

SALT LAKE CITY HISTORIC LANDMARK COMMISSION
Meeting Minutes
451 South State Street, Room 326
November 2, 2017

A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:36:17 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, Rachel Quist, David Richardson, Victoria Petro Eschler, Esther Stowell and Paul Svendsen. Commissioner Robert Hyde was excused.

Planning Staff members present at the meeting were: Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Michael Maloy, Senior Planner; Kelsey Lindquist, Principal Planner; Katia Pace, Principal Planner; Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Historic Landmark Commissioners present were Ester Stowell, Rachel Quist and Victoria Petro-Eschler. Staff members in attendance were Michaela Oktay, Carl Leith, Michael Maloy, Kelsey Lindquist and Katia Pace.

The following sites were visited:

- **508 E. South Temple** - Staff gave an overview of the proposal.
- **772 East 2nd Avenue** - Staff gave an overview of the proposal.
- **46 S 700 East** - Staff gave an overview of the proposal.
- **574 East 100 South** - Staff gave an overview of the proposal.

APPROVAL OF THE October 5, 2017, MINUTES. [5:37:19 PM](#)

MOTION

Commissioner Richardson moved to approve the minutes from the October 5, 2017, meeting as amended. Commissioner Peters seconded the motion. Commissioners Peters, Adams, Quist, Richardson and Stowell voted "aye". Commissioners Svendsen, Harding and Petro-Eschler abstained from voting as they were not present at the subject meeting. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:38:54 PM](#)

Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Peters stated he had nothing to report.

DIRECTOR'S REPORT [5:39:03 PM](#)

Ms. Michaela Oktay, Planning Manager, stated she had nothing to report.

PUBLIC COMMENT PERIOD [5:39:06 PM](#)

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

[5:39:29 PM](#)

New Apartment Building at approximately 508 E. South Temple - Chris Huntsman, CRSA, on behalf of owner Residences at South Temple LLC, is requesting approvals from the City to demolish an existing parking structure, and construct a new parking garage and a new apartment building above, on the southeast corner of South Temple and 500 East. The development would retain the existing Medical Office building, a Contributing Structure in the South Temple Historic District, on the northern portion of the site. The development would require special exception approvals for rebuilding the current building footprint of the parking structure, constructing residential units within that footprint within the side and the rear yard setback areas. The proposed development would include a total of 112 apartment units in the current and the proposed buildings, with provision for parking 155 vehicles. The site is located in the South Temple Historic District and is within the RO (Residential/Office) residential zone. The subject property is within Council District 4 represented by Derek Kitchen (Staff contact: Carl Leith at (801)535-7758 or carl.leith@slcgov.com)

- a. Demolition - The development requires the demolition of the existing two story parking structure which is attached to the south side of the existing medical office building. Case number: PLNHLC2017-00777**
- b. New Construction - In order to build the proposed apartment building a New Construction application for the construction of the new parking structure and the new apartment building must be approved by the Historic Landmark Commission. Case number: PLNHLC2017-00778**
- c. Special Exception Approval - In order to construct the development as proposed, the parking structure would be constructed on the footprint of the existing parking structure. Construction of the new parking structure would include new apartment units on three levels which would exceed the rear setback requirement for the rear yard by approximately 30 feet and the corner side yard setback requirement by approximately 13.5 feet. Special exception approval is sought for the above departures from the base zoning standards. Case number: PLNHLC2017-00788**

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 approve the request as presented.

The Commission and Staff discussed the following:

- The final address for the proposed building.
- If the pool and spa area would be visible from the street.
- The fencing for the pool area.
- The side and rear setbacks.
- The requested Special Exceptions for the proposal.

- The construction dates for the existing structure.

Mr. Wally Cooper, architect, CRSA, reviewed the history of the proposal and the lack of negative comments from the public. He reviewed the reasoning for the building design, need for the special exception, building materials, the location of the pool and how the proposal would improve the area. Mr. Cooper asked the Commission to approve the petition as presented.

