

**SALT LAKE CITY**  
**HISTORIC LANDMARK COMMISSION**  
**Minutes of the Meeting**  
**Room 326, 451 South State Street**  
**June 6, 2013**

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:49:27 PM](#). Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Sheleigh Harding, Vice Chairperson Polly Hart, Earle Bevins III, Thomas Brennan, Arla Funk, Stephen James, Charles Shepherd and Heather Thuet. Commissioner Robert McClintic was excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Joel Paterson, Planning Manager; Janice Lew, Senior Planner; Lex Traughber, Senior Planner; Ray Milliner, Principal Planner; Michelle Moeller, Senior Secretary and Paul Neilson, City Attorney.

**FIELD TRIP NOTES:**

A field trip was held prior to the work session. Planning Commissioners present were: Earle Bevins, Arla Funk, Polly Hart, and Thomas Brennan. Staff members in attendance were Cheri Coffey, Ray Milliner and Lex Traughber.

The following locations were visited:

- National Registration Nomination at 2136 E Hubbard
- Drove past former case property at 1100 East Trudell Home relating to new windows on a non-contributing structure.
- Ronald McDonald House - Staff reviewed the materials and the color of the proposed materials. The Commissioners and Architect discussed the proposed materials and its durability.
- 32 H Street - Staff reviewed the proposal.
- 206 North 200 West - Staff reviewed the process for renewal of demolition for a non-contributing structure.

**DINNER**

Dinner was served to the Commission and Staff at 5:00 p.m. in room 126 of the Salt Lake City and County Building. A briefing on the Demolition of Historic Buildings in Salt Lake City was given by Janice Lew, Senior Planner.

**Demolition of Historic Buildings - Salt Lake City Mayor Ralph Becker requesting that the City adopt new regulations that will clarify how proposed demolitions of landmark sites and contributing buildings will be evaluated and the process for approving or denying a demolition request. This proposal will generally affect section 21A.34.020 of the Zoning Ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition. If adopted, the proposed changes would apply to all City designated Landmark Sites and contributing buildings in local historic districts. (Staff contact: Janice Lew at 801-535-7625 or [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com)). File number: PLNPCM2009-00014**

Ms. Janice Lew, Senior Planner reviewed the proposal as presented (available in the Planning Office). She stated the proposal would be presented to the Commission at a future meeting for approval.

The Commission and Staff discussed the incentives information (included in the Staff Report). They discussed the expectation of economic hardship and that it would be very unlikely a court would make findings based on expectations. The Commission and Staff discussed if historic overlay zones were indicated on property deeds. They discussed the proposal and if it was appropriate for the Historic Landmark Commission to review economic hardships.

**REPORT OF THE CHAIR OR VICE CHAIR [5:49:44 PM](#)**

Chairperson Harding stated she had nothing to report at this time

Vice Chairperson Hart stated she had nothing to report at this time

**REPORT OF THE DIRECTOR [5:50:09 PM](#)**

Ms. Cheri Coffey, Assistant Planning Manager stated the July meeting would be July 18 and there will be a training class regarding Design Review on June 13, from 5 pm to 7 pm in room 126 of the Salt Lake City and County Building. Ms. Coffey explained the adoption process of surveys and asked if the Commission would approve changing the process to be more open and formal.

The Commission agreed to the changes to the survey adoption process.

**APPROVAL OF THE MAY 2, 2013 MINUTES [5:53:21 PM](#)**

Vice Chairperson Polly Hart asked that comments be added to the minutes stating the special merit exception was not necessary because current options for people to demolish buildings existed and the City was not leaving people without process to pursue.. She

stated there are legitimate options available and the financial hardship clause isn't really an obstacle as much as a hoop to be jumped through.

**MOTION [5:54:29 PM](#)**

**Commissioner Hart moved to approve the minutes of May 2, 2013 with the addition. Commissioner Bevins seconded the motion. The motion passed unanimously.**

**PUBLIC COMMENTS [5:54:45 PM](#)**

No one wished to speak at this time.

**PUBLIC HEARINGS [5:55:03 PM](#)**

**National Register Nomination of the Howard & Marian Bennion House at approximately 2136 E. Hubbard Avenue - Utah's State Historic Preservation Office is soliciting comments from the Historic Landmark Commission regarding the nomination of the Howard & Marian Bennion House to the National Register of Historic Places. The property at the above address is located within Council District 6, represented by Charlie Luke. (Staff contact: Janice Lew at (801) 535-7625 or [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com)).**

Ms. Janice Lew, Senior Planner stated Ms. Korral Broschinsky would present the nomination.

Ms. Korral Broschinsky reviewed the proposal for nomination and stated it was the opinion of the State Board of History to approve the proposed nomination to the National Historic Registry.

