

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF AUGUST 13, 2015

BOARD MEMBERS IN ATTENDANCE: Lola Beatlebrox, Cheryl Hewett, Hope Melville, Douglas Stephens, David White

EX OFFICIO: Bruce Erickson, Anya Grahn, Polly Samuels McLean, Louis Rodriguez

ROLL CALL

The meeting was called to order at 3:00 p.m. and noted that all Board Members were present except Jack Hodgkins and Puggy Holmgren who were excused.

Since two of the Board members were absent, the Board tabled the election of a Chair to the next meeting.

MOTION: Board Member Stephens made a motion to elect David White as the temporary Chair. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

Chair Pro Tem White assumed the Chair.

WORK SESSION

Discussion Of Pending Ordinance Amending The Land Management Code Section 15, Chapter 11 and All Historic Zones To Expand The Historic Sites Inventory and Require Review By The Historic Preservation Board Of Any Demolition Permit In The Historic District.

Interim Planning Director, Bruce Erickson, thanked the Board members for taking time in the middle of the day to attend the meeting to discuss this pending ordinance. He noted that the City Council had given the Historic Preservation Board a challenge with confidence that the Board had the capability to do it.

Mr. Erickson stated that the pending ordinance has two parts. The first is that the definition of the area that the HPB has purview over was expanded. The Historic District boundary has not moved; but, the sites inside the boundary were expanded to include buildings that 1) previously received historic grants; 2) structures that were previously listed on the HSI Inventory and were later taken off the inventory, or structures that appeared on any reconnaissance study in the past; and 3) structures that, despite non-historic additions, retain its historic scale, context, and materials in a manner to which it could be restored to its

original historic form. Mr. Erickson pointed out that if the pending ordinance is adopted by the City Council as written, the new criteria would expand the number of structures and sites that should be protected.

Mr. Erickson stated that the second part of the pending ordinance is that the City Council wants to make sure nothing slips through the cracks on buildings that would either be reconstructed, panelized or demolished. The pending ordinance also amends the Land Management Code to require demolition permits for all structures in a Historic District to be reviewed by the Historic Preservation Board to make sure they are done correctly.

Mr. Erickson read from the pending ordinance which states that any allocation for demolition, including reconstruction, disassembly, and panelization for any building, accessory building, or structure constructed before 1975 needs to be reviewed by the Historic Preservation Board.

Mr. Erickson thought it was important for all the Board members to be aware of the criteria and the process for when they review projects on the expanded list. He commented on one application for panelization that was vested before this ordinance was pending and would not be reviewed by the HPB.

Planner Grahn explained that going forward, any building permits for panelization or reconstruction would be reviewed by the HPB. If it comes in under a planning application it would be reviewed at that time. However, if the structure was captured in the expansion and it was approved as an HDDR but had not obtained a building permit, the HPB would review it at the building permit stage.

Board Member Melville asked about the process for identifying the sites that were potentially on a Historic Sites Inventory and what would occur once they have been identified. Mr. Erickson replied that the City Council and the Staff would be discussing three items to accomplish. The first is the intent to preserve the integrity of the National Parks Service status for the Landmark and Significant sites in Park City. Second is to make sure they create a third list of all the structures that do not rise to the level of Landmark or Significant and make sure they maintain their historic integrity. The third is to compile a list of other sites that should be protected. Mr. Erickson noted that the Staff has been reviewing other Municipalities to look at their process of how to effectively regulate these lists.

Mr. Erickson explained that if the ordinance passes, the criteria would automatically be listed. The Staff would then write an accurate list so they could track what happens with each of the historic structures.

Board Member Melville asked about the interim status of each of the buildings that were not on the current Historic Sites Inventory but might be added under

the new ordinance. Assistant City Attorney McLean remarked that due to the pending ordinance those structures could not be demolished in the interim. Currently, the scope of the definition protects those structures as if they were on the HSI. Ms. McLean stated that another major change with the ordinance is that the HPB would review all of the demolition requests. She clarified that structures that do not meet the criteria of the new ordinance could move forward. Ms. McLean explained that the Board would not be doing any determination of significance until the ordinance is adopted. Therefore, structures that fall under the pending ordinance would be on hold until then. She noted that per State Code, if the ordinance is not adopted within six months, the applicants could move forward at that point.

Mr. Erickson commented on some of the exemptions in the pending ordinance. One was the exemption for 1975. He stated that certain internal remodels would continue to take place, as well as exploratory work on the building interior so architects and engineers can assess the historic structure. The Planning Staff would review the interior requests before they take place.

