

SALT LAKE CITY HISTORIC LANDMARK COMMISSION
Meeting Minutes
Salt Lake City and County Building, 451 South State Street, Room 326
October 6, 2016

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:30:55 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 Charles Shepherd, Vice Chairperson Kenton Peters; Commissioners Stanley Adams, Thomas Brennan, Sheleigh Harding, David Richardson and Paul Svendsen. Commissioners Rachel Quist, Kim Wirthlin and Robert Hyde were excused.

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

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Historic Landmark Commissioner present was Paul Svendsen. Staff members in attendance were Michael Maloy and Amy Thompson.

The following site was visited:

- **317 N C Street** - Staff gave an overview of the proposal.
- **206 N 200 West** - Staff gave an overview of the proposal and discussed the contributing status

REPORT OF THE CHAIR OR VICE CHAIR [5:31:53 PM](#)

Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Kenton Peters stated he had nothing to report.

DIRECTOR'S REPORT [5:32:04 PM](#)

Ms. Nora Shepard, Planning Director reviewed the new Historic Landmark Commissioners appointed to the Commission. She reviewed the training meeting that would be held for the Commission in the near future. Ms. Shepard stated the Commission now had ten members and reviewed the number needed for a quorum each meeting.

Mr. Michael Maloy, Senior Planner reviewed APA Conference and reviewed the National Community Planning Month (October). He stated it was the tenth year of NCPM and reviewed the areas of Salt Lake that had been recognized at the conference. Mr. Maloy reviewed the preservation month in May and that more could be done to promote it.

APPROVAL OF THE SEPTEMBER 1, 2016 MINUTES [5:35:34 PM](#)

MOTION [5:35:48 PM](#)

Commissioner Peters moved to approve the minutes from September 1, 2016. Commissioner Brennan seconded the motion. Commissioner Harding abstained from voting as she was not present at the subject meeting. The motion passed unanimously

PUBLIC COMMENT PERIOD [5:36:11 PM](#)

Vice Chairperson Peters opened the Public Comment Period, seeing no one wished to speak, Vice Chairperson Peters closed the Public Comment Period.

PRESENTATION [5:36:41 PM](#)

Fix the Bricks Program - Salt Lake City is working with the Federal Emergency Management Agency to help provide financial assistance for owners of property to seismically upgrade their homes. The Commission will be presented with an overview of the program and be asked to delegate approval authority to the Planning Staff for certain types of appropriate exterior seismic upgrades. The project is applicable for all properties within the H Historic Preservation Overlay Zoning District. (Staff contact is Cheri Coffey at (801) 535-6188 or cheri.coffey@slcgov.com.)

Ms. Michaela Oktay, Planning Manager introduced Staff and stated they were asking the Commission for a motion to approve the proposal and implement it as a guideline.

Mr. Cory Lyman and Ms. Aubrey Pierce, Emergency Management, gave an overview of the proposal as outlined in the Staff Report (located in the case file).

The Commission and Staff discussed and stated the following:

- The amount of money that would be received for the program each year.
- The cost of retrofitting homes with the proposed infrastructure.
- The benefits of the retrofitting as proposed.
- Would the process be required when property owners were re-roofing.
- The phases of the program and how it will be continued through the years.
- The dollar maximum for a project.
- If the Fire Marshal had reviewed the program and given input.
- If wood frame construction would be included in the program.

PUBLIC HEARING [6:02:20 PM](#)

Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak, Chairperson Shepherd closed the Public Hearing.

MOTION [6:02:26 PM](#)

Commissioner Harding stated regarding the Fix the Bricks proposal, she moved that the Historic Landmark Commission grant administrative approval authority to Planning Staff. Commissioner Peters seconded the motion. The motion passed unanimously.

[6:03:20 PM](#)

Solar Panels at approximately 317 N C Street - Kyle Oram of Auric Solar is requesting approval from the City to locate solar panels on the roof of the front side of a single-family residence located at the above listed address in the Avenues Historic District. This type of project must be reviewed as Minor Alteration by the Historic Landmark Commission. The subject property is within Council District #3, represented by Stan Penfold. (Staff contact: my Thompson at (801) 535-7281 or amy.thompson@slcgov.com.) Case number PLNHLC2016-00632

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 the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed and stated the following:

- If Solar panels have previously been approved on the front of a structure.

Mr. Kyle Oram, architect, reviewed the proposal and why it was important to place the panels in the proposed location.

