

SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 326, 451 South State Street
July 18, 2013

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at 5:50 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, Robert McClintic, Charles Shepherd and Heather Thuet. Commissioners Arla Funk and Stephen James were 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; 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, Sheleigh Harding, Polly Hart, Charles Shepherd, Robert McClintic and Heather Thuet. Staff members in attendance were Joel Paterson, Maryann Pickering and Lex Traughber.

The following locations were visited:

1. 206 North 200 West – The 200 Apartments new construction project
2. 546 North Wall Ave – Taylor major alteration
3. 502 and 518 East Third Avenue – Publik on Third and G major alteration

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.

Continued Discussion of proposed amendments to Zoning Ordinance provisions regarding the 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). File number: PLNPCM2009-00014

The Commissioner and Ms. Janice Lew, Senior Planner reviewed the changes to the petition. The Commission reiterated their concern over the special merit exception and questioned the need for this provision. It was noted that few cities in the country have similar provisions and that Salt Lake City's historic preservation regulations do not create any major impediments to development which justify including the special merit exception. The Commission agreed to move the petition forward for a Public Hearing.

REPORT OF THE CHAIR OR VICE CHAIR 5:50:52

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 5:50:56

Ms. Cheri Coffey, Assistant Planning Manager reviewed the enforcement activity at 1204 East Ave. She reviewed the enforcement issues and how they were being resolved.

APPROVAL OF THE June 6 and June 13, 2013 MINUTES 5:53:06

MOTION

Commissioner Thuet moved to approve the minutes of June 6, 2013 and June 13, 2013. Commissioner Brennan seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

Chairperson Harding opened the Public Comment period.

Ms. Cindy Cromer stated she would like to make comments regarding the pump house and Liberty Park. She stated it was too large and should be better designed to fit with the area.

PUBLIC HEARINGS 5:56:06

The 200 Apartments at approximately 206 North 200 West - Matt Musgrave is requesting approval from the City to demolish an existing noncontributory 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 zoned CN (Neighborhood Commercial). This type of project must be reviewed as a Demolition of a non-contributing building, a Special Exception for additional building height, and 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 .

- a. 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.**
- b. 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 buildings. Case number PLNHLC2013-00241.**
- c. NEW CONSTRUCTION - In order to build the project noted above, the petitioner will need a Certificate of Appropriateness for New Construction in a 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. Joel Paterson, Planning Manger, 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.

Mr. Matt Musgrave, Applicant, reviewed the changes to the proposal and how the building designs were improved. He reviewed the glass requirement and asked the Commission to approve the lower percentage of glass. Mr. Musgrave reviewed the materials for the project, the entrances to the structure that would eliminate people from walking between the single family dwelling and the apartment building. Mr. Musgrave gave the dimensions of the site and explained a variance for the setbacks would be required if the orientation of the plan was changed. He explained the increased height would allow for higher ceilings and overall a better structure.

The Commissioners discussed the location of the air conditioners and the possibility of relocating them to the rear of the homes. They suggested details be added to the brick to break up the façade of the structures.

Mr. Paterson stated the air conditioning units are not allowed in the required front yard and would have to be relocated. He reviewed the authority of the Historic Landmark Commission to change the requirement for the 40% glass requirement and how lowering the requirement would be a benefit for this project. It was determined that the minimum glass requirement could only be modified through the Conditional Building and Site Design Review process.

PUBLIC HEARING 6:11:14

Chairperson Harding opened the Public Hearing.

The following persons spoke in favor of the proposal: Ms. Kathleen Ammon, Ms. Darlene Houtz and Mr. James Hasleton.

The following comments were made:

- Proposal fit in the neighborhood
- Quality of the project was positive

The following person spoke in opposition of the proposal: Ms. Cindy Cromer

The following comments were made:

- Height of the structure did not fit the area
- The zoning designation of this site was recently changed from residential to commercial, in part to provide an incentive for a neighborhood commercial use to locate on this corner. The site should not be developed residentially.

Chairperson Harding closed the Public Hearing.

Mr. Musgrave stated the reason the property did not sell for commercial was due to the short distance between it and the City Creek mall.

DISCUSSION 6:16:31

Staff stated the CN standards make it very clear that modification of the glass requirement would need the approval of the Planning Commission. Staff stated the Commission could add language to the motion to forward the petition to the Planning Commission for review of the glass requirement.

The Commission stated the project was greatly improved, the proposed parking design was a positive and the glass requirement should be lessened. They stated history had proven that commercial zoning did not work for the property and that housing was appropriate for the site.

