

**SALT LAKE CITY HISTORIC LANDMARK COMMISSION**  
**Meeting Minutes**  
**451 South State Street, Room 326**  
**February 4, 2016**

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:34:29 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, Rachel Quist, Kenton Peters and David Richardson. Commissioner Heather Thuet was excused.

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

**FIELD TRIP NOTES:**

No field trip was held.

**REPORT OF THE CHAIR OR VICE CHAIR [5:34:48 PM](#)**

Chairperson Brennan stated he had nothing to report.

Vice Chairperson Shepherd stated he had nothing to report.

**APPROVAL OF THE JANUARY 7, 2016, MINUTES [5:34:55 PM](#)**

**MOTION [5:35:11 PM](#)**

**Commissioner Peters moved to approve the minutes from January 7, 2016. Commissioner Harding seconded the motion. The motion passed unanimously.**

**DIRECTOR'S REPORT [5:35:27 PM](#)**

Ms. Nora Shepard, Planning Director, reviewed House Bill 223 regarding the Local Historic District Designation Process and how it would affect the City's role in the process.

The Commission and Staff discussed the percentage of signatures required to initiate a petition.

Ms. Michaela Oktay, Planning Manager, reviewed the Utah Heritage Foundation Conference to be held March 31, to April 1. She asked Commissioners to notify Staff if they wanted to attend. Ms. Oktay reviewed the workshops that Mr. Bob Yapp would be hosting and welcomed everyone to attend.

Mr. Carl Leith stated the historic preservation & windows workshop was scheduled for two days, Wednesday, March 30 and Thursday, March 31. He stated Wednesday was primarily a Salt Lake City Corporation day for Commissioners, City Council Members and City Staff, and

would be free to all the aforementioned and Thursday would be the public workshop day.

**PUBLIC COMMENT PERIOD [5:40:08 PM](#)**

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

**PUBLIC HEARINGS [5:40:34 PM](#)**

**Window and Siding Replacement at approximately 1337 E 500 South - Kurt and Noreen Nelson are requesting approval for the replacement of the windows and the installation of hardy board siding on the subject home. The home is located at approximately 1337 E. 500 S. in the University Historic District. The property is currently under enforcement, as the windows and siding have already been replaced. The subject property is zoned RMF-30 (Low Density Multi-Family Residential District) and is located within Council District 4, represented by City Council Elect. The staff contact Kelsey Lindquist at (801) 535-7930 or [kelsey.lindquist@slcgov.com](mailto:kelsey.lindquist@slcgov.com).) Case Number PLNHLC2015-00910**

Ms. Kelsey Lindquist, Associate 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 table the petition to a future meeting.

The Commission and Staff discussed the following:

- If a Public Hearing should be held for the item if it was going to be tabled.
- The home was formally a station house for the immigration railroad.

**PUBLIC HEARING [5:45:21 PM](#)**

Chairperson Brennan opened the Public Hearing,

Audience members stated they would wait to speak when the item was brought back to the Commission for review.

Chairperson Brennan closed the Public Hearing.

**MOTION [5:45:54 PM](#)**

**Commissioner Richardson stated regarding PLNHLC2015-00910, Window and Siding Replacement, he moved that the Historic Landmark Commission table the petition to a future meeting. Commissioner Shepherd seconded the motion. The motion passed unanimously.**

**[5:46:13 PM](#)**

**Yalecrest-Hillside Park Local Historic District - A request to create a new local historic district known as Yalecrest-Hillside Park. The proposed boundaries of the Yalecrest-Hillside Park Local Historic District is located approximately between 1700 East and 1800 East on Laird Avenue, Cornell Circle and 1300 South. As part of this request, the Historic Landmark Commission will also review the Yalecrest 2005 Reconnaissance Level Survey to consider recommendations to update the survey for**

**the homes in the proposed district. Any owner of real property that is proposed to be rezoned may file a written objection to the inclusion of their property in the proposal within 10 days following the public hearing with the Historic Landmark Commission. All written objections will be forwarded to the City Council. The subject district is located in Council District 6 represented by Charlie Luke. (Staff contact: Amy Thompson at (801)535-7281 or [amy.thompson@slcgov.com](mailto:amy.thompson@slcgov.com)) Case Number PLNHLC2015-00697**

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 forward a favorable recommendation to the City Council regarding the petition.

