

SALT LAKE CITY
HISTORIC LANDMARK COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Thursday November 3, 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 Babs De Lay, Vice-Chairperson John Ewanowski, Commissioners Amanda De Lucia, Mike Vela, and Carlton Getz. Commissioners Kenton Peters and Michael Abrahamson were excused from the meeting.

City Staff members present were: Planning Deputy Director Michaela Oktay, Planning Manager Wayne Mills, Senior Planner Nannette Larsen, Principal Planner Aaron Barlow, Principal Planner Katia Pace, Parks and Public Lands Deputy Director Tyler Murdock, Senior City Attorney Paul Nielson, and Administrative Assistant Aubrey Clark.

APPROVAL OF OCTOBER 6, 2022, MEETING MINUTES

Commissioner Carlton Getz moved to approve the minutes.

Commissioner Michael Vela seconded the motion.

Commissioners Michael Vela, Carlton Getz, Amanda De Lucia, and Chairperson Babs DeLay voted “yes.”

The motion passed, four “yes,” and one abstention.

Vice-Chairperson John Ewanowski abstained because of his absence from the meeting of October 6th.

REPORT OF THE CHAIR AND VICE-CHAIR

Chair Delay stated that she had nothing to report.

Vice-Chair Ewanowski stated that he had nothing to report.

REPORT OF THE DIRECTOR

Deputy Director Michaela Oktay explained recent upgrades in security measures, including the constant presence of security officers at Commission meetings, and the need for all staff and commissioners to have badges with them. She stated that, following a recent incident, staff members are no longer allowed to meet with applicants, or members of the public immediately following the meeting and the door of the meeting room will remain open during the meeting.

BRIEFING

Fisher Mansion Updates - Salt Lake City Parks and Public Lands Deputy Director Tyler Murdock, and two board members of Friends of the Fisher Mansion, Baron Gajkowski, and Nan Webber,

addressed the Commission. Baron Gajkowski explained that he is project manager for The Yard subdivision that his company, CW Urban is developing on the opposite side of the Jordan River.

Tyler Murdock referred to the 2014 West Side Masterplan as identifying the property as “the cultural and ecological heart of Glendale, Rose Park and Poplar Grove.” He also said that the Fisher Mansion is included in the 2022 Reimagine Nature SLC Public Lands Master Plan. He said that the Fisher Mansion meets two “transformative goals” within the Reimagine Nature plan: “reviving the Jordan River” and “sustaining our stories.” He said that one of the three new boat ramps constructed by City Parks and Public Lands serves the Fisher Mansion and noted that the soon-to-be completed Folsom [walking] Trail will connect the Fisher Mansion to the downtown area.

Tyler Murdock described phases of the Fisher Mansion project (located at 1206 W 200 South, along the Jordan River) since the property was first purchased by the City in 2006. Tyler Murdock said that the extensive property site once included a brewery, and that the original Sanborn plans for that facility will be on public display at the carriage house. Renovation to date has included the use of federal grant funding for extensive renovation of the carriage house, leading to the use of the carriage house for offices of the City’s Public Lands Ranger Program, Jordan River Park Ranger Program, and Outreach and Volunteer Program as well as event space for the community. He said that all improvements to the carriage house, including its landscaping, will be completed by 2023.

Commissioner Vela asked whether the carriage house community space could be rented privately. Tyler Murdock confirmed that it could. Deputy Planning Division Director Michaela Oktay complimented the project and commented that “before” photos might have emphasized the significance of the renovation project. Tyler Murdock said that he had requested that “before and after” pictures be uploaded to the website, adding, in response to Michaela Oktay’s question, that existing walls had been left in place.

Tyler Murdock said that the City Council has allocated three million dollars of the general revenue bond to “stabilize the Fischer Mansion itself.” That project was later defined as seismic stabilization and Tyler Murdock thanked Friends of Fisher Mansion for their efforts in securing that funding.

