

**HISTORIC PRESERVATION COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY UTAH
March 20, 2019 - Noon**

PRESENT: Peggy Childs, Chairman Pro tem
Brooks Pace, Member
Lynne Cobb, Member
Doug Alder, Member

EXCUSED: Kim Campbell, Chairman
Paul Iverson, Member
Bette Arial, City Council Member

CITY STAFF: Carol Davidson, Planner III
John Willis, Director of Development Services
Victoria Hales, Attorney
Karen Roundy, Special Events Coordinator

GUESTS: Jorge Prado, Applicant
Kim Prado, Applicant
Thomas Swan, Applicant
Ryan Cain, YESCO
Jodi Cox, Star Sign
Jeff Mathis, Applicant
Jessica Mathis, Applicant

Kim Campbell, Chairman is absent and requires a replacement for this meeting.

Peggy Childs is nominated as chair pro tem

Peggy Childs called the meeting to order at 12:14pm

1. HISTORIC DISTRICT; SIGN REQUEST

- A. Reconsider a request to allow a painted mural on the building rear wall at 21 North Main Street for Prado Real Estate.

John Willis explained that this item was tabled to get standards and ordinances. Currently our code doesn't address murals. They are vested under the current code and after discussion with the city there are no standards to apply. We recognize that we do need to have standards but the mural needs to be addressed under the current code and will be reconsidered.

Peggy Childs explained Roger Roper with the State Historical Society is considering sending out information to consider with murals.

John Willis introduced Shane MacAfee, director of Leisure Services and explained that there have been some mock ups done and gave Shane the opportunity to address the commission and explain some of the details of the mural project in downtown area.

Doug Alder stated that we cannot take action until we come up with some standards.

Brooks Pace stated that he has been supportive of murals and in his 20 years on the sign committee felt it was the appropriate thing but I think Kim Campbell wrote an overwhelmingly appropriate article in an email to the committee explaining the Historic District and it needs to be read.

Doug Alder asked who the email was sent too.

Peggy Childs stated that it was addressed to the Historic Planning Commission.

Victoria Hales stated that any argument to regulate mural is appreciated. We will come forward with some standards that the staff drafts and bring them to you. The problem is right now we don't regulate murals. So, right now they are treated as a painting. We do regulate signs and if anything advertises their business on the mural it is treated as a sign and they will have to comply with code as to the size of that sign.

Peggy Childs asked if the name of the company is on the sign.

Lynne Cobbs stated that on this rendering yes, but we also have rules about materials, techniques, and colors that must comply and harmonize with the materials and techniques.

Victoria Hales stated that this relates to remodels and rehabilitation of a building, it doesn't relate to this mural.

Lynne Cobb asked if this is being called a rehabilitation.

Victoria Hales stated that this is not a rehabilitation.

Brooks Pace asked if someone had the email to read to the commission.

Victoria Hales stated that we can all read the email but it is not what the code says. I haven't ready the email, I would love to read the email but it's not currently in the code. Whatever is in the email is an argument to regulate code, but we don't currently regulate them. So, anything that is being discussed as a possible regulation will not apply.

Brooks Pace stated that it is a good consideration for the standards that need to be developed and a decision should be delayed.

Victoria Hales stated that any delayed decision would not apply to this application. This application is in right now and we don't have a regulation. So, we can't regulate it after the fact, you have to already have a regulation in place. So the only thing we have in place right now is a sign code that says, if you paint your sign on your wall it can only be 10 percent of the size of the face of the building. So that's what regulates it right now. I

The sign portion will have to comply with the sign code but

Carol Davidson explained that painted wall signs are permitted in the historic sign standards

Brooks Pace stated that that is not in the historic district that is in the town in general.

John Willis explained that the sign portion would have to meet the sign ordinance but that is not what we are looking at today. We are just looking at the mural portion.

Brooks Pace asked about the sign committee.

John Willis explained that there is a sign committee however, the historic preservation commission is in charge of reviewing signs for the historic district. So you will review signs.

Carol Davidson stated that painted signs are permitted in the historic district.

Lynne Cobb stated that if they are part of an overall design scheme, under the sign standards.

