

**SALT LAKE CITY HISTORIC LANDMARK COMMISSION**  
**Meeting Minutes**  
**451 South State Street, Room 326**  
**June 1, 2017**

A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:30:33 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, Robert Hyde, David Richardson, Paul Svendsen and Rachel Quist. Commissioner Sheleigh Harding was excused.

Planning Staff members present at the meeting were: Nick Norris, Planning Director; Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Lex Traughber, Senior Planner; Kelsey Lindquist, Principal Planner; Anthony Riederer, Principal Planner; Amy Thompson, Principal Planner; Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

**FIELD TRIP NOTES:**

A field trip was not held for this meeting.

**APPROVAL OF THE MAY 18, 2017, MINUTES.** [5:31:04 PM](#)

**MOTION** [5:32:50 PM](#)

**Commissioner Richardson moved to approve the minutes from the May 18, 2017, meeting as amended. Commissioner Brennan seconded the motion. Commissioners Peters, Adams, Brennan, Hyde, Richardson, Svendsen and Quist voted “aye”. The motion passed unanimously.**

**REPORT OF THE CHAIR OR VICE CHAIR** [5:33:25 PM](#)

Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Peters stated he had nothing to report.

**DIRECTOR’S REPORT** [5:33:31 PM](#)

Ms. Michaela Oktay, Planning Manager, asked Carl Leith and Kelsey Lindquist to report on the windows workshop.

Mr. Carl Leith, Senior Planner, reviewed the Window’s Workshop conducted by Bob Yapp. He stated it was an overall success and a benefit to the City.

Chairperson Shepherd stated the workshop was a great experience and would love to see it happen again.

Ms. Michaela Oktay, Planning Manager, reviewed the appeal of the Special Exception

for the fence on Quince Street.

The Commission and Staff discussed the time table for the appeal.

**PUBLIC COMMENT PERIOD [5:40:05 PM](#)**

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

[5:42:45 PM](#)

**Liberty Square New Construction at approximately 459 S 600 East, 461 S 600 East and 637 E 500 South - A request by Douglas Thimm, architect, representing Cowboy Partners, for a Certificate of Appropriateness for the new construction of 8 three-story town home style apartment structures. The proposal is located at the above listed addresses. The site is zoned TSA-UN-C (Transit Station Area-Urban Neighborhood-Core) and is located within the Central City Local Historic District. The subject properties are located within Council District 4, represented by Derek Kitchen. (Staff contact is Kelsey Lindquist at (801)535-7930 or [Kelsey.lindquist@slcgov.com](mailto:Kelsey.lindquist@slcgov.com).) Case number PLNHLC2017-00266**

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 petition as presented.

The Commission and Staff discussed the following:

- The design review process.

Mr. Douglas Thimm, architect, reviewed the history of the proposal, the reasoning for the design and asked the Commission to approve the proposal.

The Commission and Applicants reviewed the following:

- The use of the midblock walkways.
  - The walkway would be for resident use only.
- The paved areas and if more green space was considered for the site.
- How the Ensign Floral building would be used.
- The applicant was happy to abide by the conditions listed in the Staff Report.

**PUBLIC HEARING [5:56:16 PM](#)**

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

The Commission discussed and stated the following:

- The location of Ensign Floral and how it applied to the proposal.
- The current proposal was significantly different than before.
- The limited greenspace would increase the viability of the project.
- Encouraged the developer to add design elements to the public spaces in the proposal.

- The proposal was more compatible with the Ensign Floral building and the neighborhood as a whole.
- The proposal was reflective of townhome developments constructed in other parts of the city.
- Encouraged that the proposal was moving toward home ownership and not rental property.

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

**Commissioner Brennan stated regarding Liberty Square PLNHLC2017-00266, 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 Certificate of Appropriateness for the new construction of the eight, three story apartment buildings (the Liberty Square Apartments) with the following conditions:**

- 1. A separate certificate of appropriateness for signage would be required at a later time.**
- 2. Air conditioning units will not be allowed on the balconies, windows of the primary or secondary facades and,**
- 3. Final plan and details be delegated to Staff with specific focus on the exterior human spaces.**

**Commissioner Hyde seconded the motion. Commissioners Peters, Adams, Brennan, Hyde, Richardson, Svendsen and Quist voted “aye”. The motion passed unanimously.**

**[6:03:26 PM](#)**

**Zoning Amendment HLC Appeals - A request by Mayor Jackie Biskupski to amend title 21A of the Salt Lake City Municipal Code that relate to the appeals process for decisions made by the Historic Landmark Commission. The purpose of these amendments is to update the Zoning Ordinance so that it is compliant with bill HB 30 that was passed by the Utah State Legislature. The proposed amendment will affect sections 21A.06, 21A.16 and 21A.34 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition as necessary. These changes would apply citywide. (Staff contact is Amy Thompson at (801)535-7281 or [amy.thompson@slcgov.com](mailto:amy.thompson@slcgov.com).) Case number PLNHLC2017-00154**

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 City Council regarding the petition.

