



AGENDA

MEETING CALLED TO ORDER AT 5:00 PM

ROLL CALL

ADOPTION OF MINUTES OF SEPTEMBER 2, 2015

ADOPTION OF MINUTES OF SEPTEMBER 16, 2015

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

REGULAR AGENDA – *Discussion and possible action as outlined below*

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

<i>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.</i>	<i>Planner Grahm and Planning Director Erickson</i>	<i>39</i>
--	---	-----------

Compatibility 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.	<i>Planner Grahm & Turpen</i>	<i>53</i>
---	---	-----------

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

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. <i>Public hearing and possible action</i>	<i>PL-15-02932 Planner Turpen</i>	<i>73</i>
---	---	-----------

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. <i>Public hearing and possible action</i>	<i>PL-15-02901 Planner Hawley</i>	<i>87</i>
--	---	-----------

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	<i>PL-14-02461 Planner Grahm</i>	<i>123</i>
--	--	------------

panelize a historic accessory building.

Public hearing and possible action: Withdrawn by the Planning Department See Memo

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.

PL-15-02613 123

Planner

Grahn

Public hearing and possible action: Withdrawn by the Planning Department See Memo

ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF SEPTEMBER 2, 2015

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

EX OFFICIO: Bruce Erickson, Anya Grahn, Hannah Turpen, Christy Alexander, Polly Samuels McLean, Louis Rodriguez

ROLL CALL

The meeting was called to order at 5:00 p.m. and noted that all Board Members were present except Lola Beatlebrox who was excused.

ADOPTION OF MINUTES

August 5, 2015

MOTION: Board Member Hewett moved to APPROVE the minutes of August 5, 2015 as written. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

August 13, 2015

Board Member Holmgren referred to page 12, bottom of the first paragraph and corrected Ms. Planner to correctly read, **Planner Grahn**. Board Member Holmgren pointed to an error in the last sentence of the same paragraph which stated, the applicant was working with the applicant.

MOTION: Board Member Hewitt moved to APPROVE the minutes of August 13, 2015 as amended. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

ELECTION OF CHAIR AND VICE-CHAIR

MOTION: Board Member Holmgren nominated David White as Chair of the Historic Preservation Board. Doug Stephens seconded the motion.

VOTE: The motion passed unanimously.

Board Member White assumed the Chair.

Assistant City Attorney McLean noted that the Code does not require the HPB to elect a Vice-Chair; however, the Board members have the discretion to determine whether or not they would like to have a Vice-Chair.

Board Member Hewett asked for the role of the Vice-Chair. Ms. McLean explained that for the Historic Preservation Board the Chair votes along with the other members, unlike the City Council and the Planning Commission where the Mayor and the Planning Commission Chair only vote to break a tie.

Board Member Holmgren recalled that several years ago the position of Vice-Chair of the HPB was eliminated. Assistant City Attorney McLean reiterated that it is not mandated in the Code, but she thought it would be helpful to elect a Vice-Chair to conduct the meeting if the Chair is not present. Without a Vice-Chair, if the Chair is absent, the Board would vote on a Chair Pro Tem for that meeting. If they elect a Vice-Chair that person would automatically take on that role in the absence of the Chair.

Board Member Stephens preferred to handle it on a case by case basis as opposed to electing a Vice-Chair. Interim Planning Director Erickson stated that the only advantage for a Vice-Chair is that if the Chair knows in advance that he could not attend the meeting, the Staff would be able to brief the Vice-Chair prior to the meeting to make sure it is conducted correctly. Board Member Stephens suggested that the Board could re-address the issue if it appears to be a problem. The Board concurred. Chair White clarified that the Board would not elect a Vice-Chair at this point.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Interim Planning Director Erickson reported that the Staff intended to make sure that the HPB was informed of all actions being taken, even if it did not require HPB action, which was the reason for including the Staff report for the McPolin Pole Barn. He noted that Planner Turpen was available to answer questions the Board may have regarding the Pole Barn.

Mr. Erickson stated that the HPB would continue to meet on the first and third Wednesdays until they have an idea of how much backlog gets cleared and the new ordinance is adopted. The ordinance was targeted with the City Council sometime in November. Mr. Erickson did not believe the extra meetings would be necessary after the first of the year if everything stays on schedule.

Board Member Hewett did not recall that meeting on the first and third Wednesday had been established. Mr. Erickson replied that the schedule had not yet been published but it would be published. Ms. Hewett asked if remote attendance would be allowed. Mr. Erickson stated that the Staff was looking into whether that could be accomplished. He received a report from the IT

Department and from others and he intended to address that matter in the regular session.

Board Member Melville commented on the Pole Barn. It appeared that what was being proposed was drainage and brackets on the pole. Planner Turpen replied that she was correct. It was a matter of stabilization and additional drainage, which would resolve the problems that caused the stabilization issue.

Board Member Melville asked about cost. Planner Grahn believed it was less than \$15,000 for both the drainage and the brackets, but she was unsure of the actual cost. Board Member Melville asked if there were plans for the roof. Planner Turpen replied that the roof itself was not the issue. It was actually the pole supporting the roof, as stated by the structural engineer consultant in the pending historic preservation plan. Planner Turpen stated that the proposed work was consistent with the recommendations of the structural engineer consultant. Board Member Melville recalled that a beam for the roof had also been recommended. Planner Turpen replied that it was recommended; however, the contractor who was working on the project did not believe the beam was necessary at this time and that the brackets would suffice to resolve the issue. She pointed out that the beam would help in the event of having 10-feet of snow. The immediate intent was to fix the problem at a lower cost to address the stabilization issue.

Planner Grahn stated that after receiving the initial engineering report that suggested the beam, the Staff spoke with a second engineering firm who recommended the brackets. They let the project manager and the contractor determine which method to use.

Mr. Erickson clarified that the HPB would not be taking action on this matter. The intent was to inform the Board so they would be able to answer questions if approached by the public. Planner Grahn stated that a geo-technical analysis was also being done. If they see a large tractor next to the McPolin Barn it would be for the purpose of testing soils.

WORK SESSION

Historic Preservation Updates

Planner Grahn noted that the HPB had requested a work session to give the Board the opportunity to have a discussion prior to the joint meeting with the City Council. She had outlined specific items that the HPB has expressed interest in such as the Grant Program, CRSA's Intensive Level Survey and the Mine Sites. However, it was open to whatever the Board wanted to discuss.

Planner Grahn noted that Board Member Beatlebrox had submitted written comments which were attached to the Staff report.

Board Member Melville pointed out that the comments submitted by Board Member Beatlebrox related mostly to the Grant program. She asked if Planner Grahn was able to answer some of the questions that were raised because she was also confused with the current Grant Program and how much money is available.

Planner Grahn stated that in terms of available funds, as outlined the Program still has the allocated line item amounts. Anything above that must be reviewed by the City Council and the Council would have to amend the budget. Planner Grahn remarked that on September 17th Nate Rockwood, the Budget Manager, would be giving the City Council a budget update and she assumed the grant program funding would be part of that discussion.

Board Member Melville asked if the uncertainty of the available grant funds was affecting grant applications or what the Staff was currently doing. Planner Grahn stated that everything was on hold in terms of the grant program because questions were raised in March with the last two grant applications, and they were still trying to address those questions and revamp the grant program. She pointed out that since it is a policy, the HPB can provide input but it must be approved by the City Council. Planner Grahn explained that in January the City Council approved the grant policy, in which the grant amount awarded was tiered based on 50% for a primary residence vs. 40% for second homeowners, and a 10% boost for applicants who improved the property from a Significant to a Landmark designation. If the HPB recommended an award over \$25,000 it would go to the City Council for approval. Planner Grahn did not believe the \$25,000 limit would be changed, but how to structure the grant program was still up for discussion. Therefore, the grant program was on hold until they sort through the issues and revamp the program.

Board Member Stephens stated that he found the Grant Program to be confusing. On many levels it appeared to be Staff intensive and it was confusing to anyone applying for a grant. He thought the grant program should be predictable. Mr. Stephens believed that anyone taking on a restoration project, whether a developer or an owner, they should have some idea of what to expect in terms of financing prior to starting the project. He thought the funding should be timely. For example, if he was doing a historic restoration project, factors other than just the grant program would dictate when he starts the project. If he has to wait until the next round of grant money is available, he would not apply for the grant because it would delay his project. Mr. Stephens did not think that was fair to people who are trying to do a restoration.

Board Member Stephens thought the grant program should be economical. In reading past meeting minutes regarding the process, he found it confusing on what items were or were not eligible. In his opinion, the grant program had

morphed into an expectation that the City would pay for items rather than looking at the qualified expenditures. He was especially bothered by the fact that there would be some reimbursement for a preservation plan. While it would be nice for the owner to be reimbursed, he believes the preservation plan is the cost of owning a historic home and doing a restoration. Owners should understand that before they start their project. Board Member Stephens did not believe the City should reimburse for preservation plans unless the City owns the property and hires the architect.

Board Member Stephens reiterated that the Grant Program should be simple with regards to eligible programs and the overall value they were trying to accomplish with the restoration. He thought the question was whether the City was paying for restoration and/or additional square footage. If they have specific values it would be easier to make those decisions. Board Member Stephens was also confused about whether or not the Grant Program was equitable. If the value they are trying to achieve is a quality restoration project, then a primary residence versus a second homeowner should be treated the same.

Board Member Stephens stated that he has had experience in Salt Lake County and Salt Lake City and with the Utah Heritage Foundation with revolving fund programs. He suggested that it might be a better program to explore because money goes back to the grant program when the property is sold. Mr. Stephens was interested in talking about a revolving fund program to simplify the process as opposed to making it more complicated. Mr. Stephens explained how a revolving fund program works. Someone who receives grant money must reimburse the City for that amount if the property sells or the title is transferred. It keeps the grant money revolving rather than just being awarded once.

Board Member Melville asked for the current status of the Grant Program. She understood it was on hold, but she wanted to know what process was taking place. Planner Grahn stated that the Staff was working through the details in terms of what is included, but they were also looking at ways to structure the program. They moved away from the liens and went to a preservation easement that would protect the façade of the program, because the easement runs with the land in perpetuity but the lien only protects it for five years. Planner Grahn pointed out that while the Program was on hold all options were open for discussion. The idea is for everyone to work together to come up with the best program.

Mr. Erickson stated that if the Board generally concurred with the comments made by Board Member Stephens, particularly regarding revolving funds, they should lay out that framework when they meet with the City Council the following evening. It would give the HPB and the City Council the opportunity to discuss whether or not it was a viable option or whether they should take a different approach. Mr. Erickson remarked that the purpose of this work session was for

the HPB to interpret what the City Council might want and their role in overseeing the program. He noted that Planner Grahn and her team would craft the Grant Program to meet the requirements of the HPB and the City Council, and they were looking for guidance.

Board Member Melville recalled past discussions regarding the purpose of the Grant Program. The HPB talked about wanting historic preservation plans submitted, recognizing that it was expensive and a burden on the applicant. The idea for reimbursing the cost was that if the community thinks there is a benefit in preserving historic structures, there would be a buy-in from the City to help incentivize historic preservation and to do it properly. Ms. Melville stated that another reason for the Grant is that some people cannot afford to keep up their old historic houses and it would offer them an incentive to keep the house and continue to live there.

Board Member Stephens clarified that he was not suggesting that people who wanted to stay in their home but could not afford the restoration should not be given a grant. In fact, those people might be more likely to be awarded a grant under that scenario; and they would benefit the most from a grant because it would help them stay in their home for many more years and enjoy the financial benefit before they would have to sell and pay it back. Mr. Stephen pointed out that a revolving fund could potentially give them more available funds to loan.

Mr. Erickson stated that the Staff would prioritize the list on page 31 of the Staff report. Once they get direction from the City Council they would start with the top three or four bring each item to an HPB meeting for discussion. It would allow the Board to drill down into the issues they were facing. Mr. Erickson remarked that the objective this evening was to position some ideas they could present to the City Council. He requested that the HPB help prioritize the list this evening and identify which items they would like to spend time on over a period of meetings. Mr. Erickson advised the HPB that in the course of grant funding, it was possible that the funding mechanism may need to expand to mines and mining features. The City was looking at other funding options as well.

Board Member Melville referred to page 33 of the Staff report and the request to discuss and provide input on a subset of the longer list. She thought it would be helpful if the Staff could give their thoughts on the Historic District Design Review process. Planner Grahn stated that the Staff held a work session with the City Council prior to a session with the HPB. During the work session the City Council talked about the role of the preservation consultant and the Design Review Team. Each week the DRT meets with the public and it provides the opportunity to review any applications that are coming forth to make sure the applicant is moving in the right direction. A second part of the discussion was deciding whether the HPB should have more design review authority. The

Council wanted to hear more on that issue at later date. Planner Grahn pointed out that it was a topic that could be discussed at the joint meeting.

Another item for discussion was the CRSA Intensive Level survey. Planner Grahn stated that the Intensive Level survey of the Main Street District had been completed and the National Register District area would be expanded. CRSA would come back this Fall with the residential sites, and once they have new criteria for the Historic Sites Inventory, those sites could be included.

Planner Grahn stated that another items was the Endangered Buildings and Abatement Challenges. She reported that the Building and Planning Departments have been working together to identify the historic buildings and mine sites that are on the verge of collapse either because of deferred maintenance or age. They have discussed financial challenges, as well as having a Planning Field Officer in the field to make sure that what was approved on the HDDR was actually being built.

Planner Grahn reported that the mine sites were an ongoing discussion in terms of which mine sites to invest in, and working with Vail to make sure they meet their conditions of approval to preserve or stabilize the mine sites in their leasable area. Mr. Erickson noted that the City also had a commitment from Deer Valley on their mine sites.

Board Member Stephens asked if the Staff wanted the Board to prioritize the list and break out the top three. Mr. Erickson stated that he would like the HPB to discuss the list and agree on the most important items, as well as determine which items should come back for regular discussion at each meeting.

Chair White referred to the bullet list on page 31 of the Staff report and the updates to the Design Guidelines. He asked if the HPB would be looking at updating the Design Guidelines from 2009. Planner Grahn replied that the Guidelines are supposed to be a living document but they have not been updated since 2009. The plan is to relook at the Guidelines in more detail to see where revisions might be necessary. Chair White thought updating the Design Guidelines should be on the priority list. Mr. Erickson noted that some of the Guidelines have already been directed by the City Council, particularly in terms of flat roofs and upper level party decks. He would rely on Planners Grahn and Turpen to determine which parts of the Design Guidelines need to be looked at. Mr. Erickson believed they would also need provisions for the structures that would be protected under the new ordinance but not restored back to a Significant level.

Board Member Melville stated that because the Board is unaware of how the Guidelines are applied and the problems encountered, it would be difficult to provide input without knowing where they needed improvement Ms. Melville felt

there needed to be a way for the Board to understand the problems in applying the guidelines and what does or does not work. Planner Grahn stated that as they start reviewing the Design Guidelines they would go through them section by section. At that point the Staff could provide photos showing where different guidelines were applied. The Board favored the idea of looking at photos to see the effects of a particular guideline. Ms. Melville stated that instead of addressing the Design Guidelines as a whole in the future, she suggested that they address specific situations as they come to the Staff. Planner Grahn thought they could begin to do that once the pending ordinance was adopted and they had a better idea of which historic buildings fall under the ordinance.

Board Member Melville asked how the Intensive Level Survey from the consultant applied. Planner Grahn replied that initially they identified buildings that were not listed in 2009 but should have been, and it was part of the work they did with the HPB in terms of designating new building. She recalled sheds and garages and possibly a few houses. However, with the pending ordinance, they need to identify specific criteria to help them apply the CRSA results into Landmark, Significant and the other criteria for designations.

Based on their comments, Mr. Erickson understood that the Grant Program should be prioritized ahead of the small revisions to the Design Guidelines. Board Member Stephens thought the Grant Program should be the highest priority because it was currently on hold. It does not serve the public well when the Grant Program is not in place. Mr. Stephens anticipated a long process to work out the details and approve the changes, and to actually fund the program. Chair White concurred.

Mr. Erickson agreed that the Grant Program was a bigger problem than architectural issues, and it was appropriate to make it a higher priority. However, he thought both the Grant Program and the Guidelines could move forward.

Board Member Melville thought Endangered Buildings and Abatement should also be a high priority if they really are endangered. Mr. Erickson pointed out that it was the number three priority for the Staff. He noted that part of the direction from the City Council was to revise and strengthen the Demolition by Neglect Ordinance, and to also apply it to the identified mine sites. A task force was working on that revision. Planner Grahn had a list of endangered structures and she was working with the Building Department to identify specific structures as they walk through streets and neighborhoods.

The second item on the list was to change the role of the Historic Preservation Board. Board Member Stephens asked if there was enough interest among the Board and the City Council to change the duties of the HPB to make it a priority. Planner Grahn explained that it was on the list because the City Council had

discussed it during one of their meetings and they wanted to get feedback from the HPB.

Board Member Holmgren noted that the HPB was still an arbitration Board and they should not be looking at designs. Planner Grahn replied that the HPB was currently an appeals Board; however, they could be a design review board in the future if their role was changed. Ms. Holmgren stated that if the HPB became a design review board they would need more architects on the Board and that would close the door to a lot of people who might be interested in sitting on the Historic Preservation Board. Board Member Melville did not think they would need more architects because the Staff currently does the design review work without being architects. Chair White thought the Staff was doing a good job with design review and having the HPB also involved with design review would be duplicating the work. He did not believe that was necessary.

Board Member Stephens clarified that the purpose of his question was to determine whether or not changing the role of the HPB was a priority for discussion. Mr. Erickson remarked that the current mission was the pending ordinance and the underpinnings of the new ordinance, which was the new classification of buildings and protecting the new classification of buildings; and organizing the order in which they come to the HPB. Mr. Erickson stated that the Grants Program was second on the priority list. He was primarily involved with the ordinance and Planner Grahn was primarily working on the Grants Program. Mr. Erickson noted that the Design Guidelines was the third priority and currently that was primarily focused on flat roofs and party decks and rhythm and scale of the street.

Chair White thought it was time to look at the 2009 Design Guidelines as a whole. Planner Grahn agreed that it was time; however, because of the magnitude of the pending ordinance it was more important to focus on that first. Once the ordinance is off the table it would be easier to prioritize the remaining items.

Board Member Melville stated that LMC Chapter 15-11-5, outlines the purposes of the HPB, Items A through I, as well as a list of additional duties if directed by the City Council. Ms. Melville thought the discussion should be whether the Board was achieving those purposes and whether they could do them better. In reading the purposes, Ms. Melville questioned whether the Board was accomplishing any of them other than the Grant Program and Administer City sponsored programs. She thought it would be a worthy Board discussion. Board Member Melville noted that they go through the agenda set forth at each meeting, but there might be other things that need to be addressed that as a group they should be thinking about in terms of their purpose as the HPB. Mr. Erickson added that discussion to the list of items for future meetings.

Mr. Erickson pointed out that the Site Inventory, the Grant Program, the Intensive Level Survey and the Mine Sites were all tools that could help support their role as the Historic Preservation Board.

Board Member Melville recalled an issue at the last meeting regarding a building at 543 Woodside and why a stop work order had to be issued. She knew there were similar situations on other projects and asked whether the HPB has a role in suggesting ways to keep that from continually happening. Planner Grahn remarked that 543 Woodside was still being worked out. Ms. Melville thought the project was still proceeding. Planner Grahn stated that one gable was hanging and it posed more of a threat to the condition of the gable than it would to remove it and put it with the others. Mr. Erickson understood that 534 Woodside was trying to come back into compliance after the stop work order. Ms. Melville asked if penalties were imposed for not complying or whether they just issue a temporary stop work order and then the project is allowed to continue. If that was the case it would encourage more of the same. Planner Grahn explained that the Planner looks at the financial guarantee to see where the project is not in compliance, and then issue a letter giving the applicant a certain number of days to come into compliance. However, when panelization is done without permission the situation becomes more delicate. Ms. Melville reiterated her question about whether a penalty is imposed. Planner Grahn answered yes, and she believed Planner Whetstone was working closely with the Legal Department to determine an appropriate penalty. Ms. Melville asked if a penalty has ever been assessed for that type of non-compliance. Planner Grahn replied that the Staff was currently working on assessing a penalty on a project on Park Avenue because the materials were stolen. The Staff was trying to figure out the value of the materials.

Board Member Melville believed it was a larger issue in terms of regulation. Mr. Erickson stated that public consciousness has risen on this matter in the last three months since the problem on Woodside occurred, the problem on Park Avenue where the materials disappeared, and the problem with the Rio Grande. Ms. Melville pointed out that timing was also an important factor. He noted that the Building and Planning Department were working on ways to assess a penalty for non-compliance besides the completion bond. He agreed that it was an important issue for discussion.

