

SALT LAKE CITY HISTORIC LANDMARK COMMISSION
Meeting Minutes
451 South State Street, Room 326
December 3, 2015

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:38:40 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 Thomas Brennan, Vice Chairperson Charles Shepherd; Commissioners Sheleigh Harding, Kenton Peters, Heather Thuet and Rachel Quist. Commissioner David Richardson was excused.

Planning Staff members present at the meeting were: Nora Shepard, Planning Director; Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Lex Traughber, Senior Planner; Amy Thompson, Principal Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

DINNER SESSION

The Commission received training on the Open Meetings Act.

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Historic Landmark Commissioners present were Charles Shepherd, Rachel Quist and Kenton Peters. Staff members in attendance were Michaela Oktay, Carl Leith, Amy Thompson and Lex Traughber.

The following sites were visited:

- **454-466 E South Temple** – Staff gave an overview of the proposal.

APPROVAL OF THE NOVEMBER 5, 2015, MINUTES [5:39:24 PM](#)

MOTION [5:39:38 PM](#)

Commissioner Peters moved to approve the minutes from November 5, 2015. Commissioner Shepherd seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:40:09 PM](#)

Chairperson Brennan stated he had nothing to report.

Vice Chairperson Shepherd stated he had nothing to report.

DIRECTOR'S REPORT [5:40:17 PM](#)

Ms. Nora Shepard, Planning Director, reported on the future of Arrow Press Square. She stated the Planning Department received a grant through the National Trust that would be used to conduct workshops with the Staff, Commission and Public regarding historic preservation.

Ms. Michaela Oktay, Planning Manager, reviewed the details of the National Trust Grant

which was applied for and thanked Carl Leith, Senior Planner for moving this forward.

PUBLIC COMMENT PERIOD [5:42:22 PM](#)

Chairperson Brennan opened the Public Comment Period, seeing no one wished to speak; Chairperson Brennan closed the Public Comment Period.

PUBLIC HEARINGS

[5:42:50 PM](#)

New Apartment Building at approximately 454-466 E. South Temple - Chris Huntsman, CRSA, on behalf of owner Garbett Homes, is requesting a Certificate of Appropriateness from the City to construct a new apartment building at the southwest corner of 500 East and E. South Temple. The property is currently vacant. The proposed development would be approximately six stories and include 5,000 SF of commercial space, 176 apartment units and provision for parking 226 vehicles. The site is zoned R-MU (Residential / Mixed Use) and is located in the South Temple Local Historic District and City Council District 4, represented by Luke Garrott. (Staff contact: Carl Leith, (801) 535-7758 or carl.leith@slcgov.com.)

- a. **New Construction - In order to build the proposed apartment building a Certificate of Appropriateness for the building must be approved by the Historic Landmark Commission. Case Number PLNHLC2015-00930.**
- b. **Special Exception Approval - In order to construct the proposed development, special exception approval is sought for an encroachment of 20 feet into the required rear yard setback on the west side of the development to accommodate part of the building, two stair ways and an ADA ramp that are greater than 4 feet in height. In conjunction to the encroachment, the applicant is seeking a special exception for approximately 6 feet 8 inches in additional building height for a portion of the west elevation and a portion of the south elevation at the southwest corner of the site. A grade change greater than four feet is also requested in order to accommodate the parking access ramp. Case Number PLNHLC2015-00931**

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission table the petition to enable further review.

The Commission and Staff discussed the following:

- How the side yard and corner yard were determined for the lot.
- If the building was required to reflect the side yard and front yard.
- If the standards had been formalized regarding equipment on balconies.
- The Commission's purview over the lot consolidation proposal.
- The glazing on the first floor windows.

Mr. Wally Cooper stated they would like to address the concerns for the proposal. He read from the presentation (contained in the case file) regarding the following:

- How the proposal affected and fit within the South Temple Historic District.
- Height and scale of the proposal.

- Ground level parking in the area.
- Piccadilly Apartments.
- The mixed use character.
- Palette of materials.
- Building massing and configuration of open space.

