

SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Minutes of the Meeting
Room 326, 451 South State Street
May 1, 2014

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:35:16 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; Commissioners Earle Bevins III, Thomas Brennan, Arla Funk, Robert McClintic, David Richardson and Charles Shepherd. Commissioner Heather Thuet was excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Katia Pace, Principal Planner; Maryann Pickering, Principal Planner; Michelle Moeller, Senior Secretary and Paul Nielson, Senior City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the work session. Historic Landmark Commissioners present were: Earle Bevins, Robert McClintic and Polly Hart. Staff members in attendance were Michaela Oktay and Katia Pace.

The following locations were visited:

- **1371 Filmore**- Staff gave an overview of the project.
- **Tracy Aviary, Liberty Park**- Staff gave an overview of the project.

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.

APPROVAL OF THE April 3, 2014 MINUTES [5:35:43 PM](#)

MOTION [5:35:51 PM](#)

Commissioner Bevins moved to approve the minutes from April 3, 2014. Commissioner Funk seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:36:01 PM](#)

Chairperson Harding stated she had nothing to report.

Vice Chairperson Hart reported on the issues with her iPad and the need to shut them off from time to time otherwise it can damage the iPad.

DIRECTOR'S REPORT [5:36:55 PM](#) Ms. Cheri Coffey, Assistant Planning Director, reminded the Commissioners of the upcoming Utah Heritage Foundation Annual Preservation Conference.

PUBLIC COMMENTS [5:37:09 PM](#)

Chairperson Harding opened the Public Comment period for items not on the agenda. Seeing no one in the audience wished to speak; Chairperson Harding closed the Public Comment period.

TRAINING SESSION

Mr. Wilford Sommerkorn, Planning Director, reviewed the role of the Historic Landmark Commission in relation to the Planning Commission and the City Council. He discussed the history of planning and stated further discussions would be held regarding how decisions are made and as well as other process the Historic Landmark Commission uses. He explained legislative items when the Historic Landmark Commission and Planning Commission both review items and how the Historic Landmark Commission recommends to the Planning Commission or the City Council.

The Commission and Mr. Sommerkorn discussed the following:

- If the City Council could ignore the recommendation from the HLC or the Planning Commission concerning legislative matters.
 - Yes they could ignore the recommendation of the Commissions and make another decision.

Ms. Cheri Coffey reviewed the Administrative items and the Legislative items that the Historic Landmark Commission reviews and approves.

[6:02:07 PM](#)

Commissioner David Richardson recused himself from the next two items on the agenda.

PUBLIC HEARINGS [6:02:23 PM](#)

Portmann Rear Addition at approximately 1371 Filmore Street - David Clayton, Architect, is requesting approval from the City to construct a rear upper story addition that extends the roofline of a two story home at the above address. The property is located in the R-1/7,000 (Single-Family Residential) zoning district, the Westmoreland Historic District and City Council District 5, represented by Erin Mendenhall. This type of project is a major alteration to a contributing building and must be review by the Historic Landmark Commission. (Staff contact: Katia Pace, (801) 535-6354 or katia.pace@slcgov.com). Case number PLNHLC2014-00147

Ms. Katia Pace, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition subject to the conditions listed in the Staff Report.

The Commission and Staff discussed the following:

- The placement and location of the proposed vinyl windows and the wood clad windows on the structure.
 - Staff was not concerned with the type of window because they were located on the side and rear elevations of the home.

Mr. David Clayton and Mr. Brad Walton, DIV Architecture, reviewed the proposed addition and the materials that would be used to break up the new and old facades of the structure.

PUBLIC HEARING [6:12:04 PM](#)

Chairperson Harding opened the Public Hearing. Seeing no one in the audience wished to speak to the petition; Chairperson Harding closed the Public Hearing.