Board Member Melville understood that when a building is a Landmark building they should be cautious not to approve any changes that would remove it from Landmark status. Planner Grahn explained that the intent is not to approve those changes; however, there have been instances where based on a structural engineer report, the Chief Building Official and the Planning Director have decided that even though it is a Landmark building the changes are necessary in order to save the structure. One reason for having the HPB review the panelizations and reconstructions is to have another body provide input, in

addition to the Planning and Building Departments. Ms. Melville believed that most of the Landmark buildings that were recently renovated could not possibly remain Landmark. Planner Grahn replied that it depends on the quality of the reconstruction. High West was an example of a panelized project. The National Parks Service did not want to keep the building on the National Register; however, the City fought for it and showed that it deserved to stay on the Register because it had been preserved to a high integrity. In other cases the reconstruction may not be that high quality and those were the issues the Staff was working through. Planner Grahn believed the HPB would be able to provide a lot of insight once they begin their review and have a closer understanding of what the Staff has been reviewing in the past.

Board Member Melville read from the LMC, "An application associated with a Landmark site shall be denied under the Land Management Code if the Planning Department finds the proposed project will result in a Landmark site no longer meeting the criteria set forth under Landmark". She noted that there was similar language for Significant sites as well. Planner Grahn stated that it needs to be looked at from the end project. She did not think it was fair to look at it from the beginning and determine whether or not it would remain Landmark. They do their best but there are always changes in the field, and those are things that will be looked at as they continue to look at CRSA's results of the survey. Ms. Melville pointed out that they certainly want the buildings to continue to be used, but on the other hand they need to follow the criteria. Planner Grahn remarked that when the City decided to put panelization into the Code as a way of preserving buildings, they opened the door to those types of changes and gave the applicant the opportunity to explore them.

Planner Grahn asked if the Board was comfortable with the prioritized list and the items that would come back to the HPB. Board Member Hewett asked for an explanation of Mine Sites. Mr. Erickson stated that the Trestle that can be seen on the side of First Time at PCMR was an example of a mine element that they were working on a preservation plan for and a prioritization. He commented on other mine site elements on the list. Board Member Hewett clarified that she was asking what the HPB would be looking at in their review. Mr. Erickson stated that first the sites needed to be identified. Secondly, the Museum and Planner Grahn compiled a top ten prioritized list of the most important site. They were now in the process of determining ownership and who is responsible for them. The Museum had given cost opinions on stabilizing the top five sites. The next step is to ask the City Council for funding. Mr. Erickson remarked that in many cases the mine sites were excluded from the ski leases and it reverts to the underlying land owner, and there might be a mine claim somewhere.

Board Member Hodgkins asked if the mine sites should be considered a subset of the endangered list. Mr. Erickson stated that the first objective is to look at the sites; the second objective is to determine their status of Significant, Landmark,

or another classification; and the third objective is to see if any are in danger of falling over. He noted that an argument in Historic Preservation is that sometimes history is preserved by letting it fall down, putting a sign on it, and saying history moves forward. That interpretation will be done by the experts and the consultants on each mine site. Some will be Landmark, some Significant, others contributory, and some will be deemed insignificant and go away.

Board Member Holmgren returned to the Grant discussion and asked if it was appropriate to add a sunset clause. Chair White thought there was a sunset clause already. Board Member Stephens stated that if Ms. Holmgren was talking about a time frame for the actual construction, the Uniform Building Code already has limitations on completion times. He recommended keeping those issues within the appropriate departments to enforce compliance. The Board members could raise an issue if they see one on a property, and ask for an update and whether it was in compliance.

Board Member Holmgren stated that she is also on the HPCA and too often projects are started but not finished. She definitely favored sunset clauses. Board Member Stephens pointed out that the Grant Program as currently written, the applicant would not receive the Grant funds until the project is completed and receipts are submitted for reimbursement. Until the project has a Certificate of Occupancy the grant funds would not be disbursed. Ms. Holmgren remarked that if grant money has been awarded and there is no time frame to complete the project, the money has been earmarked and it is not available to anyone else. Mr. Stephens believed that most owners or developers doing restoration projects are anxious to get the project completed, particularly if financing is involved.

Board Member Hodgkins understood Ms. Holmgren's point. He asked if when a grant is awarded whether it is accounted for in perpetuity to be funded. Board Member Stephen replied that the City does fund accounting and the fund is timeless. Once a grant is issued from a Fund the fund is immediately reduced by that amount rather than when the grant is disbursed. Mr. Hodgkins asked if there was a point when the funds would go back into the general fund it was not used. Mr. Erickson replied that it would depend on which fund it was taken from. He understood that the question was if the fund balance was declining and an awarded grant had not been used after a significant amount of time, whether it should be forfeited. Mr. Erickson thought the question was worth consideration.

Planner Grahn remarked that if a grant is awarded the property is obviously historic and requires a financial guarantee. She pointed out that the financial guarantee has a timeline that requires the project to be completed and have a Certificate of Occupancy issued within two years of pulling the building permit. She offered to look into sunsetting the Grants as well. Mr. Erickson favored the idea of forfeiting a grant if the work is delayed too long and make the funds available to someone else who might be eligible.

Mr. Erickson appreciated the Board's comments and help in prioritizing the list of items for the Staff and for discussion with the City Council at the joint meeting.

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.

Mr. Erickson noted that this item would continue to be on their agenda until the Ordinance is passed in case the Board has questions. If there are no questions the item could be continued.

Board Member Melville asked if there were modifications since the last meeting. Mr. Erickson stated that no major changes had been made at this point. Assistant City Attorney McLean noted that the Ordinance was scheduled to be reviewed by the Planning Commission on September 9th and a public hearing would be held.

Mr. Erickson stated that Planners Grahn and Turpen rewrote a number of the sections on the application and made sure it vetted out correctly, and they would be submitting their report to Mr. Erickson by Friday at the latest. Mr. Erickson would review their report and come back with suggested changes to the ordinance language. He anticipated early October as a target date for action by the Planning Commission. The Ordinance would come back to the HPB for a recommendation before the Planning Commission takes action.

Assistant City Attorney McLean recommended that the HPB appoint a Board member to attend the September 9th Planning Commission meeting to hear the discussion and comments regarding the pending ordinance; and report back to the HPB. Board Member Holmgren volunteered to attend the Planning Commission meeting.

Chair White called for public comment.

Ruth Meintsma asked to comment on the Grant Program discussion. She also had comments regarding the purpose of the HPB. She asked if it was appropriate to make her comments this evening or wait until the joint meeting the following evening.

Assistant City McLean thought it might be more effective if the City Council heard her comments as well. Planner Grahn pointed out that the Council may not take public input at the joint meeting. Ms. McLean agreed and suggested that Ms. Meintsma proceed this evening.

Ms. Meintsma referred to the discussion about the HPB being an appeal body. She had attended the meeting when the decision was made for the HPB to be the appeal body and not the Board of Adjustment. The basis of that decision was that the HPB knows the Historic District Design Guidelines and the Board of Adjustment is not familiar with the Historic Guidelines. Ms. Meintsma stated that she was always uncomfortable with that decision, and since it was raised this evening, she wanted to give her argument as to why she believes the HPB would be more appropriate as a review Board, and why the BOA would be most effective as an appeal board. Ms. Meintsma state that if the HPB reviewed the design after the Staff had done their design review, as a body they would be aware of every detail of every historic project in town. She assumed that currently there were several projects that the Board had no idea were in the process of panelization. For example, no one knew that 543 was a structure that was supposed to be moved and not panelized. She thought the Board should know that when it started to happen she personally received 20 calls in 24 hours because she lives on that street and people thought she would know. However, she did not know because she had not seen the project. Ms. Meintsma stated that she notified Planner Grahn immediately. She remarked that when the Board members are asked about a project they should be able to have an answer and know whether the project was being carried out in the way it was approved. As members of the Historic Preservation Board they should be able to communicate with and educate their neighbors and other community members who have questions.

Ms. Meintsma stated that if the HPB used the Historic District Design Guidelines on a regular basis, they would be better at applying them when needed. She pointed out that they are not engaged in how the Guidelines apply, and they apply differently in each project. The more they use them more adept they would be at their application. Ms. Meintsma stated that being involved with the Guidelines and applying them to historic structures, they would be able to support and advise Staff on HDD specific decisions on applications. She referred to a previous comment from a City Council member that the HPB could provide a citizen's overlook to a project. The Staff would review it and then present it to the HPB. Ms. Meintsma believed that the HPB could help the Staff make borderline decisions by being the second pair of eyes on an application.

Ms. Meintsma stated that one purpose of the HPB that they were not doing was Item D, "To provide advice and guidance on request of the property owner or occupant on the construction, restoration, alteration, decoration, landscaping or maintenance of any historic site or property within the historic district." She

remarked that people are supposed to be able to come to the Board and ask a question regarding a property and expect a knowledgeable answer. Ms. Meintsma pointed out that if the HPB used the Historic District Guidelines on a regular basis, they would be better able to assess the need for change in those Guidelines. Lastly, she believed the HPB would be more capable of being extra eyes on the street.

Ms. Meintsma stated that the Board of Adjustment applies Code in making their decisions. She noted that the purpose of the HR-1, 15-2.2-1(A) is to preserve the character of the Historic Residential Area; (B) is to encourage preservation of historic structures; (C) is to encourage historical compatible structures. The Board of Adjustment could actually use the first three purposes of the HR-1 and apply what they need to in terms of preserving character. Ms. Meintsma remarked that the BOA is already the Appeal Board for determination of significance. The BOA would also have the Design Guidelines discussion of the HPB to use as a tool in applying the Code. She stated that the under Architectural Review in the LMC for HR-1, the Code requires compliance with Guidelines. If the BOA applies Code they would apply it in those terms. Ms. Meintsma reiterated her argument that the HPB would be much better as a review board.

Ms. Meintsma commented on the Grant Program and the possibility about the Grant being need based. However, some have argued that preservation needs to take place regardless of whether or not someone has the means to do it. She stated that one reason why it may be good to be need based is to focus on the historic structures that cannot be managed because there is no money. Ms. Meintsma suggested adding a statement of intent stating that, "the intention of the Grant Program is to offer financial support to HSI owners for whom the investment required for maintenance and preservation of their historic structures is financially burdensome if not prohibitive". She clarified that it would only be a statement of intent, and it would not prohibit anyone from applying for a grant.

Chair White closed public comment.

Chair White called for further comments on the pending ordinance. There was no further discussion.

MOTION: Board Member Stephens moved to CONTINUE the discussion on the Demolition Ordinance to September 16th, 2015. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

ELECTRONIC PARTICIPATION RESOLUTION

Assistant City Attorney McLean stated that there was a miscommunication regarding the electronic discussion; however, the Board could still have that discussion without a Staff report.

Mr. Erickson stated that the Staff has been coordinating with the IT Department on electronic participation. There were issues regarding the acoustics in the room and how to manage public participation. The Staff would provide an update at their next meeting on September 16th.

MOTION: Board Member Holmgren moved to CONTINUE the discussion regarding Electronic Participation until September 16th. Board Member Stephens 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:

539 Park Avenue – Removal of the non-historic wood material from the rear deck and replace it with similar wood material as well as additional footings and supports to the deck. (Application PL-15-02891)

Planner Christy Alexander stated that 539 Park Avenue is a Landmark structures that has a non-historic wood deck to the rear of the home that could not be seen from the street front. The deck has become dilapidated and the owner was requesting to replace some of the wood with the same type of wood that exists, and to add additional supports so the deck could support a hot tub in the future.

The Staff recommended that the HPB conduct a public hearing and approve the request.

Board Member Melville could not find where the owner was requesting to remove or replace the wood. The project description only talks about reinforcing by centering additional support members and additional footing. Planner Alexander explained that some of the wood is not holding up and it needs to be removed and replaced. However, it would not increase the square footage of the deck. Ms. Melville asked Planner Alexander to show where it said they were removing wood and replacing it. Planner Alexander was not certain that it was written specifically in the application, but the applicant mentioned it during the DRT meeting. Ms. Melville thought it was more of a reinforcing and repair project. Planner Alexander remarked that some of the wood needs to be removed in order to repair and replace it. For that reason it requires HPB approval as a demolition. Ms. Melville asked how the Staff knew the wood was non-historic. Planner Alexander replied that it was apparent that the deck was recently built and it was not older than 50 years.

Board Member Melville remarked that demolition was something completely different than was being requested this evening. She clarified that the applicant was not asking to demolish the deck. Planner Alexander replied that taking wood out is technically a demolition.

Board Member Melville did not believe the Staff report was clear about the wood being removed. She thought the recommendation was incorrectly written in terms of what the applicant was proposing. She thought more accurate language would be to say, "Reinforce the existing rear deck by adding support members and additional footings. If non-historic material is removed to accomplish the reinforcement, it would be replaced with similar wood material". Ms. Melville reiterated her belief that this was nothing more than a repair and reinforcement, but she thought Finding #4 needed to be specific on what was being done.

Board Member Melville read Conclusion of Law #1, "The proposal complies with the 2009 Design Guidelines." She thought it was important to note which specific Guidelines. Ms. Melville noted that Conclusion of Law #3 needed specificity in terms of compliance with the LMC HR-1 District.

Board Member Melville questioned why this application was being reviewed under the new pending ordinance. Mr. Erickson replied that it involves potential modifications to the exterior of an existing Landmark home. There are no exclusions for any portion of the Landmark site. It was still under the official terminology of demolition.

Chair White asked if there is evidence that this particular deck was built after 1975. Mr. Erickson answered yes. Assistant City Attorney McLean explained that under the pending ordinance as written, the deck still requires approval by the HPB.

Mr. Erickson stated that the ANSI Code has a demolition for demolition that would probably be referenced in the new ordinance. He explained that the deck is a structure in the Building Code, and the HPB was making a determination that demolition of the deck was in conformance with the pending ordinance. Mr. Erickson noted that it was common practice for the applicant to modify his application during design review and the modification to the application is not required to be in writing. One of the purposes of design review is to clarify what the applicant is presenting, and in some cases the applicant is not entirely clear in filling out the application. Mr. Erickson believed Planner Alexander was correct in her presentation that the applicant represented that some of the decking would have to be removed and replaced, as well as reinforcing the supports.

Board Member Melville clarified how this fits under the current proposed ordinance. It includes reconstruction, disassembly or panelization for demolition of any building, accessory building or structure that was constructed before 1975. She asked if they were looking at the rear deck as part of the building or as a structure constructed before 1975.

Chair White understood that this particular deck was constructed after 1975. Assistant City Attorney McLean replied that he was correct. However, the Staff has been interpreting the ordinance for historic sites in general by looking at the entire site. She believed that part of this exercise, and clarified as they move forward with the pending ordinance to get the best ordinance possible, is balancing the different levels of requiring HPB approval. She explained that this item came before the HPB because it is part of a Landmark building.

Board member Melville understood that the intent was to be all encompassing because it is a Landmark structure. Mr. McLean stated that it was also because the pending ordinance is extremely broad at this point; however, that may change based on input to the City Council from the HPB and the Planning Commission.

Board Member Melville was unsure how the HPB could say that the Conclusions of Law comply with the Design Guidelines or the LMC because nothing was presented to support that Conclusion of Law. Ms. McLean agreed that they could have been more specific in the Findings of Fact regarding which Guidelines were applicable. Ms. Melville thought it was a minor issue for this project, but it is important to provide more basis for future applications. Ms. McLean thought it would be appropriate to strike Conclusions of Law #1 and #2 and leave Conclusion of Law #3 because it refers to the pending ordinance and meets the requirements for demolition. Ms. Melville suggested the language, "As represented by Staff" because it was more accurate. Ms. McLean recommended striking #1 and #2, or else they could just say, "Based on the non-historic material being removed, this is permitted to be demolished under the pending ordinance."

Board Member Melville did not believe the applicant was asking to actually demolish the deck. She preferred to revised Finding #4 to state, "The applicant is proposing to repair and reinforce the existing deck by adding support members and additional footing. If non-historic wood material is removed to accomplish the reinforcement it will be replaced with similar wood material." She believed that was most precise to the actual project. Ms. McLean stated that the ANSI definition of demolition is, "The dismantling, raising, or wrecking of any fixed building or structure or any part thereof." Ms. McLean pointed out that the Board could make a finding that this was not a demolition. She remarked that the Building Department was interpreting any removal of material as a demolition.

Planner Grahn stated that the Board should think of the word “remove” as the synonym for “demolition” because demolition does not always mean scraping the lot. Board Member Melville did not think the Board should find that the deck could be demolished. They should just be specific in terms of what the applicant was requesting. Planner Grahn understood her point; however, in looking at the photos it was evident that many of the decking floor boards were rotted, which is why they may also need to be replaced. To be replaced they have to be removed. Planner Grahn suggested adding language as a Finding or a Condition stating that the decking is included and may be replaced if necessary.

Board Member Melville reiterated her concern that it should not evolve into a broad statement that the HPB was recommending the deck could be demolished, because it was not the general understanding of what the applicant was requesting. Planner Grahn remarked that the Building Department would still interpret it as demolishing the deck either to gain access to the structural supports or to replace it. Ms. Melville had no objection to that interpretation, as long as they were specific in the Findings.

MOTION: Board Member Melville made a motion to recommend and approve the reinforcing and repair of the rear deck at 539 Park Avenue in accordance with the Findings of Fact, Conclusions of Law, and Condition of Approval as amended with the revision to Finding of Fact #4, and to strike Conclusions of Law #1 and #2, and renumber Conclusion #3.

Board Member Melville read Finding of Fact #4 as revised: The applicant is proposing to reinforce and repair the existing rear deck by adding support members and additional footing. If non-historic wood material is removed to accomplish the reinforcement, it will be replaced with similar wood material.

Board Member Hewett seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 539 Park Avenue

1. The property is located at 539 Park Ave.
2. The historic house is listed as a Landmark Site on the Historic Sites Inventory.
3. On August 11, 2015 the applicant submitted a Historic District Design Review Pre-application (HDDR-Pre)
4. The applicant is proposing to reinforce and repair the existing rear deck by adding support members and additional footing. If non-historic wood material is removed to accomplish the reinforcement, it will be replaced with similar wood material.
5. No historic material will be removed.

Conclusions of Law – 539 Park Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-1 District and the pending ordinance.

Conditions of Approval – 539 Park Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on August 11, 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.

115 Main Street – Removal of the non-historic wood lattice porch skirting and replacement with vertical wood boards and installation of a new metal railing for the existing non-historic natural stacked stone steps (Application PL-15-02900)

Planner Hannah Turpen reviewed the application for 115 Main Street. The structure is listed as Significant on the HSI. She reported that a Stop Work Order was issued on August 14th because the non-historic lattice work on the porch skirt was being moved without Planning Department approval. Planner Turpen noted that the applicant submitted the proper application on August 17th which was reviewed by the Design Review Team and determined that the lattice material was not historic and that it could be removed.

Planner Turpen presented photos. She noted that the applicant was also proposing to install a railing, which would cause minor demolition to the existing new stacked stone wall, as defined by the Building Department.

The Staff recommended that the HPB approved the minor demolition of the lattice work, as well as the small holes that were made for the railing.

Mr. Erickson clarified that the outcome of the architecture was not the finding the HPB would be making in this case. The Board was being asked to make a determination that the action proposed by the applicant is consistent with the ordinance. Planner Turpen stated that the applicant has not finalized the design of the railing. Per the Building Department a railing is required for safety. The result is that a railing must be installed and it will cause minor demolition to the stacked stone wall. Chair White asked if the Planning Department would review the railing design. Planner Turpen answered yes.

Board Member Melville understood that the lattice work had already been demolished. Planner Turpen replied that it was removed without Planning Department approval, which resulted in the Stop Work Order. Ms. Melville stated that the HPB would not have to approve the demolition because it was already gone. Planner Turpen explained that the HPB would be approving the demolition of the lattice work because they do not want the situation where someone panelizes a structure without having to come back to the HPB. If someone is issued a Stop Work Order for a demolition that was approved, they still need to get approval. Otherwise there is no consequence for doing demolition without getting the proper approval. Ms. Melville noted that the old photo showed cement in the front which was replaced with stacked stone. She asked if that was an issue. Planner Turpen stated that the stacked stone work was approved through Design Review. However, the applicant went beyond that scope of work, which resulted in the Stop Work Order on August 14th.

Planner Turpen reiterated that the HPB was only looking at removal of the lattice work and drilling a hole into the stacked stone wall.

Board Member clarified that similar to the last item, this application falls under the pending ordinance because the lattice work was attached to the building. Planner Turpen replied that she was correct. She asked how the Staff determined that the lattice was non-historic. Planner Turpen stated that it was installed in the 1990s.

Board Member Melville thought the same issue applied to the Conclusions of Law in terms of striking Conclusions #1 and 2 because they were not looking for compliance with the Guidelines or the LMC. Board Member Melville revised Finding of Fact # 6 to state, "The applicant has removed the non-historic wood lattice porch skirting and proposed to replacing it." Planner Turpen stated that in this case the lattice has already been removed and the applicant was asking for forgiveness. She was unsure how the Finding should be correctly worded. Mr. Erickson explained that the applicant was still requesting that the HPB approve the demolition, even though the demolition has already occurred. He clarified that the action this evening is to determine whether it complies with the current ordinance, because it was not affecting the historic structure.

