvement of individuals and community organizations voting for one or more of the awards, helping to increase the visibility of local preservation efforts.
- Ms. Lew noted that a typical ceremony used to include refreshments, an introduction by the Mayor, a presentation of awards and a presentation of plaques to outgoing Commissioners.
- Commissioners noted that staff could look to other organizations such as the Utah Heritage Foundation and other jurisdictions which had similar programs for ideas.
- Commissioners noted the program could help illustrate the positive and proactive side of preservation efforts in Salt Lake City.
- Commissioners noted that staff should filter through projects from the last year or two and move forward with some possible nominations for the Commission.
- Several Commissioners noted the public should also have involvement in the nomination process of at least one award, possibly instating a “People’s Choice Award”.

Chairperson Lloyd inquired if there was a retreat planned for the Commission in the near future to discuss priorities for 2011.

Mr. Paterson noted that a retreat had not been held in the Fall last year as was usual, due to the extra meetings for the Yalecrest Neighborhood. He stated staff was now looking for a date to review these issues with the Commission. He noted that priorities for 2011 could also be discussed separately during the next work session of the Commission.

Ms. Coffey noted everyone had been given a list of Planning Division Staff priorities for the next six months, which included the immediate goals of preservation staff.

The Commission moved upstairs to Room 315 to continue the meeting’s agenda. [5:57:44 PM](#)

APPROVAL OF THE MINUTES from December 1, 2010 [5:58:46 PM](#)

Vice Chairperson Oliver moved to approve the minutes from December 1, 2010 as presented. Commissioner Harding seconded the motion. Commissioners Davis, Harding, Haymond, Richards and Vice Chairperson Oliver voted, “Aye”. Commissioners Bevins and Funk abstained from the vote. The minutes stand approved.

REPORT OF THE CHAIR AND VICE CHAIR [5:59:56 PM](#)

Chairperson Lloyd noted he had nothing to report.

Vice Chairperson Oliver noted that the Chair and Vice Chair had met earlier with Planning Division staff regarding the Commission’s priorities for 2011 and would discuss them in further detail at a date yet to be determined with the Commission as a whole.

PUBLIC COMMENTS [6:00:36 PM](#)

Seeing no one present to speak to an item not on the evenings agenda, Chairperson Lloyd moved to the Public Hearings portion of the meeting.

PUBLIC HEARINGS [6:01:31 PM](#)

Westmoreland Place Historic District National Register Nomination – A request by Beatrice Lufkin, Consultant, soliciting comments from the Historic Landmark Commission regarding listing the locally-designated historic district on the National Register of Historic Places. The property is generally located between 1500 and 1600 East and 1300 South and the south side of Harrison Avenue. The presentation will include a discussion of the findings of the recently completed Reconnaissance Level Survey for the area. The property is zoned R-1-7000 (Single-Family Residential District) and is within City Council District 5, represented by Jill Remington Love. (Staff contact: Janice Lew, 801-535-7625, janice.lew@slcgov.com.)

Staff Presentation [6:02:03 PM](#)

Ms. Lew noted that the project had been funded by a Certified Local Government (CLG) Grant. Ms. Lew stated that staff was looking for a positive recommendation to the State Board of History which would review the nomination on February 10, 2011 at 1:00 p.m., and if approved, the State Board of History would forward it to the National Parks Service National Register of Historic Places.

Applicant Presentation [6:03:27 PM](#)

Bea Luftkin noted that the area nominated as Westmoreland Place was very small, consisting of a single subdivision with 69 period residences built between 1913 and 1952. Ms. Luftkin stated that 87% of those residences were considered non-altered or contributing. Ms. Luftkin reviewed several individual properties within the Westmoreland Place neighborhood and their particular significance. Ms. Luftkin reviewed the history of the subdivision as well, noting that the Westmoreland Place subdivision had been heavily advertised at the time of its inception; advertising including the facts that the subdivision was a traditional streetcar subdivision, aligned with the City's streetcar system, that the subdivision was restricted, which meant that all residences were single family dwellings with particular setbacks and requirements as well as the fact that the subdivision was originally restricted to only Caucasian ownership.

