

**SALT LAKE CITY  
HISTORIC LANDMARK COMMISSION MEETING  
City & County Building  
451 South State Street, Room 326  
Salt Lake City, Utah 84111  
Wednesday, June 1, 2022**

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at approximately 5:30 PM. Audio recordings of the Historic Landmark Commission meetings are retained for a period of time. These minutes are a summary of the meeting. For complete commentary and presentation of the meeting, please visit <https://www.youtube.com/c/SLCLiveMeetings>.

Present for the Historic Landmark Commission meeting were: Chairperson Michael Vela and Vice-Chair Babs De Lay; Commissioners Kenton Peters, Amanda De Lucia, and Carlton Getz. Commissioners John Ewanowski, Aiden Lillie, Robert Hyde, and Michael Abrahamson were absent from the meeting.

Planning Staff members present at the meeting were: Deputy Director Michaela Oktay, Planning Manager Amy Thompson, Associate Planner Josh Biggs, and Administrative Assistant Aubrey Clark.

**APPROVAL OF MAY 5, 2022 MEETING MINUTES**

**Vice-Chair Babs De Lay motioned to approve the minutes. Commissioner Kenton Peters seconded the motion. Commissioners Babs De Lay, Kenton Peters, Amanda De Lucia, Carlton Getz, and Mike Vela voted “aye”. Commissioner De Lucia noted that there was an incomplete sentence in the minutes.**

**The motion passed with the notation.**

**REPORT OF THE CHAIR AND VICE-CHAIR**

The Chair stated that he had nothing to report.

The Vice-chair stated that she had nothing to report.

**REPORT OF THE DIRECTOR**

Deputy Director Michaela Oktay reported that ADUs are allowed city-wide, and that city ordinances have been changed approximately twice in six years. She said that the HLC has seen some ADU petitions as part of new construction. The Planning Commission has initiated amendments to the ADU code, which can also be found on its website. Considerable public comment has been received. The City Council has previously reviewed the issue. The Planning Commission recommendation to City Council has been to remove the conditional use approval from the ADU approval requirements. This would not eliminate design review. The emphasis is on expediting the approval process. She went on to say that City Council is also interested in activating alleyways. Another possibility is that ADUs could be allowed on business lots, provided that an underlying residential zoning exists. The owner-occupancy requirement would not be enforced in that situation. After the public comment phase, the proposed ordinances will go before the Planning Commission and then to the City Council for final approval.

Commissioner Peters commented that the façade of an ADU in an HLC district might not be a consideration if the dwelling is to be accessed from an alley. He also confirmed with Michaela Oktay that there are suggested changes to setback requirements in the proposed ordinances.

Michaela Oktay also reported that the mayor put out a press release for Preservation Month. She then reported that postcards have been developed for each historic district. She praised the work of staff graphic designer Brian Maya. The postcards direct homeowners to the City website. Chair Michael Vela asked how frequently the postcards would be sent, given that homeownership changes periodically. He recommended an annual mailing. The Commission requested that the postcard designs be emailed to them along with the link to the landing page.

## **PUBLIC COMMENTS**

Chair Vela opened the meeting for public comments. Seeing that no one wished to speak, chair Vela closed the public comments.

## **PUBLIC HEARINGS**

**Minor Alteration Rear Addition at approximately 641 North 200 West** - The property owner, Gary VanVranken, is requesting minor alteration approval for an addition to the rear of his home located at the above-stated address. This proposal includes a request to modify the height of the proposed addition so it can be built in-line with the height of the existing structure. The subject property is located in the SR-1A (Special Development Pattern Residential) Zoning District where buildings with a pitched roof may be built up to 28 feet in height. The proposed addition would follow the height of the roof ridge and would come to an overall height of 34 feet and 10 inches, an increase of six feet and 10 inches over the allowed height. Per Section 21A.34.020(F)(1)(h) any historic application may be referred to the Historic Landmarks Commission for their expertise regarding architectural, construction or preservation issues. Staff has referred this request to the Historic Landmark Commission specifically to address the applicant's proposed roofing material which is a rubber EPDM roofing material. The subject property is located within the Capitol Hill Local Historic District within Council District #3 represented by Chris Wharton. (Staff contact: Amy Thompson at 801-535-7281 or amy.thompson@slcgov.com) **Case number PLNHLC2021-00508**

Planning Manager Amy Thompson reviewed the petition as outlined in the Staff Report. She stated that staff recommends approval in part and denial in part. She stated that staff recommends approval of the addition with modification to the building and wall height, which involves removal of a rear porch to accommodate a three-story addition to the property, with the final design approval delegated to staff, but denial of the proposed EDPM roofing material to be used for that addition. While the design of the addition is compatible with the design of the current structure, the EDPM material, were it approved, would be visible along the south and northeast corners as viewed from the right-of-way. EDPM roofing material does not comply with certificate of approval requirements. Further, it would be a "negative contrast" to the existing grey asphalt shingles on the structure. Despite appropriate noticing, no public comments have been received regarding the proposal.