Mr. Chris Huntsman, CRSA, reviewed the building façade and the glazing on the first floor windows. He reviewed the open space for the proposal.

The Commission and Applicant discussed the following:

- The first floor fenestration and if the windows were operable.
- The size of the balconies.
- Height of the proposed building.
- The width of the landscape median on South Temple.
- The challenges with the site and the previous uses.
- The fabric of the district and if the building fit with the area.
- If moving the court yard to the north had been considered.

PUBLIC HEARING [6:39:39 PM](#)

Chairperson Brennan opened the Public Hearing.

Ms. Cindy Cromer thanked the Applicant for attending the Community Council meetings and hoped that they would present the revised designs to them as well. She stated she supported the applicant in his designs and past work to support historic preservation however, this proposal needed to be better. Ms. Cromer reviewed the historically significant buildings in the area. She stated the issue was to ensure the building proposed for the area fit with the historic buildings and did not detract from the character of the street, which was one of the great boulevards in the country. Ms. Cromer stated she agreed with flipping the courtyard and possibly adding a courtyard on each building face would be a better amenity for the residences of the building.

Chairperson Brennan closed the Public Hearing.

The Applicant did not wish to speak.

The Commission made the following comments:

- If the building was in an “H” shape it would break up the massing on South Temple and preserve the advantages of sun and open space to the rear of the site.
- It was better to have the development and improve the area than for it to remain in its current state.
- The height ~~was~~ might not be a concern if the massing was appropriate.
- The glazing versus opening on 500 East was not an issue as openings without glass helped to break up the façade, although glazing would animate the windows.
- Concerned over the sheer mass coming straight up from South Temple.

- The buildings listed as reference were important to the area and worked because of their step backs that broke up the massing.
- The rendering with the ground level façade, given more depth, worked well.
- The materials should not try to look historical or it would devalue the historic buildings in the area.
- The new renderings were a step in the right direction.
- Setbacks should reflect those of the neighboring buildings.
- More brick than stucco should be used.
- The first floor did not need the setbacks as it reflected the retail use however, the upper floors should be stepped back.
- The balconies should be wider to allow better use.

The Commission discussed the following:

- How the Commission felt about the building being set back further and built taller.
- How to make the building fit with the surrounding area.
- The Commission reviewed each of Staff's six concerns (listed in the Staff Report) and how their comments (listed above) addressed the concerns.
- If the Commission wanted to table the petition or hold a subcommittee to address the issues with the Applicant.

MOTION [7:09:08 PM](#)

Commissioner Harding stated in the case of PLNHLC2015-00930 and PLNHLC2015-00931, New Apartment Building at approximately 454-466 E. South Temple, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission table the application for further consideration to enable the Applicant to review and revise the proposals to address the matters identified as key issues, reserving a final decision until these issues have been addressed. Commissioner Thuet seconded the motion. The motion passed unanimously.

[7:10:09 PM](#)

Warehouse National Historic District Expansion - Salt Lake City has engaged Sherri Murray Ellis, Certus Environmental Solutions, LLC, to evaluate buildings in the study area, and prepare a National Register nomination that would expand the existing boundary of the Warehouse National Historic District. The Historic Landmark Commission will review the National Register nomination and forward a recommendation to the Utah State Board of History. The proposed expanded boundary is roughly bound by 50 South, West Temple/300 West, 1000 South, and Interstate 15 (I-15) and is located in City Council District 4, represented by Luke Garrott. (Staff contact: Amy Thompson at (801) 535-7281 or amy.thompson@slcgov.com.)

Ms. Amy Thompson, 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 forward a positive recommendation to the Board of State History regarding the petition.

Ms. Sherri Murray Ellis, Certus Environmental Solutions LLC, reviewed the area and the significance of the buildings in the proposed area.

The Commission, Staff and Applicant discussed the following:

- If the district boundaries needed to be in line or could be discontinuous.
- If there would be issues in the future with not having continuous boundaries.