Ms. Luftkin noted the following prominent early residents of the Westmoreland Place subdivision: land developers Clark and Earl Dunshee and builders, the Ryberg Brothers. Ms. Luftkin stated that most homes within the Westmoreland Place subdivision were spec houses, however, there were two architect constructed homes; a colonial revival by the firm Miller, Wooley and Evans, and a home by architect George Welch.

Ms. Luftkin reviewed photographs for the Commission of the variety of housing styles and distinct features that exist in the Westmoreland Place subdivision including several bungalow styles and particularly one airplane bungalow, a rare architectural style in Salt Lake City, clipped gable homes, colonial revival styles, period revival cottages and the distinct pillars and pocket parks at the entrance to the subdivision.

Questions from the Commission [6:14:10 PM](#)

Chairperson Lloyd inquired if staff could provide any background as to why Westmoreland Place had been nominated as a local district and only now was being nominated as a National District.

Ms. Lew noted this process was an exception to the usual case. She stated that significant information existed regarding the contributory nature of the neighborhood prior to a national nomination and felt that there had been enough information to move forward with the local designation first. Ms. Lew stated that usually the City

liked to have the national designation in place before a local designation to have tax incentives available to residents for rehabilitation projects.

Public Comments [6:16:07 PM](#)

Seeing no one present from the public to speak on the matter, Chairperson Lloyd closed the public hearing and moved to executive session.

Executive Session [6:16:33 PM](#)

There were no further comments from the Commission.

Motion [6:16:53 PM](#)

Commissioner Funk moved to forward a position recommendation to the State Board of History regarding the nomination of the Westmoreland Place Neighborhood to the National Register of Historic Places. Commissioner Haymond seconded the motion.

There was no discussion of the motion.

All present Commissioners voted, “Aye”. The motion carried unanimously.

PLNHL2010-00801 – Westmoreland Place – Certificate of Appropriateness for New Public Artwork –

A request by Roni Thomas, representing the Salt Lake City Arts Council, for approval of a new public artwork project for the Emigration Neighborhood, part of which may be situated within the Westmoreland Place Historic District at the northwest end of Westmoreland Drive. The site is located in the Westmoreland Place Historic District and the R 1-7000 Single Family Residential zoning district, and is within City Council District 5, represented by Jill Remington Love. (Staff contact: Carl Leith, 801-535-7758, carl.leith@slcgov.com.)

Staff Presentation [6:18:28 PM](#)

Mr. Leith stated the proposed art project was for the Emigration Neighborhood as a whole, however, one or more of the benches might be placed in a landscaped island in the public way at the entrance to the Westmoreland Place Local Historic District. Mr. Leith noted that the art project would install Arts & Crafts style bronze benches with bas relief sculpted backrests, each illustrating attributes of individual tree species in the area. Mr. Leith noted staff found the proposal to be consistent with the objectives of City visioning, Master Plans, the Ordinance and with the Residential Design Standards and therefore recommended approval.

Questions from the Commission [6:21:39 PM](#)

Chairperson Lloyd inquired if the Commission should provide some detail on placement, or if the Commission could decide to approve the proposal regardless of the final location of the benches.

Mr. Leith stated he believed the benches as proposed would be sufficiently detailed and if not placed in the island in front of Westmoreland Place, would still be appropriate at any alternate location along the 1300 East Corridor. Mr. Leith also noted almost any location outside of the island would be outside the local historic district and therefore beyond the jurisdiction of the Commission.

Applicant Presentation [6:23:47 PM](#)

Roni Thomas, representative for the Salt Lake City Arts Council, noted she would answer any questions from the Commission. She stated that when and if the project were approved, they would walk the corridor with the

artist and consider placements that the artist suggested. Ms. Thomas noted that the island was a possibility, but the artist's intentions were currently unknown. Ms. Thomas stated she would deliver any comments the Commission might suggest to the artist.

Questions from the Commission [6:25:32 PM](#)

Chairperson Lloyd noted that the number of benches was not exact and inquired why this was so.

Ms. Thomas noted the artist had proposed to install four or five benches and it would depend upon the artist's concept and the finished dimensions of the benches which would impact cost.

