

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Thursday, December 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 Babs De Lay, Vice-Chair John Ewanowski, Commissioners Michael Vela, Kenton Peters, Amanda De Lucia, Michael Abrahamson, and Carlton Getz.

City Staff members present at the meeting were: Planning Managers Amy Thompson, and Kelsey Lindquist, Senior Planner Lex Traughber, Senior City Attorney Paul Nielson, and Administrative Assistant Aubrey Clark.

APPROVAL OF NOVEMBER 3, 2022 MEETING MINUTES

Commissioner Mike Vela moved to approve the minutes of November 3, 2022. Commissioner Amanda de Lucia seconded the motion. All present commissioners voted “aye”. The motion passed unanimously.

REPORTS OF THE CHAIR AND VICE-CHAIR

Chair Babs De Lay had nothing to report.
Vice Chair John Ewanowski had nothing to report.

REPORT OF THE DIRECTOR

Planning Managers Amy Thompson and Kelsey Lindquist stated that they had nothing to report.

PUBLIC COMMENT

In response to a comment from Commissioner Kenton Peters, Chair De Lay announced that an email very recently received from Cindy Cromer would be deferred to the public comment portion of the first hearing item of the agenda, and would be part of the formal record of the hearing.

PUBLIC HEARINGS

Amendment to Station 424 New Construction Multifamily Residential Development at Approximately 424, 436, 438, & 440 S 700 East & 445 S. Green Street - Kaleb Larsen of Envision Architectural Group, representing the property owners, WDG Seventh East, LLC, and Glendora Properties, LLC, is requesting to amend the approval from the HLC for New Construction of the multi-family residential development (260 Units) located at the above stated addresses. The applicant is proposing to include the property located at 440 S 700 East into the project. The property is zoned TSA-UN-C (Transit Station Area Urban Neighborhood Core). The proposed development will include multiple unit types, consisting of studio, 1-, 2- and 3-bedroom

units, within a single building on the site. The building is proposed to be approximately 80 feet tall at its highest point. The subject property is located within City Council District 4, represented by Ana Valdemoros. (Staff contact: Lex Traugher at 801-535- 6184 or lex.traugher@slcgov.com)

Case number PLNHLC2022-00233

Senior Planner Lex Traugher reminded the Commission that it had approved an application regarding this property in July. Modifications have been made in anticipation of the purchase of the property at 440 S. 700 East [an office complex known as the MacArthur House] which has been recently declassified as an historic building, and is therefore eligible for demolition. He noted that, should the sale fail, the previously approved design could be used. Senior City Attorney added that any motion should include language specifically allowing development using the previously approved design if the sale were to fail.

Lex Traugher said that, as a result of the modifications, the unit count on the multi-family housing project had increased from 249 units to 260 units. He said height and materials were unchanged, but a difference in color shading has been made on the amended drawings. He showed renderings that demonstrated slight change in the overall appearance of the two proposals. He said that the staff recommendation was for approval of the application and two written comments had been received—one was the email received earlier that day, and the other was from Steve Murdoch—the owner of the property at 444 S 700 East adjacent to the expanded project—who intended to speak.

Commissioner Kenton Peters asked about a reference in the staff report to a development in the south east corner of the block involving the “Xerox Building.” Lex Traugher said that would be a separate project, which was mentioned in Mr. Murdoch’s email. Commissioner Ewanowski asked for clarification regarding the administrative change of status for the property now eligible for purchase and demolition. Lex Traugher identified modifications to the property, made in 1990, used to determine the loss of classification as a contributing historic structure.

Kaleb Larsen, of Envision Architectural Group, addressed the Commission on behalf of the project owner. He said that the frontage would “largely stay the same” but that the courtyard centering the U-shaped frontage would be larger and the project would extend farther to the south over the land now occupied by MacArthur House. He said that the design meets guidelines for “breaking up a façade” to accommodate additional length [43 feet beyond the zoning limit]. He noted the simplification of traffic flow that would be enabled by purchase of the additional land, thus solving issues raised during the discussion of the July hearing. In response to a comment by Chair Babs De Lay, Caleb Larsen said that the lack of solar energy was “probably an economic question.”

PUBLIC COMMENT

Cindy Cromer—Opposition. Also opposed the July petition, at which time, three historic buildings were identified on the block—now only the most historically significant of those buildings, the house, retains the “contributing” status. Objected to the proposed demolition of one of those properties [the MacArthur House] envisioned by the current petition noting that the overall project is out of scale with nearby multiple housing structures and will disadvantage the remaining historic structure. Quoted the City Code and stated that instead of using standards to match proposals to “established context” the context itself was being changed. Noted that a precedent is being set for the anticipated replacement of the Xerox building on the southeast corner of the block.