PUBLIC HEARING [7:39:51 PM](#)

Chairperson Brennan opened the Public Hearing, seeing no one wished to speak to the petition; Chairperson Brennan closed the Public Hearing.

The Commission discussed the following:

- Notification of the property owners in the proposed district to see if there was interest in a local historic district.
 - Staff met with the property owners but were not advocating for for a local historic district designation.

MOTION [7:42:09 PM](#)

Commissioner Thuet stated in the case of Warehouse National Historic District Expansion, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission forward a favorable recommendation to the Board of State History to expand the Warehouse National Historic District. Commissioner Peters seconded the motion. The motion passed unanimously.

[7:43:01 PM](#)

University Historic District Reconnaissance Level Survey (RLS) Update - Salt Lake City has engaged Beatrice Lufkin to update the survey of existing buildings within the University Local Historic District. The Historic Landmark Commission will consider the survey updates, findings and consider accepting the final report of the survey. The district is roughly bound by South Temple, 500 South, 1100 East to 1300 East and is located in City Council District 4, represented by Luke Garrott. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com .)

Mr. Lex Traughber, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve and adopt the University Historic District Survey as presented.

The Commission and Staff discussed the following:

- The notification that was sent to the property owners regarding the proposal.

PUBLIC HEARING [7:49:49 PM](#)

Chairperson Brennan opened the Public Hearing.

Ms. Esther Hunter reviewed the history of her property and her desire to keep it listed as a contributing structure.

Mr. Jeff Taylor stated he was requesting a change from contributing to non-contributing as his property was dilapidated and in disrepair. He reviewed the documents regarding the structure and why the building was no longer contributing. Mr. Taylor stated it was not feasible to repair or replace the home.

The Commission and Mr. Taylor discussed the following

- When Mr. Taylor purchased the property.
- When the changes to the property had occurred.

Chairperson Brennan closed the Public Hearing.

MOTION [8:02:20 PM](#)

Commissioner Thuet stated in the case of University Historic District Reconnaissance Level Survey (RLS) Update, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission table the issue until a future meeting allowing Staff to further review of the survey. Commissioner Peters seconded the motion. The motion passed unanimously.

[8:02:54 PM](#)

Commissioner Thuet excused herself from the meeting.

Fine Tuning of Local Historic District (LHD) Designation Process - Mayor Ralph Becker requests a text amendment in order to fine tune and clarify regulations regarding the designation of local historic districts in Salt Lake City. Changes proposed are intended to clarify language and to make the designation process more transparent. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition. The changes would apply citywide. Staff contact is Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com .) Case number PLNPCM2015-00149

Mr. Lex Traughber, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission forward a positive recommendation to the City Council regarding the amendments to sections 21A.34.020(C) and related provision in Title 21A-Zoning as proposed.

The Commission and Staff discussed the following:

- The property owners and public open house meetings.
- The process for a Local Historic District application.
- The ballot process and how the City Council makes its final decision.
- The percentage of signatures needed to initiate a petition.

- The education process needed prior to the petition being initiated.
- The previous percentages of property owner responses during the balloting process.
- How a property with multiple units such as a condo would be counted in the vote.
- How to address remnant parcels in the voting process.

PUBLIC HEARING [8:28:58 PM](#)

Chairperson Brennan opened the Public Hearing.

The following individuals spoke to the petition: Mr. William Lapsley, Mr. Rick Oliver, Ms. Susan Porter and Ms. Lynn Pershing.