The Commission and Applicant discussed the following:

- How long the product lasted and the deterioration over time.
- What happened to the panels when the home was re-roofed.
- The layout and appearance of the panels.
- If the garage to the rear was on the subject property.
- The number of panels proposed for the home.
- Why other locations on the home were not suitable for the panel placement.

PUBLIC HEARING [6:17:03 PM](#)

Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak, Vice Chairperson Shepherd closed the Public Hearing.

The Commission discussed and stated the following:

- How many panels were considered enough to achieve the customer's goal.
- The possible precedence for the proposal.
- Panels were easily removable and temporary.
- The look of the panels at the front of the home was very important.
- The stated tax credit precluded solar panels on front facing roof slopes.
- Solar panels were not eligible for tax credits.

MOTION [6:22:01 PM](#)

Commissioner Brennan stated regarding PLNHLC2016-00632 based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, he moved that the Commission approve the request for a minor alteration for the installation of a small solar energy collection system as proposed on the roof of the front gable and visible from the public right-of-way for the residence at 317 N C Street. Specifically, the Commission finds that the proposed

project complies with the standards of review. Commissioner Harding seconded the motion. Commissioners Adams, Brennan, Peters, Harding and Svendsen voted “aye”. Commissioner Richardson voted “nay” The motion passed 5-1.

[6:23:04 PM](#)

2nd & 2nd Apartments at approximately 206 N 200 West - Kevin Horn, Horn and Partners Architecture, is requesting approval from the City to develop seven dwelling units and one commercial unit at the above listed address. The land had been used for automobile services. The land is zoned CN Neighborhood Commercial District and within the Capitol Hill Local Historic District. This type of project requires New Construction and Special Exception approval. The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Michael Maloy, AICP, at (801) 535-7118 or michael.maloy@slcgov.com.)

- a. **New Construction** - In order to build the project noted above, approval of New Construction is required to allow a three story mixed use development with seven dwelling units and one commercial unit at the above listed address. Case number PLNHLC2016-00474
- b. **Special Exception** - In order to build the project noted above, a Special Exception is required to reduce the front yard setback from 15'-0" to 12'-0", and increase building height from 25'-0" to 29'-0". Case number PLNPCM2016-00473

Mr. Michael Maloy, Senior Planner, gave an overview of the proposal as outlined 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 and stated the following:

- The allowable height for the proposal.
- The reason for the request.
- If remediation was needed for the property.

Mr. Kevin Horn, architect, reviewed the proposal, design, materials and parking for the proposal.

The Commission, Applicant and Staff discussed the following:

- The balcony door material and the size of the balcony.
- The material for the windows.
- The stoop entrances to the building and if individual unit entrances were considered.
- More shadow on the secondary facades to match the primary facades was needed.
- The issue of the building height and the height of the surrounding structures.
- How to address the overall building height with the design.
- Depressing the courtyards.
- The challenges with accessibility to the building.

- How to shorten the building and create accessibility to the structure.
- The awning on the commercial corner and the material proposed for the awning.
- The location of the awning and how it related to the building.
- Why the Special Exception should be granted and how it would benefit the City and historic district to approve the requested Special Exception.

PUBLIC HEARING [7:06:58 PM](#)

Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak, Vice Chairperson Shepherd closed the Public Hearing.

The Commission discussed and stated the following:

- The balconies were small and did not engage with the street.
- How the balconies would be used and if they were viable.
- Sliding doors on the balconies were out of character for the area.
- The overall building height and how it related to the area.

MOTION [7:12:44 PM](#)

Commissioner Richardson stated regarding PLNHLC2016-00474 – New Construction in Historic District, based on the analysis and findings listed in the Staff Report, public testimony, and the proposal presented, he moved that the Historic Landmark Commission approve the request for new construction of a mixed use development located at approximately 206 N 200 West Street, subject to the following conditions of approval:

- 1. Pursuant to Salt Lake City Code 21A.34.020 and 21A.10.020.B, the property owner, or designated agent, must obtain a demolition permit for a non-contributing structure within a local historic district.**
- 2. Pursuant to Salt Lake City Code 21A.36.010, the property owner, or designated agent, must obtain preliminary and final subdivision approval in compliance with all applicable codes.**
- 3. Approval of final design details including materials, as well as any other direction expressed by the Commission, shall be delegated to Planning Division staff.**
- 4. Approval will expire if a permit has not been taken out or an extension granted within 12 months from the date of approval.**

Commissioner Svendsen seconded the motion.

The Commissioners asked to amend the motion to not allow the sliding balcony doors and have them changed to a different treatment.

Commission Richardson accepted the amendment. Commissioner Svendsen stated he did not second the amendment. The motion returned to the original motion.