Tom Segura—Support. Owner of MacArthur House. Praised the assistance provided by Planning Manager Kelsey Lindquist in the process of removing the status of contributing structure from his building [so that it could be sold for demolition]. Gave detailed account of the various professionals consulted to complete that process. Noted that he had initially tried to sell the property “a year ago.” Stated that the inclusion of the MacArthur House land in the proposed project would give the remaining historic structure a “buffer zone” of 10-12 feet and ease problems with traffic flow discussed during the previous [July] proposal.

Nick Larsen—Chair De Lay announced that this speaker had yielded the two minutes allotted to Steve Murdoch.

Steve Murdoch—Opposition. Owner of the Hancock Mansion, [444 S 700 E] the remaining contributing historic structure on the project block. Gave the early history of the home and its association with notable people in Salt Lake City history. Acknowledged that creating a ten-foot buffer next to the Hancock Mansion (as described in the current proposal) would be an improvement over the previous proposal. Noted that both the Planning Commission and the Historic Landmarks Commission would hear the developer’s petition.

- Requested that the Commission require “stair-stepped” roofline along the southwest elevation of the proposed building to allow for effective solar panels on the Hancock Mansion. Described the proposed project, and also referred to the future redevelopment of the southeast corner of the block requiring demolition of the adjacent building to the south of his property—Big Daddy’s Pizza [the other building that had previously been identified as a contributing structure]. He said that the Hancock Mansion would be enclosed on three sides by “85-foot buildings.”
- Requested that a structural engineer specializing in historic buildings be required for this project because of concern that demolition of the MacArthur House and new construction would cause sinking to the Hancock Mansion. Noted that the Hancock Mansion is a sandstone structure built in the late 1800s and that the foundations of the proposed 85-foot-high project were anticipated to be at least 24 feet deep. Noted that the Hancock Mansion was a sandstone structure built in the late 1800s and that the foundations of the proposed 85-foot-high project were anticipated to be at least 24 feet deep.
- Requested a setback to allow for parking improvements in front of the building on 700 East. Predicted traffic congestion, safety issues, and inconvenience to the Hancock Mansion.

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

The applicant declined to respond to remarks made during the public comment portion of the hearing.

EXECUTIVE SESSION

Commissioner Kenton Peters asked the applicant for the distance from the south property line to the “south face of your building immediately to the north of the Mansion.” Caleb Larsen responded that the distance was 10 feet and the height was about 70 feet at that point, but scales up deeper into the block. He also said that the foundation depth begins at “eight or nine feet at the front of

the building, which begins at 35 feet in height, but that he understood the concern about the foundation.

Chair Babs De Lay then called Steve Murdoch back to clarify the current status of setbacks. Steve Murdoch said that the current Hancock Mansion set back is not more than five feet from the property line on the elevation in question, but the distance varies, and that the existing buildings [MacArthur House and Modern Display] had been allowed to build on the property line. [Both would be demolished] He also noted that the recent construction of the apartment complex on the same block, west of his property, had caused the Hancock Mansion to shake.

Commissioner Amanda de Lucia expressed support for the “concerns of the owner” [of the Hancock Mansion] and said that there was a need to protect “the history of this block” and said that she was struggling to see a balance between competing interests using existing City Code.

Commissioner Michael Abrahamson said that he had been absent for the approval of the original petition. He agreed with Commissioner de Lucia’s remarks and said that he thought the applicant could accommodate Steve Murdoch’s requests for roofline step-backs and additional setbacks along 700 East to ease traffic problems. He said that Mr. Murdoch’s concerns were “reasonable.”

Chair Babs De Lay asked for clarification regarding standards pertaining to building shade. She referred to a reference made by Mr. Murdoch to a home on 500 East that has also been partially surrounded by a large housing complex and “lost in that mass.” Commissioner Kenton Peters said that shade is not addressed in the ordinance. He said that the building is in compliance with height limits; the Commission is reviewing the project because the proposal is for a length of 243 feet rather than the standard of 200 feet. He said that, while the current proposal sets the new building farther away from the Hancock Mansion than the existing structures, it would also be “three to four times as tall,” as the existing structures, bringing into question “whether it’s in the best interests of the historic context of the neighborhood to allow that extension.”

Commissioner Mike Vela said that there was a need for the Commission to keep within its “boundaries” on “two competing issues.” He said that at the time of the initial project approval there were concerns about the proximity to the Hancock Mansion, but zoning requirements were met and a serious housing shortage was being addressed. He said that he did not see “an historic component” in the Code that could be used in Commission decision making. He added that New York has Code restrictions pertaining to shade, but Salt Lake City does not.

