



**Minutes of the
Millcreek Historic Preservation Commission
August 11, 2022
6:00 p.m.
Regular Meeting**

The Historic Preservation Commission of Millcreek, Utah, met in a regular meeting on August 11, 2022, at City Hall, located at 3330 S. 1300 E., Millcreek, UT 84106. The meeting was live streamed via the City's website with an option for online public comment.

PRESENT:

Commissioners

Peter Brinton
Kaye Donahoe
Molly Enos
Tiffany Hunter Greene
Emily Johnson (excused)
Ryan Lufkin
Andrea Maxfield (arrived at 6:37pm)

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
Kurt Hansen, Facilities Director
Sean Murray, Planning Admin. Assistant
Carlos Estudillo, Planner

Attendees: Kevin Flynn, Damian Mora

REGULAR MEETING – 6:00 p.m.

TIME COMMENCED – 6:03 p.m.

Chair Molly Enos called the meeting to order.

1. Presentation Regarding the Historic Baldwin Radio Factory; Kevin Flynn

Kevin Flynn, owner of the historic Baldwin Radio Factory at 3474 S. 2300 E., said he bought the building in 1996. At that time, the building was being used by a hair institute and an engineering firm. He wanted to preserve the history of the building, and converted it into an art space with studios, a yoga/massage studio, a woodwork/sculpture store, a repurposed furnishings store, and a café. The building was constructed 100 years ago, so the Millcreek Arts Council and Venture Out had organized a day-long event on August 27, 2022, to commemorate it. He asked the Commission about getting a historic plaque for the building and getting the city involved in its preservation.

Commissioner Lufkin said the Commission was still figuring out their duties, but one component was identifying historically significant sites in Millcreek. The factory was included in the historic Evergreen neighborhood, but the Commission would like to specifically designate the building. He asked about the wall between the library and his property. Flynn said he has explored removing it, but the inquiry did not move forward. He was interested in creating a pathway between the properties and even had plans drawn up. Francis Lilly requested those plans. Commissioner Greene asked about the research Flynn had done on the building. Flynn said he

had excerpts from Baldwin's journal. He noted that he wrote the article in the Millcreek printed newsletter that came out summer 2022. He wished to know more history from the property records. Commissioner Greene asked if the building was on the National Historic Register. Lilly noted it was not, but its neighborhood was. He suggested resources for Flynn.

2. Discussion and Consideration of CU-21-012/SD-21-005 Marker for the Old Meeting House at 4120 S. Highland Drive

Francis Lilly said on November 17, 2021, the Millcreek Planning Commission granted a conditional use approval and preliminary plat approval for a planned unit development consisting of 24 owner-occupied townhomes at the site of the former Old Meeting House at 4120 South Highland Drive. One of the roles of the Historic Preservation Commission is to gather data and Lilly provided a lot in the staff report. The building was unreinforced masonry sitting on a fault line. The building was not listed on any historic lists/registries. A condition in the approved conditional use permit was that a historic marker be reviewed by the Historic Preservation Commission. The Commission can act "in an advisory role to other officials and departments of the City regarding the protection of local cultural resources and shall act as a liaison on behalf of the City to individuals and organizations within the City concerned with historic preservation" (Code 19.86.040). He said there were people concerned about historic preservation in the Planning Commission meeting before the project was approved. Lilly presented a proposed plaque for the property. He offered minor modifications to the proposed text that the term "LDS" needed to be changed to "The Church of Jesus Christ of Latter-Day Saints" and add an attribution to the local historian who wrote the report on the building from which the text was derived. Garbett Homes saved the capstone and brick from the old Winder Ward to use in the monument. Lilly showed a rendering of the proposed monument that the plaque would be placed on.

Commissioner Brinton asked what form of recommendation he was seeking from the Commission. Lilly said direction. Commissioner Lufkin asked about using the city logo to create a connection.

Damian Mora, Garbett Homes, noted the building was gone, but they preserved an old tree on the property above the concrete pad that will house the monument, and they preserved the capstone and brick from the building for the monument. The plaque title duplicates the Old Meeting House text style from the building. Chair Enos asked about the location of the monument. Mora said the proposed location was the best for Garbett Homes with grading and street clear view for drivers. Chair Enos commented on the title of the plaque not having the necessary spacing. Mora would make the adjustment. Lilly said there could be a title style for the city to use. The building served as a chapel and a reception center. He wondered if both use titles should be included in the title of the plaque. Chair Enos felt there was leeway with the plaque design since the building was not historically registered. She wanted to establish criteria for plaques. Commissioner Lufkin appreciated the rendering of the building on the plaque. Commissioner Lufkin pointed out that some of the church terminology should not be used for common readability. Commissioner Greene asked if the capstone was recognized in the plaque text. Chair Enos said the brick should be "salvaged" not "repurposed" as used in the proposed text. Lilly noted there was time to finalize the plaque. Mora said some of the text came from the State Historic Preservation Office. Commissioner Brinton suggested finalizing the design at the next meeting. Lilly would put together a standard plaque template in the meantime. Mora said the plaque would be etched in metal, bronze, or aluminum.

