

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Thursday August 4, 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, Vice-Chair Babs De Lay and Commissioners Kenton Peters, Amanda De Lucia, John Ewanowski, Robert Hyde, Michael Abrahamson, and Carlton Getz. Commissioner Aiden Lillie was absent from the meeting.

Planning Staff members present at the meeting were: Deputy Director Michaela Oktay, Planning Manager Kelsey Lindquist, Associate Planner Grant Amann, and Administrative Assistant David Schupick.

APPROVAL OF JULY 14, 2022 MEETING MINUTES

Vice Chair Babs De Lay moved to approve the July 14, 2022 meeting minutes. Commissioner Kenton Peters seconded the motion. Vice-Chair Babs De Lay, Commissioners John Ewanowski, Robert Hyde, Kenton Peters, Carlton Getz, and Amanda De Lucia voted “aye”. Michael Abrahamson abstained because of absence. The motion passed.

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 Aiden Lillie will be leaving the Historic Landmark Commission because she has been hired as a Senior Planner for Salt Lake City.

PUBLIC COMMENTS NOT PERTAINING TO AGENDA ITEMS

Cindy Cromer stated that she is disturbed by the by discussions of the prior meeting related to the development called Station 424 particularly the way in which the “contributory resources on 700 East” were considered and the priority given to “base zoning and the point system. She said that the “relationship between the base zone and the overlay zone” needs to be carefully reviewed. She added that, even though the Central City Historic District has areas where contributing properties are sparse, the block in question has three such properties in a row and

that the building currently occupied by SITLA, also on that block, is a candidate for future eligibility. The former Fendall's ice cream parlor is nearby and also a likely candidate.

PUBLIC HEARINGS

1. **Window and Door Replacement at approximately 1124 E 200 S** - William Patton, property owner, is requesting a Certificate of Appropriateness for the replacement of 10 windows, 4 of which are located on the primary elevation. The applicant is also seeking to replace the existing front door. The property is located at address stated above and is a contributing structure within the University Historic District. The subject property is in the R-2 (Single and Two-Family Residential) zoning district and within Council District 4, represented by Ana Valdemoros. (Staff contact; Kelsey Lindquist at (385) 226-7227 or kelsey.lindquist@slcgov.com) **Case number PLNHLC2022-00367**

Planning Manager Kelsey Lindquist informed the Commission that staff is recommending a partial approval and a partial denial for replacement window on this contributing structure. The original stained-glass transom of the front window set was replaced previously. Four replacement windows are street-facing, and the staff determination is that these windows, some of which are damaged, could be "rehabilitated" with a "lower sash replacement." Kelsey Lindquist stated that the staff has no objection to proposed window replacements on the other three elevations because they are not street-facing.

Kelsey Lindquist stated that staff supports the application to replace the front door because the property owner's assertion that the existing door is not original is likely correct. The replacement door would be "full light."

Chair Vela asked for verification that ten windows are at issue, four of which are recommended for denial as proposed, and that there are no noted problems with the proposed front door replacement. Kelsey Lindquist agreed.

Commissioner Peters asked what the "solution" to the problem with the four front windows would be. Kelsey Lindquist stated the Preservation Utah has a list of approved contractors with the expertise to "rehabilitate" windows. She stated that City policy calls for sash repair as a preference to sash replacement. In response to Vice Chair De Lay, Kelsey Lindquist added that a "sash kit" for sash replacement on a particular window would be appropriate. In response to a question from Commissioner Hyde, she stated that the windows in question appeared to be original to the 120-year-old structure.

Applicant Bill Patton, his daughter, and his window contractor then addressed the Commission. Bill Patton described the family situation including the fact that he returned from Nigeria to attend the hearing. He stated that although his daughter is the current

occupant of the home, he and his wife will use it as a permanent residence upon return from their current overseas duty with the U.S. Department of State. He described his dedication to preserving the appearance of the home with good quality windows and disputed the staff position that the present windows are original. He argued that widow repair and the addition of storm windows would provide inadequate insulation and would be a "Band-Aid." The applicant's daughter added that the glass in the current front windows is so fragile that her dog badly injured his paw when he jumped against the glass. She suggested that her toddler nephews are more energetic than her dog and so she sees the current window glass as a hazard and that the use of the living space has been reduced.

Chris, a window replacement consultant, stated that, in his experience, Pella window replacements, like the ones proposed are typically approved. He believes that the current windows are not original, and that replacing all the windows would increase energy efficiency. He argued that sash replacements lead to problems with insects or mold because it is not possible to make older windows "square" again.

Commissioner Peters asked whether the windows being replaced match the current ones. Chris stated that they would with possible use of fiberglass in the bathroom window.

Vice Chair De Lay referred the statement that Chris had made regarding having assessed over 1,200 homes and queried his expertise in window replacement in historic districts. He responded that he had no specific expertise.