Assistant City Attorney clarified that the exemptions referred to the demolitions. She referred to page 6 of the Staff report which explained the process and the criteria for review if someone applies for a demolition permit in an historic district. The applications would primarily be reviewed by the HPB; however, there are some exemptions that allow for a Staff review of interior demolitions and the exploratory work. Ms. McLean stated that the intent of the ordinance is to have all panelizations and reconstruction applications to be reviewed by the HPB before any type of dismantling could occur. Under the Code reconstruction or panelization is not defined by the word "demolition". Ms. McLean noted that the HPB review is subject to the pending ordinance. The Planning Commission would begin evaluating the ordinance and the LMC on September 9th.

Mr. Erickson remarked that it was important for the Board members to speak with the Staff now and in the future. They are the leading representatives in the community in protecting the historic neighborhoods, and having the HPB talk about it makes it easier for the public to understand it.

Board Member Melville commented on the exemption of the scope of the work of the exploratory demolition. She asked if there was a mechanism to ensure that there would not be a miscommunication that would result in the exploratory demolition going beyond what was approved or expected. Planner Anya Grahn replied that they would have to rely on the Code Enforcement Officers to make sure that it does not go beyond the interior demolition as approved.

Board Member Melville commented on the 543 Woodside issue where they saw more of a demolition than what was anticipated. She asked if that resulted from a miscommunication. Planner Grahn answered yes. She noted that Planner

Whetstone was the project planner and the Board members should contact her if they had specific questions. However, Planner Grahn understood that the wood frame house had been on a stone foundation and the applicant intended to put a garage underneath the stone foundation. In doing the work they got far enough along that they realized that a stone foundation could not be lifted, and if they lifted the wood structure it would be 22 feet in the air, which was more dangerous and hazardous than what is typically recommended. At that point the applicant decided to panelize. They met with the Building Department and scheduled a meeting with the Planning Department. Planner Grahn stated that when an applicant changes their plans they need to update the Preservation Plan and re-record it. Once it was started, the applicant realized that they had started panelization without having the proper approvals in place. That was the reason for issuing the Stop Work Order. Planner Grahn noted that the Stop Work Order was issued on a Friday and on Monday the gable was still sitting there. However, due to weather and the fact that there was nothing to hold the gable in place, the Building Department allowed them to take down the final gable. Planner Grahn stated that to her knowledge the gables were being stored on site. A lot of the stone was salvaged to be used on the new foundation, and they were also salvaging pieces of walls that would be re-used. The applicant was working with the city to make sure it is done properly.

Board Member Melville explained that she mentioned 543 Woodside because a similar situation occurred with 1015 Park Avenue and that was also due to a miscommunication. Ms. Melville was certain that the Staff was addressing the issues, but she was concerned that the mistake of miscommunication kept being repeated. Mr. Erickson agreed with Ms. Melville. He stated that once the Planning Department makes their presentation to the City Council next week, they would be able to talk more about the details of the plan. Mr. Erickson had prepared a report for the City Council regarding several matters; and one was finding ways to avoid miscommunication.

Mr. Erickson noted that the Staff had discussed several situations, particularly the exploratory, and they decided that it made more sense to move forward with it. He stated that Planner Grahn and Planner Turpen were very careful about making sure that the exploratory work would not affect the windows, doors, and other historic elements.

Board Member Stephens asked if 543 Woodside and 1015 Park Avenue would have come before the HPB under the pending ordinance. Mr. Erickson answered yes.

Board Member Melville asked if an approval to lift a house would come under the definition of demolition. Planner Grahn explained how the Building Department defines demolition. She noted that per the International Building Code a demolition could be remodeling a kitchen and moving the cabinets, it also could

be removing a window or asphaltting a roof. Under the ordinance, if someone wants to lift the house to put in a basement foundation and anything beneath the house has to be demolished to lift it, it would require an HPB review. Planner Grahn stated that the HPB would always look at a proposal for panelization, and they would have to act quickly if changed from panelization to a reconstruction. The Staff had not yet defined the steps to accomplish that, but she assumed they would have the HPB look at it a second time for verification.

In the case of 543 Woodside, Board Member Melville questioned whether a plan was in place to determine that the structure could actually be lifted. She asked if the Staff would be reviewing those types of plans to make sure that if a structure is lifted that everything necessary would be done to lift it properly. Mr. Erickson stated that the City requires a report from an engineer and an architect regarding the feasibility of the plan. The required reports were obtained on 543 Woodside; however, they had not done enough exploratory work to verify that the walls were strong enough to do a reconstruction. For that reason, they elected to move forward with panelization. Mr. Erickson remarked that the intent is to make sure the ordinance covers those types of situations.

