

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF OCTOBER 7, 2015

BOARD MEMBERS IN ATTENDANCE: Chair David White, Lola Beatlebrox, Cheryl Hewett, Puggy Holmgren, Jack Hodgkins, Hope Melville, Douglas Stephens

EX OFFICIO: Bruce Erickson, Anya Grahn, Hannah Turpen, Makena Hawley; Polly Samuels McLean, Louis Rodriguez

ROLL CALL

Chair White called the meeting to order at 5:00 p.m. and noted that all Board Members were present.

PUBLIC COMMUNICATIONS

There were no comments.

ADOPTION OF MINUTES

September 2, 2015.

MOTION: Board Member Holmgren moved to ADOPT the minutes of September 2, 2015 as written. Board Member Hodgkins seconded the motion.

VOTE: The motion passed unanimously.

September 16, 2015

Board Member Beatlebrox clarified a comment she had made. She referred to page 31 of the Staff report, the last sentence in the second paragraph. The Minutes read, "She pointed out that miner's shacks were the original affordable housing." To clarify her intent she added, "and it would be valuable to have the existing buildings continue to be affordable housing."

Board Member Holmgren referred to page 35 of the Staff report, the paragraph beginning with Board Member Melville, "Ms. Melville pointed out that if they were not looking at these minor demolitions they would have a reason to meet." Ms. Holmgren corrected the sentence to say, "...would **not** have a reason to meet."

MOTION: Board Member Beatlebrox moved to APPROVE the minutes of September 16, 2015 as corrected. Board Member Hewett seconded the motion.

VOTE: The motion passed unanimously.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Board Member Stephens announced that he would be leaving the meeting at 6:30 this evening.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

CONSIDERATION OF AN 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 A HISTORIC DISTRICT AND ASSOCIATED DEFINITIONS IN CHAPTER 15-15.

Director Bruce Erickson thought the Staff report reflected the progress the Planning Staff was making on the Ordinance. The ultimately goal is achieve a recommendation from the Historic Preservation Board to the Planning Commission, who was the next review body. The Planning Commission would eventually forward a recommendation to the City Council to adopt the Ordinance. Director Erickson anticipated that the process would move forward into December.

Director Erickson noted that some parts of the Ordinance were complicated and other parts were straightforward. He stated that the Staff had done extensive benchmarking against other Historic Preservation Codes from Crested Butte, a location in Indiana, Breckenridge, Salt Lake City and Denver.

Planner Grahn reported on five items for discussion:

- 1) The Staff was recommending a third category for Historic preservation. In addition to the existing Significant and Landmark status, the third category would be Contributory. Buildings that would be considered Contributory would be 40 years old. They would be compatible to the streetscape due to mass and scale, architectural design or other features or materials. The building might have had substantial alterations, but the overall form would still be intact and they contribute to the rhythm and pattern of the streetscape.
- 2) Redefining the definition of demolition. The LMC currently provides a demolition definition; however, they want to include the ANSI definition so it is expanded to include dismantling, razing or wrecking of any fixed building or structure.
- 3) Demolition Permit Review. At previous meetings the Staff heard from the HPB regarding the amount of demolition reviews they would like to do. The Staff was proposing that a full Historic District Design Review application would still

come to the HPB. Smaller items such as a dryer vent would be approved through a Historic Preservation Boards waiver letter.

4) Noticing. Currently, there the City does not have a noticing requirement for items that come before the HPB for demolition review. The Staff was proposing to include in the LMC Amendment a requirement for a 14 day mailing notice and property notice sign, which is consistent with the Historic District requirement for an HDDR application.

5) Demolition by Neglect. The City currently does not have a Demolition by Neglect Ordinance. Other cities in Utah, including Ogden and Salt Lake, have that ordinance. It requires a minimum standard of maintenance, as well as a policy that would allow the Staff to enforce demolition by neglect and identify it when it is occurring. A Demolition by Neglect Ordinance in Park City would also include mothballing, which means securing the building so it would be rehabbed at a later date. The primary intent of the ordinance would be to create a minimum standard of maintenance to keep the structures from falling into disrepair. It would also prevent so many panelization projects from occurring because they would be maintained throughout their life rather than falling into neglect and decline.

Board Member Melville asked how a new status of Contributory Site would tie into the Code. Planner Grahn replied that Landmark and Significant designations would still be determined based on the current criteria. Contributory structures would have a lesser amount of integrity but there would still be historic materials and it would contribute to the streetscape overall. Director Erickson stated that the purpose of the third category allows the City to keep the integrity of the designation list, but also inventory structures that are important in the neighborhood and possibly make them eligible in the future for grants. Director Erickson noted that a proper inventory would help them do a much job of dealing with neighborhood compatibility because the structure would be identified and reviewed under the guideline. Director Erickson remarked that the Contributory category is consistent with the other locations they benchmarked against.

Director Erickson pointed out that at this point the Contributory structure would not impose additional regulatory requirements on the owner; however, that could change if they wanted more regulation.

Board Member Melville asked how adding the Contributory sites would affect the pending ordinance. Mr. Erickson stated that once it is included in the language, the Contributory sites would be regulated as they currently regulate under the pending ordinance. Ms. Melville asked if making changes to the pending ordinance would change the effective date of this ordinance from when it was first announced.

Assistant City Attorney McLean replied that it would not change the date. She explained that a provision under State law states that an applicant is entitled to approval if their application meets the requirements of the Code, except if the Municipality has introduced an ordinance which changes those requirements prior to submitting their complete application. Ms. McLean remarked that the trigger date is effective for 180 days and everything is put on hold during that time to give the Staff the opportunity to create the ordinance without having applicants try to rush through applications before the ordinance is adopted.