Chair De Lay asked why the carriage house was given priority in the renovation process. Tyler Murdock explained that since it was simpler to gain funding for the smaller project “it made sense” to justify the larger project with the results of the smaller project. He clarified the point that the stabilization project would not complete the full renovation of the Fisher Mansion.

Nan Webber of Friends of Fisher Mansion agreed with Chair DeLay that renovation of the Fisher Mansion had been discussed for many years. She said that the organization intends to assist with funding efforts for future improvements and that it was formed to preserve the Mansion property as a community “centerpiece,” and historical resource, that will become an “asset” to Salt Lake City. She noted many community leaders among the board members including those with expertise in historical preservation, local history, and family ties to the Fisher property.

Baron Gajkowski praised the architecture of the Fisher Mansion, which was designed by Richard Kletting. He noted the proposed “revitalization” of nearby Rocky Mountain Power property as a project that would also improve the area. He noted that his company’s project as another complement to the community.

Commissioner Amanda de Lucia commented that from her own experience serving as caretaker of an historic building she recognized the contribution of community organizations to successful preservation efforts. Chair De Lay concurred.

PUBLIC COMMENT

Chair De Lay opened the public comment portion of the briefing, then, seeing no one who wished to comment, closed the public comment portion.

PUBLIC HEARINGS

Minor Alteration at approximately 365 N. Quince Street - James and Kelly Fowler, the property owners, are requesting approval of a Certificate of Appropriateness to replace nonoriginal roof material, soffit, fascia, windows, and door; restore siding; add new windows; and restore rear addition with added porch, loft roof, and dormer at the above-stated address. The property is zoned SR-1A (Special Development Pattern Residential) and is a contributing structure within the Capitol Hill Local Historic District. To accommodate the proposed addition, the applicant is seeking modification for additional building height. The SR-1A zoning district permits buildings with a pitched roof up to 23 feet in height and the proposed addition would be 27 feet 2.5 inches. The property is located within Council District 3, represented by Chris Wharton. (Staff contact: Katia Pace at 801-535-6354 or katia.pace@slcgov.com) **Case number PLNHLC2022-00242**

Principal Planner Katia Pace reviewed the petition as outlined in the staff report. She stated that staff recommends approval with the condition that all south-side windows should match. She noted that modifications were proposed for the second oldest of three buildings on the property. That building, constructed in the 1870s, had been changed from a store to a dwelling unit. She noted modifications that had already been made to the building include modifications to a door, windows, and the application of stucco to a wood addition to the structure. She said that some changes, such as the application of stucco, were made prior to 1950.

Katia Pace explained that, in part, the purpose of the petition would be to restore some historic elements of the home. (She mentioned soffit, fascia, window trim, windows, and doors, in particular.) There was also an intention to restore the stucco siding on the adobe brick building, to add windows to the south side of the historic building, and to extend the height of the rear of the restored addition with a “loft” roof proposed to be 27 feet 2.5 inches—the zone allows 23 feet. Katia Pace explained that the staff recommendation for approval is based upon the fact that the ventilation provided by the new windows would benefit the adobe structure, and on the fact that the additional height would not negatively impact the neighborhood because the addition will start from a grade lower than the principal structure, so that from the street view the addition will look shorter than the principal structure. She said that, since the new porch and dormer would be in the rear of the building, there can be more “flexibility” in approvals. She also stated that the request to extend the roof height on the extension of the existing addition would align the roof with the height of the existing building.

The applicant Kelly Fowler addressed the Commission. She praised the efforts of Katia Pace to

review the project and said that she is very willing to accept the condition regarding the matching windows. She later explained that Quince Street is on such a steep grade that the request for a height increase on the new construction would make it consistent with the roof levels of neighboring homes. In response to Commissioner Getz' question regarding the composition of the existing adobe Kelly Fowler said that it is one of perhaps "30 or 40" remaining "true adobe" (dried in the sun) brick Salt Lake City homes from the 1860s. She noted prior experience working with adobe and said that the deterioration needed to be addressed. In response to a later question from Chair De Lay she added that some adobe brick to be used for repairs was the brick removed after enlarging the front windows for security reasons. Additionally, the Fowlers have retained all surplus adobe brick from other projects, and so have some possibility of matching brick from their own supplies. She also explained part of the process for mixing appropriate mortar.