The Commission and Applicant discussed the following:

- The proposed building materials.
- The treatment of the exposed parking structure.
- The rooftop mechanical equipment and how it would be screened.
- The location and screening of the pool was great but would like to see more details on the treatments to the area.
- The north rock retaining wall.
- The access to the parking and building.
- The materials for the garage door.
- If a structure would be put over the pool.
 - There were no intentions to cover or enclose the pool with a structure.
- The improvement to the lower level windows.
- The roof height relative to the atrium in the Governor's Plaza.
- The need to find a way to absorb sound from the neighboring properties.

PUBLIC HEARING [6:19:30 PM](#)

Chairperson Shepherd opened the Public Hearing.

Ms. Cindy Cromer stated the proposal was improved greatly from the previous presentation. She stated she was delighted to see the building get the respect it deserved however, the proposed density exceeded the Central City Master Plan regarding units per acre. She stated a Master Plan amendment should be included in the proposal, a mistake on p.17 of the Master Plan should be rectified and that it was important to keep the future land use map updated relative to the proposal and both corners of South Temple similarly zoned.

The Commission and Staff discussed the following:

- If a Master Plan amendment was required for the proposal.

Chairperson Shepherd closed the Public Hearing.

The Commission discussed and stated the following:

- The entrance to the building on South Temple and if it did or did not fit the character of the neighborhood.
- If the rock retaining wall along South Temple ~~was or~~ was not appropriate.
- The look and location of the pool in the front yard needed to be considered when staff was reviewing the final design.

- If the setback of the pool and privatization of the landscaped area complied with the side yard setback.
- The reasoning for the special exception and why it should be granted.

MOTION [6:36:07 PM](#)

Commissioner Harding stated based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission approve PLNHLC2017-00777, PLNHLC2017-00778 and PLNHLC2017-00788, with the following conditions:

1. That design details are delegated to Staff for approval.
 - a. In particular that the entry way be more emphasized or strengthened.
2. That alterations to the existing Medical Office building are the subject of review under a separate Certificate of Appropriateness for Minor Alterations.

Commissioner Adams seconded the motion.

[6:37:22 PM](#)

Commissioner Brennan asked to amend the motion to require the applicant to create more formal retaining walls.

Commissioner Harding accepted the amendment. Commissioner Adams seconded the amendment. Commissioners Peters, Adams, Brennan, Harding, Quist, Richardson, Petro-Eschler, Stowell and Svendsen voted “aye”. The motion passed unanimously.

The Commission took a short break. [6:38:32 PM](#)

The Commission reconvened. [6:43:34 PM](#)

Commissioner Adams left for the evening.

[6:43:40 PM](#)

Reconstruction and Addition at approximately 772 East 2nd Avenue - Steve Scoville, on behalf of JD Redevelopment LLC, is requesting approval to reconstruct the second story, rear addition, front porch, three dormers and additional exterior elements that were damaged after a structural failure of the second story. The subject property is located at the above listed address. The subject property is zoned SR-1A (Special Development Pattern Residential) and is within the Avenues Local Historic District in Council District 3, represented by Stan Penfold. (Staff contact: Kelsey Lindquist at (801) 535-7930 or kelsey.lindquist@slcgov.com.)

- a. Proposed Reconstruction and Addition - Requesting a Certificate of Appropriateness for the reconstruction of the second story, rear addition and various exterior elements. Case number PLNHLC2017-00791
- b. Two Special Exceptions - Case number PLNHLC2017-00792
 1. Request for an inline addition for the reconstruction of the addition which is located within the eastern interior side yard setback.

2. Request to reconstruct the second story to a height of 26'10".

Ms. Kelsey Lindquist, 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 request as presented.

