

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, September 24, 2014

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:32:14 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Clark Ruttinger, Vice Chair Matt Lyon, Commissioners, Emily Drown, Michael Fife, Michael Gallegos and Marie Taylor. Commissioners Angela Dean,Carolynn Hoskins, James Guilkey and Matthew Wirthlin were excused

Planning Staff members present at the meeting were: Cheri Coffey, Acting Planning Director; Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Lex Traugher, Senior Planner; Maryann Pickering, Principal Planner; Michelle Moeller, Senior Secretary and Paul Nielson, Senior City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Michael Fife, Matt Lyon, Clark Ruttinger and Marie Taylor. Staff members in attendance were Michaela Oktay, Lex Traugher, Carl Leith and Maryann Pickering.

The following location was visited:

- **Proposed Historic Districts-** Staff gave an overview of the proposals.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 10, 2014, MEETING [5:32:22 PM](#)
MOTION [5:32:23 PM](#)

Commissioner Fife moved to approve the September 10, 2014. Commissioner Lyon seconded the motion. The motion passed unanimously. Commissioner Drown and Gallegos abstained as they were not present at the subject meeting.

REPORT OF THE CHAIR AND VICE CHAIR [5:33:19 PM](#)

Chairperson Ruttinger stated several of the Commissioners went to the Utah League of City and Towns meeting and encouraged the Commissioners to attend next year.

Vice Chairperson Lyon stated he had nothing to report.

REPORT OF THE DIRECTOR [5:33:48 PM](#)

Ms. Cheri Coffey, Acting Planning Director, stated she had nothing to report.

[5:34:01 PM](#)

Ms. Michaela Oktay reviewed the Local Historic District applications on the agenda. She reviewed what was being considered and the process of approval. Ms. Oktay stated Staff

was recommending the Historic Landmark Commission forward a favorable recommendation to the City Council regarding the petitions

[5:38:06 PM](#)

Yalecrest - Upper Yale Local Historic District - A request by Sonja Chesley (property owner) to create a new local historic district for the Upper Yale Addition through the zoning map amendment process. The twenty eight (28) properties are located on the north and south sides of Yale Avenue (approximately 1080 South) between 1700 and 1800 East. All of the properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com). Case number PLNHLC2014-00013

Ms. Maryann Pickering, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commissioners and Staff discussed the following:

- The Contributing and non-contributing status for homes in the area.
 - Staff stated the survey would be corrected to reflect the new information.
- How surveys are conducted.
- The time period for the subject survey.
- How changes are made to surveys.
- The standards of review in determining status of structures.
- The process for initiating a Local Historic District and the required signature percentage.
- The ballot process for the petition.
- The motions for the petitions.
- The criteria for approval and the next steps for the petitions.
- The City Council's role in the approval
- If the public speakers were required to be a property owner on the subject street.
 - No, the public hearing is open to everyone.

Ms. Sonja Chesley, applicant, stated she agreed with the Staff Report and that most of the hesitancy from the property owners was due to miss understandings on what could and could not be changed on a home in a Historic District.

The Commission and Applicant discussed the following:

- The number of signatures required to initiate a petition and if it was high enough.
 - The Applicant stated there was some hesitation because of the uncertainty of what was allowed to be changed on a home.
- An historic district offers protection against unnecessary demolitions.

PUBLIC HEARING [5:48:31 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Ms. Lynn Pershing, Yalecrest Community Council, reviewed the open house for the proposal and stated the Community Council supported the petition.

The following individuals spoke in opposition of the petition: Mr. Dixon Hindley, Mr. Scott Kaufmann, Mr. Stan Hansen and Ms. Susan Porter.

The following comments were made:

- Opposed to the districts as the issue of property rights had not been balanced against historic values.
- Signatures can only be verified if the record owners are verified and a majority of the property owners for each parcel have signed the petition.
- Open house was not at a convenient time.
- The information given to property owners was not adequate.
- Community engagement was not effective or adequate.
- Public was not aware of what was more important about this area versus the surrounding areas.
- There was a lot of misunderstanding on what would be allowed in the area.
- A full understanding of the impacts needed to be addressed.
- There was a differential in value between neighboring streets if the street becomes an historic district.
- An historic district would devalue the properties.
- This will significantly limit what can be done to a home.
- People need to be better informed of what a historic district really is and does.
- Website was difficult to use.
- When someone wants to modify their home it is a costly and involved process.
- Current zoning protects the area and more restrictions are not necessary.