Public Comments [6:27:47 PM](#)

Seeing no one present from the public to speak to the item, Chairperson Lloyd closed the public hearing and moved to executive session.

Executive Session [6:27:57 PM](#)

Commissioner Funk noted she believed it difficult to approve a hypothetical location for the benches; the Commission could grant conceptual approval of the idea but request that the Arts Council return with a final location.

Commissioner Haymond stated he appreciated public art, but did not feel the proposed benches would be ideal for the island in the public way.

Chairperson Lloyd inquired if the open area to the east of the existing gate might house one of the benches.

Ms. Thomas provided clarification for the Commission; that the concept as it stood was to place one of the proposed benches on the median island. She stated she believed the side parcels in front of the gates were not available locations as they were either privately owned or already heavily landscaped and therefore unsuitable.

Vice Chairperson Oliver inquired if there was any landscaping proposed for the installation.

Ms. Thomas noted no landscaping was proposed.

The Commission further discussed alternate locations.

Commissioner Richards noted the proposal seemed pretty unobtrusive and approval of a final location could be delegated to staff.

Ms. Coffey stated the Commission's role was to ensure the proposal was compatible with the district and the Commission should decide if the particular location mattered in regards to overall compatibility.

Commissioner Richards concurred and felt the proposal was not significant enough to become incompatible at an alternate location.

Vice Chairperson Oliver noted she felt the benches would be compatible at any location.

Motion [6:40:12 PM](#)

In the case of Petition PLNHLC2010-00801, Commissioner Richards moved to approve the application under the condition that the applicant reviewed the final location of the benches with staff.

Commissioner Harding seconded the motion.

There was no further discussion of the motion.

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

PLNHLC2010-00772 – 935 3rd Avenue – Certificate of Appropriateness for Retaining Wall and Fence –

A request by Brandon Reed, Landform Design Group, representing property owners Erik and Sandy Brunvand, to retroactively approve the construction of a retaining wall to the front and partial construction of a fence to the front, side and rear of the property, which is a single family residence. The property is located at approximately 935 East 3rd Avenue in the Avenues Historic District and the SR-1A (Special Development Pattern Residential) zoning district and is within City Council District 3, represented by Stan Penfold. (Staff contact: Carl Leith, 801-535-7758, carl.leith@slcgov.com.)

Staff Presentation [6:41:43 PM](#)

Mr. Leith reviewed site photos of the property before alterations. He noted that the side yard had previously not been enclosed and the front yard grading had since been altered. Mr. Leith noted the applicant had installed a six foot side and rear yard fence as well as a sandstone retaining wall in the front yard, approximately four feet tall at its highest point, tapering to sidewalk level at the Southeast corner. Mr. Leith noted that a four foot tall steel fence was proposed to be installed behind the retaining wall which would enclose the front yard. Mr. Leith noted that the staff report included before and after photographs, a summary of the applicant’s reasoning and a full set of drawings. Mr. Leith stated that several comments had been received by staff, in support and also with concerns, after the report had been published. Those comments are included with the record of these minutes.

Mr. Leith noted the staff report evaluated the proposal in general and in particular regarding guidelines for the Avenues Historic District, finding the proposal to be in conflict with Design Standards 2, 5 and 8 of Section 21A.34.020.G as well as Guidelines 1.1, 1.3, 1.4 and 1.8 of the Residential Design Guidelines. Mr. Leith noted that analysis found the project did not comply either in whole or in part with these standards, and staff’s opinion was that the request for legalization should be denied. Mr. Leith noted that if the Commission found that it disagreed with the staff analysis, the Commission should consider approval with conditions as noted in the staff report:

- a) That the height of the retaining wall is reduced and the garden graded accordingly.
- b) That the height of the fence is reduced to a suggested height of 3 ft, and;
- c) That the 6 foot rear fence begins along the side of the residence in line with the rear façade of the house, to enclose the rear yard only.

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

There were no questions from the Commission for staff.

Applicant Presentation [6:53:29 PM](#)

Brandon Reed, the landscape architect, noted he had approached the project with the owners who wished to respect the historic character of the home and neighborhood while meeting their needs. He noted the owners indicated they wanted front yard space for their dog, the property was impacted by pedestrian traffic and it had also experienced drainage issues in the past. Mr. Reed stated that they had met preliminarily with City Planning Staff in the Buzz Center to review the proposal according to the historic district standards, but the contractor had not pulled the necessary permits for the construction.

Questions from the Commission [7:04:19 PM](#)

Vice Chairperson Oliver inquired if there were any plans to soften the appearance of the retaining wall at the Southwest corner where the impact was greatest.

Mr. Reed noted that they intended to soften the wall with plant material.

Vice Chairperson Oliver inquired if the applicants had considered stepping the sandstone wall down at that corner.

Mr. Reed stated they had not considered that option; they felt the wall as it stood was the most aesthetically pleasing option.

Commissioner Haymond noted the reason the Commission was hearing the case that evening was because the applicants did not pull the proper permits for the project.

Mr. Reed noted this was so, but he had trusted in his contractor to pull the proper permits. He stated that they had met with staff member Anna Anglin who had reviewed the initial proposal.

Ms. Coffey noted this meant they came into the Permits Office and reviewed the proposal preliminarily, however, if the contractor had applied for the necessary permits, the project would have been reviewed by the City's preservation staff.

Commissioner Richards noted that as a landscape architect, Mr. Reed should have been aware any grade change over two feet required a Special Exception review. He noted these kinds of cases were very troubling to the Commission; on one hand, if the Commission rejected a proposal, it was very costly to the applicant to repair and on the other hand, if the applicant had followed the proper process, the design could have been modified before construction, thereby minimizing the cost to the applicant and making the proposal more compatible to the district.

Homeowner Presentation [7:08:33 PM](#)

Eric Brunvand, the homeowner, gave a PowerPoint presentation to the Commission containing several photographs of surrounding properties with retaining walls and fences in similar situations. He noted he did not believe the grade of their front yard had changed more than two feet. Mr. Brunvand stated there were three issues in the staff analysis he wished to address:

1. If the rear yard fence could be extended to include part of the side yard.

Mr. Brunvand noted a history of vagrants hanging out in the near vicinity. He stated he was concerned their dining room, which had large, low windows, was too close to the sidewalk and wished for an increased sense of security at that corner side yard elevation. The fence also shielded the heating and air conditioning units from public view. Mr. Brunvand noted there were several properties in the area with fences which included part of the side yard.

2. Whether the retaining wall in the front disturbed the historic grade.

Mr. Brunvand noted he did not believe the grade had been disturbed by more than two feet and had only been filled to meet the existing platform of the front yard. He referenced a letter by Stuart Loosli, included with the record of these minutes. Mr. Brunvand pointed out other retaining walls in the neighborhood.

3. Questions regarding the proposed height of the front yard fence.

Mr. Brunvand noted they wished to include the fence as proposed to contain their dog in the front yard. He reviewed photo examples of existing fences behind retaining walls in the vicinity.

Questions from the Commission [7:22:55 PM](#)

Commissioner Davis inquired if the west side neighbors to the Brunvalds had raised concerns regarding drainage issues.

Mr. Brunvald noted drainage had been what his neighbors seemed most concerned about when he approached them regarding the project. He stated a drain had been incorporated into the project to remove excess water from between the two homes.

Commissioner Davis noted the Hansen's did not mention drainage as one of their issues in the letter dated January 4, 2011. That letter is included with the record of the minutes in the Planning Division Office.

Public Comments [7:25:48 PM](#)

Sandy Brunvand, property owner, stated they had attempted to make the proposal appropriate for the neighborhood, but she was especially concerned that the yard was very open to pedestrians and that the side yard elevation in question felt very vulnerable to intrusion. She stated this was a significant issue for her and she wanted to solve that issue and provide a greater sense of security.

Andy Turic, 180 North 'P' Street, noted he approved of the proposal, particularly the sandstone retaining wall and felt the application to be appropriate to the neighborhood and beautiful.

Stuart Loosli, 170 North 'O' Street, noted that he was pleased with the project, believed it addressed the historic components of the existing structure and felt the proposed design would not spoil any aspects of the Avenues Historic District. He encouraged the Commission to approve the design as submitted.