The Commission and Staff discussed the following:

- The date the structure collapsed.
- The permit history for the property.
- If the exploratory permit allowed for structural demolition.
- If there was a permit for the demolition of the accessory structure.
- The amount of new construction on the interior of the building.
- If the shed dormer was original.
- How the original height of the building was determined.
- The dormers and how they tied into the roof line.
- The historic columns and the design of the replacements.
- The difference in the proposal and the historic nature of the home.
- The window material and which windows would be replaced or rehabbed.
- The site plan for the proposal.
- If a request was going to be made for an accessory building.

Mr. Steve Scoville, owner representative, reviewed his involvement in the proposal. He reviewed the height of the structure, how the detailing would be replaced, the historic elements and nature of the home that would be retained.

Mr. Darryl Thomas, property owner, introduced himself.

The Commission, Staff and Applicant discussed and stated the following:

- The roof pitch and how the ridge height was determined.
- The history of Mr. Scoville's involvement in the proposal and his professional background.
- The Commission's purview over the different aspects of the application.
- The need to carefully review the gable dormer on the north façade, as it may need a steeper pitch and match the dormer above the porch.
- The columns should be 12 inch square columns.
- The shingles should be traditional cut yellow cedar shingles.
- Horizontal wood siding should be used on the addition with a dimension smaller than the brick mass on the original building.
- If there was verification or modeling conducted to insure the original elements of the home were returned.
- The reconstruction of the gable ends, the chimney forms and if the applicant was amenable to working with staff to review the designs.
 - The applicant stated they were willing to work with staff to return the trim and historic elements to the home.

PUBLIC HEARING [7:21:19 PM](#)

Chairperson Shepherd opened the Public Hearing.

Chairperson Shepherd read the following card.

- Mr. Brian O'Neal – The owners of 768 E 2nd Ave will not negotiate an aerial easement or change of lot line on the west side of 772 E 2nd Ave. There is a 10'x140', right of way owned by 71 M Street that would be impacted by any change or additional easement. The owner of 71 M Street is in agreement with owner of 768 2nd Avenue, no changes to be approved or negotiated. Any construction on 772 2nd Avenue will not be permitted to cross the west property line on the ground or in the air.

Chairperson Shepherd closed the Public Hearing.

The applicant stated it would be easier to rebuild what was there if the neighboring property owner would work with them.

The Commission and Applicant discussed the following

- What would happen to the proposal if the eaves could not cross the lot line?
- If the building officials could grant an easement on the lot line.

The Commission discussed and stated the following:

- The requested height exception for the proposal.
- The current height limit in the zone.
- More research and evidence was needed to determine the historic height of the structure.
- Would like the applicant to return to the Commission for further review of the detailing for the reconstruction.
- The detail shown in the elevations was a start, there needed to be modeling of the roof line, comparison of the detailing and options for the west elevation if it could not be returned to its historic nature.
- Require the applicant to conduct a survey to determine if there were issues with the lot lines and the location of the home.
- Whether to table the petition

MOTION

Commissioner Brennan stated Regarding PLNHLC2017-00791 and 792, he moved that the Historic Landmark Commission table the petition to allow further review the height of the building, the relationship to the west property line, the detailing modifications as necessary and the general detailing to match the historic details including the entablature, the gable treatment and the columns. Commissioner Peters seconded the motion. Commissioners Peters, Brennan, Harding, Quist, Richardson, Petro-Eschler, Stowell and Svendsen voted "aye". The motion passed unanimously.

[7:30:54 PM](#)

The Other Side Academy Demolition at approximately 46 S 700 East - Soren Simonsen, representing Other Side Holdings LLC, is requesting approval from the City to demolish a home at the above listed address. The property had been used as a residence and is zoned RMF-35 Moderate Density Multi-Family Residential District. The property is located within the Central City Local Historic District. This type of project must be reviewed as a demolition of a contributing structure in a local historic district. The subject property is within Council District 4, represented by Derek Kitchen. (Staff contact: Michael Maloy at (801)535-7118 or michael.maloy@slcgov.com.) Case number: PLNHLC2017-00677

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 that the Historic Landmark Commission deny the request as presented.