Board Member Hewett asked who had drafted the ordinance language outlined on page 6 of the Staff report. Assistant City Attorney McLean replied that it was written by the Staff. Ms. Hewett wanted to know if they Board members were allowed to ask questions about the language this evening, or whether the discussion was only on whether or not the HPB was willing to take on this responsibility.

Assistant City Attorney McLean requested that the HPB have a general discussion of the ordinance at this point in the meeting. As part of the regular agenda, the HPB would be looking at modifications to the pending ordinance for the Staff to forward to the Planning Commission and the City Council. Ms. McLean explained the process for LMC amendments. She noted that after a two week public noticing period, the Planning Commission reviews the pending ordinance and conducts a public hearing and forwards a recommendation to the City Council. The City Council makes the final decision. Ms. McLean stated that under State Code does not have a role in the process; however any comments or recommendation to the Planning Commission would be considered and helpful.

Mr. Erickson pointed out that if a Board member has further comments or suggestions prior to the scheduled Planning Commission meeting, they could send those to the Planning Department and the Staff would forward it to the Planning Commission. Mr. Erickson stated that drafting the pending ordinance was a joint effort between the Legal Department, the Planning Department and the Historic Preservation team.

Board Member Stephens thought panelization and demolition were clear. For clarity to the public, he thought they should also include whether someone intended to lift a home. Mr. Erickson stated that in the Historic District a home can only be raised two feet. All the garages they were seeing were actually excavations below the house. Once the house leaves the historic topographical context, it affects its ability to be historic as well. He pointed out that excavating or digging down was more of an issue than lifting.

Assistant City Attorney McLean understood that Board Member Stephens was talking about demolition in conjunction with reconstruction. If the house, as part of the Preservation Plan, needs to be lifted, that should be included as an item that the HPB reviews under the Review of Demolition. Mr. Stephens replied that she was correct. He explained that the reason for suggesting it was to give the Planning Department a second set of eyes to make sure the building is structurally sound and that there would not be an unintended consequence from lifting the home.

Mr. Erickson stated that part of the ongoing task is to find a way to better inform the public so they can also be the eyes and ears on these projects. He mentioned a new sign at 1102 Norfolk that explains to the public that panelization is occurring on the site. Planner Grahn stated that it is a corrugated plastic sign that should help protect against graffiti and vandalism. She noted that a sign was also posted at 1021 Park Avenue.

Board Member Stephens stated that depending on the structure of the home and whether work is done to reinforce the structure; in some cases lifting two feet can be just as dangerous to the home as lifting ten feet.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

Recommended modifications to pending ordinance for Staff to forward to Planning Commission and City Council

Board Member Hewett asked for an explanation of construction before 1975. Mr. Erickson explained that in order to be classified as historic, a site must meet a 50 year old threshold. He pointed out that 1975 is only 40 years old, but the Staff wanted a ten year gap between pure historic and a reasonable cut-off date on construction. Mr. Erickson remarked that they picked 1975 because it was near the end of the mining decline and the start of the skiing boom. Using 1975 allows another ten years for review. Mr. Erickson stated that the original draft ordinance had an error in the language and that has since been corrected. It should read, “anything after 1975 is exempt”.

Board Member Beatlebrox referred to the three criteria bulleted in the Staff report for expanding the Historic Sites Inventory. She agreed with the first criteria because in her opinion, if a structure received a historic grant it means the City had already invested in that particular site both financially and in time spent. She thought it made more sense to have those buildings on the HIS. She favored the change in language reflected in the first bullet point.

Board Member Beatlebrox referred to the second criteria; has previously been on the Historic Site Inventory or listed as significant or contributory on any recognizant or other historic survey. If a site was previously on the HSI but was taken off for whatever reason, she thought they needed to look at the reason why it was removed before putting it back on the HSI. She pointed out that some sites may have been removed for good reason.

Board Member Beatlebrox commented on the third criteria; despite non-historic additions, retain its historic scale, context, materials in a manner and degree which can reasonably be restored to historic form. She believed it is important to keep a site on the HSI if it has the potential to be restored.

Ms. Beatlebrox commended those who drafted the pending ordinance because the three criteria are commonsensical and understandable. She would like the City Council to move forward with the ordinance.

