

**SALT LAKE CITY**  
**HISTORIC LANDMARK COMMISSION**  
**Minutes of the Meeting**  
**Room 326, 451 South State Street**  
**November 3, 2011**

*This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on November 3, 2011.*

*Historic Landmark Commission Meetings are televised on SLCTV 17. Archived video of this meeting can be found at the following link under, "Historic Landmark Commission and RDA":*  
[http://www.slctv.com/vid\\_demand.htm](http://www.slctv.com/vid_demand.htm),

A regular meeting of the Historic Landmark Commission was called to order on Thursday, November 3, 2011, at [5:33:43 PM](#) in Room 326 of the City and County Building, located at 451 South State Street, Salt Lake City, Utah, 84111. Commissioners present for the meeting included Chairperson Anne Oliver, Vice Chair Polly Hart, Dave Richards, Arla Funk, Earle Bevins III, Sheleigh Harding and Bill Davis. Commissioner Stephen James was excused.

Planning staff present for the meeting included Cheri Coffey, Assistant Planning Director; Joel Paterson, Planning Manager, Janice Lew, Senior Planner, Michaela Oktay, Principal Planner, Maryann Pickering, Principal Planner, Ray Milliner, Principal Planner and Michelle Moeller, Senior Secretary. City Attorney Paul Nielson was also present.

**FIELD TRIP [5:34:19 PM](#)**

Commissioners Bevins, Funk, Oliver, Davis and Richards were present for the field trip along with staff members Joel Paterson, Ray Milliner and Janice Lew. All left the City and County Building at 4:00 p.m. and visited the sites of the public hearing items that evening.

Liberty National Register Nomination- the Commission toured Liberty Neighborhood

Sign Design Guidelines- the Commission drove along 700 East and looked at a variety of commercial signs. The Commission also drove down Main Street and South Temple to look at signs.

**DINNER [5:34:24 PM](#)**

Dinner was served to the Commission and staff at 5:00 p.m. in Room 126. The Commission had no substantive business to discuss.



**REPORT OF THE CHAIR OR VICE CHAIR [5:34:30 PM](#)**

Chairperson Oliver stated the past few months the Commission had reviewed multiple policy and ordinance documents and explained a copy of the fine tuning document, which was submitted to the Planning Commission, was forwarded to her and Commissioner Hart who reviewed it again.

Commissioner Hart said there were three things that she wanted clarified or fixed in the document. She stated on page 2 regarding membership, it was not clarified whether the terms of current members would be increase from three to four years.

Ms. Cheri Coffey, Assistant Planning Director, stated Ms. Michaela Oktay was also present to answer questions. She explained the intent was that the term would be for four years and would be consistent with the Planning Commission.

Commissioner Hart stated that was understood but were the current three year terms bumped up to four years.

Ms. Coffey stated she thought it only applied to new terms.

Mr. Paul Nielson, City Attorney, stated it may need to be clarified but he thought it would apply to present members.

Commissioner Hart stated the Commission would like clarification on the issue.

Ms. Coffey stated she would find out and report back with the answer.

Commissioner Hart stated the second item was on page 3, regarding the record of proceedings. She said she thought the Commission had agreed to keep the audio recordings for the time period required by the Utah State GRAMA Policy or a minimum of sixty days, which ever was greater. She said she thought Staff had agreed to that. Commissioner Hart asked if item 2.a.6 on page 9 could be clarified as to what an Applicant's options were if they were denied approval through the Administrative Approval Process. She said the language stating the Applicant would have the right to come to the full Commission for appeal was red lined in the fine tuning changes as well as in the updated document. Commissioner Hart said she thought it was agreed that the Applicant would be allowed to come to the Commission for appeal

Ms. Michaela Oktay, Principal Planner, stated the Applicant was definitely allowed to come to the Commission. She explained the process a non-complying application would go through.

Ms. Coffey stated basically if Staff did not think an application met the standards they would not make an Administrative Decision and the case would be forwarded to the Commission as a new case, not as an appeal.



Commissioner Hart stated that was right and the Applicant would come to the Commission for approval or make changes to their application.

Ms. Coffey stated the intent would be clarified, that if Staff found an application did not meet the standards the application would be forwarded to the Historic Landmark Commission.

Commissioner Hart stated she would like it clarified in the document.

Ms. Coffey asked how many current members would be okay if the change in term length were approved and affected the current member's terms.

The Commissioners stated they would be willing to stay on for the extra time.

Ms. Coffey stated it was Staff's perspective, after a lengthy discussion, that it was not a consensus decision by the Commission to keep the audio recordings of proceedings for a minimum of 60 days and that the Commission was comfortable with the fine tuning proposal being consistent with the Utah State GRAMA language. She stated it was said that the City keeps the recordings indefinitely which could be put in the rules of procedure as well. Ms. Coffey asked for a consensus by the Commission on the issue.

Commissioner Richards stated the four year terms was good for continuity but he was not sure if it restricted the pool of applicants. He stated it was his concern that the length of the term would prohibit people from wanting to apply for a Commission or Board.

Ms. Coffey stated she did not know if it was an issue that would keep people away or not. She said other Commission's members serve four year terms and the ordinance allowed for a person to take over a resigning member's position and still have the ability to serve two full terms on a Commission.

Chairperson Oliver stated the language in all the documents needed to be consistent as to the definitions of words such as "structure," "building," "site," etc. She said it would take time but it would help to clarify the documents.

Ms. Coffey asked, what was the direction of the Commission regarding the GRAMA issue?

Commissioner Hart stated she expressed interest because of what was happening with the State Legislature and the GRAMA requirements. She said she wanted to make sure the Commission was not strictly relying on GRAMA requirements alone.

Mr. Nielson stated the information reported on what the Legislature was doing may not have been completely accurate. He stated it was his understanding that the Legislature was not going to make any changes to the GRAMA requirements.



Chairperson Oliver asked if it was detrimental to leave in the sixty day clause.

Mr. Nielson said there was not a problem if the language read sixty days or whatever was required under State statute. He stated the retention under GRAMA required all documents to be kept forever. Mr. Nielson stated this might not always be the case but it would likely never be anything less than ten years.

Chairperson Oliver stated the policy should reflect whatever was greater.

Commissioner Hart stated her concern was that the Commission had made an agreement that the sixty days would be left in and it was not left in the document.

Mr. Nielson stated it was better to go with the more restrictive requirements.

Ms. Coffey asked if all the Commission members agreed the information should be added to the document.

Commissioner Hart asked if anyone else remembered the discussion and what was agreed.

Commissioner Harding stated she remembered the discussion and Commissioner Hart was correct.

Chairperson Oliver stated an Architectural Committee was held regarding the Smith's Fuel Center proposal which would be address later during the meeting. She explained Dave Richards, Stephen James and herself met with Staff regarding the residential design guidelines. Chairperson Oliver stated there were two memos included in the packet and asked if Staff wanted to address those now or at the end of the meeting.