Kelly Fowler explained that the basement of the structure was first used as a dwelling in the 1950s. She said that the current proposal represented the first time that the main floor of the building would be used as a residence. Therefore, extensive remodeling would be required. She described various challenges to renovating the three buildings on the property including serious plumbing problems and crumbling foundations. She noted that, where possible, windows and doors on all three structures had been repaired, rather than replaced, with the help of Planning Division-sponsored classes. However, work on the other two buildings did not require HLC approval. In response to Chair De Lay's question, she said that the three structures were not connected, but do "touch," making them effectively "townhouses." She described the three buildings as important contributors to the character of the history of the Marmalade area. She then cited another historical property close by and described the history of family ownership linking all four properties, and she later stated that the history of the buildings prompted her to take on the projects.

Commissioner John Ewanowski asked for confirmation that there is a pre-existing south-side basement window. Kelly Fowler confirmed that there is, but that it is clearly not original.

PUBLIC COMMENTS

- **Polly Hart**—Support. Neighbor. Stated that the need for expert renovation had been clear to her for some time because expanding foam was used extensively by the previous owner. Commended previous work done by Kelly and James Fowler in the neighborhood (including careful efforts to match brick and mortar) and urged support for the application.
- **Lucy Schoenfeld**—Support. Resident of the home next door. Stated appreciation for historical property restoration and confidence in her landlords' abilities. Also sent an email that was not read but forwarded to the Commission.
- **Andrew Carey (via email in staff report)**—Support. Neighbor across the street. Spoke of the need for renovation and praised the abilities of James Fowler.

Seeing no one else who wished to speak, Chair De Lay closed the public hearing.

EXECUTIVE SESSION

Chair De Lay praised the quality of the craftsmanship and effort applied to a clearly deteriorated property. Commissioner Michael Vela agreed saying that it was “heartening” to see someone care enough to recreate 1870’s elements to the house. Commissioner Carlton Getz said that the Fowlers had recognized opportunity rather than run away from a challenging project. He then stated that, in order to preserve the integrity of the existing structure he would prefer that the four new windows not be added. He said that he wanted to preserve the original appearance of the building and he did not think that such a significant change would be in line with past Commission actions. Commissioner De Lucia stated that she agreed with the Commissioner Getz’ concerns about appearance but felt that adding the windows would help preserve the building, which is the primary concern. She then praised the efforts of the Fowlers.

MOTION

Commissioner Mike Vela stated, “Based on the information presented, and the discussion, I move that the Historic Landmark Commission APPROVE this application with the conditions listed in the staff report with no modifications.”

Vice-Chairperson Ewanowski seconded the motion.

Vice-Chair John Ewanowski, Commissioners Amanda de Lucia, Carlton Getz, Mike Vela, and Chair Babs De Lay voted “aye.”

The motion passed unanimously.

Minor Alteration for Painted Brick at Approximately 217 & 219 W 300 North - This is a request by Joshua Eaton of JL Eaton, LLC, the property owner, for Minor Alteration approval to paint the exterior brick of the house located at the above-stated address. The property is under enforcement for having painted the brick without a Certificate of Appropriateness and the matter has been referred to the Historic Landmark Commission for a decision. The 2006 district-level reconnaissance level survey (RLS) found the building to be contributing to the character and integrity of the Capitol Hill Local Historic District. The property is located within the SR-1A (Special Development Pattern Residential) Zoning District and Council District 3, represented by Chris Wharton. (Staff Contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case number PLNHLC2022-00877**

Principal Planner Aaron Barlow reviewed the petition as outlined in the staff report. He stated that the staff recommends that the Commission deny the request because the painted masonry is not consistent with the standards of review for modifications to a contributing structure in a historic district nor the design guidelines for exterior building materials. He stated that the paintwork on this duplex was completed in 2019, prior to the purchase of the property by the applicants, adding that, because enforcement cases are “complaint-only,” this case was likely brought up as a response to another enforcement case in the neighborhood.