Commissioner Peters asked questions about the current roof materials and slope as contrasted to that of the proposed addition. Amy Thompson provided a sample of EDPM material stated that, when contacted, the manufacturer had indicated that the EDPM warranty might be voided if the material were installed on a roof that is not flat.

Commissioner De Lucia asked for confirmation the color choice of the EPDM. Chairman Vela commented that in his professional experience that the white side of the product must be facing outwards—there is no option to use the black side of the product.

The applicant, Gary VanVranken, stated that the existing roof is asphalt shingles. He also stated that the proposed roofing would be white and was chosen for the lifetime warranty. He discussed the difficulty of having to make a design that accommodates an existing dormer. He stated that the roof of the dormer window—currently rolled asphalt—has proven difficult to maintain—it leaks frequently. He described the challenges of maintaining a roof with the pitch that is within guidelines, while incorporating the standard asphalt shingle roof.

Commissioner Peters requested that drawings be shown on the screen. He said that it seemed that conflicting information about pitching had been presented. He reiterated that pitch is linked to allowable materials and also asked for a demonstration of which sections would be visible from the street.

Mr. VanVranken commented that if he were allowed to keep the height on a full extension of the roof he could “do shake shingles.” He added that the existing roofing section with the twelve-twelve pitch has been in place 40 years problem free.

Amy Thompson stated that since living space is a consideration, if the pitch were increased the height would be increased and it is not immediately clear what that new height would be.

## **PUBLIC HEARING**

Chair Vela opened the public hearing.

- Bailey (no last name given) – Tenant at 641 North, spoke in favor of the petition.

Seeing that no one else wished to speak, Chair Vela closed the public hearing.

## **EXECUTIVE SESSION**

Chair Vela agreed with Commissioner Peters that changing the pitch to at least a 3/12 would be the best solution. Commissioner Peters specified thorough sheathing prior to the application of asphalt shingles.

Vice chair De Lay agreed stating that the obstacle to approval was not the height, but the type of roofing visible from the street.

Chair Vela summarized the recommendation of the Commission. He called for a two-part motion. One concerning height, and one concerning the discussion just held. A discussion of proper procedure followed.

Commissioner Getz then commented that he was concerned about the adequacy of the drawings relative to the changing discussion. He added that if the primary concern is a consistent appearance of the roof, he doubts that adding height solves the problem. He added that he agreed that EPDM was a very visually inappropriate material.

Commissioner Peters agreed and Commissioner De Lay stated that details could be delegated to planning staff.

## **MOTION**

**Commissioner Kenton Peters stated, “With respect to application PLNHLC20221-00508, request for a Certificate of Appropriateness for a rear addition at 641 North Second West: based on the analysis and findings in the staff report, the information presented, and the input received during the public hearing, I move that the Historic Landmark Commission approve the request for a Certificate of Appropriateness in part for the proposed rear addition and associated modifications for increased building, and wall, height. The commission finds the addition generally complies with the standards of approval for a Certificate of Appropriateness for Alterations to a Contributing Structure in Section 21A.34.020.G of the zoning ordinance. Final design details and final height of the proposed addition roof are delegated to Planning Staff.**

**"Based on the analysis and findings in the staff report, the information presented, and the input received during the public hearing, I move that the Historic Landmark Commission deny the request for a Certificate of Appropriateness, in part, for the proposed EPDM rubber roofing material on the addition. The commission finds the proposed EPDM rubber roofing material fails to substantially comply with the standards of approval for a Certificate of Appropriateness for Alterations to a Contributing Structure in 21A.34.020.G.”**

**Vice-chair Babs De Lay seconded the motion. Commissioners Babs De Lay, Kenton Peters, Carlton Getz, Amanda De Lucia, and Mike Vela voted “aye”.  
The motion passed.**

**Major Alteration at approximately 511 South 500 East** - Bret Bullough from Baros Design, representing property owner Victor Galindo, submitted an application for the proposed rehabilitation of the former Hale’s Food Market at the above-stated address. This project, constituting a Major Alteration, requires review by the Historic Landmark Commission. The owner is seeking HLC approval for enlarged window openings and in-kind stucco replacement. This property is zoned CN (Neighborhood Commercial). The property is located within the Central City Local Historic District and is a contributing building within the district, located within Council District #4, represented by Ana Valdemoros. (Staff contact: Joshua Biggs at 801-535-6083 or joshua.biggs@slcgov.com) **Case number PLNHLC2022-00164**

Associate Planner Joshua Biggs reviewed the petition as outlined in the Staff Report. He stated that staff recommend approval of the proposal to remove the existing windows on the building, install new doors and larger storefront windows, canopies, outdoor dining, and to replace existing stucco “like for like” according to the conditions listed in the staff report and motion sheet. He commented that the original structure was built as a home likely around 1900 and with an addition believed to have been built around 1940 with later renovations to the storefront. No changes will be made to the part of the building built as a single-family home.

Commissioner De Lay asked whether the proposed dining area would occupy part of the existing yard. Joshua Biggs responded that it would, and that new fencing would be erected.