Chair Vela opened the public hearing.

PUBLIC HEARING

Cindy Cromer stated that there are multiple options for window repair, or replacement. She said that she has participated in four historic window workshops in Salt Lake City. This was in anticipation of hiring contractors. Cindy Cromer said that she has used single-sash replacement very effectively on a rental property, and she suggested that inferior replacement glass had been used in the window described in the presentation made by the property owner's daughter. She stated that interior storm windows are also a possibility. Lastly, she said that the proposed single-light replacement front door is not consistent with the style of the house--even though some sort of replacement may be allowed because the existing door is not original.

Seeing that no one else wished to speak, Chair Vela closed the public hearing and invited the applicant to respond to any of the comments made in the public hearing.

Bill Patton stated that the purchased single-light replacement door could be used on the back porch, and a more suitable door could be found for the front porch.

EXECUTIVE SESSION

Chair Vela said that the Commission discussion should address the door, the windows not recommended for approval, and the windows recommended for approval, separately.

Vice-chair De Lay said that she did not consider the proposed replacement door to be consistent with the character of the neighborhood.

Kelsey Lindquist confirmed chair Vela's understanding that the proposed replacement door received staff approval because the existing door is not original and because the replacement is wood and glass. In response to Commissioner De Lucia's question Kelsey Lindquist then stated that had existing front windows been vinyl (rather than assumed to be original) that the Pella windows could have been approved administratively because the policy is to follow the general design elements of the original structure, which the Pella windows appear to do.

Chair Vela then asked Commissioner John Ewanowski for his professional opinion. Commissioner Ewanowski stated that wood windows are very durable because they are repairable. He said that the quality of the glazing and the "dog issue" can be mitigated by using a thicker glass and that storm windows can be attractive and are historically appropriate.

Commissioner Hyde said that he was doubtful that the existing windows are original. He said that the proposed windows were in keeping with the historic character of the home and so, "It meets the standards to let them do what they want to do." He said that allowing replacements for three of four sides did not seem reasonable.

Commissioner De Lay said that her concern about the replacement windows was that they are aluminum-clad and asked Deputy Director Michaela Oktay for comment. Michaela Oktay responded that the aluminum cladding would not be "necessarily" inconsistent with rules, however, allowing replacement of original windows on a front façade would be a "pretty big policy change."

Commissioner Hyde then confirmed with Deputy Director Oktay that the issue of whether or not the existing windows are original is central to the policy and restated his position that they are not, but that the proposed replacements are appropriate for the property.

Commissioner Michael Abrahamson said that although consistent with the defining characteristics of the home, the replacement windows are “materially different” because of the aluminum cladding. He said that the Commission decisions are generally linked to approved materials. Michaela Oktay added that most older windows are “old growth” wood, which will respond very well to approved restoration techniques. She did stipulate that if restoration efforts reveal serious deterioration, then replacement of parts of the windows would be the preferred next step, however, there can be cases where total replacement is the best solution.

Vice chair De Lay then said that she had driven by the property and felt that the windows looked “rotted,” but her concern remained, “Do we have aluminum facing the street, or do we have wood facing the street?” Chair Vela then read from the report saying that he agreed with the statement that the windows are the defining character of this home. He stated that if someone were to look closely at aluminum-clad windows they would see a difference and that “wood for wood” is the standard for replacements, not aluminum.

Commissioner Peters then asked for confirmation that new wood windows would be allowable. Michaela Oktay responded, “if they are deteriorated beyond repair.” Commissioner Peters also alluded to the different standards for roof replacements and the conflict with safety standards for retaining old chimneys. Kelsey Lindquist agreed that some “components” of historic structures are “sacrificial” materials—a roof is an example. However, historic wood windows were not constructed as “sacrificial.” Sometimes replacement of windows is easier than repair. Some windows are not “old growth wood” and they cannot be restored.

Commissioner Peters then asked how the project came to the point of an order for new windows without an approval in place. Kelsey Lindquist said that she understood that all windows were ordered prior to the submittal of the application. She added that all applicants are advised to wait for final approval prior to placing product orders.

Chair Vela then asked for the professional opinion of Commissioner Carlton Getz. Commissioner Getz stated that the focus is on materials and that wood and aluminum do have a “slightly “different appearance, but that the “profile” of the proposed windows is very similar to the original. He said that he would like to have seen closeup pictures of the frames so that the window-condition could be evaluated more closely. Commissioner Getz added that some of the “defining character” of the structure had already been lost when the stained-glass window was removed. He noted that, at some point, there has to be a difference between “preserving the windows” and “recreating the past.” He added that he had a stronger concern with the replacement door because three-quarter light glass door would be consistent with the period—the proposed full-light door would not be. Commissioner Getz said “wood would be great,” but “not absolutely necessary.”