**PUBLIC HEARING [6:09:44 PM](#)**

Chairperson Harding opened the Public Hearing. Seeing no one was present to speak for or against the petition, Chairperson Harding closed the Public Hearing.

**MOTION [6:09:59 PM](#)**

**Commissioner Hart moved that Historic Landmark Commission forward a positive recommendation to the State Board of History to include the Howard & Marian Bennion House at approximately 2136 E. Hubbard Avenue on the National Register of Historic Places. Commissioner Shepherd seconded the motion. The motion passed unanimously.**

[6:11:00 PM](#)

**Ronald McDonald House at approximately 935 E. South Temple - Ronald McDonald Charities represented by Connie Holt is requesting a modification of a prior Historic Landmark Commission approval to use an exterior finish material called Dryvit TerraNeo, which is designed to simulate a stone finish on parts of the building. The Historic Landmark Commission approved the overall design of the building on February 2, 2012. Currently the building is under construction. The property is zoned RMF-35 (Residential Multi-Family). This type of project must be reviewed as a (Certificate of Appropriateness for Construction in a Historic District). The subject property is within Council District 3, represented by Stan Penfold. The (Staff contact: Ray Milliner at (801) 535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com). Case number PLNHLC2011-00466).**

Mr. Ray Milliner, Principal Planner, reviewed the petition as presented in the Staff Report (located in the Case File). He stated Staff was recommending the Historic Landmark Commission approve the petition as presented.

The Commissioners discussed the original material approved for the exterior of the building and discussed the durability of the proposed material. They reviewed the original request for the variance. Staff explained the variance was granted based on the finding that the design of the building would be done to a standard resulting in the building being considered a landmark structure. The Commission and Staff discussed synthetic materials that are allowed in historic areas. They discussed the buildings relation to the street.

Mr. Alan Roberts, Architect CRSA, reviewed materials that were used in building structures through the years. He discussed the proposed material and its durability. Mr. Roberts reviewed the percentages of each material (concrete, Dryvit TerraNeo) being used for the building and the durability of each material. He reviewed the Secretary of Interiors standards that recommend against making a modern material look identical to a historic material. Mr. Roberts asked the Commission to approve the proposed material.

The Commission and Applicant discussed the appearance of the material in reference to the windows. The Applicant explained the windows were being set back to give the exterior more of a stone appearance. The Commission and Applicant discussed the detailing of the architectural elements and the proportions that would be used.

The Commission and Applicant discussed the eighteen inches of exposed concrete foundation and that at grade impacts would hit concrete rather than the proposed material.

**PUBLIC HEARING [6:34:16 PM](#)**

Chairperson Harding opened the Public Hearing.

Ms Gwen Springmeyer, Greater Avenues Community Council, stated the product was very durable and would allow for the building to become a landmark site. She stated the ability to repair the material was very easy especially in the event of vandalism and the material was similar to what had been used in other projects around the area. Ms. Springmeyer stated the Community Council was in favor of the proposed material.

Chairperson Harding closed the Public Hearing.

Mr. Roberts stated the installer was very knowledgeable and therefore, the issue of durability due to installation was not a concern.

**DISCUSSION [6:37:36 PM](#)**

The Commission and Staff reviewed the higher standard the Applicant was held to because of the approved height exception. They discussed what the materials were allowed in historic districts and the variety of materials used on South Temple. Commissioner Shepherd stated he was in favor of the proposed material. The Commission discussed the use of the material and the cost of real stone for a building of this size. They discussed the look of the faux stone and how it appeared to be something it was not. The Commission discussed if it was appropriate for a material to be used in such a manner.

The Commission and Applicant discussed the proposed materials and the look of each sample (pictures in the Staff Report). They discussed the historic practice of using the most expensive materials on the front of buildings; in this case the more expensive materials are being used up higher in a less prominent place.

The Commission discussed what precedent would be set by allowing the use of the subject material. They reviewed the modern materials used in neighboring buildings. It was stated that this project would always read as a new building not a historic building which was the goal of new construction. The Commission discussed if the proposed material was appropriate for a neo-classical structure.

The Commission and Applicant reviewed the process the project had been through for approval and the requests of the Historic Landmark Commission that were met. They discussed the difficulties with the design and how the present design came about.

Mr. Roberts stated they were not trying to create a modern building that was seen as historical, that would be deceptive.

The Commission and Mr. Roberts reviewed what materials were considered for the building, the durability and cost for the materials. The Commission read the standard that does allow for the use of materials compatible in character.