DISCUSSION [6:12:22 PM](#)

The Commission discussed the following:

- The basement vinyl windows and whether they might be out of character for the home even though they were located to the rear of the home.
- The commission discussed the diminished location at the rear and therefore for practical reasons it was appropriate.
- In the past the Commission has given more flexibility with vinyl windows on the rear of structures.

MOTION [6:17:19 PM](#)

Commissioner McClintic stated regarding PLNHLC2014-00174, based on the analysis and findings of fact in the Staff Report, testimony and plans presented, he moved that the Historic Landmark Commission approve the proposed rear addition at 1371 Filmore Street. Commissioner Hart seconded the motion. The motion passed unanimously.

[6:18:02 PM](#)

Tracy Aviary's Tropical Exhibit at approximately 589 East 1300 South - New Construction - Angela Dean, Architect representing Tracy Aviary, is requesting to construct a new building intended to exhibit exotic birds and plants. The building will be located at the north boundary of the Aviary, adjacent to the Visitors Center. Tracy Aviary is located in Liberty Park, a Landmark Site. The property is located in the OS (Open Space) zoning district, in City Council District 5, represented by Erin Mendenhall. This type of project is considered new construction and must be reviewed by the Historic Landmark Commission. (Staff contact: Katia Pace at (801)

535-6354 or katia.pace@slcgov.com .) Case number PLNHLC2014-00197

Ms. Katia Pace, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition subject to the conditions listed in the Staff Report.

Mr. Tim Brown, Tracy Aviary Director, reviewed the public open house held in October 2013. He stated the main issues addressed at that meeting were to maintain site lines, save trees and make the heights of buildings compatible to the area.

PUBLIC HEARING [6:25:55 PM](#)

Chairperson Harding opened the Public Hearing. Seeing no one in the audience wished to speak to the petition; Chairperson Harding closed the Public Hearing.

MOTION [6:26:13 PM](#)

Commissioner Hart stated regarding PLNHLC2014-00197, based on the analysis and findings of fact in the Staff Report, testimony and plans presented, she moved that the Historic Landmark Commission approve the proposed Tropical Exhibit building at Tracy Aviary subject to the conditions listed in the Staff Report. Commissioner McClintic seconded the motion. The motion passed unanimously.

[6:27:13 PM](#)

Commissioner Richardson rejoined the Commission for the rest of the meeting.

[6:27:18 PM](#)

Trolley Square Site Improvements at approximately 602 East 500 South - SK Hart Management is requesting approval from the City to improve various public spaces within the Trolley Square property. Possible improvements include, but are not limited to: new trellis features, new awnings, new lawn, new lighting fixtures, enhancements to existing entrances, portable shade structures and other minor site features. There are no changes proposed to any of the buildings as part of this petition. Currently the land is used as a shopping center and is zoned CS (Community Shopping). The subject property is located in Council District 4, represented by Luke Garrott. This type of project is a minor alteration but cannot be approved administratively by staff. Therefore, review by the Historic Landmark Commission is required. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com).

Ms. Maryann Pickering, Principal Planner, reviewed the items that were previously approved and the petition as presented in the Staff Report (located in the Case File). She stated Staff was recommending the Historic Landmark Commission grant the Certificate of Appropriateness for the remaining portion of the project requested and subject to the

conditions listed in the Staff Report.

The Commission and Staff discussed the following:

- If there was an issue with LED lighting in general.
 - LED lighting could be appropriate if done correctly and to meet City Code Standards.
- The Conflicting language in the Staff Report regarding LED lighting and if it was appropriate for the site.
 - Staff was under the impression that subtle lighting (no matter the bulb/diode type) was appropriate.
- If the Commission was allowed to dictate the level of illumination for the site.
 - The Commission could dictate the level of intensity and level of illumination for the site.
- If the Commission could dictate the color of a light.
 - Staff stated yes because historically lights were white not colored.
- If the ordinance dictated the color of lighting.
 - The ordinance did not dictate the color of the lights however, the ordinance did state the lighting needed to be compatible with the historic nature of the site.

