

PROVO CITY CORPORATION DEVELOPMENT SERVICES DEPARTMENT Landmarks Commission Agenda September 17, 2025

NOTICE OF PUBLIC HEARING BEFORE THE LANDMARKS COMMISSION

The Provo City Landmarks Commission will hold a public hearing Wednesday, September 17, 2025, at 12:30 p.m. in the Council Chambers located at 445 W Center Street. The items listed below will be discussed, and anyone interested is invited to participate and provide comment. Hearings can be viewed live and on-demand at: YouTube youtube.com/user/ProvoChannel17 and on Facebook facebook.com/provochannel17.

The item is an administrative action requiring the approval of only the Landmarks Commission. Decisions on items involving either landmark designation or the refusal to issue a Certificate of Historic Appropriateness may be appealed to the Municipal Council within thirty (30) days of the decision of the Commission per Section 16.03 of the Provo City Code

Study Session – Planning Discussion

Public Hearings

Item 1 Ashley Jefferies requests a Landmarks Certificate of Appropriateness for the modification/restoration of a historic sign in the DT1 (General Downtown)

Zone, located at 286 W Center Street. Downtown Neighborhood. Dustin Wright (801) 852-6414 PLLDR20250461

Preceding the public hearing, there will be a pre-meeting at 12:00 p.m. in the Provo Peak Conference Room, 445 W Center Street. The pre-meeting is open to the public; however, formal presentation of items, public comment and actions will be reserved for the public hearing.

Copies of the agenda materials, public hearing procedure, and staff recommendations are available the week of the hearing at reasonable cost in the Development Services office, located at 445 W Center Street, Suite 200, Provo, between the hours of 7:00 a.m. and 6:00 p.m., Monday through Thursday. Agendas and staff recommendations are also generally available on the Provo City Development Services web site the week of the meeting at provo.gov/landmarkscommission.

To send public comments to Planning Commission members, email them at dspublichearings@provo.gov. Please submit public comment emails before 3:00 PM the day of the hearing. Additional information can be found at provo.gov/publiccomments.

Provo City will make reasonable accommodations for all citizens interested in participating in this meeting. If assistance is needed to allow participation at this meeting, please call the Development Services Department at (801) 852-6400 before 12:00 p.m. the day before the meeting to make arrangements.

By order of the Provo City Landmarks Commission Planning Secretary, (801) 852-6424



Landmarks Commission Staff Report Hearing Date: September 17, 2025

ITEM 1 Ashley Jefferies requests a Landmarks Certificate of Appropriateness for the modification/restoration of a historic sign in the DT1 (General Downtown) Zone, located at 286 W Center Street. Downtown Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLLDR20250461

Applicant: Ashley Jefferies

Staff Coordinator: Dustin Wright

Property Owner: 286 WEST CENTER

STREET LLC

Parcel ID#: 04:064:0015

Acreage: 0.12

Number of Properties: 1

Current Zone: General Downtown (DT1)

ALTERNATIVE ACTIONS

- 1. **Approve** the requested certificate of appropriateness to modify/restore the historic signage to bring into compliance with state law by replacing "pharmacy" and other related words. The Landmarks Commission should <u>state new</u> findings.
- 2. **Deny** the requested Certificate of Appropriateness. This action <u>would</u> not be consistent with the recommendations of the Staff Report. The Landmarks Commission should state new findings.
- 3. **Approve** a certificate of appropriateness to have the sign removed. The Landmarks Commission should state new findings.

Landmarks Designation:

The property is a significant structure in the Provo Downtown Historic District.

Relevant History:

The building was constructed in 1910. The previous use on the ground floor was a pharmacy and is now vacant.

Summary of Key Issues:

- Provo City Code requires landmarked properties to acquire a certificate of appropriateness prior to alteration or removal of an exterior sign.
- When a pharmacy closes, State Rule R165-17b-604(4)(b), requires signs to be moved or property owner to be notified that it is unlawful to use the word pharmacy or related to pharmacy.
- The existing sign is nonconforming. Since there is a regulation that would force it to be brought into compliance then altering the nonconforming sign would be permissible.
- The applicant has expressed desire to keep existing signs as they are by amending the state regulation to allow for an exception for historic signage to remain.