Mr. William Lapsley, applicant, reviewed the importance of the area and the need to protect it. He stated the neighborhood supported the petition although there were concerns about what was allowed under a Local Historic District. Mr. Lapsley asked the Commission to forward a favorable recommendation to the City Council on the petition.

#### **PUBLIC HEARING [5:58:24 PM](#)**

Chairperson Brennan opened the Public Hearing.

Ms. Lynn Pershing, Yalecrest Neighborhood Council, reviewed the importance of the area and stated the Neighborhood Council supported the petition for a Local Historic District.

The following individuals spoke in support of the petition: Mr. Virginia Hylton, Ms. Margo Thurman, Ms. Lynn Pershing and Ms. Cindy Cromer.

The following comments were made:

- Supported the application and designation of the Local Historic District.
- Homes in the area depict the original nature of the neighborhood and should be protected.
- Without the district some of the large properties could be subdivided and allow for more density in the area, which would be a travesty.
- Not everyone would agree in any process.
- Don't let the lack of education on the regulations sway the decision to support the district.
- Only fifty percent of proposed Local Historic Districts were approved.
- The process was fair, information was given, meetings were held and the process should be allowed to go forward.
- Local Historic Districts are not too restrictive.
- There are ways to make affordable improvements to historic buildings.
- The regulations would benefit the area and were not onerous.

The following individuals spoke in opposition to the petition: Mr. Thomas Petersen, Mr. Steve Johnson, Ms. Sarah Petersen, Ms. Jan Schott, Mr. Alex Scheil and Mr. Roger Little.

The following comments were made:

- Many of the homes have had windows replaced and outside finishes changed.
- There were issues with being a Local Historic District that would not allow for homes to be modified allowing them to be more energy efficient.
- Oppose the Local Historic District.
- The reasons for the Local Historic District are not reasons to take away home owner's property rights.
- Some of the homes used as evidence and reasoning for a Local Historic District, in the Staff Report, were non-contributing.
- The Local Historic District tore the neighborhood apart and turned people against each other.
- The Local Historic District would not allow home owners to change the homes to better fit their needs.
- New owners should be afforded the same rights as older residences.
- A Conservation District should be considered rather than a Local Historic District.
- How could the process for this Local Historic District be stopped?
- Some of the people who signed the petition were no longer living in the area.
- The Local Historic District regulations were too restrictive and not wanted.
- There was not a consensus for the neighborhood as half of the residences didn't support the Local Historic District.
- There were punishments when one didn't comply with the regulations and that was not fair.
- The cool off period should be at least five years before another petition could be initiated.

Chairperson Brennan read cards from the following individuals (located in the case file):

- Ms. Kelly White - In support of the petition.
- Tom Holenbeck - In support of the petition.
- Ms. Winner Holenbeck - In support of the petition
- Mr. Kirk Huffaker - In support of the petition
- Mr. Marc Greenberg - In opposition to the petition.
- Ms. Renee Whitney - In opposition to the petition.

Mr. William Lapsley stated when he started the process he was told there would be a lot of issues. He stated the negative comments were due to lack of information and education on Local Historic Districts. Mr. Lapsley reviewed what would be approved in a Local Historic District and stated he was not aware of the information given to those who were opposed to the Local Historic District. He stated Local Historic District provided an extra layer of protection for homes in the area and rights were not being taken away

Chairperson Brennan closed the Public Hearing.

The Commission and Staff discussed the following:

- The size of home that was allowed under the current zoning.