Commissioner De Lay asked what “like for like” means regarding this proposal. Joshua Biggs replied that it refers to matching the stucco used in the renovation to the texture and character of the stucco of the existing structure. He discussed the rectangular storefront windows that are

proposed for installation instead of installation of curved Art Moderne style windows, citing cost concerns. Commissioner De Lay stated that the contoured framing of the window could be continued even if standard windows were used, however, she stated that she doubted that it would not be accepted by the owners.

Commissioner De Lay also asked about the nature of the business Victor's Restaurant. Joshua Biggs stated that it would be operated by who he believes is the owner of Victor's Tires.

Commissioner De Lucia asked where the outdoor patio seating area will be located. Joshua Biggs indicated that the outdoor dining would face 500 East that would require an encroachment permit, but not block the sidewalks. However, the northside dining would comply with zoning standards. Joshua Biggs stated that both the design applicant and the property owner were unable to be present.

## **PUBLIC HEARING**

- Cindy Cromer – in support of the proposal but concerned about the existing chestnut tree on the property, a tree of unusual size for the block, which is planned to be removed to accommodate outdoor dining. The tree also contributes to the character of the original house. Cindy Cromer supported the window design change because it is actually a reversion to the original 1940s window appearance prior to the addition of stucco.

Commissioner De Lay estimated that the tree would displace perhaps three dining tables and asked whether requesting that the tree be retained would be within the purview of the HLC. Deputy Director Michaela Oktay stated that it would not, unless it were a rare species. Commissioner De Luca said that retaining the tree would be a good idea, and that perhaps, with the use of umbrellas, only one dining table would be displaced.

Chair Vela closed the public hearing.

## **EXECUTIVE SESSION**

Michaela Oktay stated again that the tree was not in the HLC purview because it is not a "specimen tree." She confirmed with Joshua Biggs that fencing would enclose the entire area.

Commissioner Peters stated that the HLC could not make a recommendation regarding the tree without clearer drawings. Further, that replacing existing landscaping with concrete affects the character of the historic property. Chair Vela added that concreting around the tree would probably kill it and that a porous material—wood or Trex—is needed to protect the tree.

Commissioner De Lucia said that even though the issue of the tree was not directly within HLC purview the concrete would be. Michaela Oktay confirmed that site features would be within the HLC purview. Commissioner Peters agreed stating that an historical landscape feature would not be 600 square feet of concrete slab.

## **MOTION**

**Commissioner Amanda De Lucia stated, "For PLNHL2022-00164, major alterations at approximately 511 South 500 East, based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the**

Historic Landmark Commission approve the Minor Alteration Petition PLNHLC2022-00164 as proposed, subject to complying with the conditions listed in the staff report: 1. All replacement stucco shall be replaced “like for like” using traditional stucco and three-part application method, as well as the same finish texture. 2. Final design details are delegated to planning staff.”

Commissioner Kenton Peters seconded the motion.

Commissioner De Lay asked if there could be an amendment to the motion to include a condition on the paving.

Commissioner Kenton Peters proposed the following amendment, “we recommend that the paving of the outside dining area be done in a manner that reflects historical tradition and is done in such a way that a permeable paving is used, and designed and installed, in such a manner as to respect the historical design of historic courtyards and allows water to enter the soil to hopefully save the existing tree.”

Commissioner De Lucia accepted the amendment to the motion.

Chair Mike Vela, Vice-chair Babs De Lay, and Commissioners Kenton Peters, and Amanda De Lucia voted in the affirmative. Commissioner Carlton Getz voted “no”. He stated that he felt that recommendations are too vague to be appropriate.

A short recess was called due to a disruption.

The motion passed as amended following clarification of proper procedure.

## **UNFINISHED BUSINESS**

**Update to Policies and Procedures** - The Historic Landmark Commission will consider changes to the policies and procedures of the Commission. The proposed changes include addressing policies for electronic meetings, defining a quorum, voting, necessary changes to the formatting and numbering, and correcting any grammar or spelling errors. The purpose of this proposal is to update the policies and procedures to comply with Utah Code requirements that go into effect on May 4, 2022. The Commission may discuss other changes to the policies and procedures at their discretion.

Michaela Oktay identified key changes in policies and procedures and explained that are in line with changes in state legislation. They clarify policies for electronic meetings, allow the chair to vote, ensure annual elections, and allow two for consecutive terms, but mandate a limit of two terms for the positions of chair and vice chair. They mirror changes to Planning Commission policies and procedures.

Chair Vela then called for a motion to adopt the proposed changes.

## **MOTION**

Vice-chair Babs De Lay stated, “I move to accept the proposed changes to the policies and procedures as presented tonight.”

**Commissioner De Lucia seconded the motion. Vice chair Babs De Lay, Commissioners Kenton Peters, Carlton Getz, Amanda De Lucia, and Chair Mike Vela all voted in the affirmative.**

**The motion to accept the new policies and procedures was passed.**

The meeting adjourned 7:06 PM.