Board Member Hewett referred to the language on page 6 of the Staff report which talks about the structures that must be reviewed by the HPB, including structures that were constructed before 1975 in the historic district zones. Ms. Hewett suggested language stating before 1965 or 50 years old. She could not understand why they would not use the criteria that made the site eligible for the HSI listing. She asked if it was difficult to go back to the raw data. Board Member Beatlebrox agreed and questioned why the City needed a 10 year buffer zone. Board Member Hewett believed it was two separate issues. She was only suggesting that they use the data as the criteria instead of lists that could have human error.

Assistant City Attorney McLean asked if Ms. Hewett was talking about the HPB review for demolition, or which sites should be on the inventory. Ms. Hewett replied that if the purpose of the pending ordinance is to expand the Historic Sites Inventory criteria to include the three criteria in the Staff report, she wanted to know why they would not just say "50 years old within this boundary." Ms. McLean stated that some items are viewed as non-contributory. For example, a cinder block building built in 1965 would have the same protection as a home built in 1700 because it is 50 years old.

Board Member Stephens understood that 1975 is a fixed date that carries forward. Therefore, 20 years from now the date would still be 1975. Ms. McLean

replied that this was correct; however, at some point in the future that date may change.

Assistant City Attorney McLean pointed out that there were two different issues. Page 5 talks about items that would be put on the HSI, and page 6 talks about the items that would come to the HPB for review to make sure a demolition meets all the requirements of the Code. Ms. McLean stated that the discretion of the HPB is limited in terms of the demolition. It is clear that nothing in the section adds additional criteria or standards to existing Land Management Code or IBC sections governing the issuance of a permit. Ms. McLean explained that the HPB could not arbitrarily decide that a site should not be demolished. However, the ordinance enables the HPB to be a second set of eyes to make sure that the demolition request is viewed critically and closely.

Board Member Melville asked if during the review the affected property owner would have the opportunity to attend the HPB meeting and discuss the demolition with the Board. Ms. McLean answered yes.

Assistant City Attorney McLean remarked that if the HPB is the second set of eyes on demolitions, as a matter of due process they would have to meet more frequently because it is not fair to make an applicant wait a month to move forward with their project. It was particularly critical to schedule more meetings now when the ordinance is first being announced. After a while they would have a better understanding of how frequently meetings should be held.

Mr. Erickson stated that it also includes making sure that proper noticing is done in a timely manner.

Chair Pro Tem White noted that the HPB typically meets once a month. He asked if the Board members were willing to commit to meeting more frequently. Mr. White wanted to know whether the HPB would have to meet weekly or bi-weekly. Mr. Erickson stated that when the City Council gave their direction to the Staff the list was long and overwhelming. As the preservation team reviewed the list it was reduced to a manageable level. Mr. Erickson stated that as they move forward the HPB would want to see how the list of important structures is created. He noted that many of the sites will not be Landmark or Significant, but they are very important to the community and the City's historic core. Mr. Erickson anticipated that the HPB would be involved with that process. He also thought the HPB would be involved as the Staff obtains public feedback in terms of how to regulate the changes to these buildings. The HPB would also be involved in discussing some of the procedural matters. In addition to the list of sites, other work needed to be accomplished.

Mr. Erickson stated that the Staff initially thought that weekly HPB meetings might be necessary for at least one month; but that was no longer certain.

Board Member Hewett recalled that the HPB previously talked about the potential of using video conferencing for meetings, and she wanted to pursue that conversation as part of this discussion.

Board Member Stephens wanted to know if he needed to make a motion if he wanted to recommend that lifting a home should also be part of the HPB review. Planner Grahn stated that the Staff could include Lifting without the procedure of a motion.

Assistant City Attorney McLean asked if there was consensus among the Board to add Lifting. Board Member Melville stated that because lifting comes into demolition so quickly she agreed that it should be included. Chair Pro Tem White stated that in his opinion, lifting was already part of the demolition. Board Member Stephens agreed based on the term Demolition in the International Building Code. However, he felt that it needed to be clarified in the ordinance for the public so everyone understands the process and what is expected.

Board Member Beatlebrox asked if that would be an onerous process for an owner to have to go before another Board in order to lift their house. Board Member Stephens pointed out that the owner would have to perform the drawings and the engineering for lifting. It would only be the added function of coming before the HPB. If the Board meets more often and conducts their review in a timely manner it should not be onerous at all.

Mr. Erickson understood that Mr. Stephens was only suggesting that they add the word "lifting" in front of panelization and reconstruction. Board Member Beatlebrox wanted to know to what extent the Building Department may not be able to make the call on whether or not a building could withstand the lifting process.

