

SALT LAKE CITY HISTORIC LANDMARK COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
JUNE 6, 2019

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:33:53 PM](#). Audio recordings of the Historic Landmark Commission meetings are retained for a period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Kenton Peters; Commissioners Stanley Adams, Thomas Brennan, Sheleigh Harding, Victoria Petro – Eschler, David Richardson, Charles Shepherd, Esther Stowell and Paul Svendsen.

Planning Staff members present at the meeting were Michaela Oktay, Planning Deputy Director; Paul Nielson, Attorney; John Anderson, Planning Manager; Mayara Lima, Principal Planner; Sara Javoronok, Senior Planner; and Marlene Rankins, Administrative Secretary.

Field Trip

A field trip was held prior to the work session. Historic Landmark Commissioners present were: Victoria Petro-Eschler, Esther Stowell, and Charles Shepherd. Staff member in attendance was Sara Javoronok.

- **55 N Virginia St** – Staff gave an overview of the proposal.
- **505 E South Temple** – Staff gave an overview of the proposal.
- **171 W 300 N** – Staff gave an overview of the proposal.

PUBLIC ANNOUNCEMENT: Michaela Oktay, Planning Deputy Director, stated that Salt Lake City Department of Public Utilities requested to postpone the public hearing for the 4th Avenue Pump House. Tuesday night the City Council unanimously voted to approve funding for the well, contingent on certain additional work and consulting such as alternatives.

APPROVAL OF THE APRIL 4, 2019 and MAY 2, 2019, MEETING MINUTES. [5:39:10 PM](#)

MOTION for April 4, 2019 [5:39:29 PM](#)

Commissioner Adams moved to approve the April 4, 2019, meeting minutes. Commissioner Stowell seconded the motion. Commissioners Brennan, Svendsen, Stowell, Harding and Adams voted “Aye”. Commissioners Richardson, Shepherd, and Petro-Eschler abstained from voting. The motion passed 5-3.

MOTION for May 2, 2019 [5:40:12 PM](#)

Commissioner Shepherd moved to approve the May 2, 2019, meeting minutes. All were in favor. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:40:38 PM](#)

Chairperson Peters stated he had nothing to report.

Vice Chairperson Hyde was not present.

Chairperson Shepherd provided information regarding window repair workshop.

REPORT OF THE DIRECTOR [5:41:40 PM](#)

Michaela Oktay, Planning Deputy Director, stated she had nothing to report.

GENERAL PUBLIC HEARINGS [5:42:05 PM](#)

Chairperson Peters opened the general public hearing; seeing no one wished to speak, Chairperson closed the general public hearing.

[5:42:22 PM](#)

Painted masonry facades at approximately 171 W 300 N - Natalie Johnson, representing the property owner, is requesting a certificate of appropriateness in order to approve paint on three facades of the masonry apartment building located on this site. This work has already been carried out without a Certificate of Appropriateness approval and is the subject of an open enforcement case. The matter is being referred to the Historic Landmark Commission for a final decision because Staff finds that the work does not comply with standards of review and adversely affect the character and integrity of the contributing building. The subject property is within the Capitol Hill Historic District and Council District 3, represented by Chris Wharton. (Staff contact: Mayara Lima at (801)535-7118 or mayara.lima@slcgov.com) **Case number PLNHLC2019-00132**

Mayara Lima, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Historic Landmark Commission deny the request.

The Commission and Staff discussed the following:

- Clarification as to possibility of harm to brick in removal process
- Code enforcement action
- Whether the building is a contributing building

Chris Turner and Natalie Johnson, Preserve Partners, provided a presentation and further details regarding the purpose of painting the building.

The Commission and Applicant discussed the following:

- Clarification with process and chemical used to test the paint strip
- Whether a contractor preformed test stripping
- Whether there was any test stripping done on the stone of the entrance of building
- Structure of building
- Sustainability; what is sustainable about painting brick
- How often is repainting necessary

PUBLIC HEARING [6:01:38 PM](#)

Chairperson Peters opened the Public Hearing;

Cindy Cromer – Stated it is essential to have test samples of paint stripping done by a highly qualified contractor on stone work.