- If a large home could be built on the lots in the area.
  - Yes one could max out the base zone.
- The types of materials that were allowed in a Local Historic District regarding windows and exterior finishes.
- The process for initiating and designating a Local Historic District.

#### **ADMINISTRATIVE SESSION**

The Commission made the following comments:

- The fact that a Local Historic District could impact property values was not something the Historic Landmark Commission could discuss.
- The proposed district complied with the standards in the ordinance and should move forward.
- There was a lot of miss information about Local Historic Districts.
- It was easier to develop under Historic Districts than general zoning.
- The homes in the area were just as important as homes in other neighborhoods and should be protected.

#### **MOTION [6:32:57 PM](#)**

**Commissioner Harding stated regarding PLNHLC2015-00697, Yalecrest-Hillside Park Local Historic District, based on the findings listed in the Staff Report, testimony and information presented, she moved to forward a positive recommendation to the City Council to designate a new local historic district for the Yalecrest – Hillside Park as proposed. Commissioner Richardson seconded the motion. The motion passed unanimously.**

#### **MOTION [6:33:53 PM](#)**

**Commissioner Harding stated regarding 2005 Reconnaissance Level Survey, based on the information presented, she moved to approve the proposed changes to the building ratings from the 2005 Reconnaissance Level Survey as attached in Attachment E. Commissioner Richardson seconded the motion. The motion passed unanimously.**

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

Commissioner Richardson recused himself for the next item.

**New Rear Addition to Single Family Residence at approximately 638 6th Avenue - Ken Pollard, on behalf of owner James Williamson, is requesting approval of a two story addition to the rear of the existing house. The house is a contributing building in the Avenues Historic District, is on a corner lot and the addition will face onto J Street. The subject property is zoned SR1-A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Stan Penfold. This proposal is being referred to the Historic Landmark Commission for decision because it is a substantial addition to this residence and because special exception approval is required for proposed setbacks, height and lot coverage. (Staff contact: Carl Leith, (801) 535-7758 or [carl.leith@slcgov.com](mailto:carl.leith@slcgov.com).)**

- a. **Proposed Addition – The proposed addition is situated to the rear of this original dwelling on a corner lot, and faces onto J Street. Case Number PLNHLC2015-00586**
- b. **Special Exceptions – Special exception approval is sought for an inline addition which continues the current side yard facade lines exceeding the interior side yard by 2’6”, the corner side yard by 2’6” (projecting bay window) and the rear yard setback line by 2’2”, and the maximum wall height at the SE corner by 13’. Case Number PLNHLC2015-00587**

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 recommended that the Historic Landmark Commission continued the Public Hearing and the review of the proposals to a forthcoming meeting to provide adequate time for Staff, Commission and Public review of the proposals as revised.

The Commission and Staff discussed the following:

- How the noticing errors affected the Commissions ability to make a decision on the petition.
- The changes to the application and why Staff was asking for the proposal to be tabled.

Mr. Ken Pollard, architect, reviewed the petition and the changes made in response to the comments from the Commission. He reviewed the history of the structure, the changes in the design and the light and shadow study conducted.

The Commission and Applicants discussed the following:

- The requested Special Exceptions for the petition.
- The parking for the proposal.
- The height of the addition.
- Why contemporary architecture was chosen for the addition.

#### **PUBLIC HEARING [7:02:40 PM](#)**

Chairperson Brennan opened the Public Hearing. He reviewed the comments in opposition to the proposal from people that did not wish to speak.

Mr. Dave Alderman, Greater Avenues Community Council, stated the Community Council supported tabling the petition to allow for further review and more public comments.

The following individuals spoke to the petition: Ms. Suzanne Darais, Mr. Tom Darais, Mr. Jim Gardner and Mr. Russell Norvell.

The following comments were made:

- The onsite postings were taken down therefore, adequate noticing was not done.
- Neighbors did not attend the meeting because there was not adequate notice for the meeting.
- The addition was not compatible with the older home.

- The addition would over shadow the neighbor's solar panels.
- Item should be tabled and revisions made.