Mr. Jim Lewis, FFKR Architects, reviewed the proposal and stated the LED was approved at the previous meeting as a replacement for the neon lighting. He stated the owner's preference was for the lighting to create an effect, mood lighting that would change for the seasons or to celebrate events. Mr. Lewis stated the level of lighting intensity was not decided however, the LED lighting had the ability to accommodate the softer or warmer tones.

The Commission and Applicant discussed the details of the canopy and what a person would see from under or above the canopy, what happened to the lighting on the top of the canopy and if there would be a glow through the top of the canopy. The Applicant stated the goal was to have the lighting be more of a mood light not a safety feature. The Commission and Application discussed the path of the lighting on the members (rafters) of the canopy. The Applicant stated the mood of the lighting would not be that of something found in Las Vegas but a subtle glow to attract people to the entrance of the site.

Mr. Heston Neilson, SK Hart Management, stated the lights would not change in an animated fashion but would be a constant color daily. He stated the color of the lights should not be considered an issue or out of character as the water tower housed colored lights on it currently.

The Commission asked if the lighting from the columns were functional or intended for decoration.

The Applicant stated the column lights were decorative.

PUBLIC HEARING [7:01:34 PM](#)

Chairperson Harding opened the Public Hearing.

Mr. Run Bhatta stated he lived by Trolley Square and did not realize it was a shopping center. He stated it was important to attract people to the site and notify them of what was inside the structure. Mr. Bhatta stated he was in favor of the petition.

Chairperson Harding closed the Public Hearing.

DISCUSSION [7:03:01 PM](#)

The Commission and Staff discussed the following:

- The issue of defining what was subtle could be an area where a lighting engineer's help or examples would be beneficial.
- If the lights could be installed and then a follow up inspection be done to determine the appropriate level of light.
 - Staff stated conditions could not put on the project after completion.
- The proposed lighting system was flexible so was there a time where the Commission could work with the Applicant to determine the appropriate lighting level.
 - It would be difficult to measure the foot candle due to the various elements affecting the lighting year round.
- National Park guidelines refer to reflected and down lighting components therefore, if the lighting was restricted to down lighting or white light it would accommodate the facility and the Commission would be following the guidelines.
- Colored lighting would not fit in with the character of the area.
- If the canopy was classified as signage.
 - Only if it the canopy was conveying a message.
- LED lighting is energy efficiency and historical lighting is not sustainable therefore, it should not be debatable on what lighting to require.
- The Commission should be looking at the fixture not the light bulbs as the lighting intensity would not be enforceable.
- . Changing light colors for the new canopy would overpower the historic character of the neighborhood. The added lighting should not over power or detract from the historical character of the site.
- There were still issues with the design that would dictate the overall final effect of the lighting.

- Require the white lights and do not allow for changing colors as that would not work with the historic character of the site.
- What was approved at the February meeting and if the subject elements were changed as per the Commission's request.

The Commission and Applicant discussed if a sample could be brought in for the Commission to review. The Applicant stated the lighting could be brought in; it could be controlled and asked how the lighting would be enforced day to day. The Commission and Applicant discussed if the lights were changed from the February meeting versus what was being presented today.

The Commission discussed if a subcommittee was necessary or if they had any control over the lighting for this project. They discussed down lighting, how the lights could be regulated, what they approved in for past projects and what elements the Commission could control.

MOTION [7:39:00 PM](#)

Commissioner Brennan stated regarding PLNHLC2013-01006, based on the analysis and findings made at the February 6, 2014, Historic Landmark Commission meeting, testimony and plans presented, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for the remaining portion of the projects requested, subject to the conditions that all lighting associated shall be down lit and comply with other applicable city ordinances and all final design is subject to review and approval by Planning Division Staff. Commissioner McClintic seconded the motion.

The Commission discussed the definition of down lighting. They discussed if they could regulate the light color.

Commissioner Funk asked to make a substitute motion to include the language that the lighting be white lighting.