Mr. Joel Paterson, Planning Manager, stated the memos were included in the packet for the Commission's information. He stated the Council would be considering adopting the proposed Preservation Program Philosophy by resolution on November 15th or 22nd.

Chairperson Oliver said she had a few comments regarding how preservation was practiced in Salt Lake City. She read the language regarding economic and technical feasibility and stated the Historic Landmark Commission did not usually discuss these items or enter into financial issues. Chairperson Oliver stated if the language was directed towards Staff and not the Commission it was fine but if it was directed to both the Commission and Staff it would change the tenor of the Commission's discussions or give a false impression that the Commission took economic hardship into consideration when it may not be the issue. Chairperson Oliver read the language regarding the Public Outreach Program. She stated it did not apply to the Commission because all of the Commission's advocacy roles were removed, but again it may only apply to



Staff. Chairperson Oliver asked for comments on the revised policy document and asked if Staff wanted a discussion on the document.

Ms. Coffey stated it was included in the packet as a resource document and not for discussion.

Commissioner Hart said on page two regarding driveways was written to imply that a landscaped driveway was required and asked Staff if that was the intention or just an option.

Ms. Coffey stated it was the existing policy and not in the guidelines. She stated it was not a requirement but it would be addressed in the residential design guidelines.

Commissioner Richards stated the whole document seemed to be redundant, in light of the fact that a full set of standards and guidelines already existed. He said he was not really clear what purpose the policy document served.

Ms. Coffey stated Staff was trying to eliminate the redundancy but until the other items in the policy document were addressed by the Zoning Ordinance standards or the design guidelines, the policy document was needed. She stated all of the items would be addressed either in the ordinance or in the guidelines. She gave the example of the policy on signs and stated the sign guidelines were not adopted as of yet so the policy document was the ruling document until the sign guidelines were adopted.

Commissioner Richards asked if the policy document would then dissolve.

Ms. Coffey stated yes the policy document would be dissolved.

Chairperson Oliver asked about the photography requirements and if the intent was to allow digital photography or require black and white.

Ms. Coffey stated the requirements reflected the SHIPO requirements and needed to be formally added to the ordinance.

#### **REPORT OF THE DIRECTOR [5:50:57 PM](#)**

Ms. Coffey stated Staff was working diligently on all of the proposed preservation tools. She stated they are under a tight time frame with the State Legislature so Staff would keep presenting items to the Commission. She thanked the Commission for meeting twice a month and thanked them for all their hard work.

Chairperson Oliver said thank you to Cheri as well and stated it was a lot of work at the moment but in the end it would result in useful information.



## **APPROVAL OF OCTOBER 20, 2011 MINUTES [5:51:39 PM](#)**

Chairperson Oliver asked for corrections or additions.

Commissioner Davis stated he thought there were statements attributed to him that he did not make.

Ms. Michelle Moeller, Secretary, stated she watched the video to ensure the person talking was correctly credited in the minutes.

Chairperson Oliver stated she should have been listed as attending the field trip.

## **MOTION [5:53:15 PM](#)**

**Commissioner Harding moved to approve the minutes of October 20, 2011 with the corrections. Commissioner Richards seconded the motion. Commissioners Richards, Bevins, Hart, Harding, and Davis voted *Aye*. Commissioner Funk abstained from voting. The motion passed with a 5-0 vote Chairperson, Anne Oliver did not vote.**

## **PUBLIC COMMENTS [5:53:40 PM](#)**

No public comment was given at this time.

## **PUBLIC HEARINGS [5:54:01 PM](#)**

**Liberty Area National Register Nomination** - A request by the State Historic Preservation Office (SHPO) soliciting comments from the Historic Landmark Commission to expand the boundary of the Wells National Register Historic District to include the Liberty Area.

Ms. Janice Lew, Senior Planner stated the Commission was being asked to make a recommendation to the Board of State History regarding the expansion of the Wells National Registered Historic District. She reviewed the boundary changes and the approval process for the petition as outlined in the Staff Report.

Ms. Sara Meess, SWCA, reviewed the following areas:

- Existing Wells Historic District and History
- The RLS Survey Information
  - Farms and Fields (1847-1870)
  - Initial Settlement (1871-1899)
  - Streetcar Suburbs (1900-1929)
  - Era of Infilling (1930-1945)
  - Post-War Period (1946 to Present)
- Evaluation of the Boundary Increase
  - Comparison of Liberty and Wells areas
- Historical Significance



Commissioner Hart asked for clarification on the document information and whether or not it was accurate regarding the buildings and the construction dates on page 13.

Ms. Meess asked if Commissioner Hart was referring to the Nomination Form and stated it was because the two structures were in Liberty Park and were recommended to be excluded from the boundary increase. She stated it was included because it was part of the study area but would not be included in the recommended boundary area.

Commissioner Hart stated that was what she was thinking but she wanted to make sure. She stated there was a typo on page 4. She congratulated Sara Meess on the good job she did on the document.

**PUBLIC COMMENT [6:11:55 PM](#)**

Chairperson Oliver opened the Public Hearing and seeing no one was present to speak on the issue the Public Hearing was closed.

**EXECUTIVE SESSION [6:12:09 PM](#)**

Commissioner Bevins asked why the area was not included in the original district boundaries.

Ms. Lew stated it appeared as though there were financial problems as far as extending it at the time. She said the original district was funded by a CBDG grant and the current one was funded by the CLG grant.

Commissioner Davis stated the significance of a national register district was that there was no local zoning overlay but it allowed homeowners to get a tax credit for alterations to the property that go through the State Office of Preservation.

Chairperson Oliver stated it didn't have to be a local historical district as a national historic district a residence would qualify for a tax credit.

Commissioner Bevins asked if that applied to Commercial properties as well.

Chairperson Oliver stated the federal tax credit would apply and there was a state tax credit allowed for residential properties.

Commissioner Davis clarified the residential tax credit was only state and not federal.

Chairperson Oliver stated that was correct.

Commissioner Richards stated it was owner occupied residence as well, where as the federal one was more income-producing property whether residential or commercial.



**MOTION 6:14:14 PM**

**Commissioner Hart motion for the National Register of Historic Places Nomination for the Liberty Wells Historic District boundary increase that the Historic Landmark Commission send a positive recommendation to the Utah Board of State History. Commissioner Richards seconded the motion. Commissioners Richards, Funk, Bevins, Hart, Harding, and Davis voted *Aye*. The motion passed with a 6-0 vote Chairperson, Anne Oliver did not vote**

6:15:10 PM

**PLNHLC2011-00296, 632 South 700 East, Certificate of Appropriateness for Replacement**

**Windows** - A request by Thomas Camoin of Salt Lake Community Action Program, representing property owner Caroline Gutarra, to replace existing windows on the sides of the property, which is a single-family building.