Sarah Schultz – Stated she appreciated original brick and that the paint has changed the character of the building.

The applicant addressed the public concerns.

Seeing no one else wished to speak; Chairperson Peters closed the Public Hearing.

The Commission went into executive session and discussed the following:

- Whether a fine might be reasonable
- Issue with fairness; removal might not be effective
- Concern was raised with not seeking permission prior to painting the building
- Setting a precedent for approving work done without permission

MOTION [6:18:04 PM](#)

Commissioner Harding stated, in the case of PLNHLC2019-00132, I move that the Historic Landmark Commission table the appeal until more information about the viability of paint removal on the brick façade and also on the stone façade.

Commissioner Richardson provided a friendly amendment: That the report on viability of paint removal be done by a qualified masonry contractor. Commissioner Harding accepted the amendment.

Commissioner Shepherd added a second amendment: That the report include test stripping from the two masonry materials. Commissioner Harding accepted the second amendment.

Commissioner Adams seconded the motion. Commissioners Richardson, Shepherd, Brennan, Stowell, Petro-Eschler, Harding and Adams voted “Aye”. Commissioner Svendsen voted “Nay”. The motion passed 7-1.

[6:21:17 PM](#)

Special Exception Appeal at approximately 55 N Virginia St. - Jennifer Shaw, has initiated an appeal of an administratively approved special exception for the replacement of a noncomplying accessory structure at the above-mentioned address. The proposal is to replace the existing garage and retaining wall. The existing garage is considered legal non-complying. The special exception was approved by Planning staff on September 26, 2018. The appellant filed an appeal of the approval based on the criteria in Section 21A.16 of the Zoning Ordinance. As a result of the appeal, the replacement of the noncomplying accessory structure must be reviewed by the Historic Landmarks Commission. The subject property is located within the Avenues Historic District and is zoned SR-1A: Special Development Pattern Residential District

and is located in within Council District 3, represented by Chris Wharton. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case number PLNAPP2018-00811**

Sara Javoronok, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Historic Landmark Commission approve the petition.

The Commission and Staff discussed the following:

- Retaining wall and if it's included as part of the petition
- Clarification on what requires special exception
- Height of the ridge
- Clarifications on what the difference is from the previous administrative approvals

Shawn Robinson, applicant, provided further information regarding the project.

Jennifer Shaw, appellant, provided a presentation with further information regarding her position with the request. She also addressed her concerns with privacy and safety issues.

PUBLIC HEARING [6:58:01 PM](#)

Chairperson Peters opened the Public Hearing;

Mary Ellen Sloan – Did not wish to speak. Chairperson Peters read from comment card stating support in the appellant.

David Blanford – Did not wish to speak. Chairperson Peters read from comment card stating support in the appellant.

Sandra Secrest Hatch, appellant architect – Stated she is opposed of the request.

Jill VanLangevela, Chairperson to The Greater Avenues Community Council – Stated she is opposed of the special exception.

Genevieve Atwood – Stated her support of the appellant and provided a handout.

Dave Alderman – Provided feedback on requested special exception.

Michael Lawlor – Stated his support of the appellant.

Lisa Yoder – Did not wish to speak. Chairperson Peters read from comment card stating support of the appellant.

Cindy Cromer – Provided a handout and provided her feedback regarding the request.

Applicant addressed the publics questions and concerns.

Seeing no one else wished to speak; Chairperson Peters closed the Public Hearing.

The Commission and Applicant further discussed the following:

- Whether the applicant has considered relocating the garage and driveway to First Avenue.

The Commission discussed the following during executive session:

- Whether the commission is able to condition an approval on changes to the compliance.
- Garage should be built on original footprint.
- Clarification as to why Special exception was previously granted

MOTION [7:30:46 PM](#)

Commissioner Richardson stated, based on the information presented, and the input received during the public hearing, I move that the Historic Landmark Commission deny the special exception request for replacement of noncomplying accessory structure and additional height and the request for a Certificate of Appropriateness. The Commission finds that the project does not comply with the review standards for special exceptions in 21A.52.060 and 21A.21.030. The Commission also finds that the project does not comply with the applicable review standards for historic properties in 21A.34.020.G.