Commissioner Brennan stated he did not wish to amend his motion.

Commissioner McClintic rescinded his second to Commissioner Brennan's motion.

Commissioner Funk proposed a substitute motion, regarding PLNHLC2013-01006, based on the analysis and findings made at the February 6, 2014, Historic Landmark Commission meeting, testimony and plans presented, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for the remaining portion of the projects requested, subject to the conditions that all lighting associated shall be down lit and comply with other applicable city ordinances and all final design is subject to review and approval by Planning Division Staff and require the lighting to be some form of white light. Commissioner McClintic seconded the motion. Commissioners Funk, Bevins and McClintic voted

"aye". Commissioners Hart, Shepherd, Richardson and Brennan voted "nay". The motion failed 3-4.

Commissioner Brennan stated regarding PLNHLC2013-01006, based on the analysis and findings made at the February 6, 2014, Historic Landmark Commission meeting, testimony and plans presented, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for the remaining portion of the projects requested, subject to the conditions that all lighting associated shall be down lit and comply with other applicable city ordinances and all final design is subject to review and approval by Planning Division Staff. Commissioner Richardson seconded the motion. Commissioners Shepherd, Richardson, and Brennan voted "aye". Commissioners McClintic, Bevins, Hart and Funk voted "nay". The motion failed 3-4.

The Commission and Staff reviewed what happened if a motion was not passed for the petition. The Commission discussed options for further review of the design and lighting of the project and if Staff could review and approve the lighting for the canopy.

Commissioner Brennan stated regarding PLNHLC2013-01006, based on the analysis and findings made at the February 6, 2014, Historic Landmark Commission meeting, testimony and plans presented, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for the remaining portion of the projects requested, subject to the conditions that all lighting associated shall be down lit and comply with other applicable city ordinances and all final design is subject to review and approval by Planning Division Staff and that approval of all color be deferred to Staff. Commissioner McClintic seconded the motion.

The Commission discussed allowing Staff to approve the color of the proposed lighting.

The Commission and Applicant discussed the lighting and if further review of the proposal would offer a more refined or clear proposal addressing the Commission's concerns. It was stated that Staff could address all the details with the Applicant other than the color of the lighting. The Commission discussed if they could approve the project without approving the lighting.

[7:54:12 PM](#)

Commissioner Funk left for the evening.

Commissioner Brennan withdrew the previous motion.

Commissioner Brennan stated regarding PLNHLC2013-01006, based on the analysis and findings made at the February 6, 2014, Historic Landmark Commission meeting, testimony and plans presented, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for the remaining portion of the projects requested, subject to the conditions that all lighting associated shall be down lit and comply with other applicable city standards and all final design is

subject to review and approval by Planning Division Staff and that color be approved as requested.

Commissioner Richardson seconded the motion with the amendment to state and comply with other applicable city ordinances.

Commissioner Brennan accepted the amendment.

Commissioners Shepherd, Richardson and Brennan voted "aye". Commissioners McClintic, Bevins, Hart and Funk voted "nay". Chairperson Harding voted "nay". The motion failed 3-4.

[7:56:26 PM](#)

Commissioner McClintic proposed a substitute motion, regarding PLNHLC2013-01006, based on the analysis and findings made at the February 6, 2014, Historic Landmark Commission meeting, testimony and plans presented, he moved that the Historic Landmark Commission grant the request for a Certificate of Appropriateness for the remaining portion of this project requested, subject to the conditions that all lighting associated shall be down lit and comply with other applicable city ordinances and all final design is subject to review and approval by Planning Division Staff and with an addition that all lighting be some sort of white light in nature. Commissioner Hart seconded the motion. Commissioners McClintic, Bevins and Hart voted "aye". Commissioners Shepherd, Richardson and Brennan voted "nay". Chairperson Harding voted "aye". The motion passed 4-3.

The meeting adjourned at [7:58:54 PM](#).