**MOTION [7:01:08 PM](#)**

**Commissioner Funk stated in regards to PLNHLC2011-00466 Ronald McDonald House at approximately 935 E. South Temple, based on the testimony, plans presented, and the findings written in this Staff Report, She move that the Historic Landmark Commission approve the use of the exterior finish material called Dryvit TerraNeo on the Ronald McDonald House now under construction. The proposal meets the standards for a Certificate of Appropriateness for New Construction subject to the conditions listed in the Staff Report. Commissioner Shepherd seconded the motion. Commissioners Funk, Hart, Bevins, Thuet and Shepherd voted “aye”. Commissioners James, and Brennan voted “nay”. The motion passed 5-2.**

**[7:02:31 PM](#)**

**Determination of Contributing Status of a building at approximately 32 N. H Street - Bill Jefferies, owner, requests approval to replace the majority of the windows in the structure located at approximately 32 N. H Street in the Avenues Historic District. To determine the appropriate standards of review the Historic Landmark Commission is being asked to determine the contributing status of the property. Currently the land is used a multi-family dwelling and the property is zoned RMF-35 (Medium Density Residential District). This type of project must be reviewed as a minor alteration. The subject property is within Council District 3, represented by Stan Penfold. Staff contact: Lex Traughber at (801) 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com) Case number PLNHLC2013-00233).**

Mr. Lex Traughber, Senior Planner reviewed the petition as presented in the Staff Report (located in the Case File). He stated Staff was recommending the Historic Landmark Commission find the structure to be contributing in nature.

The Commissioners and Staff reviewed the windows in the house and if the openings had been altered from the original design. They discussed the missing historical porch and how the look of the building was changed with the removal. The Commissioners discussed if window openings could be altered. They discussed the three surveys stating the structure was contributing. It was stated that the last two surveys were not as detailed as the one done in 1979. They discussed the integrity of the structure and what Staff’s opinion was on the status of the structure.

Mr. Bill Jefferies, Applicant, explained the proposed windows and the challenge with installing them. He stated it was important to replace the windows with something similar to what was there. Mr. Jefferies reviewed the history of the building, the condition of the building and its state of disrepair. He expressed his desire to use appropriate materials and repair procedures to protect the building. Mr. Jefferies discussed the plans for the building.

The Commission and the Applicant discussed the petition and that the petition was not for replacing the windows but to determine the contributing status of the structure.

#### **PUBLIC HEARING [7:22:56 PM](#)**

Chairperson Harding opened the Public Hearing.

Ms. Cindy Cromer stated the porch could be replaced; the building was very clearly intact and was contributing in nature. She stated a non-contributory status would move the house in a direction that would allow for further deterioration of the structure and its contributing status. Ms. Cromer stated the subject property was very different from the Trudell-Thompson house as it was a residential income property and could receive tax credits.

Mr. Jefferies reviewed the condition of the brick and the cost to preserve the brick.

Chairperson Harding closed the Public Hearing.

#### **DISCUSSION [7:27:34 PM](#)**

The Commission discussed the surveys and the contributing status. They discussed if the structural integrity of the building applied to the historic integrity. The Commission discussed the significance of the building and what made it historical. They agreed that the structure, in its current form, was contributing to the district and should be kept as such.

#### **MOTION [7:35:23 PM](#)**

**Commissioner Hart stated in regards to PLNHLC2013-00233, she moved that the Planning Commission find the three historic surveys are correct in determining that the building at 32 N. H Street is a contributing building. Commissioner Thuet seconded the motion. The motion passed unanimously.**

[7:36:15 PM](#)

**The 200 Apartments at approximately address 206 North 200 West – Matt Musgrave is requesting approval from the City to demolish an existing non-contributory building and develop 2 four unit apartment buildings which will be 30 feet high with 16 parking spaces at the above listed address. Currently the existing building is vacant and is zoned Neighborhood Commercial (CN). This type of project requires approval of demolition, a special exception for additional building height, and a Certificate of Appropriateness for New Construction in a Local Historic District. The subject property is within Council District 3, represented by Stan Penfold (Staff contact: Ray Milliner at (801) 535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com)).**

- a. **MINOR ALTERATION.** In order to build the project noted above, a Certificate of Appropriateness for the demolition of a non-contributory building is necessary in order to demolish the existing building to make way for the proposed new construction (Case number PLNHLC2013-00241).
- b. **SPECIAL EXCEPTION FOR ADDITIONAL BUILDING HEIGHT.** In order to build the project noted above, a Special Exception for additional height is required. The maximum height allowed in the Neighborhood Commercial (CN) zone is 25 feet. The proposed buildings measure 30 feet from established grade. This would allow the petitioner to reach desired ceiling heights and accommodate parking within the buildings (Case number PLNHLC2013-00240).
- c. **NEW CONSTRUCTION.** In order to build the project noted above, the petitioner will need a Certificate of Appropriateness for New Construction in a Local Historic District is required. The proposed buildings must be reviewed and approved for compliance with all applicable design standards listed in the Salt Lake City Zoning Ordinance (Case number PLNHLC2013-00239).