Commissioner Amanda De Lucia said that “until the City feels strongly enough to consider changing the ordinance, it seems that we are in a position where we need to abide by that.” She agreed with the comments made regarding the appearance of the windows. Commissioner Peters then asked whether the requirement is “ordinance or guideline.”

Kelsey Lindquist and Michaela Oktay explained that the requirement is policy, not ordinance, however, she expressed concerns about setting a precedent. Michaela Oktay also reminded the Commission that Planning Division staff includes graduate-level experts in restoration technology.

Chair Vela then called for a motion.

Commissioner John Evanowski stated, “Based on the analysis and findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Commission approve the request for a Certificate of Appropriateness (PLNHLC2022-00367) in part, for a replacement of the windows on the eastern, western and southern elevations, and the front door. The Commission finds that these windows, and front door, comply with the standards of approval for a Certificate of Appropriateness for alterations to a contributing structure located at 1243 East 200 South.”

“Based on the analysis and findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Commission deny the request for a Certificate of Appropriateness (PLNHLC2022-00367) in part, for a replacement of the windows on the northern elevation (front). The Commission finds that these windows fail to substantially comply with the standards of approval for a Certificate of Appropriateness for alterations to a contributing structure.”

Finding no discussion Chairperson Michael Vela called for a Vote.

Vice chair Babs De Lay, Commissioners John Ewanoski, Michael Abrahamson Amanda De Lucia voted “yes.”

Commissioners Robert Hyde, Kenton Peters, Carlton Getz voted “no.”

The motion passed.

- 2. Minor Alteration For Garage and ADU at approximately 204 N Canyon Rd -**
Architect David Richardson, representing the property owner, is requesting a certificate of appropriateness for the reconstruction of a garage with the addition of an

over-garage-ADU in its place at the address listed above. The existing garage will be demolished, as part of this proposal. As part of this request, the applicant is seeking zoning relief from the following:

- a) 10' side setback along the North property line. Applicant is proposing 3' to remain in line with the setback of the garage.
- b) 10' ADU side setback along the same North property line. Applicant is proposing 6' for the second story.
- c) Height increase of 1' for a total of 21'.

The property is a contributing structure to the Capitol Hill Historic District. No alterations are proposed to the contributing structure on site. This type of project must be reviewed as a Minor Alteration. The subject property is within Council District 3, represented by Chris Wharton. (Staff contact; Grant Amann at (801) 535-6171 or grant.amann@slcgov.com) **Case number PLNHLC2022-00410**

Associate Planner Grant Aman advised the Commission that staff recommends approval of the petition with the condition that approval of final details be delegated to planning staff. He explained that the new structure will replace an existing garage and is next to an existing ADU. The proposed structure will not be easily visible from the street.

Vice-chair De Lay asked for confirmation that two-car garage will become a three-car garage and for the orientation of balcony and stairway for the new dwelling. Grant stated that there will be a three-car garage, a south-facing balcony, and a west-facing stairway.

David Richardson, architect for the property owner, and a former commissioner, stated his support for the process of historic preservation and complimented the staff presentation. He said that the new construction will complement the nearby Fourth Avenue Wellhouse in color and style. David Richardson also said that considerations were made for light and ventilation in determining the setbacks.

Chair Vela opened the public hearing.

PUBLIC HEARING

Cindy Cromer stated that “the width of this lot is an issue” because “public property extends” much farther into “what appears to be” private land than most people realize.

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

Finding no response from the applicant chair Vela closed the public hearing and opened executive session.

EXECUTIVE SESSION

Commissioner De Lucia commented that the presentation from both staff, and applicant, were well done, and that she had confidence in the abilities of each presenter.

Michael Abrahamson commented that while he agreed with a comment on window style, made by Cindy Cromer, he did not find the issue within the purview of the Commission on this project and that most of the presentations focused on setbacks. However, he said that he did want confirmation of that understanding. Deputy Director Michaela Oktay said that if the entire Commission gave the direction to staff to review window styles with the applicant staff would do so. She later added that such features would typically not be reviewed on new construction.

Commissioner Kenton Peters said that he had no concerns with the issue.

Chair Vela said that design details were not a major issue compared with the strong need for ADUs because rental units are “still 30.000 short” despite significant construction activity. He then called for a motion.

MOTION

Commissioner Carlton Getz moved “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 Planned Development petition (PLNHLC2022-00410) as proposed, subject to complying with the conditions listed in the staff report.

Commissioner Kenton Peters seconded the motion.

Vice chair Babs De Lay, Commissioners John Ewanowski, Robert Hyde, Kenton Peters, Carlton Getz, Michael Abrahamson, and Amanda De Lucia voted “aye”.

The motion passed.

The meeting adjourned at approximately 6:54 PM.