Chairperson Ruttinger read the comments from Mr. Jeff Miller supporting the designations (letter located in the case file).

Chairperson Ruttinger closed the public hearing.

The Commission and Staff discussed the following

- The noticing process for the petitions.
- The meetings that were held for the petition and the attendance at those meetings.
- The information on the website regarding the petitions and what it meant to be in an historic district.
 - <http://www.slcgov.com/historicpreservation>
- The Public outreach done for the petition.
- The percentage of signatures needed to initiate a petition.
 - Percentage was set by the City Council.

- The ballot would be used to measure the amount of support for the petition and the results would go to the City Council who can weigh the issues about property rights and historic preservation.
- The information sent to the property owners with the ballot.
- The voting period for the petition.
 - Property owners are given thirty days to return the ballot.
- The signature regulations for the petition.
- The standards for a local historic district and if the petition met those standards.
- How the Commission's recommendation affected the ballot process.
- The Commission does not final decision making authority, but made a recommendation.
- The concentration of contributing structures in the area and if it was greater than other areas in the city.
- The standards for designating a structure as contributing.
- The City Council would see and take into consideration the comments and concerns of the Planning Commission.

MOTION [6:25:48 PM](#)

Commissioner Gallegos stated regarding petition PLNHLC2014-00013, based on the information in the Staff Report, testimony, and plans presented, he moved that the Planning Commission transmit a favorable recommendation to the City Council to amend the Zoning Map by adding the H Historic Preservation Overlay district to the Upper Yale subdivision located on Yale Avenue between 1700 East and 1800 East for the purpose of designating the Yalecrest - Upper Yale local historic district. Commissioner Fife seconded the motion.

Commissioner Fife stated meetings had been held and discussions had but the end result depended on the results from the ballots and the City Council's decision.

Commissioners Drown, Fife, Gallegos, Lyon and Ruttinger voted "aye". Commissioners Taylor voted "nay". The motion passed 5-1.

[6:28:10 PM](#)

[Yalecrest - Princeton Park \(Princeton Avenue between 1700 & 1800 E\) Local Historic District](#) - A request by Jon Dewey (property owner) to create a new local historic district for Princeton Avenue through the zoning map amendment process. The twenty seven (27) properties are located (approximately 1155 South) between 1700 & 1800 East. All properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Carl Leith at (801) 535-7758 or carl.leith@slcgov.com.) Case number PLNHLC2013-00861

Mr. Carl Leith, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

Mr. Jon Dewey, Applicant, reviewed the history of the area. He stated there was support for the petition and he did a project to his house, during the 6 month timeframe when the changes had to go through the historic district process and was able to increase the livable area in his home. He said it was not a difficult process and his home won an award. Mr. Dewey stated the signatures were just the start of the process and the ballot would help determine the overall support for the district.

PUBLIC HEARING [6:37:30 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Ms. Lynn Pershing, Yalecrest Community Council, stated the area is a National Historic District and had many contributing structures. She stated the signatures were only to start a petition. She encouraged the Commission to follow the guidelines and save the area to prevent demolitions. Ms Pershing stated the process was followed and people have been noticed and asked the Commission to move the petition forward.

The following individuals spoke in favor of the petition: Ms. Kelly Marinan and Ms. Kelly White.

The following comments were made:

- Harvard Park was given a unanimous positive recommendation from both the Planning Commission and the Historic Landmark Commission and this area is no different and therefore, the Planning Commission should recommend approval of it as well.
- The proposals are all the same and the area is really one large neighborhood.
- Staff has allowed for plenty of opportunities for the public to provide input.
- People needed to get involved earlier not now and asked why they were trying to derail the petition it at the end of the process.
- The notices have been sent to people and the information has been available but people are just not participating.
- The standards were met and the process should be followed.