Board Member Hewett understood the reason for the process. She thought the Board needed to ignore the fact that the work had already been done, and focus on whether or not to approve it.

Planner Turpen noted that the language Ms. Melville was proposing was stated in Finding #3, and she could restate it in Finding #6. Chair White thought the Findings as written were very clear.

MOTION: Board Member Hewett made a motion to approve the request for 115 Main Street in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as amended by striking Conclusions of Law #1 and #2 and renumbering Conclusion #3. Board Member Melville seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 115 Main Street

1. The property is located at 115 Main Street.
2. The historic house is listed as Significant on the Historic Sites Inventory.
3. On August 14, 2015 a Stop Work Order was issued by the Park City Planning Department for unapproved work related to the removal of the non-historic wood lattice porch skirting.
4. The removal of the non-historic wood lattice porch skirting was not approved by the Planning Department.
5. On August 17, 2015 the applicant submitted a Historic District Design Review Pre-application (HDDR-Pre)
6. The applicant is proposing to remove the non-historic wood lattice porch skirting and replacement with vertical wood boards and installation of a new metal railing for the existing non-historic natural stacked stone steps.
7. No historic material will be removed.

Conclusions of Law – 115 Main Street

1. The proposal complies with the Land Management Code requirements pursuant to the HCB District and the pending ordinance.

Conditions of Approval – 115 Main Street

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on August 17, 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.

Board Member Stephens noted that the two items the HPB reviewed this evening were insignificant in terms of how the demolished portions affect the structure. He believed the Board was getting design review and their review of demolitions entangled. For example, in the case of both 539 Park Avenue and 115 Main Street, it was not the purview of the HPB to look at what would replace the

removed or demolished materials. Mr. Stephens preferred to keep the process as simple as possible, and not include that as part of the discussion. The focus of their issue should be whether the material being removed is historic or non-historic. He pointed out that if they keep their focus simple the Findings of Fact and Conclusions of Law would follow and the discussions would take less time.

Board Member Melville disagreed with Mr. Stephens because the replacement material is important in the Historic District. Mr. Stephen pointed out that the HPB is a review Board. If they start getting into Design Guidelines and dictate design, they would lose their ability to be an appeal Board.

Assistant City Attorney McLean suggested that the Board have this discussion with the City Council at the joint meeting in terms of changing their role. She agreed with Mr. Stephens that if they get involved with the Design Guidelines, the role for the HPB would be a different from what is currently allocated in the LMC. If the City Council agrees to make the HPB a design review body, she assumed any demolitions would be encompassed in the design review applications.

Board Member Stephens commented on the typical process of a development under construction. He noted that the HPB is just now reviewing the demolition applications because of the pending ordinance. Otherwise, an owner or architect would have to come before the Board to ask what could be demolished on a property without getting into the context of the design. Based on the discussions this evening, he believed they were getting ahead of the curve by asking for the design without knowing what could be demolished.

Mr. Erickson explained that the HPB makes the determination on what is or is not appropriate. The question for Staff is whether or not the request would harm the structure. If they think the structure might be harmed, the Staff brings it to the HPB to determine compliance with the ordinance. Mr. Erickson stated that there has been some discussion about adding a clause where the Staff will bring a preliminary demolition plan back with a compliance of Finding for Use. That would help the HPB understand what would happen to any historic materials that would be affected under this ordinance. It would not be a design review role, but it is a preservation role of knowing exactly what will happen to the building.

Chair White noted that in larger projects, demolition is part of the whole project. A project goes through the Planning process and the HDDR, and then to the Building Department. The building permit gets approved but demolition is part of the entire project. Ms. McLean stated that the pending ordinance addresses that issue. Currently, if someone comes in for a building permit, the demolition portion still needs to comply with the pending ordinance and go through the HPB process. Mr. Erickson clarified that per the ordinance, a building permit would not be issued until the HPB makes a determination on the demolition. Ms. McLean explained that the reason for holding extra HPB meetings is ensure that

the applicants are not being delayed from obtaining a building permit because of the ordinance.

Chair White asked if the 1975 clause would still be part of the ordinance. Mr. Erickson answered yes; however they were talking about making it flexible by removing "1975" and having the date rollover to keep a continual ten year window between the current date and the 50 year threshold. He explained that the ten year window enables the Staff to identify historic elements that should be preserved so they do not slip through the cracks.

The meeting adjourned at 6:57 p.m.

Approved by _____
David White, Chair
Historic Preservation Board

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF SEPTEMBER 16, 2015

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

EX OFFICIO: Anya Grahn, Hannah Turpen, Polly Samuels McLean, Louis Rodriquez

ROLL CALL

Chair White called the meeting to order at 5:00 p.m. and noted that all Board Members were present except Cheryl Hewett, who was excused.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

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.

Planner Grahn noted that the Staff has kept this item on the regular agenda as a place holder in the event that the Board has comments and questions for discussion. Public Input can be taken.

The Staff requested that the HPB continue this item to a date uncertain. The Staff tentatively scheduled October 7th to update the Board on some of the proposals they have been researching so they could begin the discussion.

Chair White called for public input.

Gary Bush encouraged the HPB to have a discussion and provide additional direction to Staff on the new list. He commented on problems they have experienced with the list in the past. Mr. Bush stated that if the intent is to protect the Historic District, he believed all structures should be on the list to avoid problems of finding the list or making sure it is current. Mr. Bush requested that they eliminate the list and just encompass all structures within the District,

including new buildings and vacant lots. He noted that the Historic District is valued because of the structures, but also because of events and the people associated with a structure. Mr. Bush believed the ordinance was being created as a reaction to what occurred at 569 Park Avenue because there was fear and pressure for the Boards to do something. The result was to create an ordinance that strangles the historic property owner. He did not believe the issue was well thought out. The more they try to control the historic property owner and in some ways penalize them for having historic material is not sustainable. Mr. Bush asked the Board to discuss ways to change the philosophy because the owner of 569 Park Avenue believed that if they removed the historic material they could do whatever they wanted with their building. It is important to change the philosophy or somehow incentivize the historic property owner to keep that material and to realize the benefit of having it. He thought that approach would be more sustainable and fair. Mr. Bush stated that if anyone wanted to talk to him about his suggestion in greater detail they were welcome to call him. Mr. Bush remarked that new development or non-historic development does more damage to the Historic District than the additions or renovations to historic properties, but that is not addressed in the pending ordinance. He stated that everyone within the District must be treated fairly. The City has moved away from helping the historic homeowner to penalizing them.

Board Member Melville asked Mr. Bush for his thoughts on potential incentives.

Mr. Bush stated that he has always tried to encourage tax relief; however, the State does not allow it. The Grant Program helps with cosmetic changes, but the issue goes beyond that and they should be looking at it as buying down density. The City has a number of different agendas and one is to preserve these historic homes. Unfortunately, they cast that burden on the historic homeowner. He thought the City should buy these structures and either deed restrict them and resale them, or maintain them as affordable housing. Mr. Bush also suggested using the grant program to buy down density and to try and make it work with the TDRs. If TDRs do not work, they should still use the grant to buy down the density.

Mr. Bush commented on the Finding of Fact in the pending ordinance stating, "Whereas, these buildings are among the City's most important cultural, educational, and economic assets." He disputed that these structures were not the City's assets. His house is on Park City's balance sheet and the sentiment is that the City owns them, but that is not right. He thought better language would be to say that these buildings, although private property, are among the City's most important cultural and educational economic assets. Mr. Bush referred to another Finding which stated, "Whereas, the demolition of potentially historic buildings would permanently alter the character of a neighborhood, community and City." He noted that a number of buildings have been demolished and rebuilt. He commented on one in particular that was rebuilt and still retained its

listing on the National Historic Register. Mr. Bush thought that finding should say..."the demolition and removal..." Just saying demolition is incomplete.

Mr. Bush encouraged the HPB to think about and not just react because the issue is dynamic and very important and he believed they could find common ground.

Board Member Stephens referred to what the HPB was currently doing in broadly reviewing demolitions, and he asked if Mr. Bush thought it was an onerous process. Mr. Bush replied that it was very onerous for both the HPB and the historic homeowner. He did not think they should give all the advantage to new construction and make the historic home owner go through additional steps. In his opinion, the logic was very convoluted. He cited a personal experience he had in working on a Landmark building, and the process and delays he experienced in making minor, inconsequential changes that were not on the primary façade. At the same time, a new building was being constructed next door and that project moved along quickly without any problems, and all the changes were handled administratively.

Ruth Meintsma, a resident at 305 Woodside, supported Mr. Bush's comments; however she believes in the demolition process because it provides a closer look at historic bits and pieces. She agreed that the process is tedious but she assumed the Board would get better at isolating what is important. Ms. Meintsma stated that the process focuses more on the work that a historic homeowner has to deal with. She wanted to know if there was any way for the City to encourage the purchase of historic homes over vacant lots by offering an incentive. Currently, the opposite is true because the City makes it easier to build on a vacant lot. Ms. Meintsma understood that the Grant Program is an incentive, but money is the key and the best carrot is the amount of money available. Other incentives could include small details such as setbacks. Ms. Meintsma remarked that having a historic house should not be so overwhelming for a homeowner. She agreed with Mr. Bush that the process is unbalanced.

Based on the comments about owning a historic home versus a vacant lot, Board Member Melville stated that allowing just anything on a vacant lot has a dilutive effect on the Historic District. She suggested that it might be an issue worthy of discussion. People might be less inclined to demolish historic houses to build on a vacant lot if the restrictions for vacant lots were more restrictive.

Planner Grahn stated that there are Design Guidelines for new construction that addresses construction on vacant lots. She agreed that it does take less time to go through the review on a vacant lot because they are not trying to make an addition or remodel compatible with the existing historic structure. Planner Grahn remarked that for the next meeting the Staff was hoping to come back with a compatible visual analysis to discuss what they believe are gaps in the

guidelines. She attended City Tour and found that Breckenridge has been doing interesting things as far as modules and keeping the mass and scale on new buildings similar to historic structures. She would talk more about that at the next meeting.

Chair White pointed out that if you have a vacant lot in the Historic District you are not allowed to do just anything on the lot because you have to comply with the Historic District Design Guidelines. However, he believed that compliance has become a little loose and suggested that it may need to be tied down a little better when they relook at the Guidelines.

Board Member Holmgren could not understand why it takes so long to get through the process. It is a common problem and there should be a set time frame to keep things moving forward. Planner Grahn asked if Ms. Holmgren was talking about the HDDR. Mr. Holmgren stated that it was HDDR as well as other processed. She sits on another committee as well and she could not understand why the process sometimes takes up to a year to complete. Planner Grahn replied that a number of different factors can extend the duration of a project. Some applications need plat amendments, which can be a time consuming process; and a building permit cannot be issued until the plat amendment is recorded. It also depends on the design proposed and how much the Staff needs to vet it. Some projects require a Steep Slope CUP which can also extend the process. Planner Grahn noted that the Planning Department tries to get things turned around in 45 days, but within that 45 days the clock often stops and starts, depending on the number of redlines they have to work through with the applicant.

Board Member Melville agreed that it was important not to over-penalize owners of historic properties and make the process difficult. On the other hand, there are only a certain number of historic properties and once those are gone or severely impacted they could never get them back. Ms. Melville thought it was important to take the appropriate amount of time to review projects in the Historic District; but not an unreasonable amount of time. To penalize the historic homeowner is not in the best interest of anyone.

Planner Grahn asked if the Board members had any comments regarding the ordinance itself that they would like the Staff to consider.

Board Member Stephens referred to the last paragraph on page 6 of the Staff report which talks about reconstruction, disassembly and panelization. He understood that lifting a building is addressed in the definition of demolition, but for clarity he thought lifting should be spelled out specifically the same as the other issues.

Board Member Beatlebrox commented on the question to Mr. Bush about whether or not the process was onerous. She thought the degree of demolition should be looked at carefully because small items removed from a non-historic siding might not need to go through this process. If there were levels of demolition that needed to be looked at it might prevent the process from being onerous.

Ms. Beatlebrox stated that she was already on record saying that the HPB needed to work with the City Council very closely and rigorously to settle on a grant amount that is available for each of the areas in the Historic District, so they can offer money and make it attractive for people to buy historic homes and preserve them. Ms. Beatlebrox thought the idea of the City buying a historic home from an owner who does not have the mean to repair it and turning it into affordable housing was a good idea. She pointed out that the miner shacks were affordable housing and historically it would be valuable to have.

Board Member Stephens stated that when he read proposed ordinance, he interpreted the last sentence on page 6, "Planning Staff shall review demolition applications of interior elements...", as a possible way for the Staff not to have to bring everything to the HPB for review. Planner Grahn replied that it was limited to interior exploration demos. She understood that exploratory demo on the exterior would still come to the HPB. Planner Grahn stated that if all of the Board Members were in agreement, they could take away minor construction demos from the HPB review and keep it as a Staff decision. She offered to research it further for discussion at the next meeting.

Board Member Melville thought the question might be become clearer after they review the two agenda items this evening because they were smaller demolition items. She was willing to look at everything, but her concern was that the minor items are all they have to look as opposed to historic design or anything substantial. In terms of demolition issues, Ms. Melville expressed regret that the HPB did not have more to as a Board.

MOTION: Board Member Beatlebrox moved to CONTINUE the Ordinance discussion to October 7, 2015. Board Member Hodgkins 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.

581 Park Avenue – The applicant intends to remove an existing non-historic window and remove non-historic wood siding to accommodate an enlarged window opening on the rear elevation of a non-historic addition of the historic house. (Application PL-15-02910)

Planner Grahn reviewed the request to remove three non-historic windows at the rear elevation of the property. The windows are not visible from the street. The applicant was proposing to remove one window opening and side over it, and put the two windows together. The result would be two side-by-side casement windows. Planner Grahn reported that the material was not historic. The house was redone in the 1990's and most of the material dates from that time.

Planner Grahn noted that this proposal was being done as part of a kitchen remodel. The Staff recommended adding Finding of Fact #7 to read, "The applicant applied for a Building Permit for the kitchen remodel on August 5, 2015 and requested an amendment to the Building Permit to include the kitchen windows on September 16, 2015." Planner Grahn explained that a pre-application for a Historic District Design Review is an opportunity for the applicant to discuss the plans, as opposed to an actual application where the applicant is vested under a building permit. You cannot be vested under a pre-application.

Board Member Beatlebrox was not opposed to the request because it was part of an addition that occurred in 1991. Board Member Melville agreed and had no issues.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic siding in order to reconfigure the window openings on the rear elevation of the historic house at 581 Park Avenue, according to the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Board Member Stephens seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 581 Park Avenue

1. The property is located at 581 Park Avenue.
2. The historic house is listed as Significant on the Historic Sites Inventory.
3. On August 25, 2015, the Planning Department received a Historic District Design Review (HDDR) Pre-Application.
4. A non-historic window will be removed and the opening covered; the existing window opening on the north side of the rear elevation will be enlarged to accommodate two side-by-side casement windows.
5. No historic material will be removed.
6. Based on Sanborn Map analysis, the window and siding material on the rear elevation did not exist during the historic period and likely date to the c.-1991 renovation which expanded the footprint of the home.

7. The applicant applied for a Building Permit for the kitchen remodel on August 5, 2015 and requested an amendment to the Building Permit to include the kitchen windows on September 16, 2015.

Conclusions of Law - 581 Park Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HCB District and the pending ordinance.

Conditions of Approval – 581 Park Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on August 25, 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.

220 Marsac Avenue/Ontario – The applicant intends to remove non-historic asphalt roof shingles and a minor section of board and batten siding material on the north façade. (Application PL-15-02924)

Planner Turpen clarified that the address was officially Marsac, but the applicant put Ontario on the application.

Planner Turpen reviewed the application to remove the non-historic shingles on top of the historic house. The applicant applied for the building permit this morning. The material was determined to be non-historic because a building permit was issued in 1995 for a re-roof. They were also proposing to remove a four inch square on the non-historic batten board side in a location pending the installation of the dryer vent. That portion is non-historic because it was part of a 2000 remodel. The applicant applied for a building permit for that portion on September 8th, 2015.

Board Member Melville assumed the asphalt roof shingles would be replaced. Planner Turpen answered yes. Mr. Melville understood that the HPB did not have the purview under this process to know the replacement material, but they would not want to approve removal if there was no plan to replace it. Board Member Beatlebrox asked if the asphalt shingles would be replaced with a similar material. Ms. Melville noted that the HPB could not know or care about the replacement material. Chair White clarified that the Board members care but

they do not have the purview to make that decision. Planner Turpen explained that if it were appealed and the Board was part of the design review, it could not be appealed to the HPB. That is the reason for focusing only on the demolition portion.

Board Member Hodgkins asked about the location of the dryer vent. Planner Turpen stated that the dryer was on the north elevation. According to the Guidelines it was historically past the midpoint of the structure.

Board Member Melville remarked that cutting a 4 x 4 dryer vent and classifying it as demolition was over-broad. The Board should be concerned about major demolitions and not smaller ones.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic roof shingles and a 4" x 4" section of board and batten siding on the north façade of 220 Ontario/Marsac Avenue according to the Findings of Fact, Conclusions of Law and Conditions of Approval. Board Member Hodgkins seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 220 Ontario/Marsac Avenue

1. The property is located at 220 Ontario/Marsac Avenue
2. The building is listed as Significant on the Historic Sites Inventory.
3. The property is located within the Historic Residential (HR-1) District.
4. On September 8, 2015 the applicant submitted a Historic District Design Review Pre-application (HDDR-Pre).
5. The removal of the non-historic asphalt shingles is considered minor and routine maintenance.
6. The 4" x 4" section of board and batten siding that is to be demolished is located beyond the midpoint on the north façade.
7. It can be determined that the asphalt roof shingles are non-historic because a Building Permit for a re-roof was issued by the Park City Building Department on October 23, 1995.
8. It can be determined that the board and batten siding is non-historic because the house was originally clad in horizontal wooden drop (or novelty) siding (as can be seen in the c. 1940 tax photograph – Exhibit B). In addition, the board and batten siding was installed at the time of the garage addition. The Building Permit for the garage addition was issued on July 31, 2000.
9. No historic material will be removed.
10. The removal of these items will not affect the historic materials of the building.
11. The applicant applied for a Building Permit for the dryer vent on September 8, 2015.
12. The applicant applied for a Building Permit for the re-roof on September 16,

2015.

Conclusions of Law – 220 Ontario/Marsac Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-1 District and the pending ordinance.

Conditions of Approval – 220 Ontario/Marsac Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on September 8, 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.

Board Member Melville reiterated that all the Board Members were willing to do whatever they could for historic preservation and they were happy to look at demolitions. However, she felt it was a shame that this Board was not able to do anything else. Ms. Melville pointed out that if they were not looking at these minor demolitions they would have a reason to meet. She asked that Council Member Peek, as the HPB liaison, pass her comment on to the City Council.

Board Member Holmgren stated that she was on the HPB in previous years and she felt that the Board does have a lot of input in terms of changes with the LMC and things. She believes the Board has plenty to do, recognizing that it may not be the things that Ms. Melville and others expected. As an appeal board and providing input on any of the LMC changes, she thought the HPB was profoundly involved.

Board Member Stephens agreed with Board Member Holmgren. He noted that currently they were dealing with lighter issues, but he believed it would become more complicated as time goes on and as different types of issues come up with regards to construction and demolition. Mr. Stephens pointed out that the matter this evening would have been more complicated if the request involved windows going into the historic structure at the back of the house. They would soon be talking about grant programs, and they have also been tasked with looking at LMC amendments and the Design Guidelines. Mr. Stephens thought the HPB had a lot of work to do and he was pleased to be a part of this Board.

Board Member Beatlebrox concurred. Chair White anticipated much larger demolition items in the future.

Board Member Stephens stated that in support of the comment made by Mr. Bush, the homeowner should not have to go through this process for something as small as a cut for a dryer vent.

Assistant City Attorney McLean pointed out that this was an unusual process because of the pending ordinance. However, once the ordinance is adopted, whatever is decided in that ordinance will be the Code. The direction from the City Council and the pending ordinance that was created was to have a wide net to work through these issues to keep things from being destroyed or demolished while waiting for the ordinance to be adopted. Ms. McLean stated that it was a work in progress and if the pending ordinance is amended while working through the process, that becomes the pending ordinance that people have to abide by until the ordinance is adopted, not adopted, or 180 days passes.

Mr. Stephen understood the process, which was why they were making these comments. The intent was to help make the ordinance better and he would like the Staff to come back with suggestions on how to adjust the wording. Mr. Stephens agreed that in the meantime they needed to cover everything to keep things from slipping through.

Board Member Melville agreed. She believed the issue came down to the definition of demolition. Whether the definition is broad or narrow, it would be more credible to historic homeowners if they focus on the major items and not something as small as a dryer vent.

Planner Grahn noted that the next meeting was scheduled for Wednesday, October 7th. Board Member Beatlebrox asked if the HPB would have another joint meeting with the City Council to talk about grant fund and the gap in coverages for the different areas of Park City. Planner Grahn replied that the current focus is primarily on the ordinance. Once the ordinance is completed, they will move ahead on the grant program.

Planner Turpen had forgotten to mention a recommended change to the Findings of Fact for 220 Ontario/Marsac Avenue. Ms. McLean stated that Ms. Turpen could make her comments and the Board could revote on her suggestion to amend.

For the 220 Ontario/Marsac Demolition, Planner Turpen suggested adding Finding of Fact #11 to read, "The applicant applied for a building permit for the dryer vent on September 8th, 2015". She also suggested adding Finding of Fact #12 to read, "The applicant applied for a building permit for the re-roof on September 16th, 2015."

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic roof shingles and a 4" x 4" section of board and batten siding on the north façade of 220 Ontario/Marsac Avenue according to the Findings of Fact, Conclusions of Law and Conditions of Approval, as amended. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Note: The Findings listed under the original motion were amended per the revised motion and revote.

The meeting adjourned at 5:40 p.m.

Approved by _____
David White, Chair
Historic Preservation Board



Historic Preservation Board Staff Report

PLANNING DEPARTMENT

Subject: LMC Amendment Park City Historic Sites Inventory Criteria & Demolition Permits
Author: Bruce Erickson, AICP, Planning Director
Anya Grahn, Historic Preservation Planner
Date: October 7, 2015
Type of Item: Legislative – LMC Amendment

Summary Recommendations

Staff recommends the Historic Preservation Board open a public hearing, review, and recommend possible amendments to the Land Management Code and pending ordinance. The current pending ordinance went into effect on August 7, 2015, See Exhibit A.

Staff will also be conducting a work session with the HPB on October 7th regarding a visual analysis of compatibility.

Description

Project Name: LMC Amendment regarding Historic Sites Inventory criteria and demolition permits in the Historic District
Applicant: Planning Department
Proposal: Revisions to the Land Management Code

Reason for Review

Staff is requesting the HPB to provide input on the proposed LMC amendments that will impact historic structures as well as the H-Districts. Per LMC §15-11-5, the Historic Preservation Board (HPB) may provide input to staff, the Planning Commission, and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures; and recommend to Planning Commission and City Council ordinances that may encourage historic preservation.

Background

On August 6, 2015, the City Council directed the Planning Department to move forward with a pending ordinance. The purpose of the pending ordinance is to expand the Historic Sites Inventory (HSI) criteria to include the following terms:

- any structure that has received a historic grant from the City;
- has previously been on the Historic Site Inventory (HSI) or listed as significant or contributory on any recognizant or other historic survey; or
- despite non-historic additions retain its historic scale, context, materials in a manner and degree which can reasonably be restored to historic form.

In addition, the pending ordinance is also to amend Land Management Code to include demolition permits for all structures in a Historic District to be reviewed by the Historic

Preservation Board. The visual compatibility guidelines are included as a separate report.

Prior the pending ordinance, all Historic District Design Review (HDDR) applications were reviewed by staff, and the HPB was the appeal authority for the staff review. If, as part of the Design Review, a demolition of a structure was proposed and the property was not designated as historic on the City's Historic Sites Inventory (HSI) as Landmark or Significant, the planner would sign off on the Building Department's demolition permit. Further, staff reviewed and determined the historical significance of additions to historic structures as well as the historical significance of modifications to ensure that these alterations had not gained historical significance in their own right. Panelization or reconstruction of any historic structures was reviewed and approved by the Planning Director and Chief Building Official, per LMC 15-11-14.

The criteria for Landmark and Significant historic designations are outlined in Land Management Code (LMC) 15-11-10(A). Due to concerns regarding the historic designation of certain properties in the Historic District which contained historic materials but were not on the Historic Site Inventory, City Council adopted the attached pending ordinance (Exhibit A). The pending ordinance modifies the criteria for historic designation as well as required additional review for all structures constructed in or before 1975. Further, the ordinance requires that the Historic Preservation Board (HPB) review any request for demolition as defined by the International Building Code (IBC). The HPB has been reviewing applications on a bi-monthly basis for compliance with this ordinance. The IBC does not define demolition, but rather refers to the removal of any portions of a structure as well as demolishing the entire building. The existing, current LMC provides a definition of demolition that is used in HPB reviews. New language is proposed in Section 2 of this Staff Report.

In meeting with the City Council during work session on July 30, 2015, as well as a joint City Council-Historic Preservation Board (HPB) meeting, Council also expressed interest in possible LMC amendments regarding the following:

- Demolition by Neglect
- Demolition Permit Reviews by the HPB
- Criteria for Visual Compatibility

This is the first time staff is reviewing in detail the proposed LMC amendments and changes to the pending ordinance. The HPB has reviewed the pending ordinance on August 13, September 2, and September 16, 2015. Thus far, we have heard from the HPB that:

- They are interested in reviewing requests for panelization and reconstruction projects, as well as those projects that include lifting the historic structure to add a new foundation;
- As they have been reviewing minor maintenance and construction projects that include an aspect of demolition, they prefer to review larger projects related more to the HDDR process than over-the-counter building permits;

The Planning Commission completed a review of the first draft of the proposed LMC changes on September 9, 2015. Public input was taken. The public's comments were in support of the new ordinance direction toward reducing potential loss of historic structures through demolition. The Planning Commission requested additional clarification regarding the various definition of "demolition". The Commission also discussed the need for more public information and accountability when panelization is approved and occurs. Changes from the approved demolition plan from "lifting" structure to panelizing are often made in the field. This does not keep the public informed regarding the methods and reasons for the panelization. Further on this matter, the Commission was concern that there were few, if any remedies to protecting panels once they are removed for loss or theft. There was some discussion regarding financial penalties if loss or theft occurs. No conclusions were reached. The 40 and 50 year time frames were discussed and clarified. The 50 year time frame is for historic designations, the 40 year time frame is for the purposes of inventory and future references.

Analysis

Staff is requesting the HPB to provide feedback on conceptual changes to the LMC and pending ordinance. Once the HPB completes their review of these changes on October 7th and the Planning Commission completes theirs on October 14th, staff will bring back specific redlines to the LMC and ordinance for the HPB and Planning Commission to review in detail. Staff requests that the Historic Preservation Board review and provide input on the topics below:

1. Historic Designations

City Council directed staff on August 6, 2015, to revise the LMC in order to capture additional historic structures that do not currently meet the criteria for Landmark or Significant designation as defined by LMC-15-11-10(A) yet contribute to the character of the Historic District. The purpose of these changes is to safeguard those structures forty (40) years old or older that have had significant alterations yet continue to contribute to the rhythm and pattern of the streetscape within the H-Districts.

Proposed Changes:

Staff proposes modifying the LMC to incorporate a new designation to LMC-15-11-10(A). The "Contributory" designation will include those structures forty (40) years old or older that contribute to the "look and feel" of the Mining Era Historic Districts. A 50 year criteria exist for the designation of Historic sites. The forty year criteria is designed to 1) assist in managing inventories of structures that contribute to neighborhood character, 2) potentially allow structures on this list to be eligible for the Historic District Grant program; however, they will not be automatically designated to the Historic Sites Inventory (HSI) and 3) providing data (non-regulatory) background for other historical eras in the City for future reference.

Staff proposes the following criteria:

"Contributory Site":

- a. The structure is forty (40) years old or older (this includes buildings not historic to Park City, but later relocated to Park City); and
- b. It is distinguished by scale, materials, composition, treatment, cornice, and/or other architectural features as contributing to the Mining Era Residences National Register District; and
- c. It may have had substantial alterations but the overall form and scale are compatible with the historic district and have the potential to be restored; and
- d. It is important to the rhythm and pattern of the streetscape, density (i.e. spacing and number of buildings), or continuity of the neighborhood's historic fabric.

Staff is proposing the following new definitions as part of this LMC change as well:

Contributory Site: Any site, including Buildings (main, attached, detached, or public) Accessory Building, and/or structure that is determined by the Historic Preservation Board to meet specified criteria set forth in LMC Chapter 15-11.

2. Defining Demolition

Staff also proposes modifying the definition of demolition, as defined by the International Building Code (IBC) and LMC. The IBC does not have a clear definition of demolition; to the IBC, removing any materials constitutes a demolition no matter how limited the scope of work. The LMC defines demolition as:

Any act or process that destroys in part or in whole a Building or Structures. Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientation pursuant to Section 15-11-13 of this Code, disassembly pursuant to Section 15-11-14 of this Code, or Reconstruction pursuant to Section 15-11-15 of this Code.

Staff would recommend amending the current code to also include the ANSI definition of demolition, which is defined as the dismantling, razing, or wrecking of any fixed building or structure or any part thereof.

3. Demolition Permit Review

Staff recommends create a vehicle for reviewing and approving work on structures that are forty (40) years or older in the H-Districts or identified as historic on the City's Historic Sites Inventory that involve the demolition (as defined above), panelization, reconstruction, rotation, or removal of materials on structures constructed forty (40) years ago or more in accordance with the pending ordinance, which states:

Final Review by Historic Preservation Board. Any application for any demolition permit as defined by the IBC, which includes reconstruction, disassembly, and panelization for demolition of any Building (main, attached, detached, or public), Accessory Building, and/or Structure in which any part of the structure was constructed before 1975 in a Historic District zone must be reviewed by the Historic Preservation Board. Nothing in this section adds any additional criteria or standards to existing Land Management Code or International Building Code sections governing the issuance of such permit. Review by the Board is limited

to determination that demolition of such Building (main, attached, detached, or public), Accessory Building, and/or Structure is in conformance with applicable code. If non-compliance is determined, the application shall be remanded to the applicable authority. Planning staff shall review demolition applications of interior elements that (1) have no impact on the exterior of the structure; or (2) are not structural in nature; or (3) the scope of work is limited to exploratory demolition.

In order to expedite those applications with minor routine maintenance, minor construction, or found to have little no impact on the historic character of the surrounding neighborhood or the Historic District, Historic District Design Review (HDDR) waivers will be approved by the Planning Director; these HDDR waivers shall specify the scope of the work and the materials to be removed and/or demolished. Those projects that receive HDDR waiver letters will also be granted an Historic Preservation Board Review (HPBR)-waiver at the time of the HDDR waiver letter. The HPBR-waiver will make a determination regarding allowing the removal of materials.

All other projects shall be reviewed by staff as part of an HDDR and will require Historic Preservation Board (HPB) action in determining compliance with the pending ordinance. The HPB will only review and approve the proposed demolition/removal of historic material if it is due to:

- A major alteration to an existing structure; or
- Constructing an addition to an existing structure.

The HPB shall review the extent of the impacts to the historic materials and find that the proposed demolition has little and/or no negative impact on the historic character of the surrounding neighborhood or Historic District. This will be added to the actual LMC code text.

Finally, the LMC currently requires the following noticing:

Notice Matrix			
<u>Action:</u>	<u>Property Posting:</u>	<u>Courtesy Mailing:</u>	<u>Published:</u>
Designation of Sites to the Historic Sites Inventory	7 days prior to hearing before the Historic Preservation Board	---	Once 7 days prior to the hearing before the Historic Preservation Board
Historic District or Historic Site Design Review	First Posting: The Property shall be posted for a 14 day period once a Complete Application has been received. The date of the public hearing shall be indicated in the	First Mailing: To Owners within 100 feet once a Complete Application has been received, establishing a 14 day period in which written public comment on the	If appealed, then once 7 days before the date set for the appeal

	<p>first posting. Other posted legal notice not required.</p> <p>Second Posting: For a 10 day period once the Planning Department has determined the proposed plans comply or does not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal notice not required.</p>	<p>Application may be taken. The date of the public hearing shall be indicated.</p> <p>Second Mailing: To Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning Department determines whether the proposed plans comply or do not comply with the Design Guidelines for Historic Districts and Historic Sites and no later than 45 days after the end of the initial public comment period. This establishes a 10 day period after which the Planning Department's decision may be appealed.</p>	
--	---	--	--

There currently is no requirement for staff to post notifications of the HPB's demolition reviews. Staff recommends amending the LMC to require:

Notice Matrix			
<u>Action:</u>	<u>Property Posting:</u>	<u>Courtesy Mailing:</u>	<u>Published:</u>
Historic Preservation Board Demolition Review	14 days prior to hearing before the Historic Preservation Board	14 days prior to the hearing before the Historic Preservation Board	Once 14 days prior to the hearing before the Historic Preservation Board

This is consistent with other Board of Adjustment and Planning Commission applications.

In summary, Staff is proposing the following changes to the LMC:

1. Minor routine maintenance, minor construction, or work found to have little or no impact on the historic character of the surrounding neighborhood or the Historic District shall be granted HDRR waiver letter, approved the Planning Director.
2. All HDRRs will require a HPBR, granted by the HPB, for the following work:
 - a. Demolition of existing structures
 - b. Panelization/Reconstruction
 - c. Rotation of existing structures
 - d. New foundations
 - e. Any additional work that requires an HDRR
3. Modifying the notification requirements to include:
 - a. Property notice sign and courtesy mailing notice to neighbors within 100 feet two (2) weeks prior to the HPB meeting

All the H-Districts shall include a section for process, outlined in detail in LMC 15-11. Noticing requirements are outlined in LMC 15-1.

4. Demolition By Neglect

Staff proposes a Demolition by Neglect or “Demo by Neglect” ordinance that defines a minimum maintenance standard to prevent the loss of historic buildings, structures, and mine sites as well as non-historic structures from deterioration due to lack of maintenance.

The International Building Code currently includes a Uniform Code for the Abatement of Dangerous Buildings. Under this code, the Building Official is permitted to issue a Notice and Order for conditions or defects to the extent that the life, health, property, or safety of the public or the building’s occupants is endangered. Staff wants to incorporate similar provisions into the LMC to penalize those property owners that are purposefully not maintaining their properties in order that they may tear them down in the future due to accumulated deferred maintenance.

The LMC change aims to prevent the owner or the person in charge of the structure or site to allow it to falling into a state of disrepair that results in the deterioration of any exterior architectural features or structural members as to produce or tend to produce a detrimental effect upon the character of the district as a whole or the life and character of the Historic Building(s) and/or Structure(s) which constitutes Demolition by Neglect.

The General Plan, existing LMC requirements, as well as City Council action to create the new ordinance provide clear direction to prevent significant deterioration of historic buildings and structures, as well as individual architectural/site features, so as to limit the threat of future demolition by proposing the following changes to the LMC:

- Require a minimum standard of maintenance of properties designated by the Historic Sites Inventory (HSI) or located in the H-Districts to the extent necessary

to keep Buildings, Structures, and Sites from falling into a state of such poor disrepair that jeopardizes the Building or Structure's structural stability or compromises the integrity of the streetscape or the Historic District. At a minimum, the following should apply:

- Deterioration of the exterior of the building to the extent that it creates or permits a hazardous or unsafe condition. Boarded windows and doors are allowed if they are screwed into the structure and painted a similar color to the remaining exterior façade.
- Deterioration or inadequate foundation which jeopardizes its structural integrity.
- Defective or deteriorated floor supports or any structural members of insufficient size or condition to carry imposed loads with the safety which jeopardize its structural integrity.
- Defective or deteriorated structural members of walls, partitions, ceilings and roofs, or other structural supports that split, lean, list, or buckle due to defective materials, insufficient size, or deterioration which jeopardizes structural integrity.
- Deterioration of exterior wall materials such as wood, stone, masonry, concrete, and metals to the extent that it adversely affects the character of the historic district or could reasonably lead to irreversible damage to the structure.
- Deterioration of exterior stairs or steps, porches, handrails, windows or doors, trim, cornices, and other architectural details that cause delaminating, instability, loss of shape, or crumbling.
- Defective protection or lack of weather protection for exterior wall materials, architectural elements, and roof coverings due to lack of paint or other protective coating.
- Fireplaces, chimneys, or chimney flues which list, bulge, or settle due to defective material or deterioration or are of insufficient size or strength to carry imposed loads with safety that jeopardize its structural integrity.
- Deterioration or ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows and doors.
- Deterioration or lack of maintenance of the surrounding environment including, but not limited to, fences, gates, sidewalks, accessory structures, and landscaping.

Staff would also be looking to adopt language which would achieve the following goals:

- Create a policy that allows for staff, the Historic Preservation Board, and the Building Department to identify those properties suffering from demolition by neglect and creating a method in which to resolve health and safety issues while maintaining the historic integrity of the structure and the streetscape.
- Allow for the administration and enforcement of the demo by neglect ordinance by identifying penalties and remedies for demo by neglect.

- Develop a policy in which to mothball those historic structures that can be temporarily stabilized and secured to prevent damage and destruction while vacant.
- Create requirements for stabilization and maintenance of the mine structures and sites to preserve the structures in a ruinous state while preventing looting, vandalism, and trespassing.

Process

Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18.

Department Review This report has been reviewed by the Legal Department.

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites on September 26, 2015 and published in the Park Record on September 26, 2015 per requirements of the Land Management Code.

Public Input

Public hearings are required to be conducted by the Historic Preservation Board, Planning Commission, and City Council prior to adoption of Land Management Code amendments. No public input has been received at the time of this report. Staff has noticed this item for public hearings on September 2 and 16, 2015 conducted by the Historic Preservation Board and the item was continued to today's date.

Recommendation:

Staff recommends the Historic Preservation Board open a public hearing, review, and recommend possible amendments to the Land Management Code and pending ordinance. The current pending ordinance went into effect on August 7, 2015, See Exhibit A.

Exhibits:

Exhibit A—Pending Ordinance

Ordinance No. _____

**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**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Land Management Code are necessary to supplement existing zoning regulations to protect Historic structures and the economic investment by owners of similarly situated property (currently Historic);

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings;

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, the demolition of potentially historic buildings would permanently alter the character of a neighborhood, community and City;

WHEREAS, individual members of the Historic Preservation Board, ("HPB") the official body to review matters concerning the historical designation and design of buildings within the City, and several members of the public have requested that the Council reconsider the sufficiency of the Historic Building Inventory;

WHEREAS, the pending amendments to the Land Management Code ("LMC") and the Historic District Guidelines and any revisions to the Historic Building Inventory are expected to be completed within the next six months;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, that:

SECTION 1. AMENDMENTS. The recitals above are incorporated herein as findings of fact. The Land Management Code, Title 15 of the Municipal Code of Park City, is hereby amended as follows:

- A. Amendment to Section 15-11-10(A) (2): **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures

may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

- (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
 - (b) It retains its ~~Essential~~Historical Form, ~~meaning there are no major alterations that have destroyed the Essential Historical Form~~as demonstrated by any of the following: it previously received a historic grant from the City; or it has previously been listed on the Historic Site Inventory; or it was listed as Significant or Contributory on any reconnaissance or other historic survey; or despite non-historic additions it retains its historic scale, context, materials in a manner and degree which can reasonably be restored to Essential Historical Form. ~~Major alterations that destroy the Essential Historical Form include:~~
 - ~~(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:
 - (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.
- (3) Any Development involving the Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Section 15-11-15 of this code shall remain on the Park City Historic Sites Inventory and shall be listed as a Significant Site.

B. New Section. The following section shall be added to Land Management

Formatted: Indent: Left: 1"

Code Title 15, all Historic Zoning Districts Chapters 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and Chapter 11:

Final Review by Historic Preservation Board. Any application for any demolition permit as defined by the IBC, which includes reconstruction, disassembly, and panelization for demolition of any Building (main, attached, detached, or public), Accessory Building, and/or Structure in which any part of the structure was constructed before 1975 in a Historic District zone must be reviewed by the Historic Preservation Board. Nothing in this section adds any additional criteria or standards to existing Land Management Code or International Building Code sections governing the issuance of such permit. Review by the Board is limited to determination that demolition of such Building (main, attached, detached, or public), Accessory Building, and/or Structure is in conformance with applicable code. If non-compliance is determined, the application shall be remanded to the applicable authority. Planning staff shall review demolition applications of interior elements that (1) have no impact on the exterior of the structure; or (2) are not structural in nature; or (3) the scope of work is limited to exploratory demolition.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

SECTION 3. EFFECT ON EXISTING APPLICATIONS/PERMITS. Any Complete Application for any demolition permit or CAD received prior to Friday, August 7, 2015, shall not be affected by this amendment. Any currently valid permits or CAD which have been issued by the Building and Planning Departments prior to the adoption of this Ordinance shall not be affected by this amendment.

PASSED AND ADOPTED this ____ day of September, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

City Recorder's Office

Approved as to form:

Mark D. Harrington, City Attorney

Historic Preservation Board Staff Report

Subject: Historic Preservation-Compatibility Study
Author: Anya Grahn, Historic Preservation Planner
Hannah Turpen, Planner
Date: October 7, 2015
Type of Item: Work Session

Summary Recommendation

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.

Background

During the joint City Council - Historic Preservation Board (HPB) meeting on September 3, 2015, staff was directed to return to the Historic Preservation Board with a review of the Design Guidelines and discussion regarding compatibility. The *Design Guidelines for Historic Districts and Historic Sites* was adopted in 2009. The Design Guidelines were intended to serve as a living document—one that would be reviewed and revised as necessary to accommodate changing needs. The Design Guidelines have remained unchanged since their adoption.