The Commission and Staff discussed the following:

- The Appeal’s Hearing Officers for the City.
- How the Legislature came to be involved in the subject process.
- How the Commission’s recommendation affected the process.
- Who would chose the direction of the appeal and how the Hearing Officer would be chosen.
- The City’s position on the ordinance and what was expressed to the Legislature.

**PUBLIC HEARING [6:11:03 PM](#)**

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

**MOTION [6:11:23 PM](#)**

**Commissioner Richardson stated regarding PLNPCM2017-00154 Text Amendment: Appeals of Historic Landmark Commission Decisions - based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, he moved that the Commission forward a positive recommendation to the Planning Commission regarding the amendments to section 21A.06, 21A.16 and 21A.34.020 and related sections as proposed. The Commission found that the proposed project complied with the review standards as demonstrated in Attachment B of the Staff Report. Commissioner Hyde seconded the motion.**

The Commission discussed the following:

- If a condition could be added to somehow remove the subject process in the future.

**Commissioners Peters, Brennan, Hyde, Richardson, Svendsen and Quist voted “aye”. Commissioner Adams abstained from voting. The motion passed unanimously.**

**[6:14:04 PM](#)**

**Wasatch Springs Plunge Project at approximately 840 North 300 West - The Historic Landmark Commission will hold a work session to provide preliminary feedback on a proposed project for the Wasatch Springs Plunge Building which is a Landmark Site on both the City and National Registers. The building is located at the above listed address. The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Cheri Coffey at (801)535-6188 or [cheri.coffey@slcgov.com](mailto:cheri.coffey@slcgov.com).)**

Mr. Dan Rip, RDA, gave an overview of the proposal as outlined in the memorandum (located in the case file). He turned the time over to the Development team for presentation.

The Commission and Mr. Rip discussed the following:

- The number of submissions for the RFP and the selection criteria.
- If SHIPO or Preservation Utah had reviewed the proposal.

Mr. Ken Weadon, CRSA, Mr. Josh Woodbury, Woodbury Corporation, Mr. Clint Feeler, Woodbury Corporation reviewed the proposal and the use of the property.

The Commission and Applicants discussed the following:

- The parking entrances, location and configuration.
- The mass and scale of the proposed structure.
- How the building addressed the site and interacted with the surrounding area.

- The proposed color scheme for the development.
- If consideration was given to restoring the building to a spa.
  - The response was to the RFP and not a health spa.
  - The RFP did not ask for the building to be restored to the original use.
- If it was a City requirement to secure SHIPO Park Service approval, for tax credits.
- The Commission's purview over the interior of the building as it is a landmark site.
- It was a significant building in all manners and activity, other than vehicular traffic, needed to be encouraged.
- An outside of the box proposal was needed to accomplish the goal the city put forth in the RFP.
- A very large apartment building did not fit the area.
- If there was a way to better address the site and parks without having the building look like it was looming behind the historic structure.
- How to activate the park and if property from the park could be swapped to create a better connection.
- The area between the historic building and the proposed apartment building that connected the two structures.
- Ways to break up the mass of the structures and integrate the park, townhomes and apartments.
- The acreage for the park.
- The options for less structured parking.
- Other design options considered for the site.
- If other uses besides housing were considered.
- The cost for office rent would not support an office building in the historic structure.
- The issues with constructing housing inside the Wasatch Plunge building.
- The historic guidelines needed to be applied to the proposal to help it better fit the area.
- The portions of the building SHIPO would be reviewing.
- The proposed renovations for the Wasatch Plunge building.
- Who would own the building after the renovations were complete?
- The building materials for the proposal.
- Reducing the number of floors and units in the apartment building.
- The parking should be reconfigured so that the parking podium was not the main engaging feature relating to the historic building.
- The volume and scale difference from the townhomes to the apartment complex made the structures look like two different projects.
- If the landmark site would remain prominent on the site with the large building at the rear of the site.
- If the massing and scale of the proposed new residential structure was appropriate to ensure compatibility of the landmark site.
  - The townhomes look like a complete after thought.
  - The scale of the structure was not appropriate.
- The appropriate height for the building or if stepping the building back was necessary.