Ms. Elizabeth Reining, Principal Planner, reviewed the case as presented in the Staff Report. She explained the case was heard in July at which time Staff recommended the denial of the project because they did not have the full details of the window replacement and no alternatives had been investigated before replacement was sought. She said Staff had since talked with the property owner and come to a solution for the replacement of the subject windows. Ms. Reining reviewed the information regarding the cost quotes, replacement options, and layout of the property and location of the windows on the house. She stated the sills would be saved and inspected and only the window unit would be replaced. Ms. Reining stated it was Staff's recommendation that the Historic Landmark Commission approve the replacement of the windows as specified in the Staff Report.

Commissioner Richards stated the sills would be retained but what about the external trim around the windows.

Ms. Reining stated from what she understood that would be retained as well.

Commissioner Hart asked if the windows would be vinyl.

Ms. Reining stated that was correct.

Commissioner Hart asked about the price quotes and if labor was included or not.

Ms. Reining stated from her understanding the quote did not include labor. She stated Salt Lake Community Action Program was still willing to include the replacement as part of their larger weatherization program so to the homeowner's cost for the replacement would be zero.

Commissioner Richards stated he did not know how a bid for repairing windows was done without including labor.

Mr. Thomas Camoin, Salt Lake Community Action Program, stated his brother used to work for American Heritage and they used to take the windows apart and rebuild them from scratch.



Chairperson Oliver asked if Mr. Camion thought the quote was for materials only.

Mr. Camion stated he was not sure and it seemed high but he knew they used just a little of the original window and made a new window. He said it would be mostly labor but he was not sure.

Commissioner Davis stated it may not include the labor to actually take the rebuilt window and put it in the structure but just the labor to rebuild the windows.

Commissioner Richards stated installation would have to be included as that was part of what the company did.

Mr. Camion stated he would imagine the quote would include labor. He stated they had looked at Anderson windows that are much closer to the historic windows and those were hugely expensive as well. He stated his labor would be about four hundred on top of the quoted price.

Chairperson Oliver stated their labor including the refinishing of the sills and the trim and the casings.

Mr. Camion stated the sills would not be stripped as they contained lead paint. He explained how the windows would be fixed with caulk and primer and would be included in the cost. He stated the windows are very simple to take out and fix.

Mr. Hudson Martin, Friend of the Owner, stated the sills around the windows were good but the window itself was bad. He stated there was not a latch on any of the windows due to the deteriorated frame work, three of the subject windows have Plexi glass in them prohibiting the window from being properly caulked. He stated in light of the fact that local government installed a new furnace and insulation in the home the continued loss of heat through the windows would make the furnace repairs useless.

Mr. Camion stated he addressed the safety of the windows at the prior meeting and explained the windows were painted shut with the use of heavily based lead paint.

Commissioner Richards asked about the repair on the most easterly window. He stated the trim and the sill looked pretty worn and wondered if it would be replaced.

Mr. Camion stated in the beginning it was discussed that the windows would be kept and restored in the future, but with lead based paint precautions has to be followed. He stated if that window was irreparable they would want to replace it if possible.

Commissioner Richards asked if it would be replaced with similar materials.

Mr. Camion stated yes it would be as close to the original as possible.

Commissioner Richards stated the motion should include language stating if repairs were done on the windows like materials would be used.



Mr. Camion discussed the material that would be used and the places of deterioration on the windows.

Mr. Martin asked if it was the Commission's preference to have the windows repaired rather than the installation of new windows.

Commissioner Richards stated yes it was the Commission's preference that the windows be repaired if it could be made to blend in with the existing window.

Mr. Martin stated the windows were likely repairable.

Mr. Camion stated he was aware that State Historic Preservation Office had different criteria. He stated he had a letter from SHIPO stating their approval of the project.

**PUBLIC HEARING [6:28:01 PM](#)**

Chairperson Oliver opened the Public Hearing.

Ms. Cindy Cromer reviewed the troubles she had gone through with replacement windows and what worked and did not work. She stated the need to find various vendors that could create ways to leave as much of the historic material as possible. She said it would obviously be easier on the building to have just the sashes replaced instead of having the frame replaced.

Commissioner Richards asked Ms. Cromer to email him the names of the window vendors.

Chairperson Oliver closed the Public Hearing

**EXECUTIVE SESSION [6:30:33 PM](#)**

Commissioner Funk expressed her concern over the replacement of the windows and stated she thought it would be better to restore or repair the windows rather than replace them. She said more than one bid should be acquired for the purpose of comparing what can be done by various groups.

Commissioner Hart asked who else restored and rebuilt windows beside American Heritage.

Commissioner Richards stated he was not aware of anyone else. He stated some of the general contractors had experience in window restoration. He stated the photos reflected that only a couple of the windows have the historic detail in the sash.

Chairperson Oliver stated there were only three original windows and the two in the rear were later additions.

Commissioner Hart stated her recollection was that less than half the panes in the windows were old glass.

Commissioner Davis stated he questioned whether there was enough left of the original windows to warrant the restoration of them as it was indicated that three of them are Plexi glass.



Commissioner Richards stated windows that are similar in visibility have been approved in the past.

Commission Davis stated it was not the front façade of the house. He stated the Commission encouraged people to restore windows as opposed to replacing them but he was not sure if requiring multiple bids was something in the Commission's purview.

Chairperson Oliver stated she felt the Commission was still learning what was best regarding replacing windows. She said each situation needed to be looked at individually. She stated it would be nice to have several bids and it could be a requirement in the future. Chairperson Oliver read the Central City Historic District goals for the look and feel of neighborhoods, as listed in the ordinance. She stated replacing the windows would fit in with the goal of the area.

Commissioner Bevins stated some of the windows are not visible from the street and would not detract from the streetscape so he would be in favor of replacing the windows.

Chairperson Oliver stated she was the person at the last meeting who said the windows were important to the house because they speak to an earlier period earlier than the stated date of construction. She said the house looks older with some of the arts and crafts details that were added later but the only physical evidence of that left was the window sashes. Chairperson Oliver stated with the philosophy of the Central City Historic District and the visibility of the windows she would approve the replacement of the windows.

Commissioner Funk stated it had been shown that the vinyl windows did not have the greatest longevity therefore, part of the question should be if they last ten years was it better to put those in or pay a little more to have something that last fifty years put in.

Chairperson Oliver stated the life span of window was very important and should be included as part of any bid in the future.

Commissioner Richards stated there are many types of high quality windows and some do better than others regardless of the cost.

The Commission talked about the pros and cons of replacing or rebuilding the windows, life time of the window and making the window fit with the character of the neighborhood.