Michelle Downard, a representative from the Building Department, explained that the Building Department would look at the condition of the existing structure. She stated that the primary goal would be to keep the structure intact and lifted, and all of the materials would be salvaged as much as possible. If that is not the case, the Building Department would not only look at the communication from the applicant, but also that it was certified and justified with an engineer stamped document. In addition, Staff visits the site and does a visual assessment to confirm the conditions.

Board Member Beatlebrox pointed out that the Building Department has a good process and only one building has been unsuccessful. She questioned why the HPB needed to review something that the professionals have already looked at based on their expertise in lifting a structure and putting it back down; and it has worked.

Chair Pro Tem White stated that it usually works. He noted that lifting the structure, working underneath it and putting it back down is typically done with a structure that is too large to lift and move over. He recalled one lifting that had problems because of the weather and high winds, but it still worked out and the structure was saved.

Mr. Erickson stated that one of the directives from the City Council is to do everything possible to make sure that these structures survive. Lifting the structure is a good method and the intent is to make sure it is listed and that the public understands the process. He agreed that failures rarely happen and that engineers stamp their certification; but the most important aspect is for the public to know the City is watching out for them.

Board Member Melville pointed out that the most recent lifting on Woodside did not exactly work because it did not go as planned. She asked if the Building Department analyzes the plans for lifting to assess whether the structure is adequately reinforced for lifting. Ms. Downard replied that the Building Department does look at the plans, but most of the reliance is on the third party professional.

Board Member Beatlebrox favored having the HPB look at the demolitions because once a demolition is approved the structure is gone. She felt the same about panelization because wood might be lost that could be saved.

Board Member Stephens clarified that he was not suggesting that the Historic Preservation Board has more expertise than a civil or structural engineer. However, there is a credibility issue with the community regarding whether or not the Planning and Building Departments are letting things slip through the cracks. His goal is to draw on the experience of the HPB in terms of restoration, architecture, and construction. Board Member Stephens believed there was a benefit in having a citizen public board raise issues that help reinforce the positions of the Planning and Building Department or question whether some things were considered. He pointed out that things unintentionally slip through the Building and Planning Department processes. Having a review by the HPB could alleviate some of the concerns and begin to rebuild credibility. Mr. Stephens emphasized that the HPB would not be questioning the engineers calculations.

Mr. Erickson remarked that demolition is a terrible word but it includes more than just scrapping a building. There is always a second word such as demolishing to lift a building or demolishing to increase interiors, etc.

Chair Pro Tem White called for public input.

John Plunkett a 24 year resident of Park City, stated that he lifted, and in one moved and lifted four historic homes and rebuilt them. Some of it was preservation and some was replication based on tax photos. Mr. Plunkett was pleased to see the pendulum swinging back in favor of greater preservation, and he liked what the HPB was discussing. Mr. Plunkett believed that the current notification process was insufficient. He gets letters in the mail if a neighbor wants to add a hot tub 300 feet away, but if his neighbor wants to demolish his house he may or may not see a public notice. Mr. Plunkett suggested that for demolition should be serious notification. He used Aspen as an example of notification for demolitions; which is a 30 day notice with letters to all residents within 300 feet. Mr. Plunkett thought it would be helpful if there was a regular schedule for HPB meetings; particularly since second homeowners have to travel a great distance to attend a meeting. He requested more notice and a regular schedule.

Sandra Morrison from the Park City Historical Society and Museum applauded the efforts to expand the Historic Sites Inventory. Ms. Morrison noted that currently the LMC says that the owner or the Planning Staff can nominate a site for the HSI. She requested that the Historical Society should also be able to nominate structures to the Historic Site Inventory. The Society has a lot of research and resources but those resources were not used on a number of historic houses that have been lost. No one requested the information even though it was readily available.

Board Member Melville understood that other parts of the Code specify who can nominate to the HSI, but it was not part of this ordinance. Planner Grahn replied that this was correct. She stated that other parts of the Code also talk about notification. She thought they could look at notification as part of this process. Ms. Melville believed it was necessary. She pointed out that the Historical Society has all the resources and they could be another set of eyes to nominate. Ms. Melville stated that noticing was another important issue. She noted that there was an HDDR review a month ago for the property adjacent behind her house but she was not noticed. She happened to see the property sign but they were not on the list to get noticed.