Commissioner Peters suggested a compromise that the additional 43 feet could be conditioned upon a step-back along the elevation adjacent to the Mansion’s north property line. Senior Planner Lex Traughber commented (at Chair De Lay’s request) that the Commission could create such a condition, but he reminded the Commission that it had approved a proposal in July that assumed that the McArthur House would be the adjacent property, which was also classed as an historic structure at that time. He suggested that the two situations were equivocal

Commissioner Peters then asked Caleb Larsen for the distance between the MacArthur House property and the new structure as envisioned in the July proposal. Caleb Larsen said that it would be “in the 20 to 30 feet range.” Caleb Larsen also said that step-backs are suggested in code as a way to moderate differences in height between new construction and historic buildings, but added that the additional length of a building can be moderated by variations in materials and massing “in scale with historic context,” and he showed renderings to demonstrate his statement

that the proposal met that standard. He added that beyond the fact that the building height would be within zoning standards, there would be no shadow from north to south.

Commissioner Amanda de Lucia said, “the established context has been reversed.” She said that the ordinances do not have adequate protections for historic structures and so, “there’s no recourse for a small historic house in this discussion.” Chair De Lay said that the “egress around this house” would cause shaking problems because of the sandstone foundation. She referred again to the example of the home on 500 East and said, “this is what our city’s gonna look like?” Planning Manager Amy Thompson added that, because the Hancock Mansion is the only contributing structure on the block, “the historic context has already been lost.”

FAILED MOTION

Commissioner Mike Vela stated, “Based on the information presented, and discussion, I move that the Commission APPROVE the application with the PROVISIO that if the sale of the Mansion House property does not go through, the previous approval would remain in place.”

Commissioner Kenton Peters seconded the motion.

Vice-Chair John Ewanowski said that he had concerns about approving the additional 43 feet of building length.

Vice Chair John Ewanowski, Commissioners Kenton Peters, Amanda de Lucia, and Michael Abrahamson voted “no.”

Commissioners Mike Vela and Carlton Getz voted “yes.”

Chairperson Babs De Lay did not vote.

The motion failed, three “no” votes, two “yes” votes, and one abstention.

At Commissioner Getz’ request, Senior City Attorney Paul Nielson advised that tabling the petition would require a stated reason.

Vice-Chair John Ewanowski suggested allowing the 243 foot building facade along 700 East but including step-backs for the last 43-foot distance from the Hancock Mansion side with the initial podium step similar in dimensions to the Hancock Mansion. Commissioner Amanda de Lucia said it was a “reasonable compromise.”

Upon the advice of Senior City Attorney Paul Nielson, Chair De Lay invited Caleb Larsen to comment. Caleb Larsen suggested that such a motion would “grant a Certificate of Appropriateness for something that hasn’t been designed.” He went on to explain that the current design has three wings forming a U shape, each 74 to 80 feet in width, and that, while taking half of one wing might have “some design solution,” the suggested motion might prompt the owner to revert to the previously approved application and abandon the current proposal. He said that while the current proposal did not create “a ton” of new units, it did allow for more spacious court yards.

Commissioner Vela asked for confirmation that the “extra 40 feet” [from the MacArthur House parcel] allowed for two more units per floor making a total of eight units difference between this proposal and the July proposal. Caleb Larsen said that was correct adding that the increase was in the center wing. He said that Vice-Chair Ewanowski’s idea would negate the increase in units.

Planning Manager Amy Thompson said that the applicant would need to withdraw the application prior to a vote on any motion in order to retain the right to use the approval obtained in July for the earlier version of the project.

The Commission discussed tabling the petition in order to allow the applicant time to decide which course to take. Planning Manager Kelsey Lindquist said that a tabling motion should include clear direction to the applicant regarding options and include a clearly worded version of Vice-Chair Ewanowski's proposed motion.

Commissioner Mike Vela said "it's just a fact" that the block has lost its historical features over time. He said that the July proposal met "all the check boxes" despite what personal feelings Commissioners may have had. He said that the current proposal is asking for approval of a width greater than 200 feet, which he saw as a zoning issue, rather than the prerogative of the Historic Landmarks Commission. He said that whichever version is built will "greatly diminish the stateliness of the existing Mansion." He also noted that, in his opinion, the current design appeared to have an improved court yard appearance.