The following individuals spoke in opposition of the petition: Ms. Susan Porter, Mr. Dixon Hindley and Mr. Stan Hansen.

The following comments were made:

- Signatures should have been addressed prior to being heard by the Commission.
- People want to protect the area but have the flexibility to do what they want with their property.
- The standards require all signatures be gathered within 180 days of each other therefore; by allowing new signatures the petition did not follow the process.
- How can this be in the public's best interest if the correct number of signatures were not obtained.

- Property rights need to be identified, given an economic value and balanced against historical values.
- Community should be given the time to ask questions and those questions should be addressed.
- Process was not being followed correctly.
- Should reflect what the community wants.
- The Process was difficult and hard to understand.
- Hard to expect property owners to vote on this when they do not understand the proposal.
- Information on what a historic district was needed to be made available.

Chairperson Ruttinger Closed the Public Hearing.

[6:51:47 PM](#)

Mr. Jon Dewey, applicant, stated he understood the concerns/questions and need for answers. He stated a blanket statement could not be made on what was allowed and what was not allowed, as projects were reviewed on a case by case basis when they are in a local historic district. Mr. Dewey stated it was better to have the individual structures protected than to lose the neighborhood as a whole.

The Commission and Staff discussed the following:

- If the petition was properly initiated and if the signatures were property obtained.
 - Yes the petition was properly initiated and the signatures were property obtained.
- The appeal process for the petition.
- How the process could be clarified and made easier to understand.
- The issues of property values and property rights.
 - Mr. Neilson reviewed case law for property values and that it would be hard to prove.
- The notification for the proposals.
 - Notice was sent to the owner of record.

MOTION [7:00:55 PM](#)

Commissioner Fife stated regarding petition PLNHLC2013-00861, based on the information in the Staff Report, testimony, and plans presented, he moved that the Planning Commission transmit a favorable recommendation to the City Council to amend the Zoning Map by adding the H Historic Preservation Overlay district to the Princeton Park subdivision located on Princeton Avenue between 1700 East and 1800 East for the purpose of designating the Yalecrest – Princeton Park local historic district. Commissioner Drown seconded the motion. Commissioners Drown, Fife, Gallegos, Lyon and Ruttinger voted “aye”. Commissioners Taylor voted “nay”. The motion passed 5-1.

[7:02:02 PM](#)

[Yalecrest - Normandie Circle Local Historic District](#) - A request by Patricia Callahan (property owner) to create a new local historic district for Normandie Circle through the zoning map amendment process. The ten (10) properties are located on Normandie Circle (approximately 1335 E 1155 South). All properties are zoned R-1/7,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com.) Case number PLNHLC2014-00247

Mr. Lex Traughber, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If additional signature were needed for this petition.
 - No additional signatures were required.

Ms. Patricia Callahan, applicant, stated the guidelines were followed as they were given and there was never the intent to not follow the process. She stated the education was a two way street and it was everyone's responsibility to learn what will affect them. Ms. Callahan stated the neighborhood came together to create the district and protect their neighborhood. She explained why they wanted to protect the area, how they have addressed the issues and their desire to prevent demolition in these areas. Ms. Callahan stated the designation process was long while those who want to demolish the structures can take out a demolition permit quickly.

PUBLIC HEARING [7:07:48 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Ms. Lynn Perching, Yalecrest Community Council, stated the process had been followed and the Community Council supported the petition.

The following individuals spoke in favor of the petition: Ms. Katharine Biele, Ms. Kelly Marinan.

The following comments were made:

- Has renovated their home and tried to keep it in character with the area.
- It is important to protect these areas.
- The threshold for initiation was low, in order to start the petition and begin the education process.
- The percentage of project approvals for properties in historic districts was high.
- The ballot period is thirty days and during that time people can ask more questions.

Mr. Dixon Hindley asked who the appeal would go to. Mr. Neilson stated an appeal would be made to the Third District Court after the City Council makes a final decision.