Mr. Erickson thought the comments from the public and the Board members regarding noticing were valid. He agreed that it was important to get clear information out to the public in a timely manner. The Staff would be reviewing the noticing requirements to make sure they are consistent. Mr. Erickson remarked that noticing within 300 feet is not the burden that it was in the past because it is much easier to obtain the addresses. Ms. Melville pointed out that in the case of the property adjacent to her house, the list was generated but it was inaccurate. Mr. Erickson assured Ms. Melville that noticing was on the list of things to consider. They did benchmark against downtown Denver in terms of

noticing, and the HPB and the Planning Commission would discuss it further as this moves forward.

Mr. Erickson anticipated that it would take two Planning Commission meetings to consider the ordinance, work out the details, and take public input before it goes to City Council.

Assistant City Attorney McLean assumed there was consensus among the HPB in terms of what they wanted the Staff to consider. Board Member Melville stated for the record that she was fully in favor of the proposed ordinance.

427 Main Street (Memorial Building)– demolition of a portion of the post-1982 wall to create patio access. Building constructed in 1939, Landmark Site (Application PL-15-02821)

Planner Grahn reported that the Planning Department received an application for 427 Main Street in June. The structure is the Memorial Building and the retaining wall that goes around it. The applicant was proposing to build a platform deck and a gate that would be underneath the awning to enter their patio area.

To help orient the Board members, Planner Grahn showed the Main Street view and the steps, as well as the awning cover to the entry door to go upstairs to Rock and Reilly's. She reviewed the site plan showing the door into the side entrance. Planner Grahn indicated the portion of the retaining wall that the applicant was proposing to remove to put in the gate. The deck would be a temporary deck design with a railing to meet building code. She indicated the area where the deck would be built in order to access the patio area for outdoor dining. Planner Grahn presented a photo of what the space currently looks like and the portion of the wall that would be cut out to install a gate that matches the railing.

Board Member Melville asked if the wall that is adjacent to the sidewalk on Main Street would be removed. Planner Grahn believed that portion remained the same. The only portion of the wall that would be impacted was where the awning projects out. The Staff asked the applicant to keep the new gate under the awning so it would not be visible walking up and down Main Street.

Chair Pro Tem White asked if the entry door behind the metal railing would remain. Planner Grahn answered yes. He asked about the metal railing. Planner Grahn believed the metal railing would remain in order to meet building code because of the stairs.

Board Member Melville did not believe the Main Street elevation was accurate. Planner Grahn explained that they were past approvals of what was approved in

the 1990s. It gives a perspective of what the entire building looks like and a perspective of the awning location and the signage.

Chair Pro Tem White clarified that nothing was being proposed for the building itself. Planner Grahn replied that it was only the retaining wall.

Board Member Stephens understood that the role of the HPB was not to look at the design and whether or not they would approve it. The purpose of their review is to look at whether or not it is appropriate to demolish the portion of the wall that the applicant has proposed, and whether it is a non-historic wall. He believed that was the limit of their purview. Mr. Erickson replied that he was correct.

Assistant City Attorney McLean stated that public input was not mandatory at this point, but the HPB has the purview to take public input.

Chair Pro Tem White opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, noted that where the gate is proposed is an access from Main Street to Park Avenue. She asked if that was a City easement.

Planner Grahn was unsure and would have to research whether it was a private easement or City easement.

Ms. Meintsma thought the gate might increase the use of that access, and the back of the building is always dirty. She suggested that the gate might provide a visual opening. If it is a City easement, she thought that should be addressed in terms of making it welcoming and usable for the public if it is a public access. Planner Grahn stated that if it is owned by the City and because it is a dark alley and collects clutter, she would notify the appropriate person and bring it to their attention.

Chair Pro Tem White closed the public hearing.

MOTION: Board Member Hewett moved to allow the demolition for 427 Main Street as presented. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

52 Prospect Avenue – demolition of 1980s rear deck, replacing post-1929 stone retaining wall, repairing c.1904 historic porch, replacing post-1929 stone veneer below the porch on the east and north elevations
(Application PL-15-02837)

Planner Grahn stated that 52 Prospect Avenue has been under renovation for a while. The owner was trying to update and restore it as much as possible. The owner applied for a Historic District Design Review pre-application and Planner Turpen issued a waiver. Planner Grahn outlined the work that the project entails which should be used in reviewing the appropriateness of demolition.

Planner Grahn explained that the applicant has to remove an existing rear deck per the Building Department. Therefore, the rear deck needs to be demolished in order to rebuild the rear deck. Planner Grahn indicated a historic porch and noted that the porch boards and the structural members have been removed because they were deteriorated and failing. The owners planned to restore and rebuild the existing historic porch and to replace the historic boards and porch posts. She presented the materials proposed for the porch.