- If the site configuration and parking entrances were appropriate to ensure the landmark site was a predominate feature on the site.
- If the proposal was appropriate as a way of trying to ensure the preservation and viability of the landmark site.
- If the surrounding land was developable and who owned the land.

The Commission took a short break. [7:20:56 PM](#)

The Commission reconvened. [7:26:35 PM](#)

**Amendments to the Local Historic District Demolition Process - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning the demolition of historic resources in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to make the demolition process more transparent. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact is Lex Traughber at (801)535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com).) Case number PLNPCM2009-00014**

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 looking for comments and suggestions on the proposal.

The Commission and Staff discussed and stated the following:

- The legal definition of the term “substantially” and how it is applied in the demolition ordinance.
- Would strongly suggest a set number of the standards had to be met thus not leaving a developer to wonder how the Commission would determine the substantial compliance of a petition.
- Each case was different and there were different elements to consider.
- A definition was needed for the following:
  - Willful neglect.
  - An architect with expertise in rehabilitation of older buildings.
    - Link it to the park service’s standards of qualifications.
  - Partial demolition
- The more you define the more tied down the Commission would become.
- The standard for regulatory takings and if it was the correct standard to apply to the demolition ordinance.
- How a taking was determined and the process to appeal a taking.
- The different ways to obtain a demolition.
- If the Historic Landmark Commission should be the body to determine economic hardship or if it should be removed from the ordinance.
- Removing the language regarding regulatory takings and tie the language to the standards of economic hardship.

- If there needed to be a difference stated between income and non- income generating property.
- The demolition standards for a non-contributing structure.
- The importance of keeping contributing property information up to date.
- Giving Staff the ability to approve all solar panel petitions and the pros and cons of doing so.
- Clarifying the meaning of a principal structure and principal building and how each was reviewed.
- Page 3:
  - H.3 - Clarification on the appeal period.
- Page 4:
  - Remove the appeal language and refer to the appeal section.
- The City's response to vacant non maintained buildings.
- How boarded buildings are regulated.
- Encouraged Staff to notify the Commission of boarded buildings in historic districts.
- If property owners were notified that willful neglect was not grounds for demolition when boarding letters are sent.
- Page 7:
  - Change the phrase adverse effect to state, would not create a material adverse effect.
  - Tie a demotion to engaging an implementation of the reuse plan.
- The certification of appropriateness for demolition should not be issued until an acceptable, consistent reuse plan was approved and building permits concurrent with the demolition plan were issued.
- Make the title for the post demolition/ reuse plan consistent throughout the plan.
- Clarify the language regarding willful or negligent in regards to deterioration.
- How to determine routine maintenance in relation to the status of the building.
- Page 9:
  - Reword the language regarding the condition of the property upon purchase.
  - Reword the language about conditions personal to the landowner.
- Page 10:
  - Remove the number of professionals required for testimony.
  - Indicate the required experience for the historic professional to be considered as versed in Historic Preservation.
  - Review the 120 day period for processing the application.
- Page 11:
  - Reword B. to say the appointed Planning Director's expert.
  - Address rentals and owner occupied buildings in the ordinance.
  - Review the language regarding reasonable rate of return.
- Page 13:
  - If bonding should be required and where it would fit in the process.
  - Who determined the level of historic documentation required prior to demolition?

- Need to require photos to be sent to SHPO prior to demolition with a written history.
- How to determine what buildings should have detailed documentation.

Staff will make the changes and bring the document back to the Commission for further review.

[9:12:30 PM](#)

**Amendments to the HLC New Construction Standards - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning new construction in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to make the new construction process more transparent and predictable. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition, as necessary. The changes would apply citywide. (Staff contact is Anthony Riederer at (801)535-7625 or [Anthony.riederer@slcgov.com](mailto:Anthony.riederer@slcgov.com).) Case number PLNPCM2016-00905**

Mr. Anthony Riederer, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was looking for comments and suggestions on the proposal.

The Commission and Staff discussed and stated the following:

- When a proposal would be reviewed by the Commission or when it could be done administratively.
- The time line for approval of the proposed amendments.
- The ability for neighbors to comment on a proposal.
- The notification process for petitions.
- Need to have a public forum for petitions in order for people to be heard.
- The background for the proposed amendments.
- Specifying the specific guidelines that relate to the individual standards in the ordinance.
- Encourage realistic views and neighborhood context showing the relation of the proposal to the surrounding neighborhood.
- Staff will make the changes and bring the document back to the Commission for further review.

**The meeting adjourned at [9:36:25 PM](#)**