**MOTION [6:41:13 PM](#)**

**Commissioner Richards motioned stating in the case of PLNHLC2011-00296 he moved that the Historic Landmark Commission approve the application and concur with Staff's findings with the following conditions:**

- **That any replacement or repair of damage to exterior trim and casing will be repaired or replaced with like material. The design details and any questions could be handled by Staff.**



**Commissioner Davis seconded the motion Commissioners Richards, Bevins, Hart, Funk, Harding, and Davis voted Aye. The motion passed with a 6-0 vote Chairperson, Anne Oliver did not vote.**

6:43:04 PM

**PLNHLC2011-00417 Smith's #94 Fuel Center** – A request by Jeff Randall of Great Basin Engineering South for construction of a new Smith's fuel center located at approximately 479 South 600 East.

Ms. Maryann Pickering, Principal Planner, reviewed the petition as presented in the Staff Report. She stated an Architectural Subcommittee meeting was held and potential design changes were discussed with the Applicant. Ms. Pickering stated the Planning Commission heard the application as part of a planned development petition and approved the request of the proposed fuel center, subject to the Applicant obtaining approval from the Historic Landmark Commission for a certificate of appropriateness. She stated the Planning Commission did suggest that the wall at the corner be lowered but did not make it a condition of approval. Ms. Pickering stated previously the canopy was two feet from the property line however, with the reduction in size the canopy was now approximately fifteen feet back. She reviewed the plans for the station and the addition of bicycle accommodations. Ms. Pickering stated it was Staff's recommendation that the application be approve but suggested the modification of the canopy colors to tan and red instead of the proposed silver and red.

Commissioner Richards asked the height of the wall and if the Planning Commission indicated the height the wall should be.

Ms. Pickering stated she would have to check with the Applicant on the current height and stated the Planning Commission saw the wall as imposing on the corner.

Commissioner Richards asked if the material and the color on the wall were to be gray.

Chairperson Oliver stated originally the wall was brick and asked if the material was changed.

Ms. Pickering stated she believed it was still brick and the Applicant could clarify that question. She stated the rendering was done quickly for the Planning Commission meeting.

Commissioner Bevins asked for the square footage on the canopy.

Ms. Pickering stated the Applicant would have to answer that question.

Commissioner Funk asked if landscaping was part of the Commissions purview. She said she thought it would be nice to manage the parkway landscape.



Ms. Pickering stated the reduced setback for the landscaping was approved by the Planning Commission built on the landscape plan that had be submitted there was no specific tree species that had been identified.

Commissioner Funk asked if there were a number of trees specified that had to be planted.

Ms. Pickering stated yes there were.

Commissioner Richards asked what the Zoning Standard was for the zone in terms of parkway planting.

Ms. Pickering stated she believed it was one for every 15 feet. She stated the old sight plan indicated three trees on the North property line, three on the East property line, two along the South and four along the West property line for a total of approximately eleven trees that would be planted on the site.

Chairperson Oliver stated her recollection was that the low wall dividing the site on the south and west sides originally extended almost to the driveway and now it stopped short and small sidewalks were added. She asked if that was the Applicant's doing or a requirement from the Planning Commission.

Ms. Pickering stated it was the Applicants doing.

Commissioner Davis stated he felt it was important to mention the reasons the Architectural Subcommittee was held and the plan reviewed was because the canopies were originally designed to be diagonal to the street in an area where everything else in the surrounding block was either parallel or perpendicular to the street. He stated changing the direction of the canopies alleviated the diagonal feel of the site.

Mr. Brett Wallen, Great Basin Engineering, stated Smith's did not usually like to make changes to the canopy. He stated they felt a good compromise was reached and the breakup of the canopy was not something that had been done. He said the suggestions and the resulting product was exciting in terms of splitting the canopy and the angles. Mr. Wallen stated he thought with the new layout of the canopies it was more streamlined and broke up the façade orienting the canopies toward the street. He explained brick would be used on the kiosk building similar to what was on the Smith's Food and Drug Store and the wall was the same material. He said the Planning Commission asked the Applicant to reduce the height of the wall. He said it was their proposal to make the wall two feet six inches and the Planning Commission suggested making it an accommodating height to allow people to sit on it. He stated they were open to suggestions on the height of the wall.



Commissioner Richards asked if the Applicant was thinking two foot six inches for the wall height.

Mr. Wallen stated that was correct.

Commissioner Richards stated in the rendering it look like the height was four feet.

Mr. Wallen stated the wall height was not addressed in the submitted rendering. He stated the Planning Commission's concern was they did not want someone hiding behind the wall and the lower height should alleviate that concern.

Chairperson Oliver asked about the length of the wall that came much closer to the drive.

Mr. Wallen stated to better provide pedestrian connectivity sidewalks around both ends of the wall were added. He stated the Planning Commission had discussed removing the wall and they were open to that suggestion as well.

Chairperson Oliver asked if there was a need for pedestrian connectivity. She stated it was strictly an automobile facility and there was no market in the small building and no access to the bathrooms. She asked if it was preferred to keep pedestrians out of the area and traffic.

Mr. Wallen stated it was an ADA requirement to have accessibility as well as to draw individuals to the kiosk for sales. He said he thought it would be appropriate to remove one walkway but at least one needed to be in place.

Commissioner Richards asked the Applicant to describe what the materials were for the canopy and how it related to the service cap as well as what was decided on the ceiling on the canopy.

Mr. Wallen stated it was an ACM panel and was more of a metal panel seen on other like canopies. He reviewed the proposed color scheme and stated they were open to using the suggested cream and red colors as suggested by Staff.

Ms. Lisa Bridge, Smith's Food and Drug, stated the Subcommittee had asked for the underside of the canopy to be left open to look more urban. She said to accommodate the use of solar power it would not be possible to leave the underside of the canopy open.

Commissioner Richards asked if ceiling composite panels would be used for the ceiling of the canopy.

Mr. Wallen stated that was correct

Commissioner Richards asked if that would be repeated on the top of the kiosk.



Mr. Wallen stated that was correct as well.

Chairperson Oliver asked if Smith's or Kroger had developed any other fuel centers in Historic Districts and what those may look like. She asked the Applicant if that was researched.

Ms. Bridge stated they found evidence of one location that was non-typical and would not be appropriate for this location however, it gave them some ideas and those ideas were incorporated in the design plan especially with the pedestrian corner as well as the feedback from the community that wanted similar components added for people in the area that use the corridor as a walkway to and from Trax.

Chairperson Oliver stated the Subcommittee had also suggested decreasing the height of the canopy and was it considered.

Ms. Bridge stated it was decreased as much as was allowed to still accommodate the solar components and the pricing fixtures allowed on the side.

Commissioner Richards stated he agreed with what the Planning Commission recommended in terms of the color and changing it to something more earth toned. He stated looking at the photos and it would fit in the area better.

Ms. Bridge stated what they took away from the subcommittee was to try and do something more urban and that was the reason for the platinum colors.

Commissioner Richards stated the Commission looked for structures that were compatible to the area and although the nature of the proposed project was not compatible it could be made to fit in to the scheme of things.