Planner Grahn pointed out that the HSI form indicates that prior to 1960 a stone veneer was applied to the lower level of the porch. It was also used to construct a retaining wall. At the applicant's request, the Staff visited the site. Planner Grahn stated that there are historic retaining walls on Prospect as noted on the Sanborn Fire Insurance maps; however, the Staff believes the stone veneer and the stone retaining wall were built about the same time in the 1960s and are not historic. Because it is not original to the building, and according to the HSI form it detracts from the historic house, the owner would like to replace the stone veneer below the porch with vertical wood, which is very typical in Park City as a porch skirt.

Board Member Melville asked if Planner Grahn was referring to the north porch. Planner Grahn stated that the original porch is a wrap-around porch and was shown on two elevations, with a deck in the back. Ms. Melville noted that the front porch was still there. Planner Grahn agreed, noting that a portion of the porch had been removed and the owner planned to reconstruct the removed portion. She indicated the stone that would be removed and replaced with vertical wood siding. Planner Grahn remarked that the stone retaining wall goes with the house at 52 Prospect even though it was built on the neighbor's property. She pointed out that it was not the typical historic stone retaining wall seen in Park City that were constructed from stacked stone and more square in nature. This retaining wall was constructed of larger boulders and a lot of concrete and cement.

Planner Grahn stated that the owners plan to put in a new concrete retaining wall and clad it in stacked stone veneer. The veneer will be real stone because the Code does not allow synthetic stone. Planner Grahn showed the back portion of the house where the deck was already removed and would be reconstructed.

Chair Pro Tem White understood that everything would be reconstructed to match how it was historically as documented and photographed. Planner Grahn answered yes.

Board Member Beatlebrox asked if there were tax photos of the property. Planner Grahn replied that there were no tax photos. For the stone the Staff relied on the Sites Inventory Form. For the skirting they relied on what is commonly seen in Park City on other homes of the same age. Board Member Beatlebrox asked about the year of the deck that was removed. Planner Grahn recalled that the Staff predicted that it was from the 1980s. Board Member Melville asked if what was being rebuilt was being done as consistent as it could be with what was there originally. Planner Grahn answered yes.

Board Member Stephens reminded the Board that they were only being asked to vote on a demolition. However, he was unclear on whether they were also being asked to vote on what was already removed, as well as the additional rock work. He asked Planner Grahn which areas the HPB should be looking at specifically. Planner Grahn explained that the applicant was requesting approval to demolish the stone veneer, the porch, and the stone retaining wall. She was unsure why the deck and the porch were removed, which is why she added it even though it was already removed. Board Member Stephens understood that the Staff established from their research that the deck was built post 1975. Planner Grahn reiterated that they believe it was built in the 1980's, and that the stone work was from the 1960's. Planner Grahn clarified that she did not know the history of this project or whether a stop work order had been issued.

Board Member Melville asked if the owner had removed the side and back decks without a permit. Michelle Downard reported that there have been multiple building permits for this site over several years spanning in scope from remodels to different intensities. Ms. Downard stated that a permit was obtained for replacing the deck and some windows. However, prior to that the owners were written up and a complaint was filed for work without a permit. Ms. Downard noted that currently a permit was issued for removal of the deck. Board Member Melville wanted to know why the HPB was being asked to look at the deck since it was already removed. Planner Grahn stated that a waiver was issued to rebuild the deck and it was included with the stone veneer work and porch skirting. Board Member Melville asked if a permit was issued for removal of the side porch. Planner Grahn assumed it was included in a previous permit. She pointed out that the work has been done piecemeal.

Board Member Melville clarified that her question was why they were looking at a deck that had already been removed and whether it was a matter of procedure that should or should not be reinforced. Mr. Erickson stated that it was the complexity of the process of what everyone has been dealing with in the past. It involves the Building Department, the Planning Department, and an owner who

may not be paying attention to the regulations. Mr. Erickson explained that he had signed a waiver to replace the non-historic stone with a more appropriate stone veneer. The porch was already gone but there were plans to restore the porch in accordance with the building permit. The Staff wanted to make sure the HPB saw everything that was caught in the transition of the pending ordinance. Mr. Erickson stated that they were re-establishing the protocol of the Building Department. In the future the HPB would see a request for demolition before the Building Department issues a permit and before the Planning Departments signs off on it.