MOTION 6:21:06

Commissioner Hart stated in regards to PLNHLC2013-00239 and PLNHLC2013-00240, based on the testimony, plans presented and the following findings, she moved that the Historic Landmark Commission approve the request for new construction approval and a 5 foot height exception for the proposed building at 206 North 200 West according to the analysis, findings of fact and conditions of approval in this staff report. She further moved that the Historic Landmark Commission forward a positive recommendation to the Planning Commission to waive the forty percent glass requirement as required by the current CN zone in order to allow the proposal to move forward. Commissioner Brennan seconded the motion. The motion passed unanimously.

6:23:00

Publik on Three and G Major Alteration at approximately 502 - 518 East Third Avenue - Warren Lloyd of Lloyd Architects is requesting approval from the City for an addition to an existing commercial business at the above listed addresses. The existing building contained a former restaurant use that is now vacant. The properties are zoned CN (Neighborhood Commercial) and RMF-35 (Moderate Density Multi-family Residential) and located within the Avenues Historic District. This type of application must be reviewed as a Major Alteration in a local historic district. The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com. Case number PLNHLC2013-00335).

Ms. Maryann Pickering, Principal Planner reviewed the petition as presented in the Staff Report (located in the case file). She stated it was Staff's recommendation that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed why the lots needed to be combined and what zoning would apply once the lots were combined. Staff explained how the zoning would be determined and the reason for combining the lots.

Chairperson Harding disclosed that Mr. Warren Lloyd, Applicant, had once chaired the Commission and asked the Commission if they had any issues with allowing him to present his petition. The Commission agreed they did not see a conflict of interest.

Mr. Warren Lloyd, Applicant, reported the historic fence would stay on the property but would be relocated to the property line. He reviewed the reason for joining the two lots and the history of the property.

The Applicants stated the reason they would like the addition was to grow their business and to allow for a larger food service business on the property.

The Commission and Applicant discussed where the outside seating and garbage cans would be located. The Applicant reviewed the setbacks for the property.

The Commission and Applicant discussed the amount of seating that was allowed outdoor and if it would affect the parking area. They discussed the location of the existing fence and where it would be relocated. The Commission and Applicant discussed the materials for the addition.

PUBLIC HEARING 6:40:36

Chairperson Harding opened the Public Hearing.

The following persons spoke to the proposal: Mr. Wayne Anderson, Mr. Eric Wiseman, Mr. Dan Schelling, Ms. Tessa Arneson and Mr. Albert Reed.

The following comments were made:

- Fence was not historical it was added in the 1980's
- Garbage cans in the rear alcove encroach on the surrounding properties
- Location of outdoor dining encroached on privacy of neighboring properties
- Building had never been a restaurant
- Noise from outdoor seating was an issue
- Parking and smoking in the area were an issue
- Need to take the neighbors into consideration
- Coffee shop was well received in the area
- Smaller property was not big enough to develop and this would help to make it viable
- Great local business for the area

The Commission asked where people would go to address the health issues. Staff stated the health issues such as smoking would be addressed by the Health Department. The occupancy load (the allowable number of seats) would be addressed by the building code.

Chairperson Harding closed the Public Hearing.

The Applicants explained the intent of their business and that the property complied with the parking requirements. They stated the outdoor seating area would be between the building and the street creating a more walkable business. The Applicant stated the business was a small coffee shop with no smoking and would only be open until approximately 7:00 pm each night.

DISCUSSION

The Commission discussed the importance of keeping the fence and that the business was appropriate for the area.

MOTION 6:58:08

Commissioner Hart stated regarding PLNHL2013-00335, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Commission approve the request for a major alteration at 502 and 518 East Third Avenue subject to the conditions in the Staff Report. Specifically, the Commission finds that the proposed project complies with all of the review standards and subject to the following conditions

- 1. The two lots shall be combined as one lot**
- 2. The project must meet all other applicable City requirements**
- 3. The approval will expire if a permit has not been taken out or an extension granted within twelve months of the date of approval.**

Commissioner Shepherd seconded the motion. The motion passed unanimously.

The Commission strongly encouraged the Applicant to work with the neighbors and minimize the impact on the neighborhood.

7:02:08

The Taylor Addition at approximately 546 Wall Street - David Richardson, representing property owner David Taylor, is request approval from the City to construct an addition to the rear of the home at the above listed address. Currently, the land is used residentially and the property is zoned SR-1A (Special Development Pattern Residential District). This type of project must be reviewed as a Major Alteration in a local historic district. 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. Case number PLNHL2013-00157).

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 approve the petition as presented.

Commissioner Brennan stated he used to be co-workers with the Applicant but he did not have a conflict of interest and could be impartial.

Mr. Paul Nielson stated the City only looks at financial and family relations as conflicts of interest.