Chairperson Brennan closed the Public Hearing.

The Commission and Staff discussed the following:

- Notification of the petition and if the standards were followed.
- The issue with the sign being removed from the property.

Mr. Pollard reviewed the shadowing from the building to the South and that the addition enhanced the home and area. He stated enhancing the present with the addition as well as the older home was important.

#### **ADMINISTRATIVE SESSION**

The Commission discussed the following

- Tabling the issue to allow for further information and discussion.

#### **MOTION [7:11:54 PM](#)**

**Commissioner Harding stated regarding PLNHLC2015-00586 and PLNHLC2015-00587, New Rear Addition to Single Family Residence, based upon the extensive and recent revisions to the proposed design for this rear addition, and the limited time for public outreach and review occasioned by these revisions and past noticing errors for these applications, she moved that the Historic Landmark Commission continues the Public Hearing and the review of the proposals to a forthcoming meeting to provide adequate time for Staff, Commission and Public review of the proposals as revised. Commissioner Quist seconded the motion. The motion passed unanimously.**

#### **[7:13:51 PM](#)**

Commissioner Richardson returned to the meeting.

#### **[7:14:00 PM](#)**

Chairperson Brennan stated the Applicant had contacted some of the Commissioners following the January Historic Landmark Meeting. The Commissioners reported they had received phone calls of which the conversations were short, nothing was discussed or phone calls were not returned.

#### **[7:14:55 PM](#)**

**New Apartment Building at approximately 454-466 E. South Temple - Chris Huntsman, CRSA Architects, 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 5,515 SF of commercial space, 166 apartment units and provision for parking 208 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 Derek Kitchen. (Staff contact: Carl Leith, (801) 535-7758 or [carl.leith@slcgov.com](mailto: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 PLNHLC2016-00029**
- 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 with the encroachment, the applicant is seeking a special exception for approximately 7 ft in additional building height for the south façade of the building. A grade change greater than four feet is also requested in order to accommodate the parking access ramp. Case Number PLNHLC2016-00027**

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 recommended that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed the following:

- If the windows were to be vinyl or aluminum.
- The letters from Council Member Derek Kitchens.

Mr. Bryson Garbett, developer, thanked Staff and the Commission for their work on the proposal and stated each time the proposal was addressed it improved. He asked the Commission to approve the proposal as presented.

Mr. Wally Cooper, architect, reviewed the dimensions, setbacks, building height, landscaping and the window materials for the proposal. He asked the Commission to approve the proposal as presented.

The Commission and Applicants discussed the following:

- The areas where Special Exceptions were being requested.
- The height of the building and setback encroachment.

#### **PUBLIC HEARING [7:50:45 PM](#)**

Chairperson Brennan opened the Public Hearing.

Mr. Michael Iverson, Central City Neighborhood Community Council, stated the developer was open to working with the community and the Community Council gladly welcomed more retail on South Temple. He stated the Community Council supported the petition and asked the Commission to as well.

The following individuals spoke to the petition: Mr. Kirk Huffaker, Ms. Joan Clissold, Mr. Joseph Maybrick, Mr. Kevin Holman, Ms. Lee White, Ms. Cindy Cromer, Mr. Donald



Blackwelder, Mr. Scott Howell, Mr. Ken Kraus, Mr. Marty Backer, Ms. Renee Backer, Mr. Pete Henderson, and Mr. Scott Anderson.