Chairperson Oliver asked about the placement of the supports for the canopy.

Mr. Wallen indicated the columns would be painted steel and be located at the corners of the canopy.

Commissioner Bevin asked for the square footage of the canopy.

Mr. Wallen stated he did not have that figure on hand but would get that to the Commission if need be. He stated the actual surface of the canopy was larger but the underneath was smaller and was not as imposing as prior designs.

Ms. Bridge asked for clarification on the painted steel columns, would the Commission prefer something else as a treatment on the columns.



Commissioner Richard stated he was not so much thrown off by the platinum as just the mix of the two with the brick was probably what jumps out at him and it was more of a personal thing.

Commissioner Funk asked if the brick were lighter would it make a difference because she felt the same way that the kiosk somehow didn't fit with the other colors.

Commissioner Richards stated he was not sure. He stated he would almost rather see the planter wall within the brick wall with maybe a precast cap or something maybe a platinum color that would relate and leave the canopy color the way it was.

Chairperson Oliver asked if the Applicant was open to fine tuning of materials.

Mr. Wallen stated absolutely.

#### **PUBLIC HEARING [7:04:58 PM](#)**

Chairperson Oliver opened the Public Hearing

Ms. Cindy Cromer stated the proposal met the ordinance but was not consistent with the long range plan for land use. She said there should be a better process in place to streamline the design review phase of a project incorporating ideas of the Historic Landmark Commission and the Planning Commission at the same time to make the process more efficient.

Chairperson Oliver stated two members of the Planning Commission attended the Subcommittee meeting and were part of the discussion.

Chairperson Oliver closed the Public Hearing.

#### **EXECUTIVE SESSION [7:07:27 PM](#)**

Commissioner Richards stated he received a number of emails from people asking him to vote against the project, but it was not the Commissions purview as to whether or not a gas station was allowed because the area was zoned for it. He said the issue was that the gas station was not a typical form and what the Commission looked for was forms that fit in alongside the historical fabric.

Commissioner Bevin stated the area around the subject property was bricked up. He said this was ultimately just a fuel island not a typical gas station and it seemed less obtrusive than the original design.

Commissioner Richards stated it would be silly to try and replicate a historic gas station in this day and age. He said it was a good response to what the Applicant needed to do to make it work and fit within what the Commission asked for. He said the materials were all that was left to discuss.

Chairperson Oliver stated she agreed.



Commissioner Funk asked what was thought about retaining the wall versus having only plants so it was open.

Commissioner Richards asked if she meant to remove the screen wall completely and just add more vegetation.

Commissioner Davis stated he liked the idea of the wall being lower so people could sit on it.

Chairperson Oliver stated she liked the wall and felt it was important in defining the edge and in creating as far as possible some sense of a building to this site. She stated she would like to see the wall along 5<sup>th</sup> south extend back to the drive way for definition. She stated if there was a necessary to have a sidewalk leading to the property she felt the one along the less busy street would be appropriate but the one on 5<sup>th</sup> south should be extended.

Commissioner Harding stated the extension of the wall would also continue the right angles.

Chairperson Oliver agreed and stated it echoed the canopy and reinforced the parallel to the street. She said she thought the materials were mish mashed with the block, brick and metal and somehow the elements needed to be unified. She said it could be achieved through the type of brick used for the wall and making the kiosk fit the design better.

Commissioner Richards stated some low shrubbery in front of the screen wall would soften the base of the wall.

Chairperson Oliver stated then no one could sit on the wall.

Commissioner Funk asked if you really wanted people sitting on the wall.

Chairperson Oliver stated the sitting function was provided by the little plaza which echoed the one at Trolley Square at Whole Foods. She stated it served the purpose and she was fine with the higher wall to give the sense of building mass on the street.

Commissioner Harding stated she agreed with Chairperson Oliver in that the kiosk did not fit the design.

Commissioner Richards stated he did not think it needed to relate to the canopy he thought it was a building in its own right and would relate more to the wall probably due to proximity and its height.

Commissioner Harding asked about putting in windows.

Chairperson Oliver suggested changing the kiosk to a square that echoed the canopies and therefore the diagonal orientation was lost.

Commissioner Hart asked if Chairperson Oliver was suggesting the third square or the building be on the diagonal.

Commissioner Richards stated he didn't think it would work on the diagonal.



Commissioner Hart said so it would be in line with the other two.

Chairperson Oliver stated that was correct.

Commissioner Bevins asked if it would still be under the canopy.

Chairperson Oliver stated yes it would be essentially the same size it could be very small just enough for the attendant and the required restroom and the corner would under lap the present canopy in a series of three overlapping squares with the last one being very small.

The Commission drew out the possible kiosk and discussed the possible placement of the kiosk as to the drawing.

Chairperson Oliver stated if changing the kiosk was not an acceptable option the wall and materials needed to be addressed.

**MOTION [7:17:04 PM](#)**

**Commissioner Funk stated she moved that in the case of PLNHLC2011-00417 that based on the analysis and findings of the Staff Report that the project met the applicable ordinance standards and recommended that the Historic Landmark Commission approve the petition with the following conditions:**

- 1. The wall and the kiosk materials be blended, unified of similar material and compatible.**
- 2. The wall reduced to thirty inches in height and low shrubbery planted in front of the wall.**

Commissioner Harding asked if Commissioner Funk would accept a small amendment to consider rotating the kiosk to be consistent with the squares of the canopies if it was feasible and allow it to be approved by Staff.

Commissioner Funk stated she didn't feel strongly about changing the kiosk orientation and would not accept the amendment. She asked if the Commission could ask Staff and the Applicant to address the kiosk issue.

Chairperson Oliver stated the motion needed to be completed and then Staff could address the concern.

**Commissioner Hart stated she would second the motion but she would like to clarify that the details of colors and materials would be left to Staff to finalize. She clarified that the motion did not included rotating the building.**

Commissioner Davis stated he would square up the kiosk as well and incorporate some detail to tie it into the design. He suggested adding awnings on the windows or around the top to give it a canopy look.

Commissioner Hart asked if Commissioner Davis was part of the Subcommittee and if he made that suggestion during the meeting.



Commissioner Davis stated he was part of the subcommittee but didn't make the suggestion. He said he made the suggestion about breaking the canopy up and squaring them.

Commissioner Hart stated she seconded the motion because there was value in doing what was being suggested however, the Commission asked the Applicant to do attend a Subcommittee which they did. She said the Applicant came back with what was asked of them at the subcommittee and now the Commission was setting new rules.

Chairperson Oliver stated the subcommittee was simply an exchange of ideas, there was nothing committing about it and not everything that needed to be said was said in the subcommittee. She said the discussion of the Commission had equal value and the subcommittee was just a starting point.