Mr. David Richardson, Architect, reviewed the proposal.

The Commission and Applicant discussed the material on the gable ends and if it was appropriate to match it with the addition. They discussed the materials on the garage and the location of the garage. Staff stated the lot would not allow for a detached garage due to the zoning constrains in the area.

PUBLIC HEARING 7:11:16

Chairperson Harding opened the Public Hearing, seeing no one in the audience wished to speak for or against the petition; Chairperson Harding closed the Public Hearing.

DISCUSSION 7:11:27

Commissioners would like to see the stucco stay in the gable ends with some sort of design but allow for the vent to stay in place.

MOTION 7:13:54

Commissioner Hart stated in regards to PLNHLC2013-00157, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she move that the Commission approve the request for the addition located at 546 N. Wall street, subject to the condition of approval listed in the Staff Report, the Commission delegates final design approval authoring to the Planning Director taking into account the Commissions comments. Commissioner Thuet seconded the motion. The motion passed unanimously

7:15:26

Tracy Aviary Turkey Vulture and Hawk Exhibit at approximately 589 East 1300 South (Liberty Park) - The Tracy Aviary, Represented by Matthew Utley, is requesting approval from the City to build a 677 square foot exhibit that will house turkey vultures and hawks. The structure will be constructed primarily from wooden posts and wire mesh coated with plastic. The exhibit will be located near the existing Wetland Experience at Tracy Aviary. The property is zoned OS (Open Space). This type of project must be reviewed as New Construction in a local historic district. The subject property is within Council District 5, represented by Jill Remington Love (Staff contact: Ray Milliner at (801) 535-7645 or ray.milliner@slcgov.com). Case number PLNHLC2013-00411).

Mr. Joel Paterson, Planning Manager, 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 the location of the exhibit on the property.

Mr. Mathew Utley, Applicant, stated the exhibit was important for the park and would bring the facility to code for the subject birds.

The Commission and Applicant stated these were birds that were all ready on exhibit at the park and the exhibit would be a better habitat for them.

PUBLIC HEARING 7:22:32

Chairperson Harding opened the Public Hearing, seeing no one in the audience wished to speak for or against the petition; Chairperson Harding closed the Public Hearing.

DISCUSSION 7:22:45

The Commission agreed it was a great addition to the park and the improvements are most welcomed.

MOTION 7:23:55

Commissioner Brennan stated in regards to PLNHLC2013-00411, based on the analysis and findings of fact in the Staff Report, testimony and plans presented, he moved that the Commission approve the proposed turkey vulture and hawk exhibit at Tracy Aviary subject to the conditions listed in the Staff Report with the addition that as many tree are preserved as possible. Commissioner Hart seconded the motion. The motion passed unanimously.

7:25:46

WORK SESSION

Liberty Park Pump House at approximately 600 East 900 South (Liberty Park) - The Salt Lake City Parks Division, Represented by Troy Baker is requesting approval from the City to build a shelter for a pump system that will deliver irrigation water to Liberty Park. The building would be located on the Northwest corner of the existing Liberty Park Lake. The property is zoned OS (Open Space). This type of project must be reviewed as New Construction in a local historic district. The subject property is within Council District 5, represented by Jill Remington Love (Staff contact: Ray Milliner at (801) 535-7645 or ray.milliner@slcgov.com. Case number PLNHLC2013-00453

Mr. Joel Paterson, Planning Manager, 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 discussed if the proposal was to drill a well next to the lake. Staff stated the Applicant would clarify.

Mr. Todd Reese, Parks and Public Lands Director, reviewed the proposal and the savings that would incur with the construction of the pump house.

Mr. Troy Baker, Mr. Kevin Brown, Mr. Rob Stanislaw, Applicants, stated they would not be drilling a well next to the lake and explained how the pump would work.

The Commission and Applicants discussed the water level of the lake and how it would be maintained. They discussed what issues moving the pump house to another location would cause the noise level of the pumps and the sound proofing proposed for the building. They discussed the size of the structure and if it could be smaller. The Commission and Applicants discussed moving the building to a less prominent location in the park. They discussed having clear windows to allow people to see the workings of the pump house.

The Applicants stated the structure was put in the proposed location and disguised to look like a boat house with the deck facing the lake to be used for a promenade to the lake.

The Commission and Applicants discussed lowering the front of the structure, changing the decking to address the lake and allow a walkway around the building. It was stated that the structure needed to have a dual purpose or be moved to the side. The Commission asked the Applicant to present options for smaller building exposing the pipes, use of clear windows, increasing the amount of deck space to better address the lake, and installation of a plaque with information explaining the purpose of the structure.

The meeting stood adjourned at 7:54:25