Staff has identified six (6) topics of discussion and has considered possible solutions for these challenges to our Design Guidelines. Staff requests the HPB review, discuss, and provide input to staff on these discussion items.

Analysis

Historic preservation code provisions date back to approximately 1982. In the early 1990s, the City expanded regulations governing demolition of commercial properties, primarily on Main Street, and soon after extended protections to residential properties on the initial survey or over 50 years old, subject to a determination of significance hearing. In 2007, the City contracted Preservation Solutions to conduct a reconnaissance level, or “windshield.” survey of the historic district. This increased our current preservation program in which some 400 sites and structures were designated as historic on the City’s Historic Sites Inventory (HSI) and the adoption of the 2009 *Design Guidelines for Historic Districts and Historic Sites*. Owners of properties on the HSI may not demolish buildings or structures designated as historic unless warranted by economic hardship; however, reconstruction and panelization may be deemed necessary and approved by the Chief Building Official (CBO) and Planning Director if specified criteria are met as defined in the LMC. The City has been successful in encouraging historic preservation through a “carrot and stick” approach, which includes the Historic District Grant Program and LMC exceptions benefitting historic properties.

One of the goals of the General Plan (GP) is that infill and new additions should be compatible in the neighborhood context and subordinate to existing historic structures.

The GP recommends creating Design Guidelines that raise the level of review for whether or not additions to historic homes are “compatible” and “subordinate” to the primary structure. Further, it suggests creating compatibility regulations that limit lot size, massing, siting, and height in order to guide compatible neighborhood development. The GP recommends effectively resolving future issues with compatibility by:

- establishing maximum wall width and height to ensure that the front wall plane of a new structure relates to the façade height and width of historic structures along the streetscape
- defining a maximum building height and necessary stepping to prevent infill development from appearing out of scale with surrounding historic buildings
- defining floor level elevations that relate to the street grade and reinforce the historic neighborhood pattern of floor levels.

Staff has completed research on other communities who have explored different approaches to new infill development in their historic districts. Some communities encourage infill development that has a modern aesthetic and clearly delineates between what is historic and what is non-historic. Other communities draw heavily from their defined vernacular architecture style, creating less delineation between their historic and non-historic structures.

In reviewing National Park Service (NPS) *Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns*, the NPS looks to the Secretary of the Interior’s Standards which recommend additions are compatible with the historic building. While it may seem appropriate to repeat or mimic the exact historic form, material, features, and detailing of a new addition, this can lead to the historic structure being indistinguishable from the new addition. On the other hand, the treatment of the addition should not be so different from the historic structure that it becomes the primary focus. The difference should be subtle, but clear. Since the adoption of the 2009 Design Guidelines, the Planning Department has leaned more towards modern and contemporary additions that are very distinguishable from the historic structure but may not entirely reflect the character-defining features of the historic structure.

Staff has heard mixed reactions from City Council, Planning Commission, and the Historic Preservation Board (HPB) regarding the incorporation of modern, flat-roof architectural styles in the Historic District. Before addressing staff’s topics of discussion, staff requests that the HPB discuss the impacts of modern design styles in Old Town.

- How does the HPB want to guide infill development?
 - Should infill be of a modern aesthetic and a clear product of its own time? Or, should infill development draw directly from the Park City Vernacular, such that new construction largely mimics the look of historic structures?
 - Should Modern be limited to transitional zones on the fringe of the Historic District?

- If the guidelines were to draw from both sides of the spectrum (modern aesthetic and Park City Vernacular), what elements of the modern aesthetic would be appropriate in infill development?
- Alternatively, does the design of additions and new infill construction rely more on mass and scale than one particular style of architecture?

In reviewing the Design Guidelines as well as hearing from board and staff members, staff has identified six (6) areas of where the Design Guidelines could be stronger in protecting the character of the Historic District:

1. Park City Vernacular
2. Transitional Elements
3. Compatibility of New Additions
4. Compatibility of New Construction/In-fill Development
5. Defining Compatibility
6. Character Zones

Using these six (6) points of discussion, staff has chosen to focus the discussion of these areas of concern within the residential historic district. Staff has outlined the applicable Design Guidelines that apply to each subject matter. In reviewing Design Guidelines from other cities and towns—including Crested Butte, Colorado; Breckenridge, Colorado; and Madison, Indiana—staff has proposed changes to the Park City Design Guidelines as a possible solution.

1. Park City Vernacular

Vernacular architecture is a category of architecture based on local needs, locally available construction materials and skills, and is a reflection on local culture at the time of construction.

Breckenridge, Colorado, is much like Park City in that it was founded at the turn of the last century as an industrial mining town. Much of Breckenridge's building stock is similar to Park City's in form: pyramid-roof cottage, cross-wing, hall-and-parlor, one-part, and two-part commercial buildings. Breckenridge has been successful in maintaining the look and feel of their historic districts by requiring new structures and alterations to be compatible with the Breckenridge Vernacular. This vernacular style dictates roof pitch, scale and massing, building elements such as windows and doors, stylistic elements, and building materials.

If the HPB finds that the Park City Vernacular is an important theme for the historic district, staff recommends that we identify those character-defining features of the historic district that should be incorporated into new design guidelines to ensure that these features are also incorporated into the design of new construction.

Staff requests the HPB discuss the following:

- Should the Design Guidelines define a specific vernacular architecture style in Park City that will be applied to both historic residential additions and new construction within the historic district?

- If yes, what is Park City’s vernacular architecture? What character-defining features make up Park City’s vernacular style?

2. Transitional Elements

Transitional elements are a key feature of new additions to historic structures. Transitional elements, also sometimes referred to as a “hyphen,” are necessary to limit the impact of the new addition on the historic structure so that any new addition is reversible and allows the essential form and integrity of the historic structure to be restored in the future. The purpose of the transitional element is to minimize the degree of material loss to external walls of the historic building. Further, it provides a physical link while visually separating the old and new.

The Design Guidelines state that the following:

D.1.4 Where the new addition abuts the historic building, a clear transitional element between the old and the new should be designed and constructed. Minor additions, such as bay windows or dormers, do not require a transitional element.

Staff has been successful in requiring a transitional element to distinguish the historic structure from its new residential addition; however, the mass and scale of these transitional elements varies with each project because there are no set standards that quantify the scale and mass of the transitional element. When reviewing the Historic District Design Review (HDDR) application for a historic site, the planners conduct a visual analysis of transitional elements to verify that the proposed design meets the intent of the guideline.

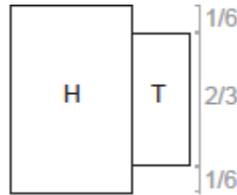
See Exhibit A for examples of residential transitional elements approved under the 2009 Design Guidelines.

In order to create a strong and distinguishable transitional element, staff recommends adding the following criteria:

- A transitional element is required for any addition to a historic structure in which the building footprint of the addition is 50% or greater than the building footprint of the historic structure. The historic structure’s building footprint may include additions to the historic building made within the historic period.

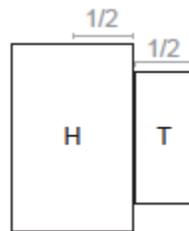


- If the addition is less than 50% of the historic structure's building footprint, but exceeds the height of the historic structure due to the height of the addition or its topography, a transitional element is required.
- The width of the transitional element shall not exceed 2/3 width of the connecting elevation.



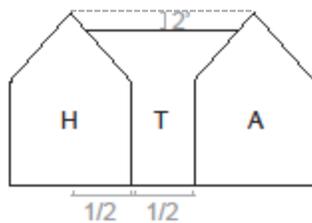
Historic Structure:	H
Transitional Element:	T

- Further, the transitional element shall be set back from the corners of the impacted elevation by a minimum of two feet (2').
- The depth of the transitional element shall be a minimum of half (1/2) the length of the shortest elevation of the adjacent module's elevation.¹



Historic Structure:	H
Transitional Element:	T

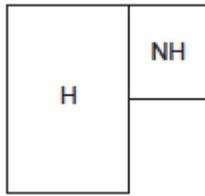
- The height of the transitional element shall be a minimum of two feet (2') lower than the highest ridgeline of the historic structure.



Historic Structure:	H
Transitional Element:	T
Addition:	A

- Balconies and decks may be attached to the side elevations of the transitional element; however, no roof deck is permitted on top of the transitional element.
- Should the applicant chose to use an existing non-historic addition as a transitional element, the previous guidelines do not apply.

¹ Modules are defined and explained more in the next section.



Historic Structure:	H
Non-Historic Addition:	NH

HPB Discussion Requested.

3. Compatibility of New Additions

The Design Guidelines require the following:

- D.2.1 Additions should complement the visual and physical qualities of the historic building.*
- D.2.2 Building components and materials used on additions should be similar in scale and size to those found on the original building.*
- D.2.3 Window shapes, patterns and proportions found on the historic building should be reflected in the new addition.*
- D.2.4 Large additions should be visually separated from historic buildings when viewed from the public right of way.*
- D.2.5 In-line additions should be avoided.*

Staff finds that the greatest challenge of additions complementing the associated historic structure is in the mass and scale of the overall building volume. Building volume is defined as the combination of height, length, and width of the structure.

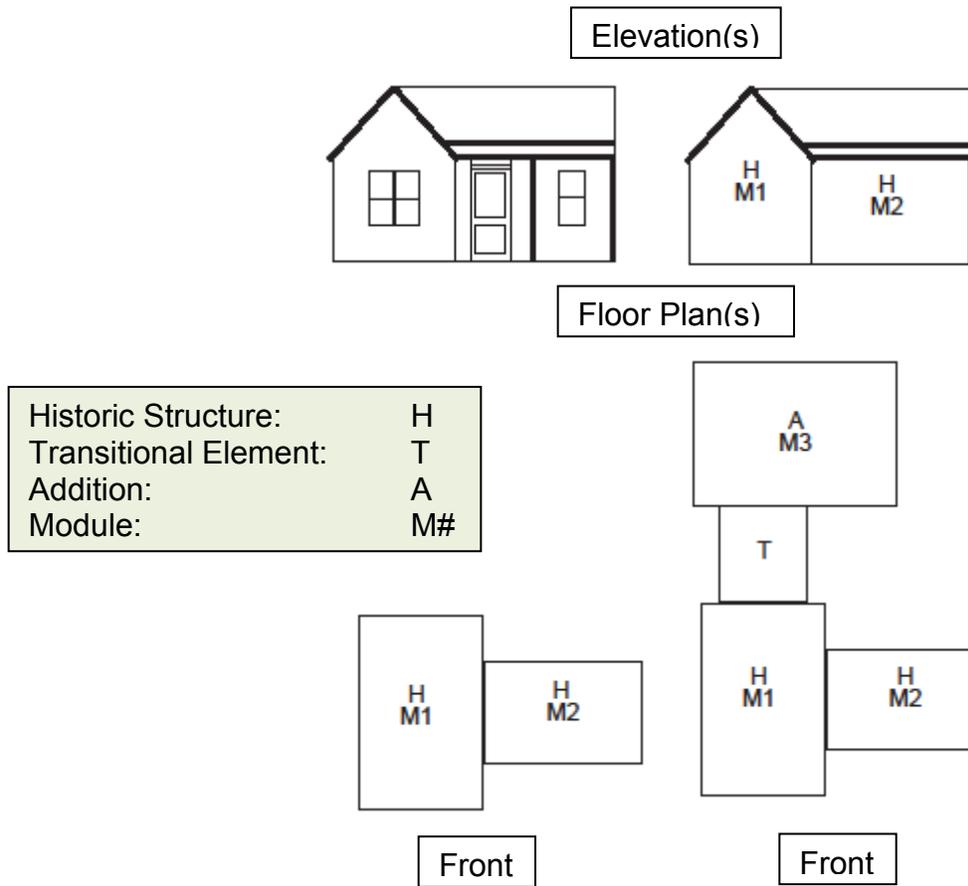
See Exhibit B for examples of additions to historic structure approved under the 2009 Design Guidelines.

In looking at other cities' Design Guidelines, staff has found that Breckenridge, Colorado, relies on modules that dictate the breakup of large volumes and control the overall mass and scale of the design.

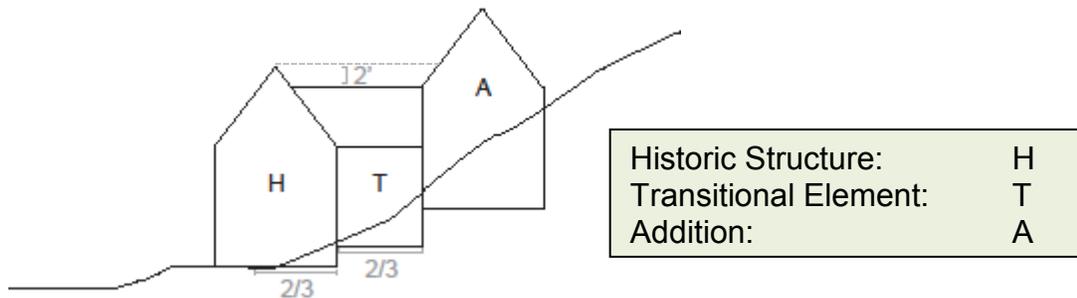
Staff recommends quantifying Park City's Design Guidelines by adding:

- Additions to historic structures shall be visually subordinate to the historic building. Where the overall size² of the new addition is larger than the historic structure, the volume of the addition shall be broken up into modules that reflect the scale of those seen on the historic structure. Additional modules are encouraged to add articulation and architectural interest.

² Size refers to footprint, square footage, height, mass, and scale.



- Where the addition is taller than the historic structure's ridgeline, due to either the height of the addition or the topography, the new addition shall be set back by a minimum of 2/3 length of the adjoining historic module's side elevation.



- New additions should reflect the historic character and historic Park City vernacular architecture. The addition should not replicate historic elements, but be designed in a manner consistent with a contemporary interpretation of the chosen style (i.e. changes in material or design elements).

- New additions and alterations that imply an earlier historic period or inaccurate variation of a historic style shall be avoided.
- New additions shall not be placed so as to obscure or modify historic roof forms.
- Additions or accessory structures (such as sheds) should be subordinate in terms of scale to the primary historic structure. The footprint of the new construction or addition shall not exceed 50% of the footprint of the historic structure. If the footprint exceeds 50% of the footprint of the historic structure, the scale of the individual modules shall be broken up to reflect the mass and scale of those seen on the historic structure.

HPB Discussion Requested.

4. Compatibility of New Construction/Infill

The Universal Guidelines for New Construction in the Historic District outline the general principles to ensuring the compatibility of new construction or infill development in the Historic District. These include:

1. *New buildings should reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City’s Historic Sites.*
2. *New buildings should not directly imitate existing historic structures in Park City. Roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites may be duplicated, but building elements such as moldings, cornice details, brackets, and porch supports should not be directly imitated. Reconstructions of non-surviving historic buildings are allowed.*
3. *A style of architecture should be selected and all elevations of the building should be designed in a manner consistent with a contemporary interpretation of the chosen style. Stylistic elements should not simply be applied to the exterior. Styles that never appeared in Park City should be avoided. Styles that radically conflict with the character of Park City’s Historic Sites should also be avoided.*
4. *Building and site design should respect the existing topography, character-defining site features, existing trees and vegetation and should minimize cut, fill, and retaining walls.*
5. *Exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc.—should be of human scale and should be compatible with neighboring Historic Sites.*
6. *Scale and height of new structures should follow the predominant pattern of the neighborhood with special consideration given to Historic Sites.*
7. *The size and mass of the structure should be compatible with the size of the property so that lot coverage, building bulk, and mass are compatible with Historic Sites in the neighborhood.*
8. *New construction activity should not physically damage nearby Historic Sites.*

Staff finds that the greatest misconception is that new construction/infill projects must be modern or contemporary in design so as to differentiate itself entirely from adjacent historic structures. While in principal, historic preservation standards encourage new construction/infill to be differentiated from the historic structure, historic preservation standards also recommend that new construction/infill complement and are compatible to existing historic structures, as described earlier.

See Exhibit C for examples of new construction/infill approved under the 2009 Design Guidelines.

In order to address these different approaches to the design of new construction/infill development, staff recommends the following criteria:

- Universal Design Guideline #6 shall be modified to say: Scale and height of new structures should follow the predominant pattern established by historic structures on the same block or within the immediate neighborhood.
- Historically, rear additions and accessory structures were subordinate to the mass and scale of the primary building. This relationship should be reflected in the modules that make up the volume of the new development. The proportions of the individual modules should reflect those found on historic structures.
- Large volumes should be broken up into small modules that reflect the mass and scale of historic buildings. These modules may be connected by smaller, subordinate connectors.
- Large expanses of glass, either vertical or horizontal, are not appropriate in the historic district.

HPB Discussion Requested.

5. Defining Compatibility

Currently, the Land Management Code (LMC) defines compatibility as:

Characteristics of different designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. Elements affecting Compatibility include, but are not limited to, height, scale, mass, and bulk of Building, pedestrian and vehicular circulation, parking, landscaping and architecture, topography, environmentally sensitive areas, and Building patterns.

Staff recommends adding a section to the LMC that specifies specific criteria in evaluating compatibility. Borrowing from Madison, Indiana's Code of Ordinances, staff proposes the following criteria:

- **Height.** The height of proposed buildings shall be within five feet (5') of adjacent buildings.
- **Proportion of building's front facade.** The relationship of the width of building to the height of the front elevation shall be visually compatible to historic buildings, plazas, and neighborhoods to which it is visually related.

- **Proportion of openings within the facility.** The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings, plazas, and neighborhoods to which the building is visually related.
- **Rhythm of solids to voids in front facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, plazas, and neighborhoods to which it is visually related.
- **Rhythm of entrance or porch projection.** The relationship of entrances and porch projections to sidewalks of buildings, plazas, and neighborhoods shall be visually compatible to the buildings to which it is visually related.
- **Relationship of materials, and texture.** The relationship of materials and texture of the facade of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.
- **Roof shapes.** The roof shape of a building shall be visually compatible with the buildings to which it is visually related.
- **Scale of a building.** The size of a building, the building mass of a building in relation to open spaces, the windows, door openings, porches, and balconies shall be visually compatible with the buildings, squares, and places to which it is visually related.

HPB Discussion Requested.

6. Character Zones

Many cities have categorized neighborhoods within their Historic District as character areas or zones. Each character zone embodies a distinct pattern of development, architectural style, or vernacular while contributing to the overall historic district. In using the 2009 Design Guidelines, staff has found that there may be a need to provide specific guidelines or exceptions to the guidelines depending on the character of the streetscape. Staff has identified several unique Park City character zones that differ from their adjacent neighbors, such as:

- **Daly Avenue.** Some of the character-defining features of Daly Avenue that differentiate it from other neighborhoods include the large number of historic accessory structures abutting the street; historic houses are staggered on lots of varying sizes that do not create a consistent rhythm and pattern; smaller housing types that often have fewer historic additions.
- **Ontario Avenue.** Some of the character-defining features of this street include houses located away from Ontario Avenue and facing Marsac Avenue; and decorative architectural features such as box bay windows, scroll work, shingles, etc.
- **Upper Park Avenue.** Some of the character-defining features of this neighborhood include its high density; mix of residential, religious, and school buildings; rhythm of facades along the street; stacked stone retaining walls; high concentration of structures that retain their historic integrity.

HPB Discussion Requested.

Summary Recommendation

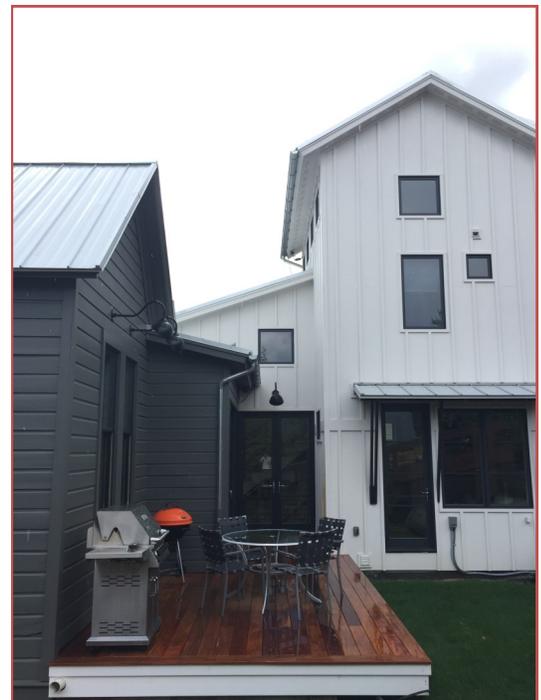
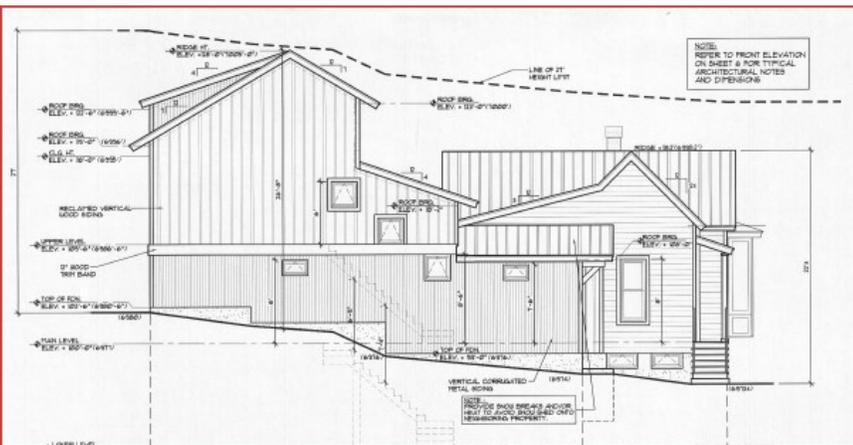
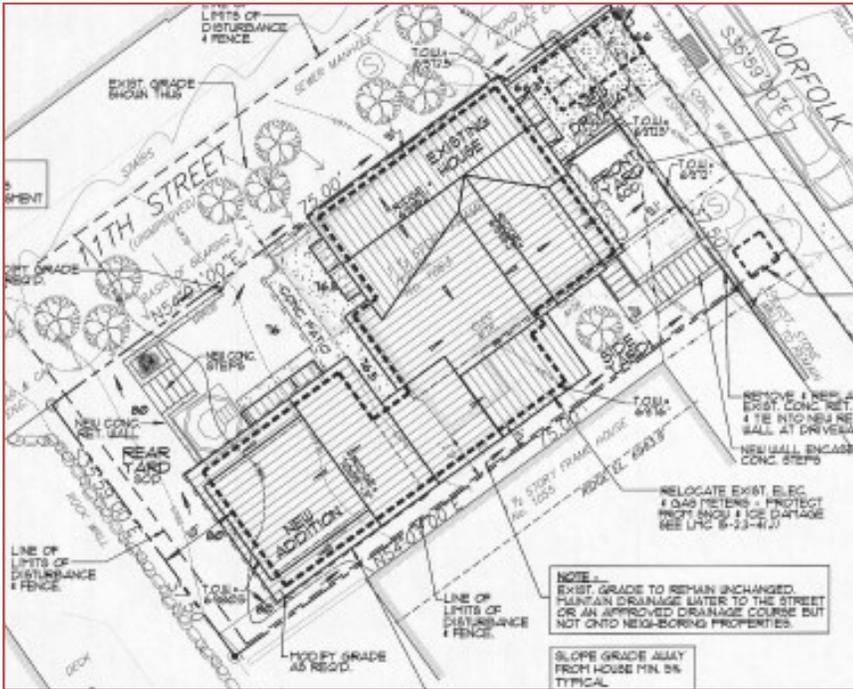
Staff recommends that the Historic Preservation Board review and discuss current shortcomings of the 2009 Design Guidelines and provide input to staff to address these issues.

Summary Recommendation

Exhibit A – Transitional Elements
Exhibit B - Additions to Historic Structures
Exhibit C - New Construction/Infill

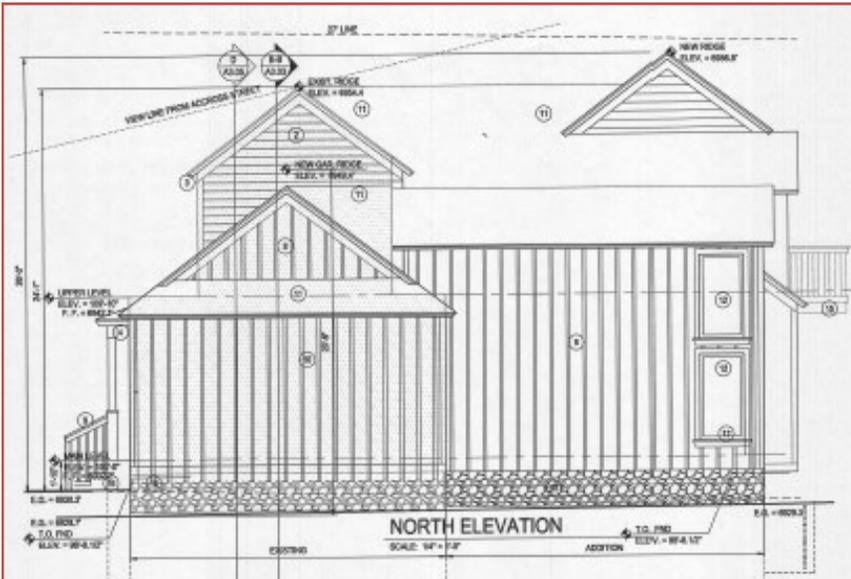
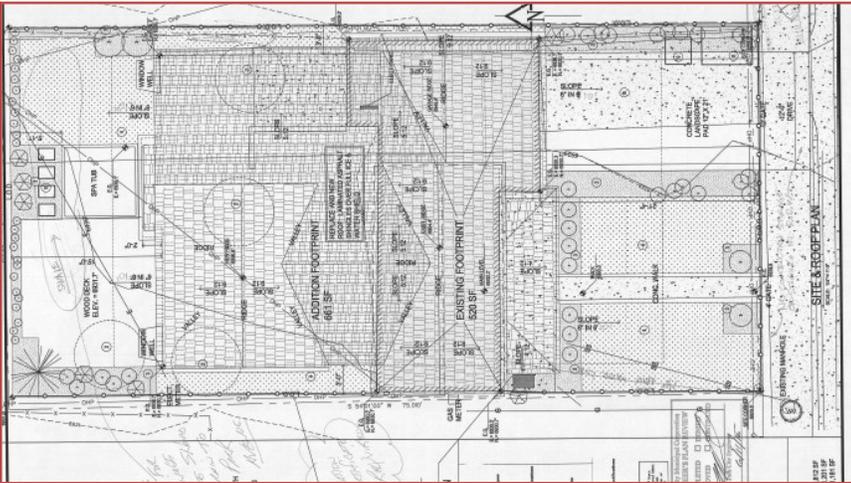
Exhibit A — Transitional Elements

1063 Norfolk



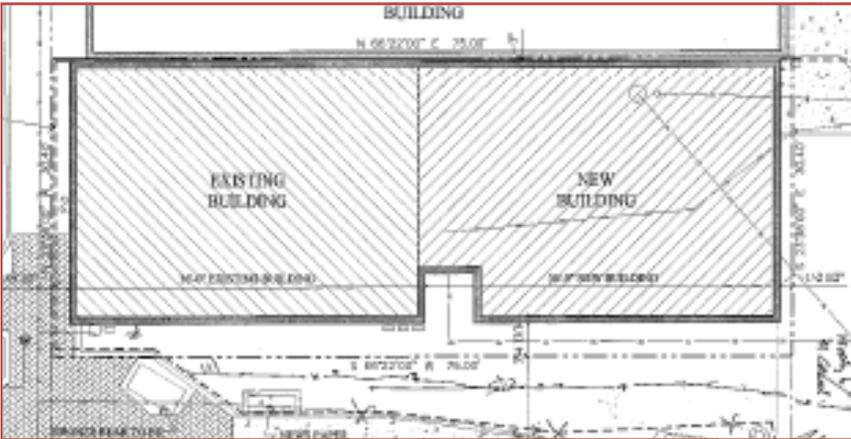
Constructed a new distinguishable transitional element.

1119 Park Avenue



Used existing non-historic additions to build over and create transitional zones.

562 Main Street



Very limited transitional element connecting two larger masses.

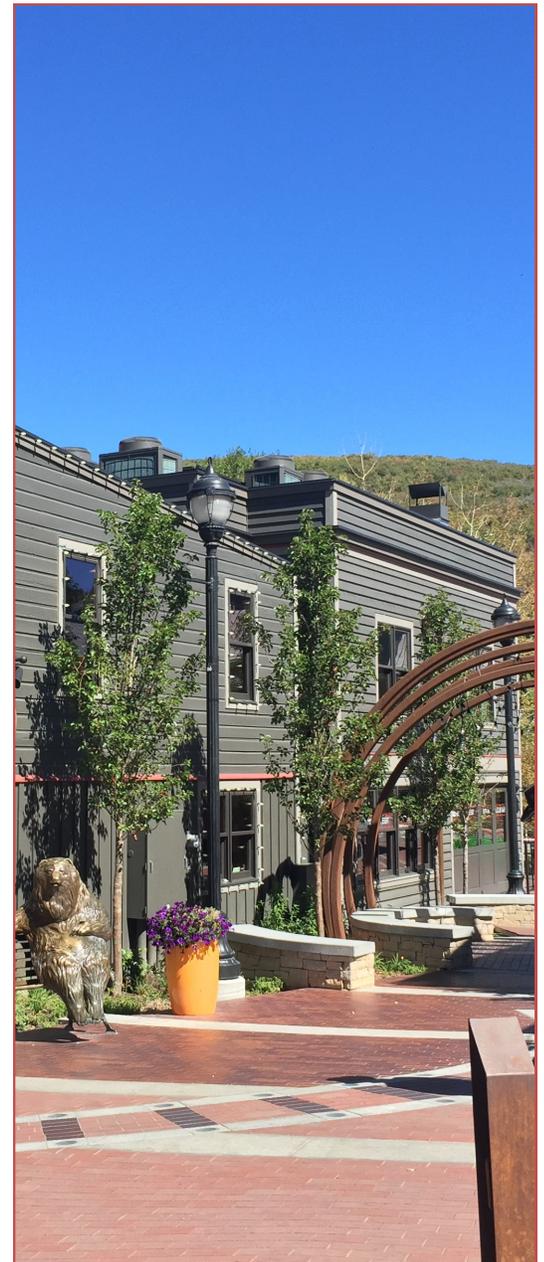
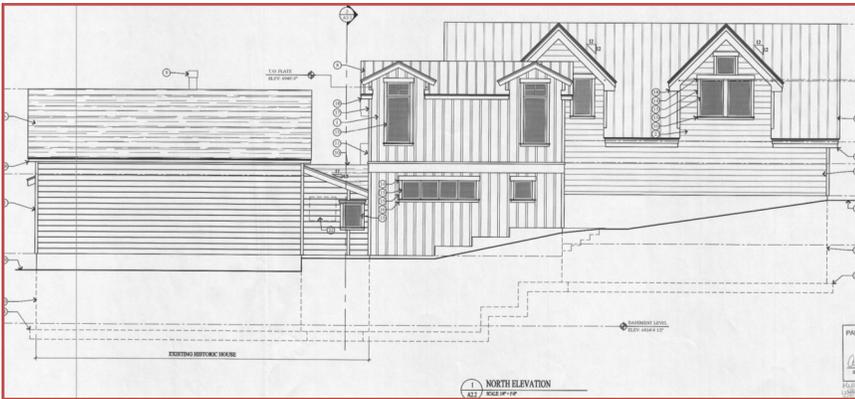
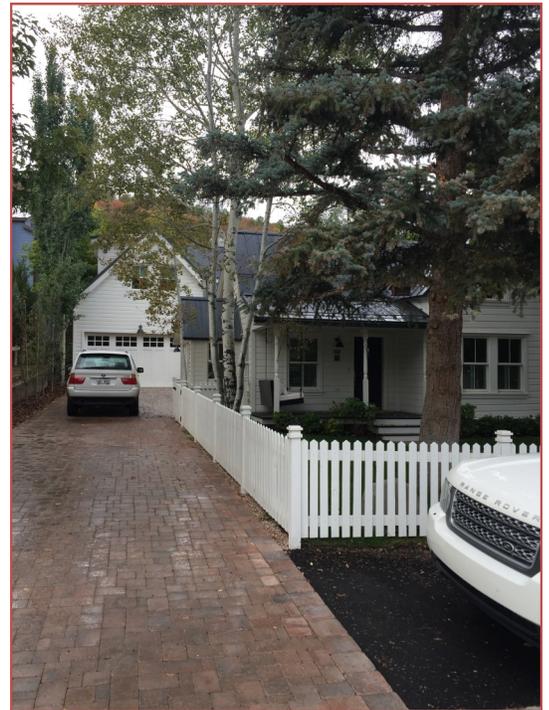
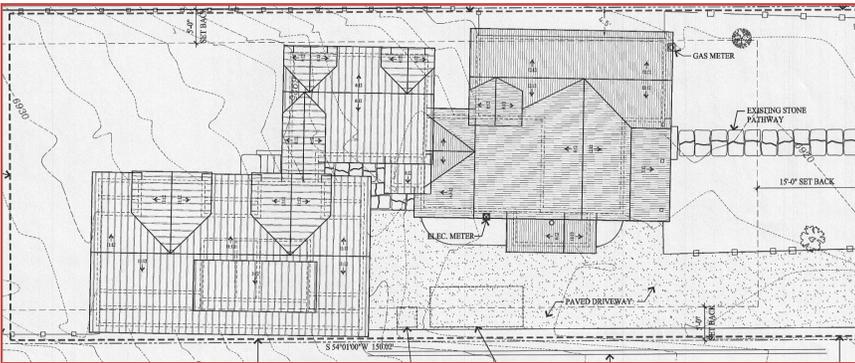


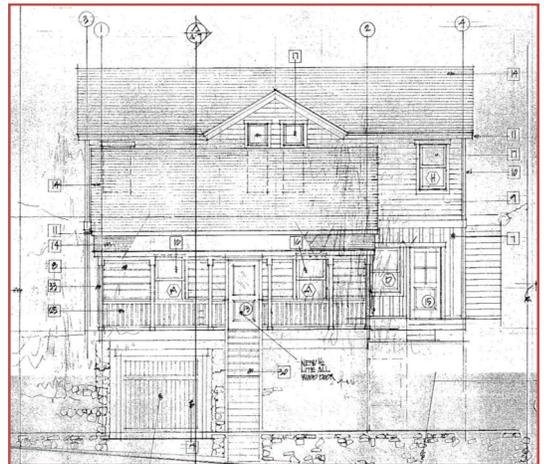
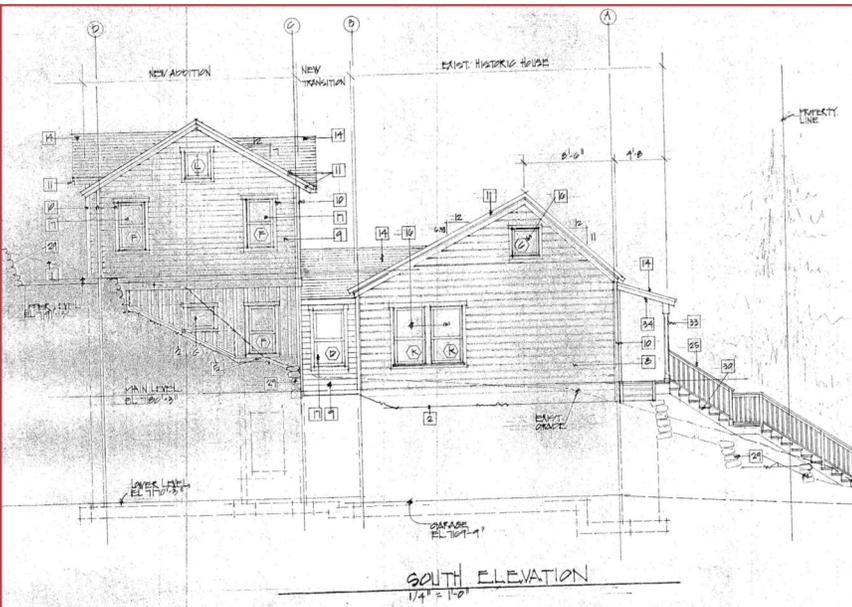
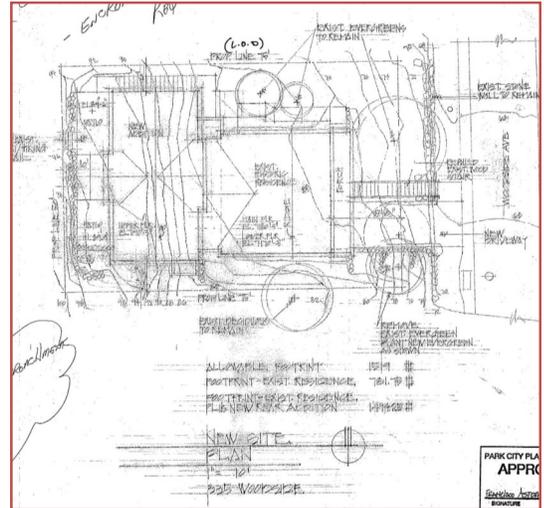
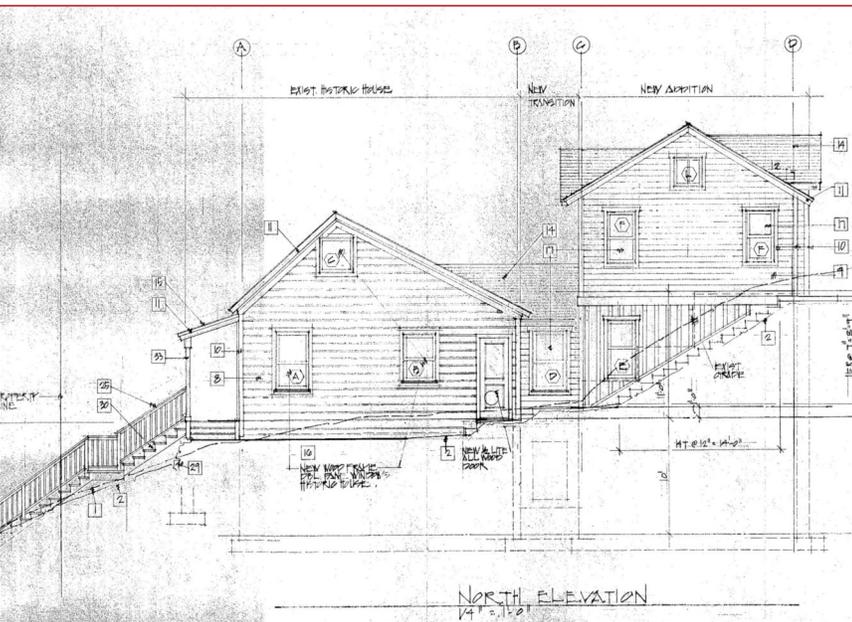
Exhibit B — Additions

1127 Woodside Avenue



Construction of a rear addition onto an existing accessory structure

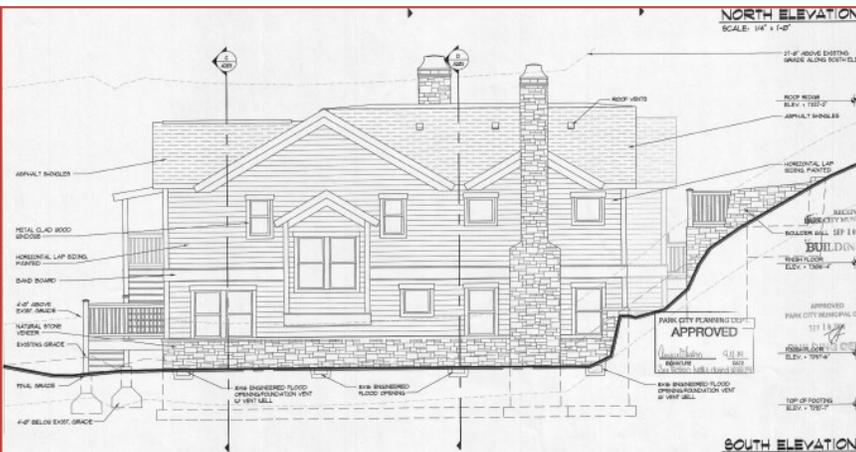
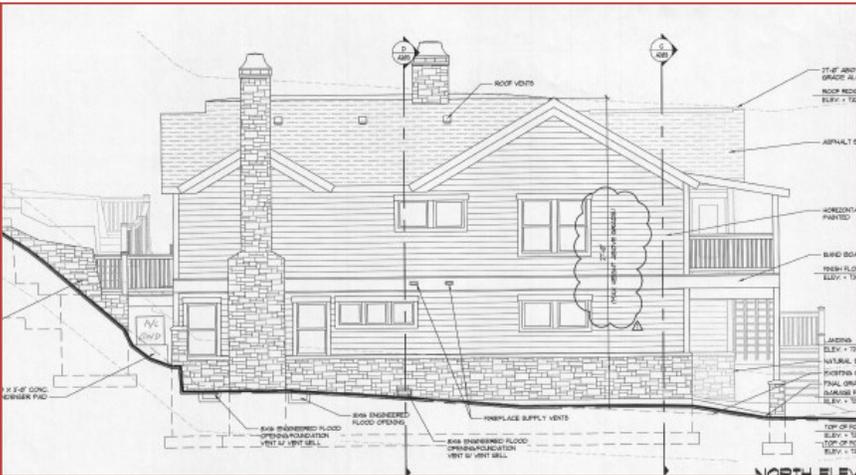
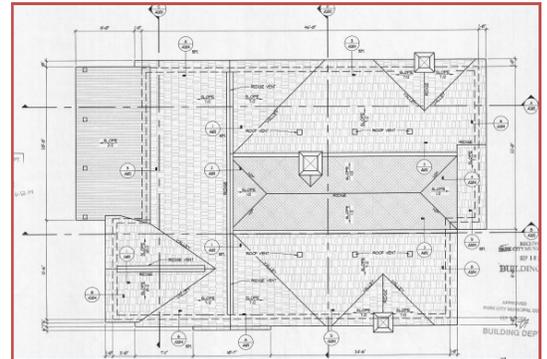
335 Woodside Avenue



Constructed a new compatible addition with a transition element.

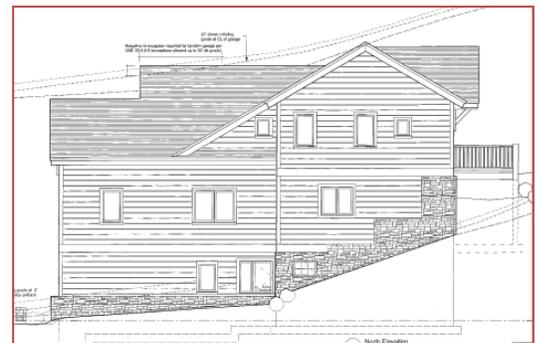
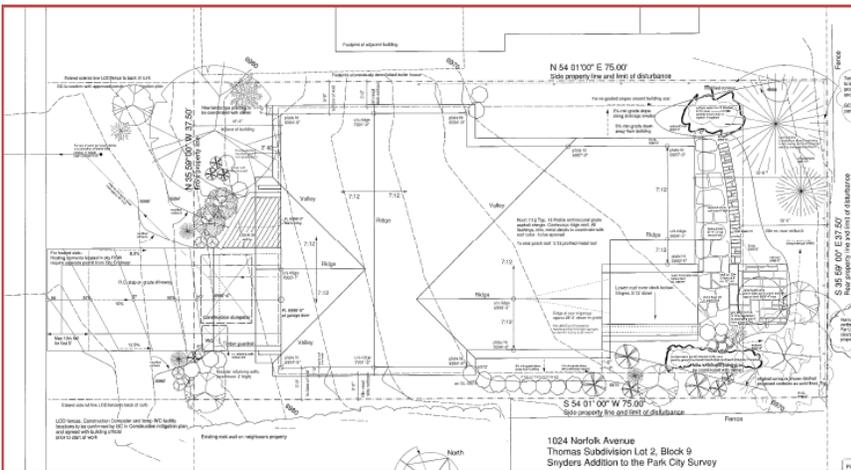
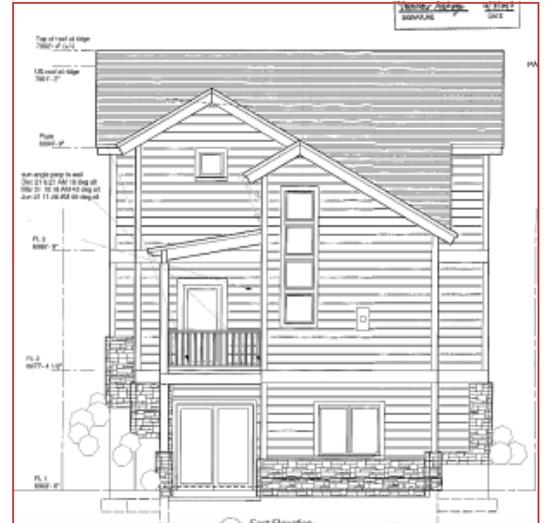
Exhibit C — New Construction/Infill

337 Daly Avenue

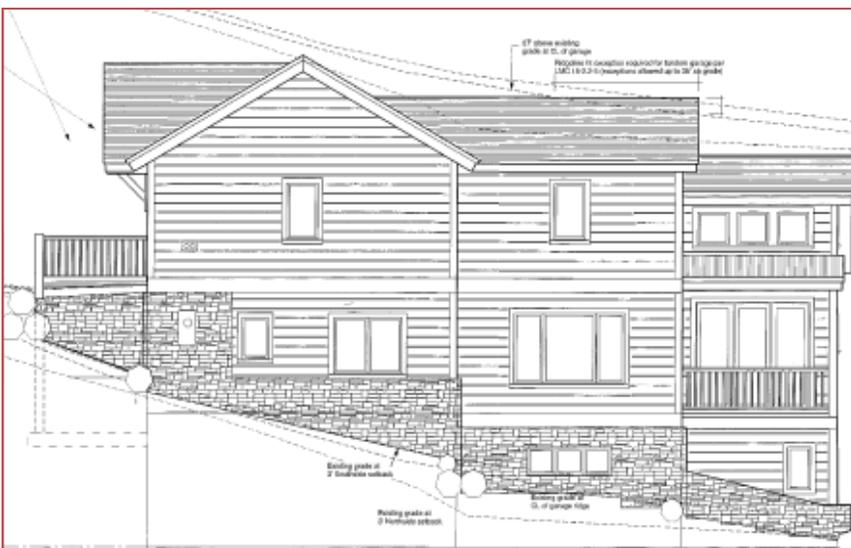


Very traditional approach to the Design Guidelines.

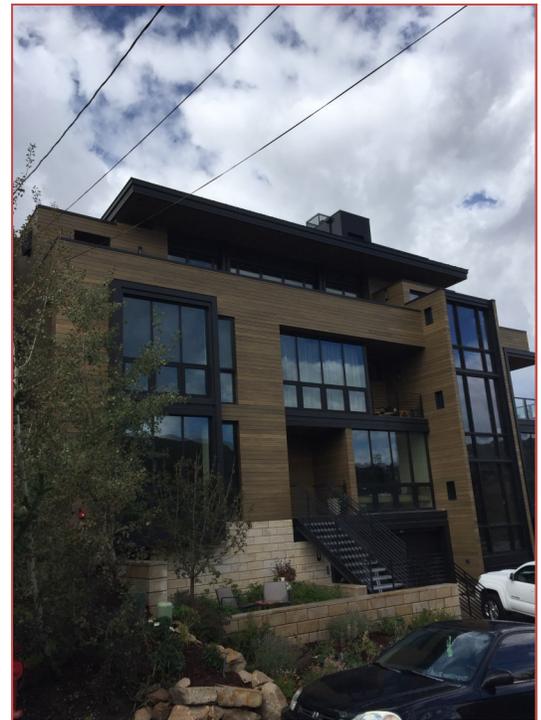
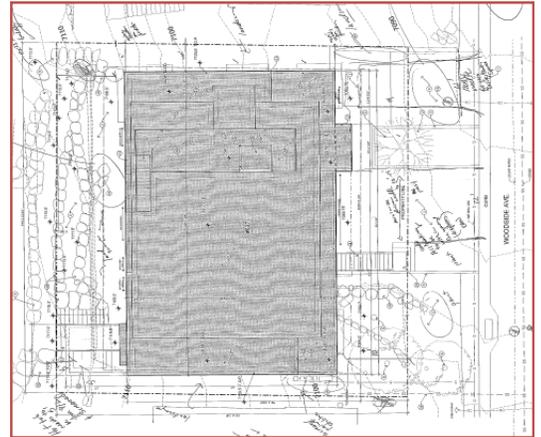
1024 Norfolk Avenue



New construction that has incorporated traditional building forms and modern elements.



535 Woodside Avenue



Using existing legal non-conformities, the structure is much larger than what is permitted under today's code; however, the applicant also had a very modern interpretation of the Design Guidelines.



Planning Department

Historic Preservation Board Staff Report

Author: Hannah Turpen, Planner
Subject: Demolition Review
Address: 1328 Park Avenue
Project Number: PL-15-02932
Date: October 7, 2015
Type of Item: Administrative – Demolition Determination

Summary Recommendation:

Staff recommends the Historic Preservation Board review the application, conduct a public hearing, and approve 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.

Topic:

Address: 1328 Park Avenue
Designation: Significant
Applicant: Paul and Amanda Anderson
Proposal: The applicant intends to demolish the non-historic horizontal wood siding and two (2) windows on the south façade of the non-historic garage addition.

Background:

On August 6, 2015, the City Council directed the Planning Department to move forward with a pending ordinance. The purpose of the pending ordinance is to expand the Historic Sites Inventory criteria to include the following terms:

- Any structure that has received a historic grant from the City;
- Has previously been on the Historic Site Inventory or listed as significant or contributory on any recognizant or other historic survey;
- Or despite non-historic additions retain its historic scale, context, materials in a manner and degree which can reasonably be restored to historic form.

In addition, the pending ordinance is also to amend Land Management Code to include demolition permits for all structures in a Historic District to be reviewed by the Historic Preservation Board

On September 14, 2015, the application 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. The structure is listed as Significant on the Historic Sites Inventory.

Analysis:

Staff finds that the proposed work is a minor alteration having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District.

The section of horizontal wood siding on the north façade of the garage addition that is to be removed spans approximately twenty-five feet (25') in width and is approximately eight feet (8') in height. There are two (2) windows on the north façade of the garage addition that are to be removed.

The horizontal wood siding and two (2) windows are in disrepair due to weathering and the work is considered minor and routine maintenance. It can be determined that the horizontal wood siding and two (2) windows on the north façade of the garage addition are non-historic because a Building Permit for an addition and remodel was issued on January 9, 1995.

Recommendation:

Staff recommends the Historic Preservation Board review the application, conduct a public hearing, and approve 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.

Finding of Fact:

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 north 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:

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:

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.

Exhibits:

Exhibit A – Proposed Work

Exhibit B – Historic Sites Inventory Form

Exhibit A: Proposed Work
Area to be removed

Anderson Property
1328 Park Avenue
Park City, UT 84098



RECEIVED
SEP 14 2015
PARK CITY
PLANNING DEPT.

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: Elmer H. Maxwell House

Address: 1328 PARK AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-284

Current Owner Name: ANDERSON PAUL JOSEPH

Parent Parcel(s):

Current Owner Address: PO BOX 1833, PARK CITY, UT 84060-1833

Legal Description (include acreage): BEG N 54*01' E 406 FT & S 35*59' E 340 FT FROM SW COR BLK 24 SNYDERS ADD TO PARK CITY; TH S 35*59' E 59 FT; N 57*00' E 70.5 FT; N 35*50' W 38 FT; N 83*28' W 36.8 FT; S 54*01' W 43 FT TO BEG; 0.09 AC

2 STATUS/USE

Property Category

- building(s), main
- building(s), attached
- building(s), detached
- building(s), public
- building(s), accessory
- structure(s)

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date: _____
 Permit #: _____
 Full Partial

Use

Original Use: Residential
 Current Use: Residential

*National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
- prints:
- historic: c.

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
- tax card
- original building permit
- sewer permit
- Sanborn Maps
- obituary index
- city directories/gazetteers
- census records
- biographical encyclopedias
- newspapers
- city/county histories
- personal interviews
- Utah Hist. Research Center
- USHS Preservation Files
- USHS Architects File
- LDS Family History Library
- Park City Hist. Soc/Museum
- university library(ies):
- other:

Drawings and Plans

- measured floor plans
- site sketch map
- Historic American Bldg. Survey
- original plans:
- other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
 Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
 McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.
 Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.
 Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form, 1984.



4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Bungalow type

Additions: none minor major (describe below) **Alterations:** none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

Researcher/Organization: Preservation Solutions/Park City Municipal Corporation **Date:** 12-2008

General Condition of Exterior Materials:

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Foundation: Not verified.

Walls: Narrow wooden siding.

Roof: Hipped roof form sheathed in asphalt shingles.

Windows/Doors: large, single light fixed casement windows on the primary façade, double-hung sash type on the side elevations.

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates—known or estimated—when alterations were made): The one-story frame bungalow has been altered. The 1983 National Register nomination describes the original portion of the house (see Structure/Site Form, 1983), but several alterations were made in the mid-1990s. The front entry porch is supported by turned posts that are not compatible with the bungalow style. Originally, above the front door was a bracketed gable hood with curved underside. The original door was typical of the bungalow era—solid door with a ribbon of narrow upper lights, an apron and large dentil molding—and has been replaced by a frame-and-panel door more typically seen on Colonial Revival style homes. The greatest modification, however, is the two-story addition. An effort was made to separate the addition with a transitional element and the addition does not detract from the original house. The changes do not significantly affect the site's original design character. The design integrity would benefit from the removal of the turned posts and return of the brackets.

Setting (The physical environment—natural or manmade—of a historic site. Describe the setting and how it has changed over time.): The setting has not been significantly altered. A large addition at the rear of the house does not significantly impact the setting as it is perceived from the primary public-right-of-way.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as a typical Park City mining era house are the simple methods of construction, the use of narrow wood siding, the plan type, the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes. The 1995 photograph suggests the siding may be all new materials, though this was not verified for this report. If it is found to have been completely re clad in new materials, then the workmanship of the site has been diminished.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The bungalow was a common house type built in Utah during the early twentieth century.

This site was nominated to the National Register of Historic Places in 1984 as part of the *Park City Mining Boom Era Residences Thematic District*, but was not listed because of the owner's objection. It was built within the historic period, defined as 1872 to 1929 in the district nomination. The site retains its historic integrity and would be considered eligible for the National Register as part of an updated or amended nomination. As a result, it meets the criteria set forth in LMC Chapter 15-11 for designation as a Landmark Site.



5 SIGNIFICANCE

Architect: Not Known Known: (source:)

Date of Construction: c. 1925

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.¹

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: West elevation. Camera facing east, 2006.

Photo No. 2: Northwest oblique. Camera facing southeast, 1995.

Photo No. 3: West elevation. Camera facing east, 1983.

Photo No. 4: West elevation. Camera facing east, tax photo.

¹ From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.





RECEIVED
SEP 14 2015
PARK CITY
PLANNING DEPT.

Property Type:

Utah State Historical Society

Historic Preservation Research Office

Site No. _____

Structure/Site Information Form

IDENTIFICATION 1

Street Address: 1328 Park UTM: 12 457490 4500140
 Name of Structure: Park City, Summit County, Utah
 Elmer H. Maxwell House T. R. S.
 Present Owner: Robert B. Graf
 Owner Address: P.O. Box 2204, Park City, Utah 84060

Year Built (Tax Record): Effective Age: Tax #: SA 284
 Legal Description Kind of Building:
 Beginning North 54 degrees 01 minutes East 406 feet and South 35 degrees 59 minutes East 340 feet from Southwest corner Block 24, Snyder's Addition to Park City, thence South 35 degrees 59 minutes East 59 feet, North 59 degrees 00 minutes East 70.5 feet, North 35 degrees 50 minutes West 38 feet, North 83 degrees 28 minutes West 36.8 feet, South 54 degrees 01 minutes West 43 feet to beginning. Section 16 T2S R4E. Less than one acre.

STATUS/USE 2

Original Owner: probably Elmer Maxwell Construction Date: c. 1925 Demolition Date:
 Original Use: Residence Present Use:
 Building Condition: Integrity: Preliminary Evaluation: Final Register Status:
 Excellent Site Unaltered Significant Not of the National Landmark District
 Good Ruins Minor Alterations Contributory Historic Period National Register Multi-Resource
 Deteriorated Major Alterations Not Contributory State Register Thematic

DOCUMENTATION 3

Photography: Date of Slides: 1983 Slide No.: Date of Photographs: 1983 Photo No.:
 Views: Front Side Rear Other Views: Front Side Rear Other
 Research Sources:
 Abstract of Title Sanborn Maps Newspapers U of U Library
 Plat Records/ Map City Directories Utah State Historical Society BYU Library
 Tax Card & Photo Biographical Encyclopedias Personal Interviews USU Library
 Building Permit Obituary Index LDS Church Archives SLC Library
 Sewer Permit County & City Histories LDS Genealogical Society Other Census Records

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):
 Salt Lake Tribune. January 31, 1942, p. 20. Elmer H. Maxwell obituary.



Street Address: 1328 Park

Site No:

4
ARCHITECTURE

Architect/Builder: Unknown

Building Materials: Wood

Building Type/Style: Bungalow

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This house is a one story frame building with a hip roof and a square plan. Although it lacks the prominent porch of a typical bungalow, it is comparable to other houses that were built in Park City during the period of peak popularity of the bungalow. Park City's bungalows generally have a square or rectangular form, low pitch hip roofs, narrow lap siding, symmetrical facades with a door centered between large horizontal windows and some type of porch. This house fits the above description. A gable roof hood supported on brackets is centered over the door. The windows on the facade are large single pane glass panels, and most of the windows on the sides of the house are the one over one double hung sash type. A dormer was attached to the east side of the roof and there is a shed addition which extends out beyond the south wall. A door pierces the west side of that extension. Both the dormer and shed extension were made at the rear of the house and are unobtrusive. The house maintains its original integrity.

5
HISTORY

Statement of Historical Significance:

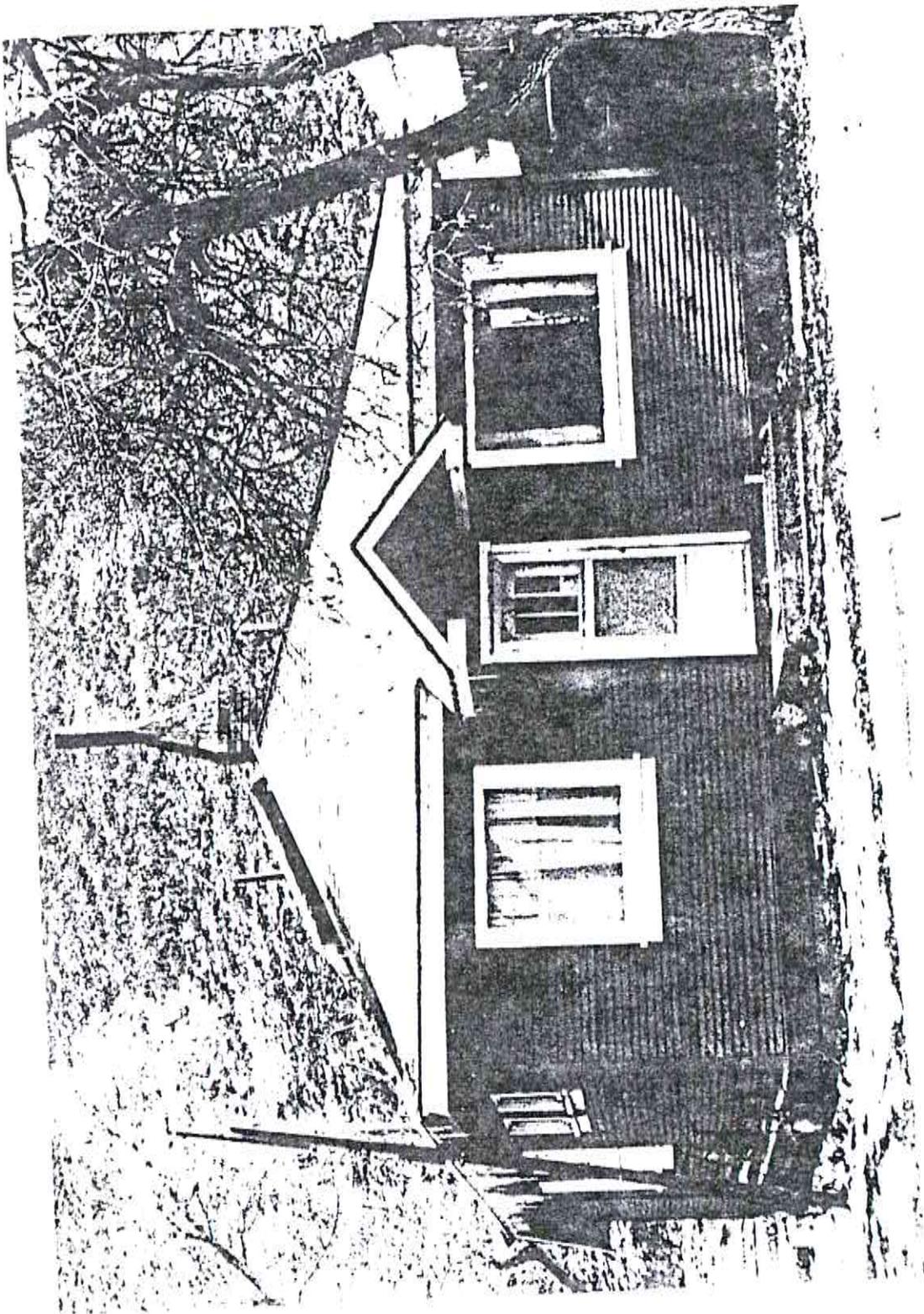
Construction Date: c. 1925

Built c. 1925, the Elmer H. Maxwell House at 1328 Park, is architecturally significant as one of 18 extant bungalows in Park City, eight of which are included in this nomination. The bungalow is the major Park City house type that was built between 1907 and the end of the mining boom period, and significantly contributes to the character of the residential area.

Elmer Maxwell probably had this house built soon after his arrival in Park City in 1925. He did not receive legal title to the property, however, until 1935 when the Ontario Silver Mining Company granted him a quit claim deed. Several neighboring properties, some also with houses on them, were similarly deeded by the Ontario Silver Mining Company at that same time, illustrating the apparently acceptable, but perhaps risky, practice of constructing houses on property owned by mining companies.