The following comments were made:

- The property owners did not create the Historic District the City Council had the legislative authority to adopt a Local Historic District.
- The purpose was to educate the public about the designation process, steps, points of involvement, answer questions and address benefits of being in a Local Historic District.
- Applicants needed to address their concerns with the neighbors and educate them about the protection of a Historic District.
- Raising the percentage of signatures required to initiate a petition would likely benefit the entire process.
- Reducing the process from 180 days to 90 days made sense as the process took a long time anyway.
- Clarify the number of property owners required to sign the petition initiation, on properties with multiple owners.
- Clarify the standards for corporations, trusts and who signs the petition for those properties, to work with the attorneys office
- The cooling off period (currently one year, proposed two years) may be too long and could allow for properties to be negatively changed, demolished.
- Need something in place that suspends demolitions and major remodeling permits during the cooling off period to protect the neighborhoods.
- Pleased with the proposed changes to the process, as they are a step in the right direction.
- The Local Historic District petition takes a long time and a lot of effort to begin.
- It may be easier to say the majority of ownership has to sign the petition than detailing who should sign.
- Would like to see the percentage of required signatures to begin a petition raised to at least fifty one percent.
- Should have most of the neighborhood in agreement before the petition can move forward.
- The cooling off period should be, at a minimum, five years.
- The burden of responsibility should be on the citizen applicant to reach out to and educate the neighbors.
- There have been multiple opportunities for public education on what can and cannot be done when designated as a Local Historic District.

- There should be a minimum lot size for a ballot receipt.
- Proposal should specify if the ballot would remain secret and anonymous.
- Not clear as to when the cooling off period started, was it at the time of application or time of withdrawal.
- Due to the turnover of properties in some neighborhoods two years could be excessive depending on when the cooling off period began.
- Applications should be expedited after they are received.
- Should be a statement from the City stating the process should take no longer than a year in the proposed document.
- Things change too fast for the process to be drawn out as it has been in the past.

Chairperson Brennan closed the Public Hearing.

The Commission and Staff discussed the following:

- If a moratorium on demolition could be placed on areas during the cooling off period.
 - No, the City should not place a moratorium on rezoning petitions or properties.
- When the two year period started for a petition.
 - It began at the time of withdrawal or when a decision is made by the City Council.
- The thinking behind the two year cooling off period.
 - Because petitions have been so contentious, it gives the neighborhoods time to settle.
 - Having the cooling off time period longer than 1-2 years may result in negative changes to neighborhoods such as demolitions.
- If there was a cooling off period for other petitions
 - It is one year for all petitions as outlined in 21A.50 of the ordinance.
- If there was no initial support for the petition why would it be moved forward.
- The history of why the current Local Historic District process was created.
- Who could initiate petitions for zoning changes. Citizens, Mayor, City Council or the Planning Commission.
- The issues with remnant lots and giving them a vote.
- The percentage of signatures needed to initiate a petition.
- There are a lot of opportunities for public input during the designation process.
- There has to be time between when the petitions end and when new ones are allowed to begin.
- If petitions have been resubmitted for any of the prior withdrawn LHD petitions.
 - None had been resubmitted, Staff was not aware of any plans of any being resubmitted.
 - People know when it's the right time to restart the process in their neighborhood.
- The process the Mayor or City Council would follow to initiate a Local Historic District.

- The language that should be included the motion.

MOTION [9:09:26 PM](#)

Commissioner Harding stated in the case PLNPCM2015-00149 Fine Tuning of Local Historic District (LHD) Designation Process, Based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission forward a positive recommendation to the City Council regarding the amendments to section 21A.34.02o(C) and related sections as proposed except that the percentage be increased to thirty five (35%) percent for the application initiation threshold. Commissioner Peters seconded the motion.

Ms. Shepard asked if the motion included the clarifications discussed.

Commissioner Harding amended the motion to include the detailed clarification discussed by the Commission and Staff. Commissioner Peters seconded the amendment.

Commissioner Quist stated she did not like the thirty five percent and would prefer thirty three percent (one in three). She stated people are afraid of things they don't understand and the initial process was to get the information out.

Commissioner Shepherd stated the Commission was asking the Applicant to do more leg work upfront to judge the support and educate people.

Commissioner Quist stated the discussion should be part of the process of going through the Local Historic District nomination, rather than having the discussion before it was brought to the table.

Commissioners Peters, Harding and Shepherd voted "aye". Commissioner Quist voted "nay". The motion passed 3-1.

The meeting adjourned at [9:11:54 PM](#)