Applicant Response [7:32:33 PM](#)

Mr. Brunvand noted that they had spoken with the west side neighbors regarding the project and had not been made aware of their present concerns.

Commissioner Davis inquired if they had ever had to call the police and report vagrants or other security issues.

Sandy Brunvand stated that they had never personally contacted the police but had been awakened before by police and their search dogs at night searching under their porch and side trees.

Executive Session [7:34:52 PM](#)

Commissioner Harding stated while she originally had some substantial concerns regarding the project, her opinion had been swayed by Mr. Loosli's letter and analysis.

Commissioner Haymond concurred and felt there were many examples of such walls and fences in the area.

Chairperson Lloyd stated that the staff report and recommendations had been very thoroughly documented. He noted the retaining wall did not seem to fit the usual pattern in that the high point was on the interior of the block rather than on the outside corner of the lot. He stated that from preliminary calculations, the grade

change at that corner was probably about 3 feet 4 inches and therefore might require further consideration by the Commission. Chairperson Lloyd noted the design of the proposed fence was beautiful.

Vice Chairperson Oliver concurred that the grade change at the Southwest corner was her real concern. She stated that the side yard fence was not an issue to her. She also stated that she did not feel Standard 2 was in question as the grade change did not seem to be a character defining feature of the property.

Commissioner Richards concurred; the design of the project and the side yard fence were not as much an issue as the front retaining wall Southwest corner and the change in grading.

Commissioner Funk concurred; the design of the fence was lovely. She noted the Southwest corner would be almost eight feet above grade in total and that there were no other retaining walls on the remainder of that block face.

Commissioner Harding stated that the Avenues District was not, however, uniform.

Commissioner Davis stated it bothered him that the reasons for the proposal given by the applicants seemed to be more distraction than proper reasons that the Commission could weigh in on, such as arguments including their dog rather than factors relevant to the design guidelines.

Commissioner Bevins concurred with Commissioner Davis. He noted he also had no issue with the side yard fence, but the retaining wall did greatly disturb the streetscape on that block face.

Chairperson Lloyd noted it seemed the Commission was not opposed to the side yard fence; however, there was a difference of opinion regarding the retaining wall and the fence behind it.

Commissioner Haymond noted the impact of the retaining wall could possibly be softened by landscaping.

Commissioner Funk inquired if they could approve the side yard fence and address the retaining wall separately.

Commissioner Harding noted she would rather entertain a motion for the entire proposal.

Motion [7:54:39 PM](#)

In the case of petition PLNHLC2010-00772, Commission Harding moved to grant retroactive approval for construction of a retaining wall to the front and partial construction of a fence to the front, side and rear of the property and complete the construction as proposed based upon the analysis within the letter of Stuart Loosli, included with the record of the minutes in the Planning Division Office.

Commissioner Haymond seconded the motion.

Discussion of the Motion [7:55:16 PM](#)

Mr. Paterson recommended that the Commission make specific findings based upon the standards in the Ordinance if the Commission made a motion contrary to the staff recommendation.

Commissioner Harding noted the standards were all addressed in Mr. Loosli's letter included with the record.

Commissioner Funk inquired of the Commission if the proposal would be approved as an incoming application before construction.

Commissioner Haymond noted he would not approve it.

Vice Chairperson Oliver inquired if the Commission might consider lowering the height of the proposed front yard fence to three feet instead of four.

Commissioner Richards stated this change would be more consistent with other fences on retaining walls in the district.

Chairperson Lloyd noted the motion was still on the floor.

Commissioner Harding noted the impact might be softened by landscaping and did not accept the amendment proposed by Vice Chairperson Oliver.

Chairperson Lloyd called for a vote.

Commissioners Harding, Richards and Haymond voted, "Aye". Commissioners Bevins, Davis, Funk and Vice Chairperson Oliver voted, "Nay". Therefore, the motion failed 3-4.

Vice Chairperson Oliver inquired if the proposal would be acceptable to the Commission if the Southwest corner of the retaining wall were reduced in height or stepped back in some way.

Chairperson Lloyd noted the wall as constructed from the steps to the Southwest corner could be lowered to create a better transition, or the wall could be stepped in two parts, to create a stepped landscape, moving the top of the wall and fence four or five feet behind the front property line.