Commissioner Harding stated she would propose that reorientation of the kiosk be explored with Staff to see if it was feasible and it may be that it was not feasible in which case it would be fine.

Commissioner Funk stated she agreed with Commissioner Hart and thought the Commission needed to asked Great Basin or Smith's if the configuration of the kiosk would affect its use.

Chairperson Oliver asked the Commission if they would like to invite the applicant to come back to address the issue.

The Commission agreed the Applicant should come forth.

Chairperson Oliver asked the Applicant to address the issue of rotating the kiosk to square it up with the canopies.

Mr. Wallen stated his first concern was the site plan approved by the Planning Commission would be different then what was being proposed. He said the second thing was that the kiosk was a pre-manufactured building with architectural elements applied on the outside. Mr. Wallen explained the issues of changing the kiosk would include the use of the larger space inside the kiosk and the manufacturing issues associated with changing the design.

Chairperson Oliver stated that the Commission did not wish to cause the Applicant more issues but it was a historical district, a special circumstance and the use of pre-manufactured building in a historic district was maybe not always going to be allowed. She stated the Commission was trying to make the kiosk fit in with the design.

Mr. Wallen presented the Commission with a site plan elevation that depicted the buildings in the background and what the proposed gas station would like in the area. He suggested the use of similar materials on the kiosk and wall or the elimination of the brick to use a split face type with different tones for contrast. He stated the wall was the element designed to square up the reference to the building. Mr. Wallen stated he liked the idea of putting landscaping in front of the wall to soften it up.

The Commissioners discussed the layout and use of the kiosk and made suggestions as to how the mass could be broken up with glass block or landscaping.



Chairperson Oliver stated there was a motion and a second. She reviewed the motion stating it was to approve the application as presented in the Staff Report with the wall to be thirty inches high and details of materials to be left to staff.

Commissioner Hart stated and shrubbery in front of the wall.

Commissioner Harding stated the wall and kiosk were to have compatible materials.

Commissioner Funk stated that was correct they were to have compatible materials and small low plantings in front of the wall.

Chairperson Oliver asked if it Commissioner Funk would consider amending the motion to include extending the south part of the wall to the driveway defining the site further.

Commissioner Funk asked the distance the wall was from the drive currently.

Chairperson Oliver reviewed the placement of the wall currently versus where it was originally.

**Commissioner Funk stated she would accept the amendment.**

**Commissioner Hart stated she would accept the amendment.**

**Commissioners Richards, Bevins, Hart, Funk, Harding, and Davis voted Aye. The motion passed with a 6-0 vote Chairperson, Anne Oliver did not vote.**

7:31:09 PM Commissioner Funk left for the evening.

7:31:42 PM PLNPCM2011-00472 Design Guidelines for Signs - A petition initiated by Mayor Ralph Becker to create historic district design guidelines relating to signs.

Mr. Ray Milliner, Principal Planner, reviewed the document as presented in the Staff Report. He explained the history of the document and the approval process. He asked the Commission for any comments or corrections and a motion to send the document to the City Council for approval.

Commissioner Richards reviewed the spelling errors on the context page.

Chairperson Oliver stated she had editing corrections that she would pass onto Mr. Milliner and asked the other Commissioners to do the same. She asked if there were any substantive changes or comments.

Commissioner Richards stated he liked the layout of the document and the amount of pictures.

**PUBLIC HEARING 7:34:52 PM**

Chairperson Oliver opened the Public Hearing.

Ms. Cindy Cromer expressed her dismay with the removal of historic signs over the years. She stated with respect to the vinyl back lit signs, the problem was not so much the vinyl as it was the shape of the sign and the back lighting. Ms. Cromer expressed her feelings on the importance of



making the signs fit into the historic districts and using the history of the sign if it was going to be used in context.

Chairperson Oliver closed the Public Hearing

#### **EXECUTIVE SESSION 7:37:52 PM**

Chairperson Oliver stated the need to understand many signs are viewed from a automobile and not from a pedestrian perspective, therefore it may not be appropriate to say signs needed to be pedestrian orientated.

Mr. Milliner stated he did not spend a lot of time addressing how automobiles impacted signs as there were not many areas in historic districts that it would apply to. He stated most of the historic districts had smaller streets and even signs on Main Street should be pedestrian oriented. Mr. Milliner said the Avenues Historic District, for the most part, had streets with slow driving cars and pedestrians and pedestrian oriented signs should be used in these areas.

Chairperson Oliver stated the University Pharmacy sign was large and sort of half pedestrian and half auto orientated

Mr. Milliner explained the difficulty in addressing auto oriented signs and keeping them in areas that were appropriate. He stated if auto oriented signs existed in an area the pedestrian oriented regulations would not be strictly enforced.

Ms. Coffey stated in the Zoning Ordinance, there were different types of signs that could be used for different districts. She said in the historic districts it was more important to look at how the sign fit with the building and the scale of the neighborhood rather than what it was oriented to.

Chairperson Oliver stated maybe the root of the issue was that there was not a clear distinction between the regulations for a new sign on a new lot, a new sign on an old building or repairing an old sign on an old building it was all mixed together.

Mr. Milliner stated there was a difference between where a sign went on a new building versus an older building but philosophically it was still going to be approximately the same. He said Staff tried to get the placement, no matter what the building type or age, approximately the same. He stated then addressing signs Staff spends a lot of time talking about compatibility with the building and the appropriate sign materials for the building.

Chairperson Oliver asked on page 22 guideline 23, what was the intent of the guideline? She read the guideline regarding the use of letters out of character with the historic district or building and asked if this indicated that there were certain fonts that were inappropriate. She said maybe it could be a bullet point indicating the guideline was about font.

Mr. Milliner stated yes that was correct.

Commissioner Oliver asked about the larger signs on the roofs of buildings and stated they are not addressed in the guidelines pertaining to new construction.

Mr. Milliner stated it was not addressed since it was not something that was allowed and would not be brought up that often.



Ms. Coffey stated roofs signs are not allowed. She said if the sign was all ready there it was appropriate to preserve it but not to add new ones. She stated changes were being made to the sign ordinance to give Landmarks more authority to allow historic roof signs.

Commissioner Bevins asked about temporary banners and what the regulations apply to them.

Mr. Milliner and Ms. Coffey stated they were discouraged and not appropriate. Mr. Milliner explained unless someone called and complained the signs could be up for quite a while.

The Commissioners expressed their approval of the layout and pictures in the document.

Commissioner Hart asked if addresses could be added to the pictures.

Mr. Milliner stated he could add address on the local pictures however; some of the signs are from other places.