Chairperson Ruttinger closed the Public Hearing.

MOTION [7:12:18 PM](#)

Commissioner Drown stated regarding petition PLNHLC2014-00247 , based on the information in the Staff Report, testimony, and plans presented, she moved that the Planning Commission transmit a favorable recommendation to the City Council to amend the Zoning Map by adding the H Historic Preservation Overlay district to the proposed Yalecrest - Normandie Circle local historic district, consisting of ten (10) properties, and located at approximately 1335 East 1155 South in the Yalecrest neighborhood. Commissioner Taylor seconded the motion. The motion passed unanimously.

[7:13:40 PM](#)

[Yalecrest - Upper Yale 2nd Addition \(Herbert Avenue between 1700 and 1800 E\) Local Historic District](#) - A request by Tracey Harty (property owner) to create a new local historic district for Herbert Avenue through the zoning map amendment process. The thirty (30) properties are located (approximately 1055 South) between 1700 and 1800 East. All properties are zoned R-1/5,000 (Single-family Residential District) and are located in Council District 6 represented by Charlie Luke. (Staff Contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com.) Case number PLNHLC2013-00862

Mr. Lex Traughber, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The number of affidavits that needed to be collected after the petition was initiated.
 - Roughly four signatures were needed.

Ms. Tracey Harty, applicant, reviewed the area and the history of the petition. She reviewed the public outreach for the petition and that she had talked to all of the residents of the neighborhood. She stated she was excited to move forward with the process and hoped that more applications would be approved to protect the Yalecrest area.

PUBLIC HEARING [7:20:23 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Ms. Lynn Pershing, Yalecrest Community Council, stated the Community Council supported the proposal and asked the Commission for a positive recommendation.

The following individuals spoke in favor of the petition: Ms. Lordes Cook

The following comments were made:

- The homes are invaluable and should be preserved.
- The neighborhood is unique and should not be lost.

Chairperson Ruttinger closed the public hearing.

MOTION [7:23:35 PM](#)

Commissioner Gallegos stated regarding petition PLNHLC2013-00862, based on the information in the Staff Report, testimony, and plans presented, he moved that the Planning Commission transmit a favorable recommendation to the City Council to amend the Zoning Map by adding the H Historic Preservation Overlay district to the proposed Yalecrest-Upper Yale 2nd Addition Subdivision local historic district, consisting of thirty (30) properties, and located at approximately 1055 South between 1700 and 1800 East in the Yalecrest neighborhood. Commissioner Drown seconded the motion. Commissioners Drown, Fife, Gallegos, Lyon and Ruttinger voted “aye”. Commissioners Taylor voted “nay”. The motion passed 5-1.

[7:25:05 PM](#)

[City Creek/Memory Grove Local Historic District](#) - A request by Mayor Ralph Becker to create a new local historic district for City Creek Park including Memory Grove through the zoning map amendment process. The subject property is generally located along Bonneville Blvd and Canyon Rd in City Creek Canyon. The property is zoned OS (Open Space) and is located in Council District 3 represented by Stan Penfold. (Staff Contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com.) Case number PLNHLC2010-00224

Mr. Lex Traughber, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If residential areas were included in the proposed district .
 - Residential zoning was not included in the area.
- Four out of five properties are owned by the city.
- The Mayor will be the voter for the city.
- The three different ways a petition could be initiated.

PUBLIC HEARING [7:29:25 PM](#)

Chairperson Ruttinger opened the Public Hearing; seeing no one in the audience that wished to speak to the petition, Chairperson Ruttinger closed the Public Hearing.

MOTION [7:29:42 PM](#)

Commissioner Gallegos stated regarding petition PLNHLC2010-00224, based on the information in the Staff Report, testimony, and plans presented, he moved that the Planning Commission transmit a favorable recommendation to the City Council to amend the Zoning Map by adding the H Historic Preservation Overlay district to the proposed City Creek Canyon/Memory Grove local historic district area. Commissioner Taylor seconded the motion. The motion passed unanimously.

The meeting adjourned at [7:31:05 PM](#)