Board Member Beatlebrox thought it was going to be replaced with siding. Planner Grahn explained that there were two parts regarding the stone work. The stone wall will be replaced with a concrete wall clad in new stone veneer and have a stacked stone appearance. The stone that was applied as a veneer below the porch will be removed and replaced with wood deck skirting.

Mr. Erickson stated that it was one application with several parts. The deck that was removed was not historic and did not affect the historic integrity of the buildings. That was the reason for the waiver. They were also bringing forward the change to the rock walls. He pointed out that because of the waiver the HPB did not have to consider the deck. However, they needed to consider approving the demolition of the rock walls in accordance with the plan proposed.

Planner Grahn believed the demolition reviews would be clearer as they move forward because the first few are ones that were caught in the transition of the ordinance. Board Member Stephens clarified that the HPB was only recognizing that it was a non-historic rock wall and approving its demolition. What takes the place of the non-historic wall is still under the purview of the Planning Department and the HDDR. Mr. Erickson confirmed that the HPB was only making a decision on the non-historic wall and that Mr. Stephens had made an important distinction. He pointed out that the Planning Department would still rely on the eyes and ears of the HPB on the other matters, which is why they were given more information than what was needed to make their decision.

Assistant City Attorney McLean reminded the HPB that they were the appeal authority on the HDDR. If they stray too far from their mandate under the pending ordinance, it could corrupt their ability to review an appeal. There is no mechanism under the LMC for an appeal to go to the Board of Adjustment. The Board could ask the City Council to take away their appeal authority on Historic District Design Reviews and grant it to another body, but no other body has the historic expertise that the HPB has on historic matters. Mr. Erickson preferred to keep the Historic Preservation Board as the appeal board of HDDR. If the HPB starts to get more involved in reviewing the designs, the City Council may have to look at changing the appeal authority.

Chair Pro Tem White opened the public hearing. There were no comments. Chair Pro Tem White closed the public hearing.

MOTION: Board Member Melville moved to approve the demolition of the stone veneer on the porch on the east and north elevations and the stone retaining wall as submitted. Board Member Stephens seconded the motion.

VOTE: The motion passed unanimously.

Consideration of meeting dates and times.

Planner Grahn asked the Board to discuss a set schedule for their meetings. Board Member Melville asked if they could start with the first Wednesday of every month as the base, and schedule additional meetings if needed to review the demolition permits. Assistant City Attorney McLean stated that the Board could review the demolition permits during their regular HPB meeting. However, it would be helpful to be able to schedule a set time for special meetings if a special meeting is necessary as the demolition permits come in. Ms. McLean remarked that a meeting needs to be noticed 24 hours prior to the meeting, so the Board would know a few days beforehand if they would be meeting.

Planner Grahn explained the application process and time frame. Since they were adding the extra step of the HPB review, she thought it would be helpful to have a set meeting date so the Staff could tell the applicant what to expect in terms of timing.

Assistant City Attorney McLean stated that under State Law, the demolition review meetings were subject to the Open Public Meetings Act requirement which requires a minimum of 24 hour notice. However, she felt it was better for everyone to give more notice. A change in noticing could be addressed as part of the adopted ordinance, but under the pending ordinance there was no additional noticing requirement.

The Board discussed times and days that were most convenient for the Board Members. Commissioner Erickson stated that in an effort to have consistency for the public, he suggested scheduling the first and third Wednesday of each month, which would not interfere with the second and fourth Wednesday Planning Commission meetings. Board Member Hewett reiterated her earlier request for using technology to attend a meeting. Assistant City Attorney McLean noted that the Staff had talked about scheduling technology discussion on the agenda for the next regular meeting.

Ms. McLean commented on meetings times. She noted that most of the City Staff are not around after 5:00 p.m. unless they are specifically asked to stay for

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a meeting. She noted that a 5:00 p.m. meeting is better for the public to attend but it might be harder to have Staff available.

Planner Grahn noted that September 2nd was the regularly scheduled HPB meeting. September 16th would be the third Wednesday, and September 30th would be the fifth Wednesday and they could meet on that day also if necessary. She pointed out that the HPB also has a joint meeting with the City Council scheduled on September 3rd. Mr. Erickson stated that the Staff would put together a tentative calendar and send it to the HPB. Unless there was significant public comment he did not think the special meetings should be longer than an hour.

Mr. Erickson told the Board to plan on the first and third Wednesdays and the Staff would set the schedule. It was important to make sure they have a quorum for each meeting.

The meeting adjourned at 4:40 p.m.

Approved by _____
David White, Chair Pro Tem
Historic Preservation Board