

SALT LAKE CITY HISTORIC LANDMARK COMMISSION
Meeting Minutes
451 South State Street, Room 326
August 3, 2017

A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:34:20 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: Vice Chairperson Kenton Peters; Commissioners Stanley Adams, Robert Hyde, Sheleigh Harding, David Richardson and Esther Stowell. Chairperson Charles Shepherd, Commissioners Thomas Brennan, Rachel Quist and Paul Svendsen were excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Lex Traugher, Senior Planner; Katia Pace, 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 held prior to the meeting. Historic Landmark Commissioners present was Kenton Peters. Staff members in attendance were Michaela Oktay and Katia Pace.

The following sites were visited:

- **563 E 600 South** - Staff gave an overview of the proposal.
- **574 East 100 South** - Staff gave an overview of the proposal.

APPROVAL OF THE JULY 6, 2017, MINUTES. [5:35:03 PM](#)

MOTION [5:35:08 PM](#)

Commissioner Hyde moved to approve the minutes from the July 6, 2017, meeting. Commissioner Adams seconded the motion. Commissioners Adams, Harding, Richardson and Hyde, voted “aye”. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:35:35 PM](#)

Vice Chairperson Peters stated he had nothing to report.

DIRECTOR’S REPORT [5:35:38 PM](#)

Ms. Cheri Coffey, Assistant Planning Director, welcomed new Commission Esther Stowell.

PUBLIC COMMENT PERIOD [5:35:56 PM](#)

Vice Chairperson Peters opened the Public Comment Period.

Ms. Cindy Cromer stated her comments were regarding the Economic Hardship panel, the issues with the economic hardship process and the ordinance. She stated the issues with the ordinance have been a huge detriment to the historic nature of the city. Ms.

Cromer reviewed different cases that had applied for economic hardship and how different resolutions could have come about for each case to protect the historic structures.

Vice Chairperson Peters closed the Public Comment Period.

[5:39:10 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: Lex Traughber at (801)535-6184 or 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 recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The number of experts an applicant could have versus the city to argue a petition.
- The different process to approve, deny or move to economic hardship.
- How a demolition request tied into a reuse plan.
- If something was required to be constructed in order to receive a demolition approval.
- Were there situations where a building could be demolished and a park or public area be put in its place.
- The time limit requirement for reconstruction.
- The definition of willful neglect and how to clarify the language in the ordinance.
- The standards for adaptive reuse and how base zoning affected the reuse.
- The next steps for the proposal and the language for the motion.

PUBLIC HEARING [6:20:52 PM](#)

Vice Chairperson Peters opened the Public Hearing.

The following individuals spoke to the petitions: Ms. Cindy Cromer

The following comments were made:

- Pleased to see landscaping was removed as an approved reuse.
- It was unacceptable to demolish a historic structure for landscaping.
- An out of state person should be hired in lieu of the economic hardship panel.

- The special merit exception would not work for Salt Lake as the preservation in the city did not support it and it would open the door for demolition.

Vice Chairperson Peters closed the Public Hearing.

The Commission and Staff discussed the following:

- If a motion was needed for each change.
- If the special merit should be sent to the Mayor or left as suggested by Staff.
- The evidence to determine economic hardship and items that should be considered.

The Commissioners discussed the following:

- The definition of willful neglect.
- The Special Merit Exception and if it should be part of the petition.
- Changes to language regarding the balance of a mortgage in the economic hardship application.

MOTION [6:30:29 PM](#)

Commissioner Richardson stated based on the analysis and findings listed in the Staff Report, testimony, the proposal presented, and the input received during the public hearing, he moved that the Historic Landmark Commission recommend the City Council approve petition PLNPCM2009-00014 regarding the amendments to section 21A.34.020 and related sections. The Commission found that the proposed amendments complied with the review standards as demonstrated in Attachment B of the Staff Report dated July 6, 2017. With the two exceptions to strike (on page one) the final eight words under willful neglect, (leading to significant structural weakness, decay or deterioration). Strike (on page nine) item L.2.b.3, which discusses remaining balances on any mortgage etc.

****** For clarification purposes the proposed changes to the language in the ordinance would read as follows.**

Willful Neglect: The intentional absence of routine maintenance and repair of a building over time.

21A.34.020.L2. Evidence for Determination of Economic Hardship: The burden of proof is on the owner or owner's representative to provide sufficient evidence to demonstrate an economic hardship. Any finding in support of economic hardship shall be based solely on the hardship of the property. Evidence may include, but is not limited to:

- a. Condition of the property at time of purchase and the applicant's plans for the property at time of purchase.
- b. The current level of economic return on the property as considered in relation to the following:

(1) The amount paid for the property, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between applicant, and the person from whom the property was purchased,

(2) The annual gross and net income, if any, from the property for the previous three (3) years; itemized operating and maintenance expenses for the previous three (3) years; and depreciation deduction and annual cash flow before and after debt service, if any, for the previous three (3) years,

The Commission discussed the language being removed under willful neglect.

Commissioner Hyde seconded the motion. Commissioners, Hyde, Harding, Richardson and Stowell voted “aye”. Commissioner Adams voted “nay”. The motion passed 4-1.

[6:33:27 PM](#)

Amendments to the New Construction Standards for Local Historic Districts - 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 improve the new construction process. 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. The changes would apply citywide. (Staff contact: Anthony Riederer at (801)535-7625 or 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 recommending that the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The process for determining how a project framed adjacent streets.
- The proposal to restrict building materials and why some materials were and were not preferred.

PUBLIC HEARING [6:46:31 PM](#)

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

The Commission and Staff discussed the following:

- Wording in the proposal under 1.c, the word “frame” was confusing and should be changed to “relates to” or “engages with the sidewalks”.
- The materials that should be restricted or reviewed on a case by case basis.

- The percentage requirement for durable materials outlined in the ordinance.
- If it was the Commission's purview to determine what materials were used.
- There needed to be flexibility for interpretation on materials.
- Adding the phrase "but not limited to" to the materials section of the ordinance.

PUBLIC HEARING [6:59:29 PM](#)

Vice Chairperson Peters opened the Public Hearing.

Mr. Thomas Bath stated he agreed with the discussion regarding the inappropriateness of the dictation of the phrase "durable materials" as vinyl siding could be the most durable material but not the most desirable to use. He stated building materials were changing quickly and there may be something in the future that would be better therefore, stating how long a material should exist, in good condition, may be a better option. Mr. Bath asked if the eighty percent requirement included the roofing materials or the sub-slab insulation. He suggested the Commission be more specific on what materials were part of the required percentage.

Vice Chairperson Peters closed the Public Hearing.

The Commission and Staff discussed the following:

- The materials that were part of the eighty percent requirement.
 - The wording in the ordinance stated it was the façade materials.

MOTION [7:02:12 PM](#)

Commissioner Harding stated regarding Amendments to the New Construction Standards for Local Historic Districts PLNPCM2016-00905, based on the information in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Historic Landmark Commission recommend that the City Council approve PLNPCM2016-00905 with the following additions

- 1.c. - instead of framing it would say relates to.**
- Under 6. Building materials, elements and detailing- delete subsection b.**
- In 6.a- chance to state - durable materials such as but not limited to, then go on to describe the materials as listed.**

****** For clarification purposes the proposed changes to the language in the ordinance would read as follows.**

- 21A.34.020.H.1.c. The Public Realm: The project relates to adjacent streets and engages with sidewalks in a manner that reflects the character of the historic context and the block face.**

21A.34.020.H. 6 Building Materials, Elements and Detailing

- a) Materials: Building facades, other than windows and doors, incorporate no less than 80% durable material such as but not limited to wood, brick, masonry,**

textured or patterned concrete and/or cut stone. These materials reflect those found elsewhere in the district and/or setting in terms of scale and character.

- b) Windows: Windows and other openings are incorporated in a manner that reflects patterns, materials, and detailing established in the district and/or setting.

Commissioner Hyde seconded the motion. Commissioners Adams, Hyde, Harding and Richardson voted “aye”. Commissioner Stowell abstained from voting. The motion passed unanimously.

Work Session [7:03:46 PM](#)

New Mixed Use Construction at approximately 563 E 600 South - A Work Session with the Historic Landmark Commission and Kristen Clifford, the applicant representing the property owner (Ernesto Gutierrez), to discuss a proposal for New Construction of a mixed use building with ground-floor commercial and two upper stories containing 5 dwelling units. There is a historically contributing duplex on the subject property that will be retained as part of the overall proposed development. Because this is only a work session, a decision will not be made on the request at this meeting. The subject property is located in the R-MU-35 (Residential Mixed Use District) and the H (Historic Preservation Overlay) zoning district within Council district 4, represented by Derek Kitchen. (Staff contact: Amy Thompson (801)535-7281 or amy.thompson@slcgov.com.) Case number: PLNHLC2017-00555

Ms. Katia Pace, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated the purpose of the work session is to listen to the presentation, comment, identify issues, raise questions and provide direction to the applicant, so they can proceed with revisions and a formal review and decision by the Historic Landmark Commission at a future date.

Ms. Kristen Clifford, applicant, reviewed the background and history of the proposal. She reviewed the access to the property, the emphasis they wanted to give to the historic duplex and how they had tried to relate to the other buildings in the area.

Ms. Christ Dimic and Mr. Thomas Bath, architects reviewed the history of the development, the elements of design in the building and how the proposal took in the context and character of the neighborhood. They discussed the durability of the proposed materials and how the development responded to the comments from Staff.

The Commission, staff and applicant discussed the following:

- The concerns from Staff as outlined in the Staff Report and how the proposal addressed those concerns.
- How the mass of the proposal compared to surrounding structures.
- The changes to the landscaping that would help soften the look of the structure.

- The zoning of the parcel.
- The front yard setback requirements in the RMU and RMF-35 zones.
- The proposed setbacks for the proposal.
- The issues with the massing of the building and how to make the building fit with the neighborhood.
- If the roof form was appropriate.
- The need to clarify the fenestrations in the center of the building.
- The issues with the glass base and the hard brick upper floor.
- The rhythm of the openings and the massing of the building did not fit together.
- How to solve the massing issues, the materials and height for the building.

[7:50:49 PM](#)

Salisbury Mansion at approximately 574 East 100 South - The Historic Landmark Commission held work session to provide preliminary feedback on a proposed project for an addition to the Salisbury Mansion which is a Salt Lake City Landmark Site and is located within the Central City Historic District. Because this is only a work session, a decision will not be made on the request at this meeting. The subject property is located in the RMF-45 (Moderate/High Density Multi-Family Residential District) and the H (Historic Preservation Overlay) zoning district within Council District 4, represented by Derek Kitchen. (Staff contact: Katia Pace at (801)535-6354 or katia.pace@slcgov.com.) Case number: PLNHLC2017-00556

Ms. Katia Pace, Principal Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated the purpose of the work session is to listen to the presentation, comment, identify issues, raise questions and provide direction to the applicant, so they can proceed with revisions and a formal review and decision by the Historic Landmark Commission at a future date.

The Commission and Staff discussed the following:

- The required rear yard setback and what was proposed.
- The surrounding structures and uses.
- The proposed materials.
- The age of the columns and where they would be reused in the addition.

Dr. Mark Cacciamani, applicant, reviewed the difficulties with the historic building, the history of the site, the business that would be moving into the structure and why it was important to have the assisted living facility in the area. He reviewed the services that would be available in the facility and how it would fit with the area.

Mr. James Christensen, architect, reviewed the setbacks and layout of the proposal. He discussed the addition to the building and how it complimented the historic structure.

Mr. Rodrigo Schmiel reviewed the history of the property, the importance of the building, how they would be keeping the historical value and preserving the importance of the

building, the proposed green space, the nature of the glass hall connecting the two structures, the layout and use of the proposed structure.

The Commission, staff and applicant discussed the following:

- The required landscape buffers.
- The difference in the roof planes between the two structures and why the designs were chosen.
- The use of the surrounding buildings and how they related to the proposal.
- Impressed with the design and how it would look when completed.
- Concerned that the applicant allowed the current landscape to die.
- If a larger more massive design was considered.
- The applicant needed to be careful not to create a false sense of history when reusing the columns and other materials.
- The portico on the west wing seemed apologetic to the historic structure.
- The addition embraced the historic structure and whatever happened in the new west wing did not need to be as apologetic as presented.
- If the addition was too historic looking.
- The number of parking stalls that would be lost if the building were brought forward and the front yard landscaped.
- The setbacks for the new addition.
- The options for making the west wing taller.
- The height of the surrounding structures.

Other Business

Economic Review Panel - Identify whom the Historic Landmark Commission wants to represent them on the Economic Review Panel for the Bishop Place Economic Hardship applications. (Staff contact: Anthony Riederer at (801) 535-7625 or anthony.riederer@slcgov.com.) Case number: PLNHLC2017-00017, -00016, -00019, -00025, -00029, -00030, -00026, -00024, -00020.

Ms. Cheri Coffey, Assistant Planning Director, reviewed the purpose for the Economic Review Panel and the individuals that were willing to serve on the panel.

The Commission and Staff discussed the following:

- Why a panel was necessary if the Commission had proposed changes to the process.
 - The current ordinance dictated which process had to be followed.
- The individuals interested in participating on the panel.
- All four applicants looked great therefore, it would come down to who was available.
- If formal motion was required.

MOTION [8:36:26 PM](#)

Commissioner Richardson moved to appoint Lewis Francis.

MOTION [8:36:33 PM](#)

Vice Chairperson Peters moved to appoint Amy Roland.

The Commission and Staff discussed if it would be better to determine a date for the meeting and then find out who was available to participate.

MOTION [8:37:23 PM](#)

Commissioner Richardson moved to approve Lewis Francis as the Commission representative in the economic hardship case of Bishop Street and in the event that Lewis Francis was unavailable that Amy Roland be asked to serve. Commissioner Hyde seconded the motion. Commissioners Hyde, Adams, Richardson and Harding voted “aye”. Commissioner Stowell abstained from voting. The motion passed unanimously.

The meeting adjourned at [8:38:15 PM](#)