Staff Recommendation:

Continue to a future date to obtain additional information or to further consider the information presented. The next available meeting date is October 15, 2025, at 12:30 p.m.

BACKGROUND

The applicant is requesting a certificate of appropriateness to modify the signage on the B&H Pharmacy building they own at 286 West Center St. The pharmacy has closed recently and was required to notify the property owner that the word "pharmacy" or other related words and graphics need to be removed per state regulation. The applicant wanted to be able to meet and work with the Landmarks Commission to discuss the options that honor preservation while meeting regulatory requirements before too much effort was put into specific design.

The owner has expressed desire to keep the signage as-is if they can get an exception from the state regulation to allow the wording to remain. If this is not possible, they would like approval to keep the sign structure and replace the pharmacy wording with other appropriate wording. They have provided conceptual renderings showing possible ways to replace the existing wording with historically appropriate wording. The Landmarks Commission can provide directions to the applicant on how to focus efforts in designing modifications to the existing sign if it is felt that that is the appropriate path forward.

FINDINGS OF FACT

- 1. The applicant's property is in the Provo Downtown Historic District.
- 2. A certificate of appropriateness is required for exterior modifications to a property in the Provo Downtown Historic District (16.05.050(4) & (5)).
- 3. R156-17b-604(4)(b) move signs or notify the landlord or owner of the property that it is unlawful to use the word "pharmacy", or any other word or combination of words of the same or similar meaning, or any graphic representation that would mislead or tend to mislead the public that a pharmacy is located at this address.

STAFF ANALYSIS

Applicable "Standards for Rehabilitation" in section 16.06.010 of the Provo City Code: **Staff response in bold**

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The property has been used as a pharmacy for several decades, but that will change. The property will still be used as retail as it has historically. If it weren't for the state regulation, the signage that has gained historic

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Unless an exception can be obtained from the state regulation for pharmacy signage to be removed when a pharmacy is closed, this historic signage may require alteration or removal.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Nothing would have to be added, just removed and possibly replaced to meet state regulations.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

The sign is not original to the 1910 structure but has been in place for over 50 years and has acquired historic significance and should not be altered other than what would be required by law.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The applicant is proposing to preserve the sign and only alter the wording that is required by state regulation to change.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall adhere to the old design, in terms of color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Any deterioration of the sign can be repaired rather than replaced. Any new replacement text would need to follow the placement, old design, and material that it would replace.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

The scope of work has not been clarified; the applicant is seeking understanding from the Landmarks Commission on how to proceed.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

No such resources are known for this site.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The changes for the sign should be compatible with what is being proposed to be replaced. The applicant has provided conceptual renderings to start the dialog and get feedback on whether the Commission feels that modifications are going to be appropriate or not.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

New additions are not being proposed, just required modifications or potential removal.

STAFF RECOMMENDATION

The applicant wanted to be able to meet with the Commission to get feedback and have a discussion on the best path forward before putting too much time and money into plans that would potentially be denied. Staff are recommending that the item be continued to allow for the applicant to take the feedback from the Landmarks Commission to come back with updated plans if that is the consensus of the Commission.