Aaron Barlow explained that the district experienced post World War II growth and that the mid-century structures were part of a planned community and that—along with their distinctive brickwork, windows, and entrances—are now contributing structures, important in their own right, representing the era in which they were constructed. He showed photos of the subject property prior to its being painted, and also showed close up comparison pictures of the brickwork of the

similar neighboring home and the subject property.

Aaron Barlow said that, if the recommendation for denial is upheld, he would work with the applicant to find a “good contractor” who would follow approved procedures for safe paint removal.

Chair Babs De Lay asked what the “most common form of remediation” would be. Aaron Barlow said that he did not know the most common remediation, but that he was in the process of investigating the safest method for brick preservation, and he suggested that it may be the use of an approved gel. He noted that the brick from the era of this structure is much more durable than the brick discussed in the previous agenda item.

The applicants, Josh and Suzette Eaton, addressed the Commission. Josh Eaton said that, as residents of the Avenues, they understood the importance of historic preservation. He said that while the property in question is an investment property, the Eaton’s have taken special care to maintain it. Suzette Eaton said that they do respect the process of historic preservation, but she felt that painted brick on a house built in 1954 should be evaluated differently than it would be on the Eaton’s Avenues residence—built in the 1890s. She reiterated that she, and her husband, had no idea that the house was in an historic district when they bought it. She shared written and verbal comments from Korral Brezinski (a principal surveyor on the 2006 Reconnaissance Level Study that identified contributing structures in the district) who had pointed to the fact that the house is one street away from the boundary of the local historic district. In Ms. Brezinski’s quoted opinion, the paint color did not “substantially” alter the historic character (and contributing status) of the building. The point was made that other houses in the neighborhood had been painted.

Suzette Eaton also quoted from the City’s design guidelines for contributing multi-family buildings in an historic district stating, “Painting the masonry should be avoided.” She noted that the word “prohibited” was not used. She also reported that both a tenant and a neighbor found the building more attractive than the neighboring unpainted structure.

Chair Babs De Lay commented that many property buyers do not read their titles thoroughly, but, in fact, the historic district is noted on the title.

Seeing no further Commission questions, Chair De Lay opened the public comment portion of the hearing.

PUBLIC COMMENTS

- **Cindy Cromer**—Opposed. Referred to the precedent of the 2019 case involving the Joanne apartments. She said the roof, paint, and brick were the same. The district, construction era, and investment property status were also the same. (She said about the only differences were the smaller size of this building and the fact that this building is not on a corner.) She urged the Commission not to take an action that would impact the many similar properties in the district, but she expressed concern regarding the fact that the painting was done prior to the purchase of the property by the present owners.

- **Kelly Fowler**—Opposed. Neighbor. Expressed sympathy for the special situation regarding the fact that the property was acquired after the painting was completed. Suggested that there may be some legal remedy related to liability. Agreed with Cindy Cromer that the primary consideration is the protection of the many other similar buildings in the neighborhood.

Suzette Eaton stated that she understood and appreciated the points expressed. She also said that the removal of the paint from the Joanne occurred after the Eatons purchased their property. She said that they had made efforts to obtain bids for the paint removal process, which she described it as “astronomical.”

Seeing no other questions from the Commission, and no one else who wished to speak, Chair De Lay closed the public hearing portion of the hearing

EXECUTIVE SESSION

Chair De Lay asked whether paint removal could be limited to those elevations visible from the street because paint removal is “insanely expensive.” She also reminded the applicants that they had the right to appeal any decision made by the Commission. Deputy Director Michaela Oktay said that she would like to comment after hearing the views of the Commission.