The Commission and Staff discussed the following:

- The physical integrity of the site.
- The standards of approval and those that needed to be met to approve or deny the proposal.
- The public comments received for the proposal.
- The work to the property on the south and if it was approved administratively.

Mr. Joseph Grennie and Mr. Timothy Stay, Other side Academy, reviewed the history and use of the property. They reviewed the organization and its operations.

Mr. Soren Simonsen, architect, reviewed the surrounding properties and uses, the subject property and the deterioration of the home. He stated not much could be done to save the subject home at this point and reviewed the processes the demolition request had been through. Mr. Simonsen reviewed the safety and fire risk, the options for abatement and asked the Commission to approve the demolition of the structure. He reviewed the historic criteria to be considered in determining if the structure was worth persevering or qualified for demolition. Mr. Sorensen stated they felt it was a reconstruction not a preservation effort at this time. He reviewed how removing the structure benefited the area, and how it would and would not affect the historic fabric.

The applicants reviewed security issues with the subject property. They reviewed the issues with requiring them to go through an economic hardship process.

The Commission and Applicant discussed the following:

The originally plan for the property as the applicant knew the property was in bad condition upon purchase.

- The Commissions purview over the proposal.
- Tax credits.
- The date the roof collapsed.
- The interpretation of the word “site” in the Staff Report and how it applied to the proposal.

- The interpretation of the definition was appropriate in relationship to the proposal.
- The long term plans for the property.

PUBLIC HEARING [8:34:19 PM](#)

Chairperson Shepherd opened the Public Hearing.

The following individuals spoke to the petition: Mr. Scott Howell, Ms. Camille Whinnie, Mr. Laef Burton, Ms. Hilary Kelson, Mr. David Bailey, Ms. Cindy Cromer and Ms. Pamela Cotler.

The following comments were made:

- Supported the demolition of the structure.
- Trolley Square buildings were allowed to be demolished and this petition was as much of a benefit as those demolitions.
- Demolishing the structure would benefit the community and bring people off the street.
- The building was dilapidated and should not be allowed to stay.
- The Downtown Alliance supported the proposal for demolition.
- The structure was not contributing as it is in terrible shape and had been for many years.
- The building would never be productive or contribute to the historic fabric of the neighborhood.
- Please approve the proposal as the building was a continued drag on the city and community.
- The building was a complete loss and keeping it would not benefit the community in any way.
- Please allow the property to be redeveloped and become a positive addition to the neighborhood.
- The improvement to the surrounding properties was a great improvement to the city and neighborhood.
- The improvements to the subject property would solve a dangerous situation.
- There are issues with the ordinance but the rules have to be followed.
- A landscape plan was not an appropriate reuse plan and conflicted with numerous adopted policies.
- The proposed demolition would be the fifty second contributing structure demolished in this historic district since its adoption in 1991.
- This property was inappropriately zoned and should be zoned RMU-45 or FBNU-2, the zoning change would affect allowed uses and the intensity of uses
- The zoning was relevant in terms of the economic viability of the property.
- An appeal process should be in place and it was appalling that the City was operating in the current way.
- The Other Side Academy should not be held accountable for the 52 other structures that were demolished for parking lots.

- The structure was obviously way beyond repair and extremely costly to fix.