ATTACHMENTS

- 1. Site Location
- 2. Images
- 3. Applicant Responses and graphics

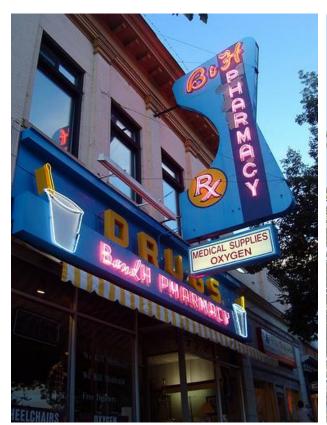
ATTACHMENT 1 – SITE LOCATION



ATTACHMENT 2 – IMAGES

1973









ATTACHMENT 3 – APPLICANT RESPONSES AND GRAPHICS

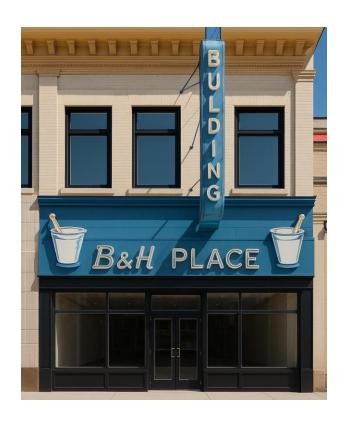
B&H Pharmacy ceased operations two months ago. Due to state regulations, certain words on the building's historic signage—specifically Pharmacy, RX, and Drugs—are no longer lawful without an operational pharmacy on site.

We are eager to preserve this iconic piece of our city's history and are exploring ways to modify the sign so it remains compliant while retaining its historic character. Potential modifications we've considered include restoring the sign and replacing prohibited wording with historically appropriate alternatives, such as B&H Building, B&H Mercantile/Market, or B&H Place.

We understand that any modification alters the sign's authenticity and historical significance. However, without some level of adjustment, the only other path may be full removal—a step we'd very much like to avoid. Our goal is to work closely with the Commission to find a middle ground that honors preservation while meeting regulatory requirements.







Provo City Landmarks Commission

Report of Action

September 17, 2025

Item 1

Ashley Jefferies requests a Landmarks Certificate of Appropriateness for the modification/restoration of a historic sign in the DT1 (General Downtown) Zone, located at 286 W Center Street. Downtown Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.gov PLLDR20250461

The following action was taken by the Landmarks Commission on the above described item at its regular meeting of September 17, 2025:

CONTINUED

On a vote of 6:0, the Landmarks Commission continued the above noted application to an undetermined future date.

Motion By: Jeff Ringer Second By: David Amott

Votes in Favor of Motion: Jeff Ringer, David Amott, Scott Bingham, Susan Krueger-Barber, Eric Carter, Wendy Ahlman

Votes Opposed to Motion: N/A

Vice Chair, Eric Carter, acted as Chair

• Includes facts in the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Landmarks Commission determination <u>is generally consistent</u> with the Staff analysis and determination.

STAFF PRESENTATION

The Staff Report to the Landmarks Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

NEIGHBORHOOD AND PUBLIC COMMENT

The Neighborhood District Chair was not present or did not address the Landmarks Commission during the hearing.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Landmarks Commission. No comments from the public.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Landmarks Commission included the following:

- The property has been used for 80 years as a pharmacy and is now no longer a pharmacy. The goal is to try and preserve the historic sign and get the state code updated to have an exception for historic signs, but if this can't be done, then the request is to be able to remove the words that are not allowed and replace them.
- The desire is to keep the neon and blade sign and to also be able to keep the block letter sign.
- There is a potential retail tenant to occupy the space. There has not been a pharmacy that would take the place.
- Removing the sign would have a negative impact. It has become a landmark and people know where it is when the sign is mentioned.

LANDMARKS COMMISSION DISCUSSION

Key points discussed by the Landmarks Commission included the following:

• Commissioners explored the idea of allowing the letters to be changed to then possibly meet the code.

- There is a strong desire to keep the sign, and some are willing to help see what can be done about changing the law to allow for the sign to remain in its historic state.
- The commission encouraged the applicant to explore ways to keep the sign as-is and if that is not successful to come back with plans that show the sign remaining with only modifications to the words that are required to be removed or changed.

Landmarks Commission Chair

Bill Reperane.

Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable <u>Titles of the Provo City Code</u>, and the <u>Staff Report to the Landmarks Commission</u> for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Landmarks Commission differ from findings of Staff, those will be noted in this Report of Action.

<u>Legislative items</u> are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Landmarks Commission provides an advisory recommendation to the Municipal Council following a public hearing.

<u>Administrative decisions</u> of the Landmarks Commission (items not marked with an asterisk) **may appeal** that decision to the Mayor, subject to the procedures in Section 3.06.010, Provo City Code.

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS