

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF APRIL 1, 2015

BOARD MEMBERS IN ATTENDANCE: Chair John Kenworthy, Lola Beatlebrox, Marian Crosby, Cheryl Hewett, Puggy Holmgren, Hope Melville, David White

EX OFFICIO: Kayla Sintz, Planning Manager; Anya Grahn, Hannah Turpen, Mark Harrington, Makena Hawley

ROLL CALL

Chair Kenworthy called the meeting to order at 5:05 p.m. and noted that all Board Members were present.

APPROVAL OF MINUTES

There were no minutes to Approve.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES.

Chair Kenworthy disclosed that he lives on Woodside Avenue just down the street from 332 Woodside Avenue, a property that was on the agenda this evening.

Planning Manger Sintz reminded the Board that the Library Tour was scheduled for Wednesday, April 8th, at 4:00 p.m. Anyone who was unable to attend the tour should contact Ms. Sintz and she would arrange an individual tour. Ms. Sintz clarified that the project is not completed, but those who are interested can go inside to get a preview of how it looks. She noted that the Librarian is very excited about the facility.

Planning Manager Sintz reported that terms were ending for Board members Marian Crosby, Hope Melville, John Kenworthy and David White HPB members on May 15th. The Staff was preparing the criteria and would send out the information. The Board members who would like to reapply were encouraged to do so.

Planner Grahn reported that the HPB had agreed to sponsor the grant for the digitalization of the Park Record.

Planner Grahn stated that May Preservation Month would be different this year. Utah State History is trying to host an event in each of its certified local

government cities, and Park City is one of them. She and Planner Turpen have been working with High West to plan an event on May 15th from 5:30 to 8:30 p.m. There will be tours of the High West Building and the owners will talk about what they did at the Nelson Cottage, as well as the main High West location. There will also be other guest speakers. The theme is Keeping Park City Park City, Connecting Tourism Dollars to Authenticity of Place. Chris Merritt who spoke last summer will speak on Mining History. Someone from the Museum will talk about how this impacts the Museum and business on Main Street. Dinner is included and the event is \$25 per person with a cash bar.

Chair Kenworthy remarked that High West has been a great asset for the community and they have done a great job of putting Park City on the map. Planner Grahn agreed. She commented on how High West has adopted the spirit of Park City into their identity.

Planner Grahn reported that 1021 Park Avenue is a Landmark structure. The Planning Department has been working with the owner for several years and a demolition permit was issued this morning for the structure to be demolished and reconstructed. Planner Grahn stated that the structure was in poor condition and the City has stepped in several times over the past 20 years because of the condition of the building. In April 2013 the Chief Building Official ordered a Notice and Order for repair because of the poor condition and it was structurally unsound. They met with an Administrative Law Judge in July 2014 and they gave the City permission to do what was necessary to stabilize the structure and address the issues. While the City was in the process of determining a course of action, they hired SWCA to do a physical conditions report and measured drawings of the building. This winter the owner came forward to work with the City. Due to the poor condition the City was allowing the owner to deconstruct the house, salvage whatever historic material was possible, and a financial guarantee is in place that requires the owner to reconstruct the building within two years. The City allowed the two year time frame because the owner is working with a financial backer and he does not have plans ready to move forward with reconstruction at this point. Planner Grahn noted that two-year time frame is typical. However, this one was a little different because of the safety hazard it poses on the neighborhood.

Board Member Melville asked how the City would monitor whether historic material was saved. Planner Grahn replied that for the first time they have a checklist in place where the Building and Planning Department work together and conduct site visits to identify which materials can be saved, and what is new and what is old. She noted that the house was renovated several times in the 1980s and much of the historic siding is two layers underneath the white siding. The most salvageable historic siding is on the north side. The other sides have too much mold and dry rot to be saved. Planner Grahn recalled that the financial guarantee was approximately \$136,000. It is based on the square footage of the

house and what is historic. If the owner fails to do the reconstruction the City keeps the money to pay for the reconstruction. However, they would first put pressure on the owner to reconstruct the house. She could not recall a time when the City had to use the bond to do the reconstruction.

Board Member White noted that the house has been well-documented and the owner is motivated to do it. Board Member Melville asked about procedure if the current owner sells the vacant property after the structure is demolished. Planner Grahn replied that a lien for the financial guarantee was placed on the property and recorded with Summit County. Therefore the new owner would be aware of the lien and would have to assume responsibility for reconstructing the building. She reiterated that the owner has two years to reconstruct the house and obtain a certificate of occupancy.

Board Member Melville wanted to know what requirements a new buyer would be held to if the property is sold. Planner Grahn replied that a new owner would still have to reconstruct the house to look like the historic structure per the requirements of the financial guarantee.

City Attorney Mark Harrington explained that the financial guarantee is an actual trust deed and the City is the beneficiary for the security amount of the trust deed, which is tied to the performance of the preservation plan and other documents.

Board Member Melville wanted to know if the City had some recourse if a new owner would chose to pay the security amount and then build whatever they wanted. Planner Grahn replied that the City would never approve it because of the requirement to reconstruct the historic building. Mr. Harrington stated that the guarantee for reconstruction is the trust deed that is subject to the terms of the promissory note. The trust deed would not be released until the performance elements are completed.

Board Member Holmgren recalled another historic house that was taken down years ago at the top of Park Avenue. She asked if the City was involving the media to make the community aware that the house was being demolished and why. Board Member Melville thought at the very least they should post a sign on the property stating that the house will be reconstructed. She was certain many people would be unhappy to see a historic house come down, and she worried about giving others the idea that historic houses can be demolished.

Planner Grahn did not know if the media was informed, but they had asked the City Manager to send a summary to all the City Council members so they would be aware. She stated that a typical 14 day noticing sign was posted announcing the proposal, and a public hearing was held. There was also a 10 day appeal period and the sign stated that the applicant was approved for reconstruction.

Planning Manager Sintz thought they could keep a sign posted on the LOD fencing with the construction notification sign stating that it is an approved preservation plan. She recalled that the HPB has requested that signage in the past and it would help minimize the number of inquiries over the next two years.

Board Member Holmgren encouraged the Staff to work with the Park Record and KPCW to get more information out to the public.

Planner Grahn explained why the grant discussions were being continued this evening. The Staff listened to the comments when the HPB reviewed two grant applications at the last meeting, and understood their concerns regarding different payment methods and other issues. When the Staff met internally to address those issues, they realized there were still some misunderstandings about the funding. Therefore, the Grant Program has been put on hold the Staff plans to return to the City Council to make sure they understand the funding sources. Planner Grahn will notify the HPB when meeting dates with the City Council are scheduled. Once the City Council provides it will come back to the HPB.

Since they were relooking at the Grant Program, Board Member Melville asked whether they could add a restriction requiring the completed project to look historic. Her concern was having more projects end up looking like the project at 1063 Norfolk that received grant funds but does not look historic. Planner Grahn state that it is all in the details and the Staff and the Board need to look closer at what is being proposed. Board Member Melville suggested something as simple as a policy statement in the Grant Program. Chair Kenworthy pointed out that it could not be arbitrary and it would have to be defined by the Guidelines. Planner Grahn thought this needed to be a broader conversation to define what makes it look historic. Many details can make a structure look historic. Chair Kenworthy noted that the Staff and the HPB checked the project at 1063 Norfolk for compliance with all the guidelines and they followed the correct process. It has been an ongoing issue for years and he was unsure how they could fix it.

Chair Kenworthy asked for an update on the State Legislature actions for taking control of local preservation. Planner Grahn understood that it was under discussion because the State wanted to require at least 75% consensus among homeowners before a new historic district could be developed or designate a new local historic district. The Staff worked with the Utah Heritage Foundation and their lobbyist voiced Park City's concerns.

Planning Manager Sintz suggested that the Staff could provide the HPB with a written summary because some work took place after the Legislative session in anticipation of strengthening the stance from historic districts and looking at what could be done before this issue comes up again.

City Attorney Harrington thought Planner Grahn's summary was accurate. He explained that the issue stems from a dispute in Salt Lake City about creation of a new district, and it got the attention of one of the Legislators. Three years ago a compromise was reached that only applied to counties in the first class. A two year moratorium was placed on the creation of new districts while they worked out this compromise. Salt Lake City amended their ordinance and volunteered to adopt some measures that addressed the concerns of the private property rights groups. Mr. Harrington stated that most people were off guard when this bill came back because everyone thought the concern was addressed. Apparently that was not the case and now it is a broader principle because they were applying it Statewide. He noted that the matter was brought up late in the session and there was very little time to react. It did not go through its normal public process. Fortunately, the measure was defeated 31-37 with six legislators absent.