Chairperson Shepherd read the following cards:

- Ms. Nicole Thomas – The Other side Academy has done wonderful things for our community, I am in favor of them tearing down the historical building and expanding their academy. It provides more transitional housing for our city which we are in dire need of.
- Mr. Matt Young – The current structure is dilapidated and inefficient. The Other Side Academy is doing wonderful things for our citizens and this new project will grow their reach.
- Mr. Nic Dunn – On behalf of the Salt Lake County Councilwoman, Aimee Winder Newton, I offer strong support for the Other Side Academy and their proposal for the building in Salt Lake City. The Other Side Academy is a fantastic operation and Salt Lake County would greatly benefit from expanded capacity for their organization.
- Ms. Rhonda Bailey – The Other Side Academy is such an asset to the community. Allowing this wonderful vocational school ability to expand will only continue to improve the community.
- Ms. Teresa Holdaway – Let decay go its natural course and give way to new growth. Saving lives vs property? The Other Side is proving itself over and over again in this community. “If you are not part of the solution you may be a piece of the problem”.
- Ms. Kena Mathews - As a non-profit housing director, I understand the value in preserving homes and history. I am usually a strong supporter of preservation but today I am here to support the Other Side Academy. My niece is a student there and this program has transformed her life. The home in question, I believe, is beyond preservation and needs to be torn down. This will give the Other Side the opportunity to serve many more young people like my niece. She would most likely be dead if we hadn't found this incredible program. The condition of this home is poor at best and to make it habitable would be beyond costly. This would limit the Other Side's ability to serve our community. It really comes down to the value of people versus the value of a building. I strongly encourage you to choose people. Thank you.
- Mr. Mike Rener –Completely in favor of demolishing the house and allowing expansion of TOSA's program.

Chairperson Shepherd closed the public hearing.

The Applicants stated the standards of appropriateness could be met in a very logical way and asked the Commission to vote in support of demolition.

The Commission stated and discussed the following:

- What would happen to the home if it was left as is?
- Historic integrity was different than condition.
- How the petition met or did not meet the standards for demolition.

- The history of the building and lack of desire to save it.
- Other similar buildings that were rehabbed in the city.
- The cost to abate the asbestos and rehab the home made it difficult to save.
- The Commissions purview over the demolition of the home.
- The standards of approval for demolition and if the Commission agreed or disagreed with Staff's recommendation.
- To table, approve or deny the petition.
- The zoning for the property and the surrounding structures.
- Why one historic building was being restored and not the other when they were owned by the same group.

MOTION [9:32:44 PM](#)

Commissioner Peters stated based on the analysis and findings in part of the Staff Report the Historic Landmark Commission finds that five of the standards of approval for a Certificate of Appropriateness for demolition have been met, as follows:

- Standard A - the physical integrity of the site is no longer evident.**
- Standard 2 - the Commission finds that the streetscape within the context of the H Historic Overlay District would not be negatively affected.**
- Standard 3 - the Commission finds that the demolition would not adversely affect the H Historic Preservation District due to the surrounding non-contributing structures.**
- Standards 4-6 - the Commission agreed with the findings listed in the Staff Report.**

Thereby, leaving five standards that are met so therefore he moved that the Historic Landmark Commission defer their decision for one year during which time the applicant must conduct a bon-a-fide effort to preserve the site located at approximately 46 S 700 East or to seek a finding for an economic hardship. Commissioner Harding seconded the motion.

The Commission discussed the following:

- The status of the revised demolition ordinance text amendment.

Commissioners Svendsen, Harding, Stowell, Petro-Eschler and Peters voted "aye. Commissioners Quist, Richardson and Brennan voted "nay". The motion passed 5-3.

The Commission took a short break. [9:39:38 PM](#)

The Commission reconvened. [9:44:44 PM](#)

[9:44:46 PM](#)

Salisbury Mansion Major Alterations & Special Exception at approximately 574 East 100 South - Shane Carrington, contractor for property owner Mark Cacciamani, is requesting approval from the City to construct a significant addition to the Salisbury Mansion at the above listed address. The Salisbury Mansion is listed as

a Salt Lake City Landmark Site and is located within the Central City Historic District.

The property is zoned RMF-45 (Moderate/High Density Multi-Family Residential District) and is within Council District 4, represented by Derek Kitchen. (Staff contact: Katia Pace at (801)535-6354 or katia.pace@slcgov.com.)