There is continued discussion about the Historic Commission responsibilities with signs and the mural.

Victoria Hales stated that it would be existing non conforming, if it doesn't comply with the code or the code that we pass later, it's existing non conforming that doesn't mean that you get to deny it now. It means that because we don't regulate it now so you cannot say you can't do it until we get a regulation in place. The application is already in, so you have to deal with applying the law to this application. We don't prohibit murals right now and even if you come in with a regulation later and that mural that's already painted on the wall will be prohibited it just becomes existing non conforming,

There is continued discussion by commissioners, legal and staff regarding mural standards, recommendations and approvals.

John Willis stated that you would be approving the mural. They could appeal your decision, in this situation you are approving the mural.

The discussion continues regarding the size, code and mural.

Victoria Hales stated that we do have a regulation as to the size of an advertisement, so that advertisement, the Prado portion of it, will have to meet the sign code. So whether it is in the historic district or not in the historic district there are rules that apply to that sign. So, that is

separate and apart from a mural in the historic district but we don't know from the picture, because we don't have dimensions, we don't know from the size of this Prado picture, would meet that sign code, that will come in at a different thing.

Lynne Cobb would like to make a motion.

Victoria Hales stated that the pro tem wants to hear from the applicant.

Lynne Cobb stated that strictly speaking you put a motion on the floor and then you have discussion.

Victoria Hales stated that you can have discussion before the motion.

Lynne Cobb again stated that she would like to make a motion.

MOTION: Lynne Cobb made a motion to deny the request to allow a painted mural on the building rear wall at 21 North Main Street for Prado Real Estate.

SECOND: Brooks Pace

Continued discussion on the motion (below)

AYES: (4)

Peggy Childs, Chairman Pro tem

Brooks Pace, Member

Lynn Cobb, Member

Doug Alder, Member

NAYS: (0)

Ms. Prado stated that we changed all of our signage about a year ago, and went through Kim Campbell for approval. We had all three (3) of our signs approved one being 21 North Main, 17 North Main and 18 West Tabernacle approved. We simply choose not to erect the sign until we got through our mural. It is a horizontal sign, I can provide pictures, it is metal just like the one on Main Street. So, I just want you to know that we have gone through the proper channels and Kim has approved the sign, we delayed putting the sign on this wall until the mural was reviewed.

Brooks Pace stated that he would like the applicant to be able to read the email from Kim Campbell as one of his concerns is that, who will maintain these murals, when they start fading. This is a south facing wall and in five (5) years these colors will start fading and it will difficult to touch it up as it would be to paint it the first time. We have non conforming throughout the district but I would like to think we could clean it up over the years. I don't think this is going to affect your business if this is not approved

Mr. Prado stated that it looks horrible the way it currently is, it is an eye sore and showed a current picture of the existing location and stated that he will maintain it and has painting done.

Peggy Childs stated that maybe the mural can be brought down some.

Mr. Prado stated thank you but no thank you. Who are you to determine my business and what looks good at my business. I'm trying to make the city better. It looks horrible. I'm trying to make our downtown look better. Did you approve the big building next to it because that is not historic. I am passionate about this because I have been in that building for ten (10) years. I just remodeled the inside. I invested \$70,000 inside out of my own money and when you are saying who is going to maintain the building. I am. It's my business. This is how I support my family and my community. I have forty-five (45) realtors in there that want this. We put it on social media and put it on the market asking what do you want and everyone is excited about this and we come to you guys and we get shot down. This is my livelihood, you are dealing with my livelihood.

Brooks Pace stated that he doesn't believe that and you are dramatic.

Applicant, commissioners and staff continue to discuss the approval of the mural. Including a review of Kim Campbell's email to the commissioners.

Peggy Childs brought the meeting back to order and stated that Kim wrote, "what was beautiful to one may be objective to someone else." We are not in a position to serve as art critics. If is imperative that the historic commission approve the mural, I would recommend that you approve the application of the mural without any regard to content, I don't think we would approve what was written for the Hot Dog shop either. Since 1999, when the historic preservation was started, we have lived with guidelines that deal with content, history, bright colors, materials and this is going against the grain of some of what we have always tried to preserve. These are the rules that we've got and if we are the gatekeepers for this historic district, can you see where we are coming from? Right now there is nothing about murals but what we do have seems to conflict with what is being proposed here.