**MOTION 7:52:25 PM**

**Commissioner Hart stated she moved to approve case PLNPCM2011-00472 Design Guidelines for Signs and motioned that the Historic Landmark Commission forward a positive recommendation to the City Council for the Historic District Sign Guidelines. Commissioner Richards seconded the motion. Commissioners Richards, Bevins, Hart, Funk, Harding, and Davis voted Aye. The motion passed with a 6-0 vote Chairperson, Anne Oliver did not vote.**

**7:53:38 PM PLNPCM2011-00473 Character Conservation Districts** – A request by Mayor Ralph Becker to analyze the appropriateness of creating a provision for character conservation districts.

Ms. Maryann Pickering, Principal Planner, reviewed the petition as presented in the Staff Report. She stated a briefing with the Planning Commission was held, changes were made and a Public Hearing with the Planning Commission was scheduled for November 10. She stated it was anticipated that the document would then be forwarded to the City Council. Ms. Pickering reviewed the items addressed as outlined in the Staff Report

- Initiation of the District
- Review of the Feasibility Study by the Planning Division
- Preparation of the Draft District Plan and Design Standards
- Approval of a Character Conservation District
- Enforcement of Ordinance Standards
- Modification of Standards or Boundaries

Ms. Pickering stated it was Staff's request that the Historic Landmark Commission review the draft ordinance and provide comments. She explained a motion was not necessary because it was a zoning text amendment.

Commissioner Harding asked what the old level for qualifying to create a district was.

Ms. Pickering stated it was fifty percent but there had been discussion at the last meeting to lower that to twenty five.



Chairperson Oliver stated the draft ordinance indicated it had to be fifty percent of the property owners.

Ms. Pickering stated said language from State Code was used similar to how annexations were initiated and had been revised for the Planning Commission. Ms. Pickering stated if there were joint tenants fifty percent of the joint tenants could sign the application and one vote per property was also acceptable.

Commissioner Davis stated the fifty percent buy in to do a feasibility study was a large number to require. He said it seemed to him that Planning was making the process to hard to start when it should be easy to start the process and make the determination of the supporters during the process. He gave the example of the Master Plan update he was involved with and the process it had gone through. He said making people show they have the support up front makes it hard to start when it would make more sense to start the process and then gather the support. Commissioner Davis asked how the fifty percent was going to be determined to start the feasibility and who would provide the budget for polling staff.

Ms. Pickering stated the initial feasibility study would be started by the neighbors themselves. She explained how the districts were defined.

Commissioner Davis stated that was feasible if it was only small character conservation district.

Ms. Pickering stated Staff did not anticipate them to be large areas.

Commissioner Davis asked what if it was a large area.

Ms. Pickering stated the fifty percent would be required.

Commissioner Davis stated getting the fifty percent was the issue. He gave the example of Yalecrest and the discussion that there needed to be a more flexible process in the City. He stated the process seemed hard to use and what was the point of it if it was not going to get used.

Ms. Coffey state part of the issue was if there were one hundred properties trying to be put in a conservation district there would be work done up front to find out if the neighbors were supportive of it. She said it took years to actually come up with the design standards even if it was just a hundred neighbors that had to agree and in order for City resources to be spent on a project the City had to know support existed.

Chairperson Oliver suggested inserting the fifty percent further down the process before the costly things happened, before any design standards were developed maybe between steps 6 and 7. She stated it would be hard for residents to inform people on their own but if the City were to help the residents inform the neighbors the result could be different. She said after step 6 the



rough draft would be presented to the neighborhood giving them something to sell and help achieve the fifty percent or find out if the support existed. Chairperson Oliver stated that seemed to be more logical.

Commissioner Hart stated that most of the areas surveyed, other than a couple, required half or nothing. She asked why there was nothing in between and how successful the fifty percent was.

Commissioner Davis asked if the Community Council were recognized advocacy groups for neighborhoods wanting to become character conservation districts and if the process should start with the Community Council to gauge interest.

Ms. Coffey gave the example of how Master Plans are done and the lack of community participation until a restriction was imposed on properties.

Commissioner Davis stated correct, but the Community Councils should be part of the process and be allowed to initiate the proposal because the whole process beyond that was to gauge community support. He said it had to be able to be started and then once it was started gauge the support to decide what direction to go.

Commission Harding stated she agreed with Staff that evidence of support was needed before action could be taken.

Commissioner Davis stated the problem with Yalecrest was that a local historic district had not been proposed in Salt Lake City in thirty some years and the process was unknown. He stated in reality the City and everybody learned from what happened with Yalecrest and now it was proposed to happen again but a little differently and more transparent. He said it was not the solution to make the process so hard to start that it never will be started.

Chairperson Oliver asked if Commissioner Davis thought it would help to shift the fifty percent burden to midway in the process.

Commissioner Davis stated yes because certainly at some point that information will be needed. He said it should be relatively easy to start the process.

Chairperson Oliver asked what the word consensus meant in the memorandum, did it mean one hundred percent buy in because that would be another huge bar to jump over.

Ms. Pickering stated it was a huge bar and Staff had not defined the meaning of that. She stated from past experiences with other Cities it would be a majority of the participants.

Chairperson Oliver stated a majority and not unanimous.



Ms. Pickering stated it would be consensus of those who would have the restrictions placed on them. She said if there was one issue that a couple people are having a hard time with, then there would be a negotiation process to gain consensus. Ms. Pickering said it would be the biggest goal to make everyone happy with the regulations.

Chairperson Oliver stated the gaining of a consensus was not reflected in the ordinance at all and asked if it was something that needed to be added.

Ms. Pickering stated it was not needed in the ordinance as Staff would know it was to be done because it would make the public hearing process a lot less controversial and the process more smoothly for all parties.

Commissioner Hart stated she agreed that the word consensus needed to be defined or use the term general consensus.

Chairperson Oliver asked if the City had the right to initiate the process and be the Applicant. She asked if it benefited the City or not because it was not reflected in the document.

Ms. Pickering stated she had heard from some residents that they would prefer for the City to start the process.

Chairperson Oliver asked if it could be both. She said the City never had to do it, but in special instance the City might find it in their best interest to initiate a process where no one has thought of it or residents are not aware of it to get the ball rolling.

Commissioner Davis stated he agreed there should be alternate ways to start the process.

Ms. Coffey stated it was a zoning change and the City Council could always initiate a zoning change however, their practice had always been that at least four of them agree to initiate something or what the Council calls a legislative intent. She stated it was the Council's job to initiate historic districts when it was in the Public's best interest for the future, but a character conservation district would be something that property owners deemed was important about their neighborhood but not necessarily of public interest. She said the City Council could initiate either process.

Ms. Pickering stated as she was composing the document she considered it more of a neighborhood grass roots movement and it would be the neighborhood initiating the process.

Chairperson Oliver stated she understood that but thought if more options were available it would provide more flexibility in the future.



Commissioner Davis stated most individuals do not know that a member of the City Council can propose a zoning change and they should have that information.

Chairperson Oliver said under Enforcement of Ordinance standards paragraph 2 on page 3, it stated the standards would be written so they are clear. She stated it sounded incredibly prescriptive, more burdensome and regulatory than any local historic district. She said she wondered if that was how it was meant to be. Chairperson Oliver stated if the regulations were going to be spelled out so clearly, without room for gray areas or adjustment, how did it substantively differ from a SR-1A area where everything was spelled out clearly. She asked how it different was from what was all ready in place.

Ms. Pickering stated it would be similar to the Yalecrest overlay but more detailed. She said the designated area might require all setbacks be three feet where the current zoning required five foot setbacks. Ms. Pickering explained in that case the residence would not be required to have a variance every time a project was proposed. She said it would be basically creating standards based on the character defining features the neighbors thought were important.

Chairperson Oliver asked how every aspect, such as a front porch, would be defined.

Ms. Pickering stated it would come out of the meetings with the neighborhood. She explained it might be that every porch had to be 150 square feet no matter the shape and two steps to get up on the porch were required. She said it was determined by the people in the neighborhood.

Commissioner Hart stated presumably there are non-contributing buildings in these districts to which the rules do not apply.

Ms. Pickering stated any additions they made or if a structure was demolished it would be required to comply with the district standards. She stated the policy did not specifically apply to historic districts it could be any type of subdivision no matter the age.

Commissioner Richards asked for reference of existing conservation districts in the country.

Ms. Pickering stated all of the listed Cities have them.

Commissioner Davis asked for direct links to their standards because he was having a hard time envisioning how they would come about.

Ms. Pickering stated Dallas had several of them.

Commissioner Richards asked if these were essentially CC&Rs were home owner associations in a sense because that was how he saw it working.



Ms. Pickering stated it was zoning.

Commissioner Davis stated local historic districts and character conservation districts are actually totally different. He explained the difference was in a historic district the Secretary of the Interior standards applied and in a character conservation district the residents wrote their own standards for what they were trying to preserve.

Commissioner Richards stated most people would see it as another way to add regulations.

The Commissioners discussed the pros and cons of having character conservation districts.

Commissioner Hart stated when she Googled conservation districts nothing came up.

Ms. Coffey explained it was a new term to Salt Lake City because conservation districts referred to environmental issues not residential neighborhoods. She explained in other Cities it might be listed differently.

#### **PUBLIC HEARING [8:34:37 PM](#)**

Chairperson Oliver opened the Public Hearing.

Ms. Cindy Cromer stated there was an importance not to degrade neighborhoods by listing them as character conservation districts when they should really be historic districts. She said policy changes should not be based on the Yalecrest experience. Ms. Cromer stated she was concerned that existing historic districts or portions of historic districts would be converted to a weaker conservation district or have their district status eliminated all together. She stated it would be difficult to get the fifty percent needed to start the process if the area was not strictly residential. Ms. Cromer stated the greater public good should be considered and if it was not in the public interest it should not be done.

Chairperson Oliver closed the Public Hearing

#### **EXECUTIVE SESSION [8:38:45 PM](#)**

The Commissioners asked for samples of the regulations from other Cities.

Ms. Pickering reviewed the amount of character conservation neighborhoods in the different cities and explained why people prefer to live in these areas.

Chairperson Oliver stated as per the information most of the areas required a fifty percent buy in whether that was at the beginning or somewhere in the process, so it was a very important aspect of the program. She stated she agreed with Ms. Cromer and it was why she felt the City needed to have the ability to initiate the districts because there was an understanding and the broader view that needed to be seen.



Commissioner Richards stated there had to be a majority buy in because if the final decision was a vote from the Council, some people would not know about it and everyone in the neighborhood would need to be part of the process.

Commissioner Davis stated he agreed with Ms. Comer that somewhere in the beginning the question had to be asked of whether there was a greater public good and if there wasn't it shouldn't be done. He stated there were areas that needed to have this type of thing happen to prevent the fragmentation of neighborhoods.

Chairperson Oliver asked Staff how it would be ensured that an area qualified to be a historic district would become a historic district and not a character conservation district when there was not a fifty percent buy in required for historic districts.

Ms. Coffey stated as in the past the City Council would not likely approve a character conservation district if there was a large amount of opposition to it. She said there are a lot of ways to do historic preservation, such as tax credits and low interest loans and local designation was not the only way to do historic designation.

Chairperson Oliver stated she agreed but at the same time there needed to be some kind of mechanism that said which zoning was in the best interest of the City and currently that did not exist. She said it needed to be clear who would make the determination as to what was the best zoning for an area.

Commissioner Davis stated character conservation districts were not in reaction to what happened with Yalecrest, the City was looking into conservation districts before Yalecrest happened.

Ms. Coffey stated the City had been working on conservation districts since the late 1980's and had tried different things but those ideas failed. She gave the history of what was tried and what worked. She explained now was not the first time it had been addressed.

Commissioner Harding stated she was ok with the document as presented.

Commissioner Richards stated he was more in favor of an easier beginning and requiring the fifty percent later in process.

Ms. Pickering stated the Commissioners comments would be summarized and present at the public hearing during the Planning Commission meeting.

Chairperson Oliver asked if a motion was needed.



Mr. Joel Paterson, Planning Manager, stated if a motion was made the decision would be forwarded on to the Planning Commission and the City Council.

Chairperson Oliver asked if it would be a motion to adopt the document as written or a motion to consider conservation districts.

Mr. Nielson stated since it did not technically contain a proposed historic preservation regulation, a motion was not required. He stated sending the Commission's discussion on to the Planning Commission and City Council in whatever format would be helpful.

Commissioner Hart asked for a vote on who was for or against the fifty percent buy in at the beginning of the process versus doing it later in the process.

The Commissioners stated the following

Davis- opposed would like it later in the document.

Harding- ok with the presented document

Oliver- opposed would like it later in the document

Hart- opposed would like it later in the document

Richards- opposed would like it later in the document

Bevins- opposed would like it later in the document

The Commission discussed the benefit of having the fifty percent buy in at the beginning of the process or later in the process.

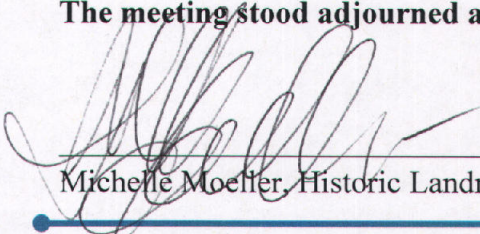
Chairperson Oliver asked what was needed to send the document to the Planning Commission and the City Council.

Ms. Pickering stated she would summarize the Commissions comments and forward them on to the Planning Commission.

Chairperson Oliver asked if the Commission wanted to make a motion or if they were comfortable with Ms. Pickering summarizing their comments for the Planning Commission Meeting.

The Commissioner stated they were comfortable with Ms. Pickering summarizing the comments.

**The meeting stood adjourned at 8:58:24 PM**



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Michelle Moeller, Historic Landmark Commission Secretary