Commissioner Davis noted his suggestion would be to drop the wall down four or five feet in both directions at that corner, move the existing fence post in and create a small plateau that could be landscaped.

Vice Chairperson Oliver noted these options for softening the Southwest corner: chamfering it, lowering the fence, lowering the wall, lowering both and creating a landscaping zone could be reviewed by staff. She noted this could allow the rest of the project to remain unaltered. Vice Chairperson Oliver noted they could ask the revised proposal come back to the Commission for review as well.

Second Motion [8:12:08 PM](#)

In the case of Petition PLNHLC2010-00772, Vice Chairperson Oliver moved to approve the side yard fence in opposition staff findings, finding that the side yard fence is appropriate based upon the following findings; for Standard 2, the fence does not disrupt the historic character of the property or alter any character defining features of the property; for Standard 5, the fence does not affect any distinctive features, finishes or construction techniques on the property; for Standard 8; the fence is a contemporary design and therefore shall not be discouraged and the fence design is compatible with the size, scale color, material and character of the property. The Commission, therefore, does not concur with staff's recommendation and instead approves the side yard fence.

Commissioner Harding seconded the motion.

There was no discussion of the motion.

All present Commissioners voted, "Aye". The motion carried unanimously.

Third Motion [8:14:37 PM](#)

In the case of Petition PLNHLC2010-000772, Vice Chairperson Oliver moved to continue the retaining wall and fence to a later meeting with conditions and according to the following findings; that in the case of Standards 2, 5 and 8, the site grading has not been altered sufficiently to affect the historic character

of the property and no distinctive features, finishes or construction techniques have been significantly impaired, and the fence and wall are a contemporary design and therefore shall be encouraged; the materials color and character are compatible, however, the size and the scale are not and therefore, the Commission would ask the applicant to work with staff to find a solution to soften the southwest corner of the retaining wall and fence either by stepping the wall back or moving the fence back and continuing the item to return to the Commission.

Mr. Nielson noted that the motion needed clarification.

Mr. Paterson noted that for clarification, it seemed the Commission was fine with the materials themselves, including the design of the sandstone wall and the iron fence, but took issue with the design of the corner in terms of the height at the interior corner.

Vice Chairperson Oliver noted this was correct.

Commissioner Richards seconded the motion.

Commissioner Harding inquired if Vice Chairperson Oliver would consider amending the motion to allow staff to approve the final design rather than returning the issue to the full Commission.

Vice Chairperson Oliver noted that she would be comfortable with amending the motion to approve and allow staff to make a final determination.

Mr. Paterson noted if the Commission would like the petition to return to them, they could continue the item. He stated that otherwise they could approve the petition, delegating final authority to staff who would act in accordance with the Commission's comments during the public hearing.

Ms. Coffey inquired if the motion then stood to approve the petition, delegating final approval of the design of the Southwest corner to staff based upon discussion by the Commission regarding ways to lessen its impact.

Vice Chairperson Oliver noted it would be a conditional approval, delegated to staff for final approval.

Vice Chairperson Oliver accepted the amendment to the motion.

Commissioner Richards seconded the amendment.

Amended Third Motion [8:19:29 PM](#)

Vice Chairperson Oliver amended her motion to grant conditional approval of the design of the retaining wall and fence, rather than continuing the item, according to the conditions described in her motion, and delegating final design approval of the southwest corner to staff, according to the discussion of the Commission during the public hearing.

Commissioner Richards seconded the amended motion.

Commissioners, Bevins, Davis, Richards, Oliver, Haymond and Harding voted, "Aye". Commissioner Funk voted, "Nay". The amended motion carried 6-1.

PLNHLC2010-00791 – Certificate of Appropriateness for Major Alterations, Western Garden Center –

A request by Western Garden Center, represented by Ken Stuart, for a major alteration to renovate the main building, located at approximately 550 South 600 East. The subject property is located in the CN (Neighborhood Commercial) zoning district and is within Council District 4, represented by Luke Garrott. (Staff contact: Ray Milliner, 801-535-7645, ray.milliner@slcgov.com.)

Staff Presentation [8:22:33 PM](#)

Mr. Milliner noted the proposal would add a pitched roof, second story addition onto the front of the main building. He indicated it was unclear to staff whether the original structure would be considered contributory or non-contributory once it became eligible; however the proposal had been reviewed as if it were a contributing structure. Mr. Milliner noted the first story windows would remain in place. He stated that staff recommended approval with the following two conditions:

1. The building shall meet all applicable zoning ordinance requirements including height and setbacks
2. Final approval of exterior materials and windows shall be delegated to staff for SLC Historic District Design Guideline review and approval.

Questions from the Commission [8:24:54 PM](#)

Chairperson Lloyd noted that under standard five in staff's analysis it was not clear if the decorative concrete block behind the main wall was considered a significant feature.

Mr. Milliner stated he believed the decorative concrete was not a significant feature; it was likely installed during a later, non-contributing era.

Applicant Presentation [8:26:32 PM](#)

Ken Stuart, the architect, noted that he had nothing to add, but would answer any questions from the Commission.

Questions from the Commission [8:27:13 PM](#)

Commissioner Davis inquired how the applicant arrived at the idea of creating a reception center as it seemed at odds with the existing garden center.

Mr. Stuart stated he believed the garden center and proposed reception center to be synergistic uses, noting their Sandy, Utah location already had a successful reception center. Mr. Stuart noted that as the garden center was by its nature a seasonal business, it helped to make the business profitable during the rest of the year and evening hours.

Ms. Coffey noted it seemed to be a developing business model for other garden centers in Salt Lake County.

Public Comments [8:29:40 PM](#)

Cindy Cromer, 816 East 100 South, noted she was pleased to see the owners redeveloping the property in a positive manner. She stated her concern, however, regarding the inattention in the design to the Walkable Communities Ordinance. Ms. Cromer noted the applicant should be encouraged to activate the project at the sidewalk with something as simple as an arbor showcasing some of the plants the center sold and a path or patio on the east elevation.

Applicant Response [8:32:36 PM](#)

Lon Clayton, the business owner, noted that they had originally looked at replacing the building with a new facility, however, that option had turned out to be too costly.

Chairperson Lloyd inquired if the finish would be disturbed.

Mr. Clayton stated they would be using the most unobtrusive methods possible to achieve the addition, noting most finishes, openings and plant materials would remain.

Vice Chairperson Oliver noted some ivy would need to be removed and the difference between the new and old cinderblock would be notable for a while.

Mr. Clayton stated the ivy was very well established and would not take long to fill in again.

Commissioner Haymond inquired if the decorative block could be removed.

Mr. Clayton noted it could be. He was unsure of the exact date, but believed the decorative treatment was installed in 1971 on top of the existing block.

Commissioner Davis inquired if the ivy would compromise the integrity of the concrete block.

Mr. Clayton noted the ivy would not compromise the concrete block as it would other materials.

Executive Session [8:38:06 PM](#)

Commissioner Richards inquired if the inclusion of a plaza would need to return to the Commission.

Mr. Milliner noted the petitioner would need to submit an application for a Certificate of Appropriateness and it would then depend upon how substantive the proposed changes were.

Chairperson Lloyd noted the setback for the Commercial Neighborhood Zoning District was the front property line and the owners could chose to incorporate some sort of development in front of the building such as Ms. Cromer suggested earlier in the hearing.

Commissioner Funk stated the petitioner could consider adding French doors and incorporating a patio and arbors in the future.

Motion [8:40:22 PM](#)

In the case of petition PLNHLC2010-00791, Commissioner Funk moved to approve the proposed renovation with the conditions of approval as outlined in the staff report:

- 1. The building shall meet all applicable zoning ordinance requirements including height and setbacks.**
- 2. Final approval of exterior materials and windows shall be delegated to staff for SLC Historic District Design Guideline review and approval.**

Commissioner Davis seconded the motion.

All present Commissioners voted, "Aye". The motion carried unanimously.

OTHER BUSINESS [8:41:06 PM](#)

The Commission had no further business to discuss.

Vice Chairperson Oliver moved to adjourn. There was no objection. The meeting stood adjourned at [8:41:12 PM](#)

Cecily Zuck, Historic Landmark Commission Secretary