Victoria Hales stated that we do not regulate murals. So you can make a recommendation but it is non binding and I would encourage you not to make a recommendation on the mural that you cannot regulate right now.

Brooks Pace stated that he would like to table but legal is saying that we can't do that either.

Victoria Hales stated that you can table it; however, the application is now and will be allowed to proceed with the mural even if you table it.

There is continued discussion on process, ordinances, findings, Kim Campbell's email and appeal process.

Peggy Child's read in **Kim Campbell's email**:

"Please accept my app for missing the HPC meeting, of the historic commission. I will be out of town. Of course, an important issue before us is whether to approve of murals being painted on buildings within the st george historic district. Because there is no precedent for this I believe it is best to move cautiously since our decision will have an impact on our future decisions about murals. Please also realize that murals that currently exist in downtown St. George at the pharmacy and the Desert Reserve building are not within the district. The city attorney has advised that we should approve the mural since it is not specifically prohibited and no criteria for prohibiting the mural is available in the historic sign ordinance. I do not see the logic in this decision, as an architect, I have always believed that the value of the historic district was to have clean and restored building face not to add decoration to them that was never part of the original structure. A beautiful restored building face will never cause controversy or entice public opinion. I see our primary task is doing no harm to any historic building. I believe that a mural is not consistent with this purpose. A worn or defaced mural becomes an eye sore and how will maintenance be monitored or required of owners once the mural is painted. Please think this issue through carefully before making a decision. If you do approve of this mural based on the patriotic content without regard to its precedent it sets, please realise that to deny future murals will be seen as inconsistent, and subjective decision. One that is based on the personal values and those are always open to argument. What is beautiful to one may be objective to someone else. We are not in a position to serve as art critics. If you decide that it is imperative that the historic commission approve the mural I would recommend that you would approve the application of the mural without regard to the content. The City Council will have the final say about approving the mural so it may be the best for that group to consider the appropriateness of content not the historic commission. Thanks to everyone for the careful and considerate consideration of this issue."

Brooks Pace stated that he would like to table the meeting.

The ordinance does not allow for you to regulate murals.

There is continued discussion on Kim's email, code compliance and standards.

The commissioner's vote on the motion as shown above.

B. Consider a request to allow a monument sign at 38 West Tabernacle for City View-St. George.

Carol Davidson, presented item B, monument sign for City View.

Ryan Cain, Yesco explained the monument sign request and answered questions regarding the project.

MOTION: Doug Alder made a motion to recommend approval to allow a monument sign at 38 West Tabernacle City View-St. George
SECOND: Lynn Cobb
AYES (4)
Peggy Childs, Chairman Pro tem
Brooks Pace, Member
Lynn Cobb, Member
Doug Alder, Member
NAYS: (0)
Motion passes.

C. Consider a request to allow a monument sign and a projecting wall sign at 25 West St. George Blvd for Advenier

Thomas Swan, Yesco Sign, explained the location and showed the design of each of the signs and answered commissioners questions.

MOTION: Brooks Pace made a motion to recommend approval to allow a monument sign and a wall sign on the building front wall at 39 East St. George Boulevard for Advenire.
SECOND: Doug Alder
AYES (4)
Brooks Pace, Member
Peggy Childs, Chair Pro tem
Lynn Cobb, Member
Doug Alder, Member
NAYS: (0)
Motion passes.

2. DISCUSSION ITEM/OTHER BUSINESS

Fire Station 2 at 142 North Main Street

Brooks Pace showed a drawing of the building and reviewed the tasting room, bar and deck in front of the building.

Doug Alder discussed the Juanita Brooks memorial.

4. Adjourn

MOTION: Doug Alder made a motion to dismiss.

SECOND: Lynne Cobb

AYES: (4)

Peggy Childs, Chair Pro-tem

Brooks Pace, Member

Lynn Cobb, Member

Doug Alder, Member

NAYS: (0)

Motion passes.

Meeting adjourned at 1:13 pm.