21A.52.060: General Standards and Considerations for Special Exceptions does not comply with sections A-D. With respect to the following standards:

- 1. Exception A – Does not comply with the 10-foot separation rule**
- 2. Exception B – This will further impair the value of the homes to the West.**
- 3. Exception C – I think there is adverse impact; particularly the neighbor to the West.**
- 4. Exception D – This is not compatible at all to the building on the West.**

Commissioner Harding seconded the motion.

SUBSTITUTE MOTION [7:32:18 PM](#)

Commissioner Svendsen stated, I move that we deny the appeal; approve the underlying application with the following conditions:

- 1. The new structure is built with dimension that are identical to the existing structure, in terms of width, depth, wall height, ridge height, eve height.**
- 2. The building be located at least 1-foot off of the property line.**

Commissioner Adams seconded the substitute motion.

Discussion was made regarding the motions made.

ALTERNATE SUBSTITUTE MOTION [7:36:35 PM](#)

Commissioner Brennan stated, I move that the Historic Landmark Commission deny the request for approval based on standards A and D of 21A.52.060. The existing structure is not in compliance with the zoning ordinance because it is within the 10-foot setback required between primary structure and accessory structure on adjoining property and it

is incompatible with the character of the neighborhood distinct with the garage itself is compatible with surrounding development.

Commissioner Richardson seconded the alternate motion.

RESTATED MOTION [7:41:17 PM](#)

Commissioner Brennan stated, I move that the application be denied based on 21A.52.060; the general standards and considerations for special exceptions, standard A – Compliance with the zoning ordinance and district purposes that the addition impinges upon the 10-foot setback between primary structure and adjoining on an accessory structure. Standard D – The addition is currently incompatible with the surrounding development and including the proposed addition with the original garage is incompatible.

Clarification to the motion. Commissioner Brennan stated, I do not believe it was ever approved by anybody within the city. Whether it was the building department or others in zoning and that's the bases why I feel the existing condition to the garage is not in compliance.

Commissioner Richardson seconded the motion. Commissioners Harding, Brennan, Shepherd, and Richardson voted "Aye". Commissioners Adams, Petro-Eschler, Stowell and Svendsen voted "Nay". Chairperson Peters voted "Aye" for the tie-breaker. The motion passed 5-4.

[7:47:44 PM](#)

National Register Nomination for Steiner American Building at 505 E. South Temple - The State Historic Preservation Office (SHPO) received a request to add the Steiner American Building to the National Register of Historic Places. SHPO will consider this nomination at their Board meeting on July 18, 2019 and is requesting review and input from Salt Lake City as the Certified Local Government in this matter. The property is already located in the South Temple Local Historic District and subject to the standards in the H Historic Preservation Overlay zoning district. The property is located within council District 3 represented by Chris Wharton (Staff contact: Lauren Parisi at 801-535-7226 or lauren.parisi@slcgov.com)

Lauren Parisi, Principal Planner, reviewed the petition as outlined in the memorandum.

John Ewanowski, architect, was available for questions and reviewed bullet points of criteria for qualification.

The Commission and Architect discussed the following:

- Approximately how much it cost to build
- Whether the building is currently being occupied
- Name of structure that was demolished
- Whether the architect is also directing the renovation work
- Whether the fountain will be restored

PUBLIC HEARING [7:59:19 PM](#)

Chairperson Peters opened the Public Hearing;
Genevieve Atwood – Stated she is in opposition of the request.

Sandra S. Hatch – Stated she is in opposition of the request.

Seeing no one else wished to speak; Chairperson Peters closed the Public Hearing.

MOTION [8:02:49 PM](#)

Commissioner Richardson stated, I move that the Historic Landmark Commission forward a positive recommendation to the SHPO to place 505 E South Temple on the National Register of Historic places.

Commissioner Shepherd seconded the motion. Commissioners Svendsen, Stowell, Petro-Eschler, Harding, Richardson, Shepherd, and Brennan voted “Aye”. Commissioner Adams voted “Nay”. The motion passed 7-1.

The meeting adjourned at [8:04:07 PM](#)