Mr. Harrington stated that this was a reason why they should remind the City Council and the Budget Department that advocacy of the carrot approach of making the grants available and helping people through the process is equally as important as a regulatory approach. Mr. Harrington recommended that they invite Former Building Official Ron Ivie to the High West event because he, Mr. Ivie and the architect were co-applicants to keep the building on the National Register despite the fact that it was panelized on the garage side. He explained the process they had to go through in Washington, DC to make their case. Mr. Ivie was successful in making his argument for the town and the project.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

332 Woodside Avenue – Determination of Significance of Historic House

Planner Grahn reported that CRSA was hired by the City to conduct an Intensive Level Survey. They were trying to make sure that nothing was missed in the Intensive Level Survey that might have been overlooked in the 2009 Reconnaissance level survey. The house at 332 Woodside may have been overlooked because a 1991 garage addition at the front of the lot blocks the view of the house directly below it.

Planner Grahn noted that the definition of a significant site is any building, whether main, attached, detached or public. It can be an accessory building and/or a structure that may be designated to the Historic Sites Inventory as a significant site, if the Planning Department and the Historic Preservation Board finds that it meets all the criteria.

Planner Grahn stated that the structure must be at least 50 years or has achieved significant in the past 50 years. She noted that the building at 332 Woodside was constructed between 1900 and 1905, and it first appears on 1907 Sanborn Fire Insurance map. It is also shown in a historic photograph from 1904. Planner Grahn pointed out that the look of this building has not changed very much.

The second criteria is that the structure retains its essential historical form. She noted that the cube addition was added on directly towards the street, and it was moved slightly towards the back of the lot to accommodate the garage. The 1991 addition only impacts the west wall and does not significantly impact the historic structure. The new addition could easily be removed to restore the historic form in the future.

The third criteria is that the structure has to be important to local or regional history, architecture, engineering or culture. Planner Grahn stated that the construction is very typical of Park City's Mature Mining Era. They were using very simple wood siding materials, very little ornamentation or decoration. It is a wood building. She assumed it was single wall construction and they built the walls into it. It is also associated with an era of substantial growth in Park City.

Planner Grahn did not believe the structure met the criteria for Landmark designation. It complies in that it is 50 years old; however, one of the main criteria is that it has to be eligible for the National Register of Historic Places. In this case she was not confident that they could wholeheartedly say that it is National Register eligible because the structure has been relocated on the lot, the west wall has been removed to accommodate the new addition, and she was unsure how much of the material was salvaged from the 1991 renovation.

Planner Grahn stated that overall the look and feel of the building is the same as it was in the historic period, and it is significant to local and regional and architectural history. The Staff recommended that the HPB review the application, conduct a public hearing and designate this house as significant on the HSI. Planner Grahn noted that currently the site is not listed on the Historic Sites Inventory, and if they leave it off the HIS it will not be protected from demolition. If they put it on the HSI it has to meet the Design Guidelines for Historic Sites and Structures, and not the design guidelines for new construction. It would be protected against demolition and eligible for the Grant Program.

Chair Kenworthy stated that his structure reminded him of the structure on Park Avenue with a nice looking carport attached to the front. He found this to be very similar to a project that the HPB previously approved as Significant.

Board member Holmgren was very familiar with this structure and she would hate to see it ever be demolished because it is part of their historic quilt.

Board Member White was comfortable putting the structure on the HSI as significant.

Board Member Crosby concurred with her fellow Board members. Board Member Hewett thought it followed the rules for a Significant site.

Board Member Beatlebrox agreed that they should not lose this building.

Board Member Melville agreed. She was inside the house during the home tour a few years ago and there is no question that it is historic and meets all of the criteria for a Significant site on the HSI.

Chair Kenworthy opened the public hearing.

There were no comments.

Chair Kenworthy closed the public hearing.