The Commission discussed the balcony doors and what would be appropriate for the historic area.

Commissioner Richardson retracted his original motion and made the following substitute motion.

MOTION [7:16:51 PM](#)

Commissioner Richardson stated regarding PLNHLC2016-00474 – New Construction in Historic District, based on the analysis and findings listed in the Staff Report, public testimony, and the proposal presented, he moved that the Commission approve the request for new construction of a mixed use development located at approximately 206 N 200 West Street, subject to conditions one through four as listed in the Staff Report and the addition of that the balcony doors on the primary facades be out swinging French doors. Commissioner Peters seconded the motion. Commissioners Adams, Brennan, Peters, Svendsen and Richardson voted “aye”. Commissioner Harding voted “nay”. The motion passed 5-1.

MOTION [7:17:59 PM](#)

Commissioner Richardson stated regarding Petition PLNPCM2016-00473 – Special Exception for Height and Setback Based on the analysis and findings listed in the Staff Report, public testimony, and the proposal presented, he moved that the Commission approve the request for special exception to reduce the front yard setback from 15'-0" to 12'-0", and increase building height from 25'-0" to 29'-0" at approximately 206 N 200 West Street, subject to the following conditions of approval:

1. Approval will expire if a permit has not been taken out or an extension granted within 12 months from the date of approval.

Commissioner Adams seconded the motion. Commissioners Adams, Brennan, Peters, Svendsen and Richardson voted “aye”. Commissioner Harding voted “nay”. The motion passed 5-1.

[7:19:25 PM](#)

Petition to study and make recommendations regarding the Historic Landmark Commission and the land use ordinances pertaining to the H Historic Preservation Overlay - Mayor Biskupski has initiated a petition requesting that Planning Staff study and make recommendations for potential changes to the City’s zoning ordinance for the following issues:

- a. Review the role and responsibilities of the Commission under the current code in the creation of local historic districts/sites as well as the standards and decision making processes for granting or denying approval of development proposals within the H Historic Preservation Overlay.
- b. Study and assess how other communities within and outside Utah structure their local regulations, standards and decision making functions. Assemble a possible range of options for the City to consider and to

identify best practices to provide greater clarity, consistency, transparency and accountability, and

- c. Make recommendations to the Mayor and the City Council for any changes to the City's ordinance for the role and responsibilities of the Historic Landmark Commission, the standards, and the decision making process for local historic districts and landmark sites.**

The Commission reviewed this report on September 1, 2016 and made recommendations. Planning Staff will brief the Commission on the revisions to the report, input from the Planning Commission and take input on the study. (Staff contact is Michaela Oktay at (801) 535-6003 or michaela.oktay@slcgov.com.) Case number PLNPCM2016-00330

Ms. Michaela Oktay, Planning Manager, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was looking for comments, corrections and questions on the proposal.

The Commission and Staff discussed and stated the following:

- A review of the process would be great for the new members on the Commission.
- Look at how standards are applied to contributing versus non-contributing structures.
- The number of contributing structures in the city needed to be checked and the standards applied fairly to all historic areas.
- How other places review historic areas and how the city fits in that review.
- A survey on how to see how base zoning conflicts with historic overlay.
- How the surveys are conducted and the time frame for those surveys.
- The time frame for significantly historic buildings and how they are regulated.
- Areas that may not be relevant to historic overlay.
- Flexibility and balance for updating structures.
- The next steps for the report.

WORK SESSION [7:39:54 PM](#)

Work Sessions Expectation Template - As a follow-up to the briefing regarding "Land Use Ordinances Pertaining to Historic Preservation" presented to the Historic Landmark Commission on September 1, 2016, Planning Staff will brief the Commission on a "Work Session Expectation Template". This proposed template defines "Work Session", outlines a typical work session structure, outlines expectations of all work session participants, and proposes desired work session outcomes. (Staff contact is Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com.) Case number PLNPCM2016-00330

Ms. Michaela Okay, Planning Manager, gave an overview of the template as outlined in the memo (located in the planning office). She stated Staff was looking for comments, corrections and questions on the outline.

The Commission and Staff discussed and stated the following:

- Staffs role in the review process.
- Having a facilitator attend work sessions as a new set of eyes.
- The definition of scope creep and how to address many different issues through the review process.
- The goal of a work session should be to address as many issues as possible but it was not a guarantee that other things would not arise at the public meeting.
- Not having work sessions during dinner as there was not enough time to discuss the projects thoroughly.
- When and where to have work session meetings.
- Who determined when and whether a work session was necessary.

The meeting adjourned at [7:58:00 PM](#)