Vice-Chair John Ewanowski quoted City Code to show that HLC purview does pertain to mitigating building length. Commissioner Kenton Peters said "we end up with a better building" with the current proposal. Commissioner Amanda de Lucia said that she agreed with the notion that the building itself was improved with the current proposal, however, she said that it was within the purview of the HLC to endeavor to protect the interest of the owners of historic properties by asking that everything possible be done to avoid damage to the historic structure during construction. Commissioner Vela identified measures that he thought most contractors take to safeguard historic structures. Commissioner de Lucia said that she had observed reverse circumstances.

MOTION

Commissioner Kenton Peters stated, "Based on the information presented, and discussion, I move that the Commission APPROVE this application with the ADDITIONAL CAVEAT that all reasonable measures be taken to protect the integrity of the adjacent historic structure. If the sale of the adjacent MacArthur property to the south does not proceed, then the previous approval would remain in place."

Commissioner Carlton Getz seconded the motion.

Commissioners Mike Vela, Kenton Peters, Carlton Getz, Amanda de Lucia, and Michael Abrahamson voted "yes."

Vice-Chair John Ewanowski voted "no."

Chairperson Babs De Lay abstained.

The motion passed, five "yes" votes, one "no" vote, and one abstention.

Joseph Smith Memorial Building Minor Alteration at approximately 15 E South Temple - Mandy Martineau of FFKR Architects, representing the property owner, The Church of Jesus Christ of Latter-day Saints, is requesting approval from the City to modify two street-level openings and construct a new portico on the structure's south elevation at the above-stated

address. The land is currently used for Commercial Use and the property is zoned D-1 (Central Business District). The subject property is located within Council District 3, represented by Chris Wharton. (Staff contact: Aiden Lillie at 801-535-7263 or Aiden.Lillie@slcgov.com) **Case number PLNHLC2022-00877**

Planning Manager Amy Thompson addressed the Commission on behalf of Senior Planner Aiden Lillie. She gave a brief history of the building and identified its current uses—including two restaurants. She said the modifications included converting two windows to doors—one on South Temple, and one on the west elevation aligning with Main Street—both would accommodate street-level access to one restaurant. The conversions would reverse the loss of the Main Street entrance from renovations made in the 1990s. She said that the design of the new entrances would be very similar to appearance of entrances in 1911. Other changes would be the removal of currently-unused cooling towers to be replaced with a gabled roof section “over the void” matching the existing roof. She said the proposal meets all guidelines and the staff recommendation was for approval of the request.

Commissioner Carlton Getz asked why the application could not have been approved administratively. Amy Thompson said that the staff consensus was that the significance of the landmark building, and the fact that alterations to the street-facing façade were proposed, merited Commission review. Chair Babs De Lay asked whether the project would compare with changes to the Elks’ Building. Amy Thompson replied that the modifications to the Elks’ building were more extensive.

Emily Utt, Historic Curator for the Church of Jesus Christ of Latter-Day Saints, and Mandy Martineau, of FFKR Architects, addressed the Commission. Emily Utt described the building as “designed to be a landmark structure” when originally constructed in 1911. She described extensive renovations made in 1993, and the efforts made in this project to recreate the 1911 character of the building including brass doors and other materials and design features. She said that the addition of entrances would improve public access to a restaurant, which is now only accessible from the lobby area. This would allow for new seating in the Main Street Plaza area and also allow the restaurant to operate when the rest of the building is closed. She said that the removal of the obsolete cooling towers would include an additional copper roofing to match the existing roof. The appearance of the roof would therefore be improved and the new cooling system was expected to be more efficient. She noted that the roof is visible from nearby buildings and the roof of the restaurant within the building. She also noted that a fire stand pipe will be relocated to accommodate a gate.

Seeing no further comments from the Commission, Chair Babs De Lay opened the public hearing portion of the hearing.

PUBLIC HEARING

Seeing no one from the public who wished to speak, she closed the public hearing portion of the hearing.

EXECUTIVE SESSION

Commissioner Amanda de Lucia stated that when she had enjoyed her last sorority formal at the then Hotel Utah, she had not recognized the history of the building, but she was now able to appreciate the importance of the careful restoration work. Chair Babs De Lay commented that the

Church of Jesus Christ of Latter-Day Saints “does a great job of protecting their properties” and referred to her involvement, as a commissioner, with the work done to preserve the ZCMI façade and the Joseph Smith Burial Site.

MOTION

Commissioner Mike Vela stated, “Based on the information presented, and the discussion, I move that the Historic Landmarks Commission APPROVE this application.”

Vice-Chair John Ewanowski seconded the motion.

Vice-Chair John Ewanowski, Commissioners Mike Vela, Kenton Peters, Carlton Getz, Amanda de Lucia, Michael Abrahamson, and Chair Babs De Lay all voted “yes.”

The motion passed unanimously.

The meeting was adjourned at approximately 6:50 PM.