Mr. Ray Milliner, Principal Planner reviewed the petition as presented in the Staff Report (located in the Case File). He stated Staff was recommending the Historic Landmark Commission approve the petition as presented.

The Commission and Staff reviewed why metal paneling was not approved on some building and was allowed for this project. Staff stated metal siding was not usually found on single family residential structures.

The Commission and Staff discussed the orientation of the units on the lots and to the neighboring properties. They discussed the site plan, the CN Zone setback requirements and the proposed setbacks for the project.



Mr. Matt Musgrave, Applicant, stated the building was thirty feet from the street. He reviewed the site plan and explained the DRT review preferred the parking be located on the interior of the lot. Mr. Musgrave stated the Community meetings reflected that parking was important in the area.

The Commission and Mr. Musgrave discussed if there was parking for guests.

The Commission and Applicant discussed the setbacks for the proposal and lot configuration. They discussed the roof form and the expression of the roof. The Applicant explained that an exception for building height was being requested therefore, they were not asking for changes to the roof. The Commission discussed the roof design and if it could be redesigned to break up the space. They discussed the use of the structure and if retail space would ever be allowed on the lower level of the structure. The Commission and Applicant discussed the design of the doors on the building. The Applicant stated the doors would be glass with a steel frame.

The Commission and Staff discussed if there should be two applications since the lot was being split.

Mr. Nielson, City Attorney, said it was not necessary to have two applications.

**PUBLIC HEARING [8:01:20 PM](#)**

Chairperson Harding opened the Public Hearing.

The following persons spoke to the proposal: Ms. Marilyn Kingsbury, Ms. Erlinda Davis and Mr. Colin Kingsbury

The following comments were made:

- Traffic is busy in the area and the drive way, in its proposed location, would cause more traffic issues
- Height of the building would impact the single family structure to the north
- Would the setbacks be adhered to with the proposed overhang
- Height blocked light to neighboring properties
- During the LDS conference or concerts parking overflows into the area
- Windows facing north would eliminate privacy to neighboring properties
- Turn the building 90 degrees to lessen the site lines to neighboring properties

Chairperson Harding closed the Public Hearing.

Mr. Musgrave stated the overhang was allowed to encroach twenty five inches into the setback. He stated adhering to the twenty five foot height requirement would require lowering the building into the ground. Mr. Musgrave reviewed the design elements associated with the height request, such as vaulted ceilings.

#### **DISCUSSION** [8:07:45 PM](#)

Commissioner Hart disclosed her involvement in community meetings and the receipt of emails regarding the proposal. She stated her involvement in the meetings was strictly fact not opinion and she deleted the emails without reading them.

The Commission agreed Commissioner Hart did not have a conflict of interest.

The Commission asked Staff if there was a requirement for a graphical presentation detailing the height of the neighboring structures. Staff explained the requirement was for the proposal to be compatible with surrounding structures and if the Commission preferred a survey of the property heights could be done. They discussed how the building heights could be presented allowing the Commission to see the neighboring structures in relation to the proposal.

The Commission discussed the height and how it could be mitigated with design. They discussed the oriented of the northern building to the street. It was stated units needed to address the street not the neighboring properties. They discussed the orientation of surrounding structures and revising the proposal to matching those structures. The Commission discussed how the window scale was always an issue in projects of this scale and that the proposed windows may always be covered which was a detriment to a neighborhood.

The Commission discussed moving toward an Architectural Subcommittee to address the concerns.

The Applicant stated the CN zone requires 40% of the structure face be glass therefore, the size of windows met the requirements.

The Commission and Applicant discussed holding an Architectural Subcommittee. They discussed if the Commission could modify the glass requirements. The Commission and Staff discussed the City's view of developing this area into a commercial zone. Staff gave a history of the property and the zoning changes.

Vice Chairperson Hart reviewed the reason the zoning changes were requested by the Community. She stated the goal was to preserve the existing structure to be used as a community business.

The Commission discussed what would be addressed at the Architectural Subcommittee meeting.

**MOTION [8:27:37 PM](#)**

**Commissioner Hart stated in regards to The 200 Apartments at approximately address 206 North 200 West, She moved to table the proposal to a future meeting after a Architectural Subcommittee was held. Commissioner Funk seconded the motion. Commissioners Brennan, Funk, Hart, James, Thuet and Shepherd voted “aye”. Commissioner Bevins voted “nay”. The motion passed 6-1.**

Commissioners James, Brennan and Shepherd stated they would like to be on the Subcommittee.

**The meeting stood adjourned at [8:28:40 PM](#)**