Commissioner Greene asked if the city should approve the plaque since it was what Garbett Homes was doing. Lilly said the Commission should advise the developer. The Planning Commission required the Historic Preservation Commission's approval. Staff and the applicant drafted the proposed plaque, but it was up to the Commission. Commissioner Greene appreciated the salvaged brick on the monument and recommended Garbett Homes put their name on it, so people knew who built the monument. Commissioner Maxfield asked if this plaque was setting a precedence. Lilly said for a building listed in the historic sites and city's list, there was a process in code for a plaque. This building was not on the list.

Chair Enos asked about the color of concrete and mortar on the monument. Mora said a decision had not been made. He anticipated gray concrete. Lilly noted the old building had dark blue/gray, burgundy, white, and cream and those colors could be used. Chair Enos felt there was a better way to handle the concrete on top and noted the acknowledgements could be on the back of the monument. She recommended cream colored concrete, similar to the capstone. She wanted a standard for monuments. Lilly noted the Archibald House on Murphy's Lane had a similar shape. Mora said there would be landscaping behind the monument. The Commission discussed the best position of the monument on Highland Drive. Lilly noted that Cedar City had a uniform template for historic markers.

3. Strategic Planning Discussion

Francis Lilly introduced Sean Murray to the Commission. Sean Murray reviewed the sites the Commission acknowledged the prior month and sites he added to the list of resources to consider and reviewed them with the new pictures he took. The list included: 2747 Craig Drive built in 1968, 3182 E. Millcreek Canyon Road built in 1965, 2960 S. Cascade Way built in 1962, 1810 Orchard Drive built in 1955, 2375 E. 3300 S. built in 1953, 2965 E. Evergreen Avenue built in 1955, 1655 E. 3300 S. built in 1938, 2625 E. 3300 S. built in 1936, 1515 E. Millcreek Way built in 1936, 1555 Millcreek Way built in 1936, 3932 S. 300 E. built in 1931, 3953 S. 300 E. built in 1930, 3325 S. Oakwood Street built in 1930, 1525 Millcreek Way built in 1927, 3600 S. 2700 E. built in 1927, 3474 S. 2300 E. built in 1919, 2564 E. Evergreen Avenue built in 1912, 3460 S. 900 E. built in 1911, 2159 E. Keller Lane built in 1911, 3426 S. Oakwood Street built in 1900, 4122 S. Old Farm Way built in 1900, 3622 S. 1100 E. built in 1899, 3600 S. 2000 E. built in 1896, 2208 E. Keller Lane built in 1884, 777 E. Scott Avenue built in 1894, 228 E. Gordon Lane built in 1958, Rancho Villa platted in 1960, Maywood Hills platted in 1955, Loran Heights Subdivision platted in 1951, Veteran Heights platted in 1946, and Mountair Acres platted in 1939. He also showed a picture of a historical marker commemorating the first building in the valley outside of Salt Lake City built in 1853 that had an ox head at the top. The head represented the cattle drive that went through the area.

Commissioner Maxfield asked if additions and modifications to the homes affected their status on the historical list. Lilly said it might. Chair Enos asked about homes that were proposed to be demolished or have an addition included. Lilly said if it's a listed site, the Commission had the chance to review the resource before a demolition. Lilly said the Commission needed to evaluate the historic resources at least once a year. The list needed more research, but in the next couple of months the Commission should identify sites for the list and reach out to property owners. Commissioner Brinton asked about surveying. Lilly said a reconnaissance survey would help to provide more information on the listed resources. Commissioner Donahoe said there were three homeowner associations in Lexington Village in Old Farm. Lilly suggested that any state

identified historically significant resources should be on Millcreek's list. Commissioner Brinton asked when the Commission should have a list. Lilly suggested in two months. Commissioner Lufkin brought up his experiences with residents on historic residences. Commissioner Maxfield asked if there were criteria to be on the list other than being old. Lilly said there was criteria in the code, but staff added resources they felt were relevant. Chair Enos said the criteria was being in Millcreek boundaries, being at least 50 years old, and not having any major additions or alterations. She wanted to set a deadline for compiling the list and then comb through the list while developing criteria. There should be a three-month cut off for reviewing.

Commissioner Lufkin asked about publication of the list. Lilly said it would be published on the city's website. Chair Enos said the list should be drafted by October, the Commission would then review it for three months, the list would be published in January or February, then open enrollment for new resources would open three months before the following October. The list should have a yearly cycle. Commissioner Donahoe asked if irrigation would be assessed too. Lilly said yes, the ditch on 2000 E. had already been assessed as part of a capital improvement project. He would be filing paperwork with the State Historic Preservation Office. There would be a formal historic assessment as part of the consultant's work on the project. Commissioner Lufkin brought up greenways. Elyse Sullivan suggested putting a call out to the public for historic resources.