Vice-Chair John Ewanowski said that he felt that paint could ultimately damage a building. He said that when compared to a change in windows the issues became aesthetics versus maintenance. Michaela Oktay commented that removal of windows would also be the removal of historic materials, which removed the historical integrity of a building, but the addition of paint could not only damage a building, but also its character. Vice-chair Ewanowski said that he thought that enforcement cases should be treated like applications for new proposed projects that require certificates of appropriateness. Michaela Oktay said that was a proper approach.

MOTION

Vice-Chairperson John Ewanowski stated, “Based on the information and the discussion I move that the Commission DENY this application because the proposal does not comply with the standards necessary for approval.”

The motion was seconded by Commissioner Amanda De Lucia.

Vice-Chair John Ewanowski, Commissioners Amanda De Lucia, Carlton Getz, Michael Vela, and Chair Babs De Lay.

The motion passed unanimously

Major Alteration for an Addition at Approximately 1551 E. Sherman Ave - Barbara Larsen, the property owner, is requesting approval for a Major Alteration within the Westmoreland Local Historic District. The requested Major Alteration is for an addition to an existing house located at the above-stated address. The proposed addition is a second story attic addition located towards the rear of the house. The subject property is located in the R-1-7000 (Single-Family Residential)

zoning District, within Council District 6, represented by Dan Dugan. (Staff Contact: Nannette Larsen at 801-535-7645 or nannette.larsen@slcgov.com) **Case number PLNHLC2021-00786**

Senior Planner Nan Larsen reviewed the petition as outlined in the staff report. She stated that staff recommends approval. The sole recommended condition was that any final design details, including Commission direction, be delegated to staff. She described the house, constructed in 1921, as contributing to the Westmoreland Place Historic District and noted that this district is the first “streetcar subdivision in the state of Utah.” She said that, in 1990, additions to the rear, and second story, were approved. Cedar shake siding and wood soffit were used to match existing materials and that those would be continued in the new addition. Nan Larsen explained that the current proposed attic expansion (an expansion of the rear dormer created in 1990) was before the Commission because it would be partly visible from the street. The addition would be 360 square feet, about 60 feet from the rear property line. All setbacks, as well as the proposed height, are compliant with zoning. The roof of the 1990 dormer would be altered to present a very slightly gabled appearance. Existing dormer windows would be removed so that all windows in the new dormer would match.

Applicant Barbara Larsen addressed the Commission. She stated that she had employed both an architect and engineer in order to make the addition compliant with the rules of the historic district. In response to Chair De Lay’s question she said that she did not own the home when the previous modifications were made in 1990.

PUBLIC COMMENTS

- **Cindy Cromer**—Position not stated. She noted that the historic district had not been established in 1990. She said that the district contains about 70 homes. She described the district as “wonderful” and “cohesive” neighborhood. Chair De Lay commented that it is a “precious” neighborhood that “we’re all very proud of.”

Seeing no one else who wished to speak, Chair De Lay closed the public comment portion of the hearing

EXECUTIVE SESSION

Commissioner Michael Vela defined the application as a “respectful addition to an historic house.” Commissioner John Ewanowski said that since the current [1990] addition could not be seen from the street he found the proposal before them “a very well done addition to an addition.” Commissioner Amanda De Lucia said that she agreed with other comments and said the proposal was “in keeping with the historic district.”

MOTION

Commissioner Amanda De Lucia stated, “Based on the information presented and discussion I move that the Historic Landmarks Commission APPROVE this application with the conditions listed in the staff report.”

Commissioner Michael Vela seconded the motion.

Vice-Chairperson John Ewanowski, Commissioners Amanda De Lucia, Carlton Getz,

**Michael Vela, and Chairperson Babs De Lay voted “aye.”
The motion passed unanimously.**

The meeting adjourned at approximately 7:12 PM.