MOTION: Board Member Holmgren moved to designate the house at 332 Woodside Avenue as a Significant Site on the Park City Historic Sites Inventory. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

Chair Kenworthy asked if this structure was overlooked in the Reconnaissance Survey in 2009 because of the additions. Planner Grahn explained that a Reconnaissance Level survey is called a windshield survey because you note things as you drive up and down the street. Some things are easily missed and in this case, unless you look down the sides, you could miss the fact that there is a historic building next to the garage.

Findings of Fact – 332 Woodside Avenue

1. The Park City Historic Sites Inventory (HSI), adopted February 4, 2009, includes 409 sites of which 192 sites meet the criteria for designation as Landmark Sites and 217 sites meet the criteria for designation as Significant Sites. This site was not included on the 2009 HSI.
2. The house at 332 Woodside Avenue is within the Historic Residential-1 (HR-1) zoning district.
3. The residential structure at 332 Woodside Avenue was not included in the 2009 HSI.
4. There is wood-frame, rectangular, pyramid-roof cottage at 332 Woodside Avenue.

5. The existing house has been in existence at 332 Woodside Avenue since 1905. The structure appears in the 1907, 1929, and 1941 Sanborn Fire Insurance maps. A 1904-1905 tax photo of Park City also demonstrates that the overall form of the structure has not been altered.

6. The house was built between 1900 and 1905, during the Settlement and Mining Boom Era (1868-1893).

7. In 1991, the house was relocated several feet to the rear of the lot in order to accommodate construction of a new garage addition at the front of the lot. As part of this renovation, the house was also lifted to accommodate a new basement addition, the porch reconstructed, and structural improvements were made.

8. The house is clad in drop novelty siding, simple wood trim, and Victorian Era-inspired details reminiscent of the Settlement and Mining Boom Era.

9. The structure is rectangular in plan and typical of the types of residential structures built during the Settlement and Mining Boom Era. Further, pyramid roof

cottages were part of a national Romantic movement towards the picturesque and dynamic plans found in Victorian art and architecture.

10. The site meets the criteria as Significant on the City's Historic Sites Inventory.

11. Built between 1900 and 1905, the structure is over fifty (50) years old and has achieved Significance in the past fifty (50) years.

12. Though the 1991 garage addition has altered the view of the historic structure from the right-of-way, historic structure has retained its Essential Historical Form. The Land Management Code defines the Essential Historical Form as the physical characteristics of a Structure that make it identifiable as existing in or relating to an important era in the past.

13. The house is important in local or regional history because it is associated with an era of historic importance to the community, the Settlement and Mining Boom Era (1868-1893).

14. Staff finds that the structure at 332 Woodside Avenue meets the standards for local "significant" designation, but does not meet the criteria for "landmark" designation. In order for the site to be designated as "landmark," the structure would have to be eligible for the National Register of Historic Places and retain a high level of integrity.

Conclusions of Law – 332 Woodside Avenue

1. The existing structure located at 332 Woodside Avenue meets all of the criteria for a Significant Site as set forth in LMC Section 15-11-10(A)(2) which includes:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and
Complies.

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include: Complies.

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following: Complies.

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

2. The existing structure located at 332 Woodside Avenue does not meet all of the criteria for designating sites to the Park City Historic Sites Inventory as a Landmark Site including:

a. It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and Complies.

b. It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and Does Not Comply.

c. It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

i. An era that has made a significant contribution to the broad patterns of our history;

ii. The lives of Persons significant in the history of the community, state, region, or nation; or

iii. The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman. Complies.

1259 Norfolk Avenue – Determination of Significance of Historic House
(Application PL-15-02645)

Planner Turpen reported that new information regarding the structure was discovered this afternoon. Since the new information was not included in the Staff report the applicant would be requesting a continuance.

Maureen Moriarty, the property owner of 1259 Norfolk, stated that when she arrived this evening she was told that some information was not presented prior

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to this meeting. For that reason, she requested a continuance to the next meeting.

MOTION: Board Member Holmgren move to CONTINUE the discussion on 1259 Norfolk Avenue until the next meeting. Board Member Crosby seconded the motion.

VOTE: The motion passed unanimously.

The meeting adjourned at 5:39 p.m.

Approved by _____
John Kenworthy, Chair
Historic Preservation Board