- a. Major Alterations - Request for approval to demolish a noncontributing portion of the building added in 1972 and to build a significant addition to the rear and west side of the existing building. Case number: PLNHLC2017-00556**
- b. Special Exception - Request to modify the rear yard setback from 30 feet to 10 feet from the rear property line and modify the corner yard setback to accommodate an extension of the porch that would be 6 feet from the corner yard. Case number: PLNHLC2017-00861**

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 request as presented.

The Commission and Staff discussed the following:

- If the windows in the historic mansion would be restored.
- Front yard parking in historic districts is not appropriate. However, in this case allowing parking in the front would be consider a trade-off to having the building setback and being subservient to the mansion.
- The number of parking stalls for the proposal.
- The use of the accessory structure on the neighboring property.
- The site plan for the proposal and landscape buffering.

Mr. James Christensen, architect, Mr. Mark Cacciamani, property owner, and Mr. Rodrigo Schmeil, architect, reviewed the site plan and parking for the proposal. They reviewed the history of the site and how the proposal would add to the area.

The Commission and Applicant discussed the following:

- The parking for the proposal.
- Would the windows on the historic mansion be restored?
 - Yes the existing windows would be restored with the same openings.
- If the stone on the east patio would match the existing stone.
- The roof on the addition and why it was changed from the Work Session.
- The stone and seismic restoration on the mansion.
- The materials for the proposal.
- The floorplan and the restoration of the interior of the building.
- The site features and what would be staying or removed.

PUBLIC HEARING [10:18:16 PM](#)

Chairperson Shepherd opened the Public Hearing.

Ms. Cindy Cromer stated the home was significant to the history of the city and the

neighborhood, was serving the street scape well and the changes to the proposal were a result of the Work Session and Staff review. She stated she did not want other applicants to think front yard parking was appropriate in historic districts unless it was in front of a midcentury modern building. Ms. Cromer asked the Commission to add language to the motion stating front yard parking was ok for this proposal because it was subservient to the building.

Chairperson Shepherd read the following email:

Mr. Bob Whitney - Please forward my comments to Derek Kitchen, Landmark Commission and Salt Lake Planning staff. Through our family we have owned the Bell Wine Apartments, located at 540 E 100 S for the past 65 years. The charm and character of the neighborhood has been well maintained reasonably well over the years. Part of the unique feel of 100 South is how far back most of the buildings are located from the street. We encourage development that is well designed and consistent with size and scale to a neighborhood. We adamantly oppose a variance that would allow a change from 30 feet to 10 feet from the rear of the property and any modification from the current corner yard setback to allow for only 6 feet from the corner yard. This type of exception should not be granted and would not only be in conflict with the neighborhood, but also open the door of exceptions to other property owners in the future. Please preserve the limited setbacks and open space we have in the downtown city area. Thank you for your careful consideration on this matter.

Chairperson Shepherd closed the public hearing.

The Applicant stated they tried to move the parking to the rear of the property but it was not possible because of the setbacks and location of the mansion. They explained how they had tried to meet the setbacks and why the proposal was the best option for the site.

The Commission discussed and stated the following:

- The rear yard setback might be a concern.
- A streetscape for the east elevation would have been a benefit to the proposal.

MOTION [10:25:41 PM](#)

Commissioner Richardson stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Historic Landmark Commission approve PLNHLC2017-00556 for a Certificate of Appropriateness for a Major Alteration and PLNHLC2017-00861 for a Special Exception, subject to the following conditions:

- 1. That any revisions are delegated to staff for subsequent review and approval**
- 2. That no mechanical systems/air conditioning units be located on the balconies.**

The Commission discussed if the parking issue needed to be outlined in the motion.

Commissioner Harding seconded the motion. Commissioners Peters, Brennan, Harding, Quist, Richardson, Petro-Eschler, Stowell and Svendsen voted “aye”.

The motion passed unanimously.

The meeting adjourned at [10:27:18 PM](#)