Board Member Melville wanted to make sure that things would not fall through the cracks if the pending ordinance was changed. Ms. McLean stated that the pending ordinance would still be in effect and anything that was captured under the original pending ordinance should continue. However, if additional items are added after the pending ordinance was introduced, that would then become the pending ordinance and the public would be noticed. Ms. Melville clarified that the changes would not affect the requirements and the effective date of the pending ordinance, and that the pending ordinance would not be affected by a proposed change such as the Contributory language. Ms. McLean replied that she was correct.

Board Member Beatlebrox liked the Contributory category because it anticipates that these particular buildings will be 50 years old and would probably be on the HSI. It also puts them on the HSI ten years earlier as a Contributory structure. Ms. Beatlebrox pointed out that many of the old A-frame ski chalets would automatically be placed in the Contributory category and she wanted to know how that might affect those owners. On one hand it could help the owners pursue grants, but it could also put a burden on the owners if they could not expand an A-frame structure. She asked if the Staff had looked at the number of A-frames that would become contributory and what affect it would have on the owners.

Planner Grahn noted that approximately three to five A-frames were demolished this year. She recalled that there were approximately nine A-frames left. Planner Grahn stated that this was an opportunity for A-frame owners and other ski era architecture to come forward and be considered contributory. The Staff had discussed the issue and it was a challenging question in terms of whether those structures contribute to the look of the Mining Era or the Ski Era. Planner Grahn believed the language as drafted would allow the Staff to identify the structures. If any of the structures receive grant funds they would move into the Significant category. If the owner chose not to receive grant funds or wanted to demolition the structure, they would still have some flexibility to do so.

Director Erickson clarified that a Contributing classification was an inventory and a record but it was not an automatic nomination to the Historic Sites Inventory.

The nomination would still come from the Staff. Board Member Beatlebrox was comfortable with that clarification.

Board Member Hodgkins asked for clarification on whether it was 40 years or 1975. Planner Grahn replied that the goal is 40 years. Director Erickson explained that 1975 was written in the original pending ordinance to make sure there was a hard date. When the ordinance is modified the 1975 date would be changed to 40 years when they make the LMC changes.

Director Erickson had asked the Staff to provide the LMC changes in text form before they come back with the redlined form. For that reason, the Board would not see redlined changes until the Staff makes sure that all of the points and comments by the HPB and the Planning Commission are correct. The HPB would not see the redlined update until the Planning Commission has at least one meeting to discuss the ordinance. He hoped to have recommendations from the HPB this evening to carry forward to the Planning Commission meeting on October 14th.

Board Member Melville noted that the information the Staff heard from the experts, including the group from Denver, was not included. The HPB had some knowledge of those discussions, but she questioned whether the Planning Commission would have enough background to consider Contributory status based only on the small paragraph written in the language. Director Erickson stated that the Planning Commission was looking to the Historic Preservation Board and the expertise of the Planning Staff for the needed information. He did not believe the Commissioners were willing to drill down into historic preservation. Director Erickson noted that the Planning Commission is responsible for looking out to the greater community to see what implications the contributory sites would have on the historic districts and throughout town.

Board Member Melville asked the Staff to explain a little more about Contributory Sites and how other jurisdictions consider contributory sites and why.

Planner Grahn thought it was important to note that other historic districts might have Landmark or Significant sites, but most jurisdictions base their designation off of the National Register surveys. For example, most of the homes in the Avenues area or the Sugar House area in Salt Lake are bungalows. If the bungalow has had a lot of modifications it would probably be considered Contributory. Planner Grahn stated that the Staff looked at San Francisco's categories because they had more than a typical city. In San Francisco, Contributory was similar to how it was explained for Park City in that it contributes to the look and feel of the streetscape and contributes to the neighborhood's historic integrity. Board Member Melville understood that it was typical in other areas to have the Contributory designation. Planner Grahn answered yes. Ms. Melville asked if Park City has ever had a Contributory

category. Planner Grahn was unsure whether there were designations for structures in Park City beyond the National Register sites until they established the Landmark and Significant categories for the HSI in 2009. Assistant City Attorney McLean replied that Park City did have building designations prior to the Historic Sites Inventory.

Board Member Stephens believed that Contributory was a way to explain and describe a class of inventory in town without adding additional regulations aside from the review of demolitions. Director Erickson replied that he was correct. It would give the City an inventory and a means of a voluntary look. It also provides the opportunity to extend grants. He noted that it may eventually extend to the ski era homes, and the owner is not obligated on any changes to the LMC. Mr. Erickson remarked that its true purpose inside the Code is a reinforcement of the visual guidelines. He noted that the neighborhood compatibility guidelines are much more rigorous in this ordinance and the Contributory classification defines it.

Board Member Hewett asked if the Contributory category was an encouragement to keep some smaller homes. Mr. Erickson answered yes. Chair White assumed the Contributory designation would primarily refer to buildings with a smaller mass and scale that contribute to the feeling of the neighborhood. Mr. Erickson stated that during the HDDR review the Staff attempts to look at neighborhood compatibility and requests to see a couple of surrounding structures. Contributory would greatly enhance their ability to regulate for neighborhood compatibility.

Board Member Hodgkins asked if the Contributory category would encompass everything that is 40 years old or whether it would meet specific criteria in order to be considered. Planner Grahn replied that being 40 years old definitely helps; but if the mass and scale of the structure was greatly altered it may not contribute to the look and feel of the streetscape. Mr. Hodgkins asked if the Staff had done an inventory to get a sense of the number of buildings that would be included. Planner Grahn replied that the Staff planned to do an inventory but it had not yet been done.

Planner Grahn stated that the second point was Defining Demolition. The current definition in the LMC was written on page 41 of the Staff report. The Staff was proposing to add **dismantling, raising or wrecking of any fixed building or structure or any part therein** to the existing language. The added language was taken from the ANSI definition. The Board was comfortable with the language.

The third point was the Demolition Permit Review. Planner Grahn noted that the most of the HDDR applications would be reviewed by the Historic Preservation Board as outlined on page 4 of the Staff report. However, if a structure is eligible

for a Historic District Design Review waiver because it is a minor alteration or minor construction that has little to no impact on the historic district, the Staff would retain the right to give administrative approval.

Board Member Melville thought the Board should still review an alteration when it involves historic materials, regardless of whether it is major or minor. Planner Grahn suggested adding language stating that if the building is on the Historic Sites Inventory or the materials are older than 1975, it could require an HPB review. Board Member Stephens thought that issue needed to be addressed. He pointed out that the demolitions the HPB has reviewed in the past few meetings were non-historic structures. He believed it was better to let the HPB review all historic structures even if it is minor as opposed to putting that burden on the Staff. Ms. Melville agreed. She noted that the process could be modified if the Staff and the HPB later realize that an HPB review is not necessary for all historic structures or the historic portion of structures.

Director Erickson was comfortable bringing anything historic to the HPB and to make sure the public knows what applications have been made for historic structures. He thought it was important to update the HPB on the number of permits that were currently in the application process and how many have been issued. The Staff was not allowing a number of permits currently in process to proceed because it may result in demolition, which is a violation of the pending ordinance. Mr. Erickson stated that he and Ms. McLean were still working through how the ordinance works. He anticipated a dozen permits currently in the pipeline in some form or another.

Director Erickson referred to the agenda for this evening and noted that 222 Sandridge had vested rights to move forward and it would not be reviewed by the HPB. Mr. Erickson clarified that the HPB was only seeing minor alterations now because the Staff was withholding other applications while the pending ordinance controls. Board Member Melville emphasized that her preference would be for the HPB to review any application that involves historic materials on a historic building.

Director Erickson was not opposed to placing that requirement on the HSI Landmark and Significant structures, but not for Contributory structures. Board Member Holmgren understood that they were only talking about historic materials and not Design Review. Director Erickson replied that the topic was demolition as defined, which would be altering any of the historic materials and form. He noted that the regulatory powers would also be extended to mining structures and not just homes.

Board Member Melville asked if it was possible for the HPB to see a list of the waivers. She was not against appropriate waivers and thought it would be helpful to have a list. Director Erickson stated that the Staff had that discussion

and he thought it would be an appropriate update for the Manager's report at each meeting. Ms. Melville was comfortable with that approach because it would keep the HPB and the public informed, and they would be able to track the process to make sure the waivers were appropriate.

Board Member Stephens assumed that there would not be a noticing requirement on waiver issues. Planner Grahn replied that he was correct.

Board Member Hodgkins understood that the current LMC definition talks about the exclusion of structures that are being relocated or reoriented. He asked if that would still be an exclusion in the new definition. Planner Grahn explained that currently when a building is relocated or reoriented is it not considered demolition because the majority of the building is picked up and moved. The only demolition would be the foundation if there was one. The same applies to reorientation because it only changes the direction of the structure. She explained that one reason the City does not use demolition and scraping the lot is because the owner is required to either panelize or reconstruct the building, which are forms of preservation. Some of the buildings are so deteriorated that they could not uphold a lifting or some have so many alterations that it cannot be structurally stabilized because of the condition of the materials. Instead of being able to demo the structure, scrape the lot and build something new as infill, the owner is required to reconstruct the building.

Board Member Melville thought the HPB should definitely look at the structures that are being moved or reoriented. Planner Grahn replied that currently those projects do not come before the HPB, but it was one of the proposed Code changes. Mr. Erickson clarified that the Staff had written the language with the intent that relocation or reorientation were not necessarily definitions of demolition; however they are reviewable acts. He noted that relocation and reorientation were currently reviewed under the HDDR process.

Planner Grahn referred to page 45, Item 2, which outline change to the LMC. She read, "All HDDRs will require an HPBR grants by the HPB for the following work..." She noted that panelization, reconstruction, and rotation were included. Relocation was not listed but it could be added. Director Erickson clarified that HPBR was a new acronym for Historic Preservation Board Review.

Assistant City Attorney McLean stated that the challenging part of definitions of demolition is that if a demolition requires a CAD it has to meet a higher threshold, including demonstrating economic hardship. The City has always tried to distinguish demolition related to a CAD from preservation, which could include reconstruction. Ms. McLean remarked that it was actually some wordplay and a difficult way to express what they were trying to do. That was the reason for having two competing definitions. Demolition can be tearing down a wall, but when the public hears demolition they think the house is gone. If a structure is

demolished and reconstructed, that is considered a preservation method and not demolition to remove a structure.

Board Member Melville understood that any site on the Historic Sites Inventory could not be approved for demolition without being reconstructed. Planner Grahn replied that HSI sites could not be approved for permanent demolition without a CAD. Ms. Melville asked when it would ever be appropriate. Planner Grahn explained that if it meets the hardship criteria then a special review board would have the ability to approve the CAD. Ms. McLean pointed out that the CAD review board has that purview but a CAD is rarely granted. Director Erickson remarked that the thresholds are very high, particularly the economic threshold. Ms. McLean thought it was important to distinguish that kind of demolition from what they were trying to accomplish with the ordinance in order to help preserve these historic houses.

Chair White asked where the HPB Demolition Review should come into the process. He asked if their review was slowing down the process and whether it should be part of the HDDR review or even the building permit process. Chair White was concerned that projects were being held up waiting for the HPB review. Director Erickson stated that a formal permit application would need to be submitted in order to trigger an HDDR review or a building permit. Mr. Erickson believed the HPB should make a determination on "demolition" early in the process before the applicant incurs the time and expense of an HDDR process. He explained that the Staff has been bringing the demolitions to the HPB with an HDDR waiver. They want to make sure that the Historic Preservation Board sees the possibility of the alteration of a building before it goes through the HDDR; because if it goes through the HDDR and the HPB decides it is not appropriate, the applicant has to start over. Director Erickson stated that the Staff was trying to make the HPB review the first step and they needed to create a new application in order to vest that step. Chair White accepted that explanation. He clarified that he was trying to be prudent but he did not want to slow down the process. Director Erickson stated that it would not slow the process. He believed that having the HPB look at the more questionable potential alterations to buildings would make the Staff's job a little easier.

Planner Grahn understood that there was agreement among the Board for the HPBR process. Planner Grahn summarized that all Historic District Design Reviews would require the HPB review the HPBR, which would include demolition of existing structures, panelization and reconstruction, rotation, relocation, new foundations and any other work involved in the HDDR process. She noted that if someone comes in for an HDDR waiver and it is affecting the historic material on a site listed on the HSI, those would also be reviewed by the HPB.

Planner Grahn asked if there were questions regarding the proposed noticing requirements. Director Erickson stated that the noticing requirement was set to be within 100 feet of the property; and anyone within that 100 feet radius would receive a mailed notice. Planner Grahn noted that 100 feet is consistent with the requirement for the HDDR applications. The mailed notice would be in addition to posting the property.

Board Member Beatlebrox asked if there only needed to be consensus from the Board and not a motion. Mr. Erickson replied that the HPB was not authorized to vote, but they were being asked to give the Planning Commission some guidance.

Planner Grahn commented on the next point which was Demolition by Neglect. She noted that pages 45 and 46 of the Staff report contained an explanation of what the Staff determined to be a minimum standard of maintenance. Page 46-47 summarized the intent of the ordinance.

Board Member Stephens believed they all knew what demolition by neglect looked like, but the question was how to define it. He commented on the number of homes that were currently lived in that were structurally inadequate. Mr. Stephens assumed that the intention was to preserve the buildings that are occupied and being neglected. He pointed out that the owner's definition of neglect might be different. Planner Grahn agreed that most of the buildings that have not been renovated do not meet structural codes. However, there is a difference between a structure that someone lives in and does what they can to keep the structure intact versus an abandoned structure that the owner hopes will fall down.

Board Member Hodgkins asked how they would enforce demolition by neglect and if there were consequences. Planner Grahn replied that if the Building Department determined that demolition by neglect was occurring, the City could fine the owner for every day that the deficiencies are not corrected. Assistant City Attorney stated that currently, the only methodology the City has is an Order to Repair, which can be a lengthy process. Ms. Melville asked if the City could board up or reinforce a structure. Ms. McLean explained that the City could abate, but it is a long process. The City issues an Order and Notice of Repairs that are needed and the owner has a specified time to appeal. She understood that part of the reason for addressing demolition by neglect as part of the Statute is to keep the houses from reaching such a deteriorated state. Under the International Building Code, the only way the City can require repairs is when it becomes a dangerous situation. Having it in the ordinance allows the City to enforce day to day maintenance to keep it from becoming a danger to people.

Board Member Beatlebrox asked if there were exceptions for people who were disabled or indisposed and could not do that type of work. Planner Grahn

believed it would need to be reviewed on a case by case basis. There have been situations where the owner lived out of town and the structure posed a dangerous situation. Usually when the Building Department contacts the owner they are unaware of the problem. They are willing to have the Building Department lien the property and make the repairs or they hire someone to do it. However, there are situations where the owner hopes the structure falls down undocumented because they believe the City would not require the structure to be reconstructed. Planner Grahn stated that the intent of the language was to address the owners who are purposely being negligent.

Board Member Melville asked if grants would be available for people who financially could not afford to repair the structure. Planner Grahn stated that when the Building Department issues an Order to Repair, they sit down with the owner to explain their options, including the possibility of grant funds. Many times the owner chooses not to work with the City. Director Erickson explained the process for finding and identifying structures that would be considered demolition by neglect.

Board Melville liked the process because it was proactive.

Director Erickson noted that the Staff would be taking their suggested Code changes to the Planning Commission on October 14th and the additional review by the HPB would be included as part of their recommendation to the Planning Commission.

COMPABILITY STUDY– Staff recommends that the Historic Preservation Board review and discuss current weaknesses of the 2009 Design Guidelines and provide input to staff to address these issues.

Director Erickson reported that both Anya Grahn and Hannah Turpen have a master's degree in Historic Preservation. He noted that it is rare for a municipality the size of Park City to have that expertise. Planners Grahn and Turpen had researched other jurisdictions and Mr. Erickson believed their work would help the Staff legally define visual compatibility in the neighborhood.

Planner Grahn stated that she and Planner Turpen looked at Park City's design guidelines and they reviewed the General Plan for guidance. She and Planner Turpen had researched cities from San Francisco to the Midwest. When they went on City tour this year they also learned a lot from the Breckenridge historic district. They pulled all their research together to determine the best approach for infill and compatible additions to historic structures.

Planner Grahn pointed out that the Staff has also heard mixed opinions from the Planning Commission, the HPB and the City Council in terms of how different is too different for the Historic District. Obviously they want new construction to be

differentiated from historic structures, but the question is how much. Planner Grahn thought that Breckenridge had done a good job based on what they call the Breckenridge Vernacular, which picks out character defining features. The Breckenridge historic district looks similar to Park City in terms of types of structures and design. Planner Grahn noted that specific designs carried outside of their historic district throughout the town and that was influenced more by the Breckenridge Vernacular than the Design Guidelines.

Planner Grahn requested that the HPB comment on a list of questions outlined on page 56 of the Staff report. As they begin to discuss the Design Guidelines they need to think about whether they want more traditional design in Old Town or if there is a place for modern design, particularly in transitional zones.

Board Member Melville remarked that looking at pictures of houses was helpful. She suggested that the Staff give their presentation before they have that discussion so the Board has a better idea of what fits or does not fit.

Board Member Beatlebrox had looked up Vernacular on the Internet. She believed that the vernacular defines Park City's sense of place and with that sense of place comes a lot of pride and connection. Ms. Beatlebrox would not want to see that eliminated with a lot of ultra-modern construction. She thought the examples in the exhibits showing modern construction were extreme and jarring. Ms. Beatlebrox believed they should do whatever is necessary to avoid that from occurring in Park City. Ms. Beatlebrox agreed that some areas were appropriate to separate the old from the new with more modern design. She also like the idea of making the additions to historic homes look different to make the historic portion stand out.

Board Member Stephens thought it was more about mass and scale. He believed a creative architect would bring in the Park City vernacular to enhance their design. Mr. Stephens was cautious about directing the architectural style of what is built and remodeled in Park City and holding it to a specific style because it would become boring. He preferred to allow architecture to be more creative; however it would need to reflect the history of the built environment.

Board Member Hewett agreed that mass and scale were important. She favored making the more modern features less visible and less distracting. Ms. Hewett was unsure why they would relax that preference on the boundaries. Old Town is already small and she preferred to make it more impactful to achieve more continuity so you have the same feeling as you drive through all of old Town. Ms. Hewett suggested repairing what has occurred on the fringes that take away from the vernacular of Old Town.

Board Member Melville referred to the photo of 535 Woodside on page 72 of the Staff report. She believed the building was not consistent with Old Town in terms

of mass and scale and the elements. The wording on page 72 states that the applicant had a modern interpretation of the Design Guidelines. Ms. Melville questioned why it was put in the hands of the applicant and not the Staff. Planner Grahn remarked that the applicant had a modern interpretation of a chosen style and they obviously pushed modern to the brink and a lot further than some of the other examples in the Staff report. It was a question the Staff wanted to discuss with the Board in terms of how modern is too modern. Board Member Melville thought it was important to not only look at the building as it stands alone, but also the impact it has on surrounding structures and the District itself. The Staff had included good examples, but she had pictures of other structures that she would like the Staff to include in their overall review of whether or not the designs enhance the District. Ms. Melville suggested that they also look at renovations of historic buildings to make sure it remains a historic building. She noted that 41 Sampson was a Landmark structure and after the recent renovation she thought it was difficult to identify the historic building. She had the same difficulty finding the historic building at 124 Daly. The garage at 109 Woodside was another example of a historic building that was renovated into a structure that no longer looks historic or contributes to the District.

Ms. Melville suggested that the Board have another meeting to discuss compatibility and to visit various sites to get a visual sense of compatibility.

Planner Turpen noted that some buildings being constructed today were approved under the old guidelines and the projects were delayed for various reasons. She stated that the Staff would cross-reference Ms. Melville's list to make sure her examples were approved under the current guidelines. Ms. Melville pointed out that they needed to make sure the Guidelines would prevent that type of construction in the future.

Director Erickson suggested that the Board review the compatibility questions on page 60 of the Staff report so the Staff would know if the recommendations were on the right track and what they should bring back for discussion at the next meeting. He stated that the Staff would be crafting the compatibility guidelines based on comments by the HPB in an effort to achieve more consistency.

Planner Grahn noted that the Staff looked at compatibility as outlined on pages 60 and 61 of the Staff report. They were proposing to modify Design Guideline #6, which was a Universal Guideline, so it would have more influence on the overall streetscape of the neighborhood as opposed to just the neighboring structures. The Staff also talked about breaking up new additions into modules. Planner Turpen would explain that further when they discuss transitional elements. The modules would allow differentiation between the pieces. It would also help to break up the large volumes on new additions and new construction for more articulation. The Staff also talked about ways to make rear additions and accessory buildings subordinate to the historic buildings. Another issue was

to avoid large expanses of glass, which they have seen a lot in Old Town recently. Planner Grahn stated that Madison, Indiana does an excellent job of preservation and the Staff looked at how Madison defines compatibility. They incorporate things such as height, ratio of siding to windows, different materials, roof shapes, and other elements that contribute to the look and feel of the streetscape to cut down on the mass and volume of large box structures that do not fit with the neighborhood.

Director Erickson noted that the Staff was proposing to limit the amount of glass allowed in a garage door and generally finding that a glass garage door is not appropriate in the district. They were looking at amending the Guidelines specifically for garage doors and for control of night light to protect the night sky in the Historic District. The Staff was also looking at regulations related to glazing. Ms. Melville suggested that the Staff also consider lighting fixtures around garage doors because some light up the entire street. She thought the City had dark sky restrictions. Mr. Erickson stated that the lights are supposed to be downlighted and shielded with no light coming off-site. Planner Turpen remarked that lighting is regulated; however, Code Enforcement is typically not out at night and the City is not always aware of the problems.

Board Member Holmgren stated that there is a lot of traffic in Old Town and she leaves her porch light on all night. She has had things taken off her porch in the past and she does not want people coming on to her porch. Her light is bright and for good reason. She thought it was important for the Staff and the Board to consider both sides of the issue.

Board Member Beatlebrox understood that the list of compatibility for new construction infill on Page 60 was the proposed list. Planner Grahn replied that it was the current Guidelines in place to enforce compatibility. Ms. Beatlebrox asked if the Staff was comfortable with those Guidelines or if they were proposing to change them. Planner Grahn clarified that the only one they were proposing to change was Universal Guideline #6, which they would like to revise to read, "Scale and height of new structure should follow the predominant pattern established by historic structures on the same block or within the immediate neighborhood". Ms. Beatlebrox stated that it would personally help her to understand the Guidelines and how they are viewed by Staff, if they could look at each guideline and compare it to the examples that were provided. It would help the Board see how the Guideline was applied, whether it conforms. Whether or not they liked the design was immaterial if it meets the guidelines. Planner Grahn agreed that it would be a helpful exercise for both the Staff and the Board.

Board Member Bealtebrox read from page 60, Item 1, New buildings should reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites. She noted that all three examples were different but they all met the Guideline. Planner Grahn replied

that she was correct. Ms. Beatlebrox thought the example on the right was very modern. To answer the question by Staff regarding how modern is too modern, Ms. Beatlebrox did not believe the example on the right fit with the vernacular.

Planner Grahn stated that based on what the Staff was proposing for this meeting, the example on the right would be broken further into modules that reflect more the size of historic structures. Board Member Beatlebrox clarified that the structure could still be extremely modern but it would be more modular to reduce the visual size and scale. Director Erickson pointed out that the example on the right was not restrained in its architectural approach and that was something the Staff needed to consider. He thought they needed to put more emphasis on the word "restrained". Board Member Beatlebrox stated that restrained was not a precise word. Director Erickson explained that it was not a one line review. The design is reviewed against a ten bullet point review model. He thought the middle example showed more restraint. Ms. Beatlebrox noted that the middle example meets Bullet Point #2 because it does not directly imitate any existing historic structure. However, she questioned whether it met Point #3. Planner Turpen explained that #3 talks about specific style. Board Member Melville remarked that the example on the right would not comply with #3 because it was never a type of style in Park City.

Chair White believed that size was the primary objection to the example on the right. He thought a different mass and scale might make the style fit in better. Chair White thought the mass and scale of the middle example was acceptable. The issue was the glaring garage door.

Planner Grahn stated that the Staff would be coming back to hone in on details such as windows, doors and garage doors. She suggested that if they included mass and scale and volume it would help with the discussion. Director Erickson clarified that the discussion regarding the guidelines was bifurcated from the pending ordinance discussion. The Staff was proposing changes to the Design Guidelines in an effort to be more consistent and thorough and to take a more regulatory approach. He noted that the HPB would have the opportunity to discuss the Guidelines over time because it was not on a time frame like the pending ordinance. Director Erickson agreed that site visits are worthy and it may help to guide their discussion with the City Council in terms of how they feel about applying the Guidelines if they were to become a design review board rather than a preservation board.

Chair White stated that when he inquired about the example on the right, he was told that the original structure was a very large four-plex. However, he believed the new structure could have been scaled down. Mr. Erickson thought it was important to note that the building in the background was the same size. Woodside also has some of the large 1970s condo. Mr. Erickson believed the result of the building in the example was an overreach, which is why there were

reviewing the Guidelines. Director Erickson was pleased with the general recommendation and he was interested in working with the HPB to make sure the Staff was interpreting the Guidelines correctly.

Board Member Hewett was not in full agreement with the comment on glazing. She would keep an open mind, but in her opinion letting in the sun should be a personal choice. Board Member Beatlebrox pointed to the glazing on the Park City Museum. She also noted that there was no differentiation between the old and the new with the Park City Museum. In fact, the back of the building covered up the old back of the Park City Museum Building which was City Hall. She believed that certain things allowed on Main Street due to the density, location and the cost per square foot may not be allowable in a neighborhood. Planner Grahn thought it was something the Staff could look into further as they move forward with the discussion.

Board Member Stephens referred to #6, the Universal Guideline that the Staff was proposing to amend. He thought the language as written addressed mass and scale, but he questioned whether an appropriate mass and scale would still result in a product that would add to the historic community. He suggested revising the language to say, "Scale and height of new structures should follow the predominant pattern **and respect the architecture of the** neighborhood with special consideration given to Historic Sites". It would give the architect the opportunity and the obligation to reflect on what they were building in between the other buildings. Planner Grahn agreed and offered make the change.

Board Member Hodgkins if there were floor area ratios to regulate a building size for the lot. Planner Grahn stated that there is a building footprint but the size depends on the number of lots. A traditional Old Town lot is 25' x 75'. However, in some situations people may own 1-1/2 lots or two lots or more. As the lots grow the footprint grows. Planner Grahn noted that there is a 27' height requirement regardless of the topography of the lot. Within that 27', at 23-feet on the downhill side they are required to step it 10 feet before it could go back up. She explained that there was no restriction on the number of floors within the 27' above existing grade; however, they only have 35 feet from the top of the tallest wall plate to the lowest floor plate. Planner Grahn believed this would be a worthwhile discussion to have with the HPB because it requires diagrams to show how buildings can step down the hill and how the 35 feet is measured. Director Erickson encouraged the Board members to read the Architectural Section in the LMC to better understand the explanation. He clarified that structures are limited in size, but structures in Old Town were more difficult to regulate because of the steepness of the topography. A lot of the volume works uphill or downhill, which makes a structure appear larger, particularly on smaller lots. Board Member Melville stated that one problem with combining lots is that the setback is reduced. She thought that should be addressed at some point because the total amount of setback on two combined lots is less than it would

have been on one single lot. Director Erickson explained that the Planning Commission's rationale for combining lots was to reduce the number of cars and people in the District by having one house instead of two. He commented on a number of scenarios that defies that rationale. Board Member Hodgkins believed that combining lots also changes the nature of the neighborhood. Board Member Melville noted that one large house blocks more light than two smaller homes. Board Member Hewett thought requiring a module design for larger structures would help with the light issue.

Planner Turpen referred to Item #2, Transitional elements. She stated that transitional elements are very important for historic structures and new additions. The goal is to reduce the loss of historic material and to also distinguish between old and new. Planner Turpen stated that the Staff has been successful in requiring transitional elements, but the mass and scale of transitional elements vary between projects because they have not quantified what a transitional element should be. She noted that Breckenridge had relied heavily on modules to define the size and components of an addition. The result is an addition with smaller components that reflect the mass and scale of the historic structure. Staff was proposing to require modules so if the addition is larger than the existing historic structure addition be broken up into components that reflect the existing size of the modules of the historic structure. She asked if the Board was interested in having the Staff proceed with defining criteria for the Design Guidelines.

Board Member Melville asked if Planner Turpen had examples of a module addition. She remarked that when the new addition and the old structure are different colors it helps to make that differentiation. She understood that the City does not regulate color and suggested that maybe they should for that type of situation. Planner Turpen understood that the decision not to regulate color was made after significant discussion by the HPB at the time, and it was removed from the guidelines. Ms. Melville pointed out that in the example where two colors were used, the mass and scale appears to be broken down to look more compatible.

Board Member Stephens stated that restricting the size of the addition to 50% of the historic home without restricting the footprint would not be possible on a 25' x 75' lot. Planner Turpen explained that if the addition is less than 50% of the historic structure a transitional element would not be required because the addition would naturally be smaller. If the addition is larger than 50% of the historic structure a transitional element would be required, and she was prepared to explain how they would quantify the size. Planner Turpen referred to the Bullet Point #3 and noted that the Staff was proposing that the width of the transition element shall not exceed two-thirds of the width of the connecting elevation. The Staff believed it would preserve historic material and still allow the

owner to have usable space in the transitional element. It would also create clear delineation between what is old and what is new.

Board Member Hodgkins wanted to know what happens to the original historic exterior wall and whether there were limitations on how much could be removed. Planner Turpen stated that in theory they could remove two-thirds of the exterior wall that would then become interior space. Planner Grahn noted that the City does not regulate interior space. Board Member Beatlebrox pointed out that it would be a demolition that would be reviewed by the HPB.

Assistant City Attorney McLean felt that was a good point. She believed it would be more defensible if it was quantifiable rather than subjective. She suggested that the language should specify the amount of the wall that could be removed. Board Member Melville thought it would be ideal if the historic materials removed from the back wall of the historic house could be reused on the house. Planner Grahn replied that it was a good detail to discuss further when they reached that point in the Guidelines. She noted that currently the Staff encourages the reuse of historic materials whenever possible. Chair White pointed out that in some historic homes the back wall was already removed by previous additions.

Assistant City Attorney noted that the current Code talks about viewpoint from rights-of-way. She was unsure whether something visible from the right-of-way would have a different standard than something not visible from the right-of-way.

Director Erickson noted that the Staff was halfway through their presentation. He asked if the Board wanted to continue this evening or wait until their next meeting. In the interest of time and due to the number of items remaining on the agenda, Chair White suggested that they continue their discussion at the next meeting. Board Member Bealtebrox thought it would also give the Board members time to look at more examples of structures in town.

Planner Grahn noted that the last item was character zones. She noted that currently every location in the Historic District is treated the same. However, different neighborhoods within the Historic District have a different look and feel. The Staff discussed whether or not there should be different guidelines for different specific character zones. Planner Grahn pointed out that guidelines for character zones currently do not exist and she asked if the HPB thought it was something the Staff should look into. She suggested that the HPB think about it for the next meeting, at which time she would have examples to help with the discussion. Chair White thought Daly Avenue definitely merited some discussion.

MOTION: Board Member Beatlebrox moved to CONTINUE the discussion on the Compatibility Study to the next meeting. Board Member Melville seconded the motion.

VOTE: The motion passed unanimously.

Review of demolition permits for the following Buildings and Structures to be considered under the pending ordinance:

1. 1328 Park Avenue - Demolition Determination – The applicant is requesting to remove a minor section of exterior siding, two windows, and window trim on the south elevation of the non-historic rear addition to the historic structure.
(Application PL-15-02932)

Planner Turpen reviewed the project located at 1328 Park Avenue. The applicant was proposing to remove two non-historic windows and non-historic siding on the southern façade of an addition. The Building Department issued a building permit for that addition in 1995, which was how the Staff determined that it was non-historic.

The Staff recommended that the Board approve this demolition based on the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report.

Board Member Melville noted that Finding of Fact #4 refers to the south façade and Finding of Fact #7 says north façade. Planner Turpen stated that Finding #7 should be corrected to south façade. Ms. Melville noted that the discrepancy also took place in the body of the report. She asked if it should be changed to south whenever north was referenced. Planner Turpen clarified that it should always be south and she apologized for the mistake.

Board Member Beatlebrox clarified that none of the material being removed was historic. Planner Turpen answered yes, and that it would not impact the historic structure in any way. Ms. Beatlebrox asked if they were just proposing to repair the water damage. Planner Grahn stated that when the project is completed it would look similar to what exists now.