The following comments were made:

- The design did not reflect the area as it should.
- Design should feel more historic and the façade should fit the area.
- The project should be denied.
- The lot should not be developed and should remain green space.
- The development would block in the Piccadilly apartments.
- South Temple was one of the most important streets in the City and the building should reflect it.
- Please respect the history of the grand boulevard.
- The building should be held to a higher standard to meet the architecture of the area.
- Plea to the developer to create a building that reflected his residence and office.
- Parking and traffic would be an issue
- Massing was not in character with the area.
- Needed to know more about the parking and what the additional traffic would do to South Temple.
- Glad more people were willing to stand up for quality and the importance of South Temple.
- Vinyl windows should not be part of the proposal.
- Affordable housing and bringing families back to the area was important.
- Concerned over the issues with failing retaining wall on the property.
- Apartments were not unique and looked like what was being built everywhere else.
- The building would be an asset to the neighborhood and would get rid of the blight and filth on the lot.
- There were many neighbors that supported the development.
- If not this developer then who, if not now then when.
- The project was attractive and appropriate for the area.
- The building did not, beautifully, stitch together the streetscape.
- The biggest problem was the outside materials and details.

Chairperson Brennan closed the Public Hearing.

Mr. Garbett stated Garbett Homes built homes that families lived in and they were trying to do this for South Temple. He stated the proposal met the standards and the requests of the Commission. Mr. Garbett stated they were trying to represent architecture from today as requested, were excited to build the project and the surrounding neighbors supported the proposal.

#### **ADMINISTRATIVE SESSION**

The Commission discussed the following

- The surrounding architecture of the neighborhood and its history.

- The next steps for the proposal.
- How the massing could be addressed.
- The need to bring the courtyard down to street level.

The Commission made the following comments:

- The Commission should be reviewing the proposal with fresh eyes and how it addressed the street.
- One of the characteristics of the South Temple Historic District was the significant landscaping and streetscape.
- The footprint of the building was still a concern.
- If the proposed green space even be considered as public space since it would not be used by the public.
- The setbacks were much less than typical in the Historic District.
- A lot of improvement was made but the central massing was an issue.
- Would like less stucco and more brick to match the historic nature of the area.
- If the building was closer to the downtown area it would better fit with that area.
- The building met the zoning and the developer was not asking for an exception for zoning.
- There needed to be more specifics as to what could be done better or what the Commission was asking the Developer to do.
- It was not typical for a building to be built property line to property line in this area.
- Vinyl windows should not be used in the building regardless if they were street level or higher.

**MOTION [8:35:09 PM](#)**

**Commissioner Peters stated regarding PLNHL2016-00029 New Construction PLNHL2016-00027 Special Exception, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, he moved that the Historic Landmark Commission approve this application for a Certificate of Appropriateness for New Construction, and the application for associated Special Exception approvals, subject to the following conditions:**

- 1. That the design for the façade to 500 East be revised to address concerns as identified defined by the Commission.**
  - a. The detailing of the Commercial fenestration on the ground levels and the use of vinyl windows on the upper levels.**
- 2. That no mechanical systems, air-conditioning units be located on the balconies.**

**The motion failed for the lack of a second.**

Commissioner Quist asked if the Commission thought the design and scale was appropriate, as it seemed to be one of the biggest issues. She stated the secondary issues would be the materials and the courtyard location. Commissioner Quist stated the smaller issues could be delegated to Staff or fixed in a new design but the overall issues was the

mass and scale. She stated she was okay with the mass and scale especially the step for the Piccadilly but would like to see the building set back from the sidewalk a bit more however; 5<sup>th</sup> East was a transitional area from residential to commercial.

Commissioner Shepherd stated the challenge he had was that it put one of the biggest buildings the closest to the sidewalk, the furthest east up the street. He stated the transition was happening but it needed to be more defined.

**MOTION [8:40:02 PM](#)**

**Commissioner Richardson stated regarding PLNHLC2016-00029 New Construction PLNHLC2016-00027 Special Exception, He moved that the Historic Landmark Commission deny the petition based on design standard number one scale and form. Commissioner Harding seconded the motion.**

The Commission discussed the setback on South Temple and the need for the proposal to recognize the importance of that setback. It was stated that the setback on 5<sup>th</sup> East was less of an issue.

**Commissioners Harding, Quist, Richardson and Shepherd voted “aye”. Commissioner Peters voted “nay”. The motion passed 4-1.**

**The meeting adjourned at [8:42:21 PM](#)**