Lilly reviewed the Commission's answers to the questions asked at their meeting two months prior; "what is our vision?" and "what should we do?" The Commission wanted to help the community celebrate its history, use life experience to advocate for history, enforce protections, balance property rights and protect historical resources, recognize historic preservation as an economic development opportunity, and preserve, protect, and share historical resources for a cohesive community. They wanted to archive what was currently happening, uncover history in Districts 1 and 2 (council districts), educate on the importance of history through events and engagement, find new outlets to communicate history, add a historical interest story in each city newsletter, start an oral history campaign, find a repository partner for historical records, collaborate with partners, participate in the 4th of July parade, organize walking tours for several neighborhoods, and have a callout to the community on specific topics.

Commissioner Donahoe said her husband was on the Friends of the Library Board for the Marriott Library. Commissioner Brinton suggested listing partners on the spreadsheet the Commission started. Commissioner Maxfield said it was hard partnering with universities because records turned over to them became their property. She brought up utilizing the State Archives as a repository. Lilly mentioned that the city could add a history component to the Millcreek Records Management Plan. Sullivan briefly described the Records Management Plan. Chair Enos recommended creating a calendar year timeline for the Commission to follow for meetings and events. Commissioner Maxfield recommended prioritizing and distributing the strategies identified by the Commission. Lilly recommended putting the items in a spreadsheet and ranking the top three priorities to focus on.

4. Standards of Review for Conditional Uses

Francis Lilly said in the State's doctrine for conditional uses, they were allowed unless there was a detrimental effect that could not be mitigated. The Planning Commission identifies and evaluates what detrimental effects the use has and recommends mitigations. The mitigation must be reasonable. The Historic Preservation Ordinance requires conditional use permits for anything

that happens on a historic site which includes, “modifications to the landscaping, fencing or appearance of any lot, or demolition, construction, alteration, relocation, improvement or conversion of a historic site.” Conditional use permits are subject to community council review, Historic Preservation Commission review, and Planning Commission approval. Property owners within 300 feet of the subject property are noticed about conditional use applications. Additional uses can be approved via a conditional use, even if they are not allowed in a base zone. An example of this is the Edward Pugh Home that was converted to an office even though it is in a residential zone. The ordinance includes standards for review for historic sites subject to review by the Commission. There is no standard for review for demolitions, although demolitions do require a conditional use. He invited commissioners to participate in stakeholder meetings for the comprehensive zoning code update. He described how the city of San Antonio had a process to deconstruct a building through a professional architectural salvage then repurpose pieces which provided sustainability benefits. Commissioner Greene noted that parts of the Old Meeting House could have been saved if the city had something similar in place at that time. Commissioner Lufkin asked if companies offered this service. Commissioner Maxfield said there were several.

Lilly presented thirteen items that the Planning Commission reviews for detrimental effects from code. Code 19.84.060 –

Mitigation is required of reasonably anticipated detrimental effects arising from the conditional use, including:

1. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
2. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City’s engineering staff, contracted engineers, and utility service providers.
3. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
4. Detrimental effects by the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable, within a neighborhood including such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.
5. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
6. Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.

- 7. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
- 8. Detrimental effects on the tax base and property values.
- 9. Detrimental effects on the current level of economy in governmental expenditures.
- 10. Detrimental effects on emergency fire service and emergency vehicle access.
- 11. Detrimental effects on usable/functional/accessible open space.
- 12. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
- 13. Detrimental effects on appearance from graffiti. Applicants shall apply an anti-graffiti material or coating, approved by the City, to building, fence, and other surfaces from ground level to a height of nine feet. The Planning Commission may approve dense planting or appropriate design measures in place of anti-graffiti materials. This requirement may be imposed retroactively where graffiti issues are present.

Lilly said there must be a rational basis that has a relationship to the impact identified by the Commission. Commissioner Maxfield asked if the Commission needed to develop conditional use standards. Lilly said they needed to create impacts for demolitions and historic preservation, and it would be done as part of the comprehensive code update. The stakeholder meetings for the code update occurred regularly and the next one would be on September 1.

5. Approval of the July 14, 2022 Meeting Minutes

Commissioner Donahoe moved to accept the minutes from July 14, 2022. Commissioner Lufkin seconded. Chair Enos called for the vote. Commissioner Donahoe voted yes, Commissioner Lufkin voted yes, Commissioner Brinton voted yes, Commissioner Maxfield voted yes, Commissioner Greene voted yes, and Commissioner Enos voted yes. The motion passed unanimously.

ADJOURNED: Chair Enos moved to adjourn the meeting at 8:14 p.m. Commissioner Brinton seconded. Chair Enos called for the vote. Commissioner Donahoe voted yes, Commissioner Lufkin voted yes, Commissioner Brinton voted yes, Commissioner Maxfield voted yes, Commissioner Greene voted yes, and Commissioner Enos voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Molly Enos, Chair

Attest: _____
Elyse Sullivan, City Recorder