Chair White understood that the applicant was proposing to remove the windows. Planner Turpen stated that there was extensive water damage and the windows would be replaced.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic horizontal wood siding and two windows on the south facade of the non-historic garage addition at 1328 Park Avenue in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report and as amended. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 1328 Park Avenue

1. The property is located at 1328 Park Avenue
2. The building is listed as Significant on the Historic Sites Inventory.
3. The property is located within the Historic Residential Medium-Density (HR-M) District.
4. On September 14, 2015 the applicant submitted a Building Permit for the demolition of non-historic horizontal wood siding and two (2) windows on south façade of the non-historic garage addition at 1328 Park Avenue.
5. The removal of the horizontal wood siding and two (2) windows is considered routine minor and routine maintenance.
6. The Planning Director made a determination on September 14, 2015 that this falls under routine minor and maintenance pursuant to LMC 15-11-12(A)(3) and has waived the requirement for a Historic District Design Review.
7. It can be determined that the horizontal wood siding and two (2) windows on the south façade of the garage addition are non-historic because a Building Permit for an addition and remodel was issued on January 9, 1995.
8. The removal of these items will not affect the historic materials of the building.

Conclusions of Law – 1328 Park Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-M District and the August 6, 2015 pending ordinance.

Conditions of Approval – 1328 Park Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on September 14, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
2. An HDDR Waiver Letter by the Planning Director is required for the approved design before a Building Permit can be issued by the Building Department.

2. 262 Grant Avenue - Demolition Determination – The applicant is requesting to remove minimal non-historic siding to add an egress window and a new door on the South elevation of a significant structure. (Application PL- 15-02901)

Planner Tech Makena Hawley reviewed the application for 262 Grant Avenue. The applicant was intending to install an egress basement window located on the south side of a Significant structure, as well as replace a non-historic window with a door providing access to the existing patio. The structure was built in 1968 and reconstructed in 2000.

Board Member Hodgkins asked if the egress was required by Code. Planner Hawley replied that it would be required by Code because the applicant had

enclosed a room. Planner Grahn understood from the building permit that the space was changed from a storage room to habitable space, which requires a window.

Board Member Melville asked why a window was not put in when the house was reconstructed in 2000, and whether the owner was prevented from turning the basement into habitable space at that time. Planner Turpen believed the applicant chose to have storage at that time and they now would like to maximize the living space. Ms. Melville wanted to make sure the HPB was not approving a window that was not previously allowed. Planner Grahn noted that this request would not increase the footprint because the footprint already exists and there is livable space in the house. She understood that the owners were remodeling the basement they needed to have egress from that space.

Board Member Hodgkins asked if the window needed to be placed in the specific location shown. Ms. Hawley thought it could be moved around but it needed to stay in that room. Ms. Melville noted that the door was required to be put in the back half of the historic house; however, the window placement is forward of the historic house. Planner Grahn stated that she would share Ms. Melville's concerns if the house did not have a porch. The Guidelines require that the window be shield from the front and she believed that with the porch and the vegetation and the fence it would not be visible from the front. It also lines up well with the window above it.

Board Member Beatlebrox was comfortable with the request. Ms. Melville confirmed that the materials were not historic on that side of the house.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic material at 262 Grant Avenue on the south side of the residence for the addition of an egress basement window, and replacing a window with the door on the back half of the historic house in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the Staff report. Board Member Hewett seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 262 Grant Avenue

1. The property is located at 262 Grant Avenue.
2. The site is listed as Significant on the Historic Sites Inventory.
3. September 18, 2015 the applicant submitted a Building Permit (BD-15-21876) to the Building Department.
4. The applicant is proposing to remove the non-historic wood skirting and replace with an egress window as well as install a new door on the back half of the historic house. Both of these projects are proposing to take place on the south elevation.

5. The Planning Director made a determination on August 29, 2015 that the proposed work is minor construction that does not detract from the historic structure on the lot or the historic structures in the neighborhood. Per Land Management Code §15-11-12(A) (3), the proposal does not require completion of a full Historic District Design Review (HDDR) process; however adherence to the Design Guidelines is still a requirement.

6. The additions will not affect the historic materials of the building based on evidence found on a site visit. From the site visit staff found that on the front façade, it was clear that historic siding had been preserved and married with new materials. This leads staff to believe that during the remodel in 2000, the historic material that could be saved was preserved and moved to the front façade. The replacement materials matched the existing historic material in profile. The materials on the South elevation are consistent with the new material found on the front façade. The minor demolition to install the egress window and door will have no negative impact any historic materials.

Conclusions of Law – 262 Grant Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-2 District and the August 6, 2015 pending ordinance.

Conditions of Approval – 262 Grant Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on August 20, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.

2. An HDDR review or a Waiver by the Planning Director is required for the approved design before a Building Permit can be issued by the Building Department.

3. 222 Sandridge Avenue - Demolition Determination – The applicant is requesting to remove: historic tacked stone retaining walls, non-historic exterior wood and stone steps, non-historic wood Fence, non-historic roofing , historic brick chimney, historic open porch and lower-level covered porch, non-historic pantry addition to be removed, 2 doors temporarily removed for restoration; 2 historic doors removed entirely, Historic windows to be replaced, Removal of historic architectural ornamentation, Lift house for new basement foundation and panelize a historic accessory building.

4. 279 Daly Avenue – Demolition Determination – The applicant is requesting to construct a new crawlspace foundation, replace existing non-historic windows and doors, restore non-historic front porch , demo the a non-historic rear wall of a non-historic addition, and replace the existing roofing as part of a larger renovation project of the historic house

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Director Erickson noted that the applications for 222 Sandridge Avenue and 279 Daly Avenue were withdrawn by the Planning Department because they were vested prior to the enactment of the pending ordinance and did not require HPB review.

Board Member Melville asked if both projects were complete applications before the pending ordinance was enacted. Director Erickson answered yes.

The meeting adjourned at 6:45 p.m.

Approved by _____
David White, Chair
Historic Preservation Board