Born in 1897 in the nearby farming community of Oakley, Elmer Hugh Maxwell engaged in ranching in that area before moving to Park City in 1925, where he owned and operated the Maxwell Apartments and served as district agent for Singer Sewing Machine Company. He lived in this house until his death in 1942. Members of the Maxwell family continued to own the house until 1977.





RECEIVED
SEP 14 2015
PARK CITY
PLANNING DEPT.





RECEIVED
SEP 14 2015
PARK CITY
PLANNING DEPT.



Planning Department

Historic Preservation Board Staff Report

Author: Makena Hawley, Planner Technician
Subject: Building Permit Review
Address: 262 Grant Avenue
Project Number: PL-15-02901
Date: October 7, 2015
Type of Item: Administrative – Demolition Determination

Summary Recommendation:

Staff recommends the Historic Preservation Board review the application, conduct a public hearing, and approve the demolition of non-historic material at 262 Grant Avenue.

Topic:

Address: 262 Grant Avenue
Designation: Significant
Applicant: Mark Willoughby
Proposal: The applicant intends to install an egress basement window located on the south side of the historic residence as well as replace a non-historic window with a door providing access to the existing patio.

Background:

On August 6, 2015, the City Council directed the Planning Department to move forward with a pending ordinance. The purpose of the pending ordinance is to expand the Historic Sites Inventory criteria to include the following terms:

- Any structure that has received a historic grant from the City;
- Has previously been on the Historic Site Inventory or listed as significant or contributory on any recognizant or other historic survey;
- Or despite non-historic additions retain its historic scale, context, materials in a manner and degree which can reasonably be restored to historic form.

In addition, the pending ordinance is also to amend Land Management Code to include demolition permits for all structures in a Historic District to be reviewed by the Historic Preservation Board.

On September 18, 2015 the applicant submitted a Building Permit (BD-15-21876) for an addition of an egress basement window located on the South side of the residence as well as replace a window with a door providing access to the existing patio. 262 Grant Avenue is listed as a significant site on the Historic Sites Inventory. The historic house was reconstructed in 2000. Staff has researched the portions of siding that will be removed to add the egress window and door and finds that it is not historic.

Analysis:

Staff finds that the proposed work is a minor alteration having little or no negative impact on the historic character of the house, the surrounding neighborhood, or the Historic District.

The material that is proposed to be removed from the siding and the skirt on the South side of the elevation has been determined non-historic. 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.

Project Portion -	Analysis -
Addition of <u>egress window</u> on front half lower portion of South Elevation, removing non-historic siding.	From the Design Guidelines for Historic Sites: D.4.4 Window or egress wells, if needed, should not be located on the primary façade. Window or egress wells may be located behind the midpoint of the secondary facades <u>or in a location that is not visible from the primary public right-of-way.</u> Viewing pictures from Exhibit D – the egress window is not located on the primary façade and the placement proposed would not be seen from the right-of way due to the fence and vegetation.
Addition of <u>door</u> on back half portion of South Elevation, removing non-historic window.	From the Design Guidelines for Historic Sites: D.4.4 Window or egress wells, if needed, should not be located on the primary façade. Window or egress wells may be located <u>behind the midpoint</u> of the secondary facades or in a location that is not visible from the primary public right-of-way. Viewing pictures from Exhibit A – the proposed door is located behind the midpoint of the historic house, replacing a

non-historic window. The door will not be any larger in width than the current window dimensions.

Recommendation:

Staff recommends the Historic Preservation Board review the application, conduct a public hearing, and approve the demolition of non-historic material at 262 Grant Avenue.

Finding of Fact:

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:

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:

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.

Exhibits:

Exhibit A – Proposed Work

Exhibit B – Historic Sites Inventory Form

Exhibit C – Pictures of existing siding

Exhibit D – Historic District Commission Meeting minutes from 262 Grant Ave design review

EXHIBIT A

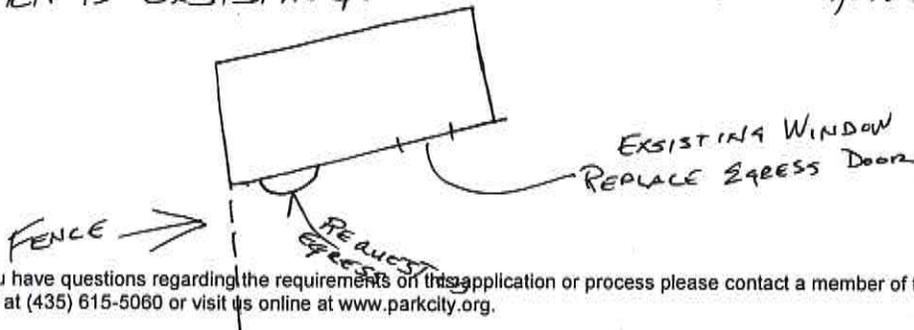
SUBMITTAL REQUIREMENTS – All of the following items must be included in order for the Planning Department to take the application.

1. Completed and signed application form.
2. On a separate piece of paper provide a written project description that summarizes the intent of the proposed project and describe the anticipated scope of work. For projects involving Historic Sites, the description should make known any intentions to remove, relocate, reorient, raise, disassemble/reassemble, and/or reconstruct all or part of the Historic Site.
3. One (1) copy of the existing site plan.
4. Photographs of the Site, both Panoramic and Aerial.
5. If the Site in question is listed on the Historic Sites Inventory a copy of the Historic Sites Form should accompany the application. The Site Form can be requested at the Planning Department.

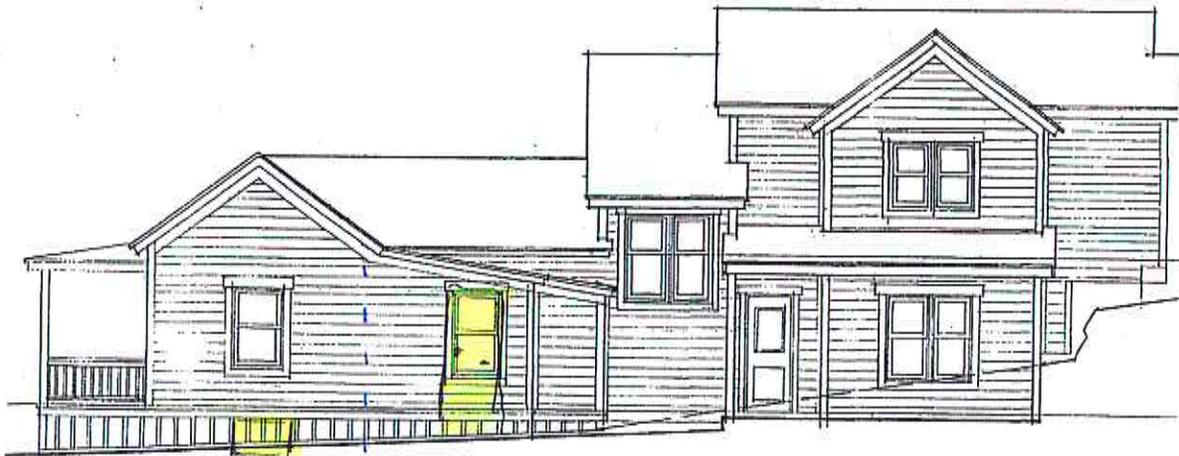
PROJECT DESCRIPTION

1. On a separate sheet of paper, give a general description of the proposal and attach it to the application (See Submittal Requirement #2).
2. Existing Zoning: RESIDENTIAL
3. Is the property listed on the Historic Sites Inventory?
 Yes No
4. If Yes what is the designation of the Historic Site?
 Landmark Site Significant Site
5. Current use of the property: RESIDENTIAL
6. Year constructed: 1900

REQUEST TO INSTALL A EGRESS BASEMENT WINDOW LOCATED ON THE SOUTH SIDE OF THE RESIDENCE WE WOULD ALSO WISH TO INSTALL A EGRESS DOOR BY REPLACING AT A WINDOW ALSO LOCATED ON THE SOUTH SIDE OF THE RESIDENCE WHICH WILL PROVIDE ACCESS TO A PATIO WHICH IS EXISTING. - SEE PROVIDED PHOTO'S



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.



*approx
middle?*

SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

EXHIBIT B

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 262 GRANT AVE

AKA: 262 Swede Alley

City, County: Park City, Summit County, Utah

Tax Number: 262-GR-B

Current Owner Name: WILLOUGHBY MARK A ETAL

Parent Parcel(s): PC-598

Current Owner Address: 1545 9TH AVE, SAN DIEGO, CA 92101

Legal Description (include acreage): LOT B 262 GRANT PLAT AMENDMENT SUBDIVISION; CONT 2,352 SQ FT OR 0.05 AC

2 STATUS/USE

Property Category

- building(s), main
- building(s), attached
- building(s), detached
- building(s), public
- building(s), accessory
- structure(s)

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full
 - Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo: c. 1940
- prints: c. 1968, 1995 & 2006
- historic: c.

Drawings and Plans

- measured floor plans
- site sketch map
- Historic American Bldg. Survey
- original plans:
- other:

Research Sources (check all sources consulted, whether useful or not)

- abstract of title
- tax card
- original building permit
- sewer permit
- Sanborn Maps
- obituary index
- city directories/gazetteers
- census records
- biographical encyclopedias
- newspapers
- city/county histories
- personal interviews
- Utah Hist. Research Center
- USHS Preservation Files
- USHS Architects File
- LDS Family History Library
- Park City Hist. Soc/Museum
- university library(ies):
- other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.
Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.
Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Rectangular or "Hall-Parlor" House

No. Stories: 1

Additions: none minor major (describe below) Alterations: none minor major (describe below)

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

General Condition of Exterior Materials:

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Foundation: Early photographs indicate a cement porch foundation that is now covered by decorative porch trim (aspects of cement can still be seen.)

Walls: Drop-novelty wood siding and trim- may be original, but likely to be a newer re-creation of older style (material of addition matches perfectly in size and color with original structure- overall condition indicates newer materials.) Painted wooden porch supports and rails with wooden floorboards.

Roof: Unable to determine current roofing material (snow pack in photo) but prior photos indicate uses of metal and shingles at varying times.

Windows: Aluminum single hung

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): Building form remains generally intact, with material applications being adjusted and changed through the years. Porch rail and support details have changed over time but currently reflect simplicity of original style. (Attached garage and multi-storey addition attached to the rear of the structure. Addition does not affect front façade of the house, and has been built in a compatible matching style to the original structure; however, the extent of the additions renders this site ineligible for listing in the National Register.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): Earliest tax photo shows small outbuilding no longer present on property. Narrow building lot has the structure's porch front directly adjacent to roadway. Neighboring residential property structures are similar in size and scale. Removed trees from 1968 photo have since been replanted in areas similar to those in original tax photo.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines the typical Park City mining era home--simple methods of construction, the use of non-beveled (drop-novelty) wood siding, plan type, simple roof form, informal landscaping, restrained ornamentation, and plain finishes--have been altered and, therefore, lost.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, do not effectively convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association (Describe the link between the important historic era or person and the property.): The Hall-Parlor house form is the earliest type to be built in Park City and one of the three most common house types built in Park City during the mining era.

The extent of and cumulative effect of the additions to the site render it ineligible for listing in the National Register of Historic Places.

5 SIGNIFICANCE

Architect: Not Known Known: (source:)

Date of Construction: c. 1900

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.¹

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

- Photo No. 1:** Southwest oblique. Camera facing northeast, 2006.
- Photo No. 2:** Northwest oblique. Camera facing southeast, 2006.
- Photo No. 3:** Southwest oblique. Camera facing northeast, 1995.
- Photo No. 4:** Southwest oblique. Camera facing northeast, c. 1968
- Photo No. 5:** Southwest oblique. Camera facing northeast, c. 1940 tax photo.

¹ From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

PC 598

Serial Number

OF Card Number

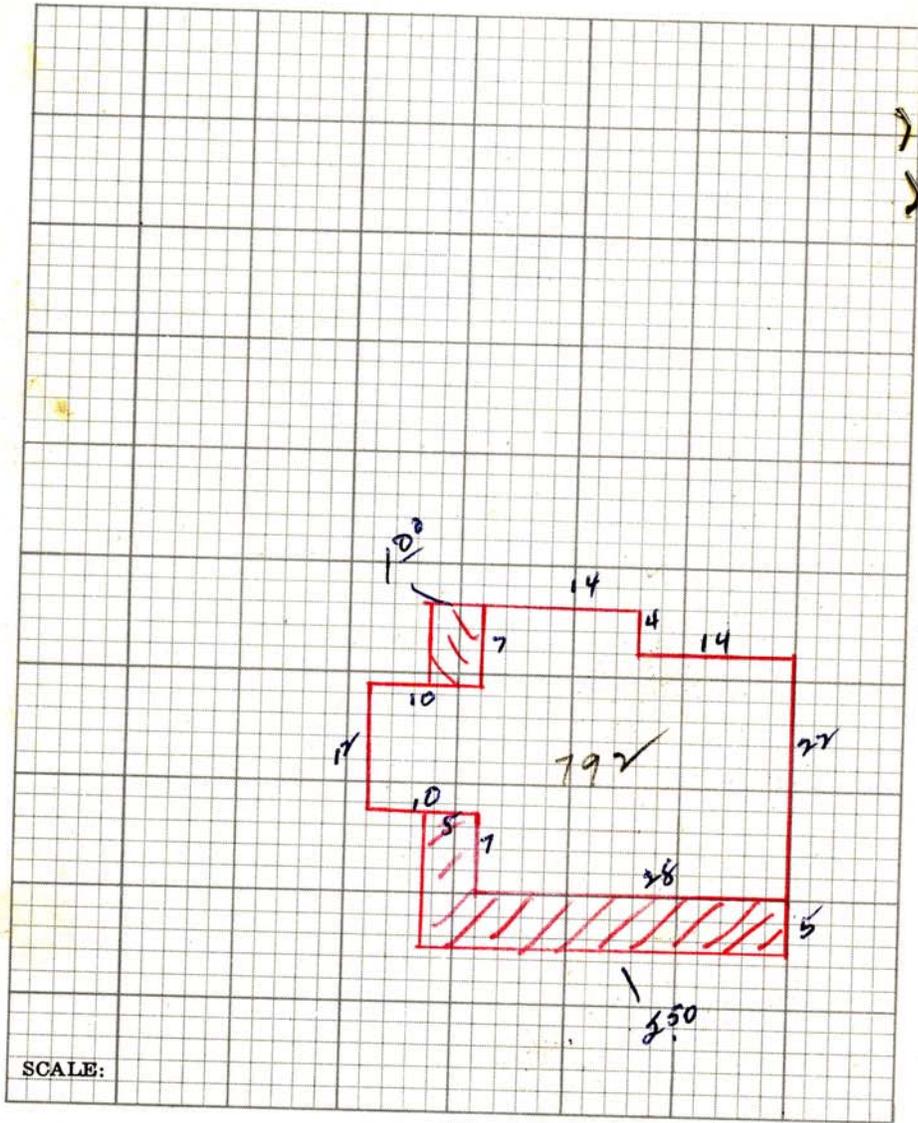
Owners Name John Bullock
 Location 19 11 + 1100 BK 72 MS
 Kind of Bldg. Res St. No. 262 Grant
 Class 3 Type 1 2 3 4 Cost \$ 3671 x 104.5 %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
1	x x	792		\$ 3836	\$
	x x				
	x x				

Apt. Gar.—C.P. x Flr. Walls Cl.

Description of Buildings	Additions	Additions
Foundation—Stone <u> </u> Conc. <u>✓</u> Sills <u> </u>		
Ext. Walls <u> </u> <u>Clu on frame (B)</u>		
Roof Type <u>Gable</u> Mtl. <u>Pat</u>		
Dormers—Small <u> </u> Med. <u> </u> Large <u> </u>		
Bays—Small <u> </u> Med <u> </u> Large <u> </u>		
Porches—Front <u> </u>	<u>200 @ 2.50</u>	<u>500</u>
Rear <u> </u>	<u>35 @ 1.00</u>	<u>35</u>
Porch <u> </u>	@	
Planters <u> </u>	@	
Ext. Base. Entry <u> </u>	@	
Cellar-Bsmt. — 1/4 1/8 1/2 3/8 3/4 Full <u> </u> Floor <u>conc</u>		<u>80</u>
Bsmt. Gar. <u> </u>		
Basement-Apt. <u> </u> Rms. <u> </u> Fin. Rms. <u> </u>		
Attic Rooms Fin. <u> </u> Unfin. <u> </u>		
Plumbing	Class <u>2</u> Tub. <u>1</u> Trays <u> </u>	
	Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u>	
	Wtr. Sfr. <u> </u> Shr. St. <u> </u> O.T. <u> </u>	<u>650</u>
	Dishwasher <u> </u> Garbage Disp. <u> </u>	
Heat—Stove <u> </u> H.A. <u>FA</u> HW <u> </u> Stkr <u> </u> Elec. <u> </u>		<u>338</u>
Oil <u>Gas</u> Coal <u> </u> Pipeless <u> </u> Radiant <u> </u>		
Air Cond. — Full <u> </u> Zone <u> </u>		
Finish—Fir. <u> </u> Hd. Wd. <u> </u> Panel <u>3 075</u>		<u>225</u>
Floor—Fir. <u> </u> Hd. Wd <u> </u> Other <u> </u>		
Cabinets <u> </u> Mantels <u> </u>		
Tile—Walls <u> </u> Wainscot <u> </u> Floors <u> </u>		
Storm Sash—Wood D. <u> </u> S. <u> </u> ; Metal D. <u>3</u> S. <u> </u>		<u>150</u>
Awnings — Metal <u> </u> Fiberglass <u> </u>		

Total Additions			<u>1978</u>
Year Built <u>1902</u>	Avg. <u>1.1919</u>	Replacement Cost	<u>5814</u>
<u>1964</u>	Age <u>2.</u>	Obsolescence	
Inf. by {	Owner - Tenant -	Adj. Bld. Value	
	Neighbor - Record - Est.	Conv. Factor	<u>x.47</u>
Replacement Cost—1940 Base			
Depreciation Column <u>1 2 3 4 5 6</u>			
1940 Base Cost, Less Depreciation			
Total Value from reverse side			
Total Building Value		\$	



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
15 small Shed No Value		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

Size _____ x _____ Age _____ Cost _____ x 47% _____

1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS **Average Year of Construction Computation:**

Year 1907 \$ 4171 = 72 % X 63 Year = 45.36

Year 1964 \$ 1643 = 28 % X 1 Year = 28

Average Year of Construction 1919 45.64







EXHIBIT C



Historic Siding married with new siding above it -



Front Facade



Front Facade -



Close picture of Historic material -



New siding on North Facade -



Comparison of North and front facade -



Historic siding married with new siding -



Close picture of new siding -



North Facade



New siding -



New siding on South facade



Location of proposed door



Close up of South Side new siding



Close up of South Side skirting



Close picture of new siding



Location of proposed egress window



Historic District Commission Meeting
Minutes of February 7, 2000
Page 7

5. The driveway width shall be no larger than fourteen feet (14') and have a hand railing on the north side.
6. A detail of all handrail elements shall be reviewed by the Planning Department and approved according to the HDC's Illustrated Building Materials Handbook prior to the issuance of final building permits.
7. The roof material shall be architectural grade composition roof shingles, having a high profile (or definition). The colors shall be reviewed by the Planning Department before final building permit issuance.
8. The proposed dwelling unit colors shall include body, trim, and accent colors. The colors shall be complementary of each other but provide sufficient visual contrast. A painting scheme shall be submitted and approved by the Planning Department prior to issuance of a final building permit.
9. Window and door trim detail shall be reviewed and approved by the Planning Department prior to final building permit issuance.
10. All standard conditions of approval shall apply.
11. This approval shall expire on February 7, 2001, if a building permit has not been issued.
12. The corner window element shall be further reviewed and approved by Planning Staff.
13. The front vent shall be wood louvers and be approved by Planning Staff as to materials, design, shape, size, and compatibility.

262 Grant Avenue - Design review of modifications to existing historic house

Commissioner Peek recused himself from discussing and voting on this item due to a conflict of interest.

Planning Assistant Barlow presented the staff report and noted that this item has been seen several times by the HDC. He referred to the remaining issues for discussion contained in the staff report and recommended that the applicant work with the Staff on resolving those issues. The structure is a grant recipient. It was noted that the grant has expired, and a new grant can be applied for this year.

Jonathan DeGray, architect for the project, explained that the existing aluminum siding will be removed and historic window openings that may be present will be determined. They will work with Staff to decide what is important and receive guidance on which ones should be restored. He reviewed modifications to the plans.

Chair McReynolds noted that page 107 of the staff report refers to a 2,000-square-foot addition to the house, and page 108 discusses the overall size of the dwelling going from 2,000 square feet to 1,732 square feet. She asked for clarification of the size of the addition and the original house. Mr. DeGray explained that the existing house is 781 square feet, and the new area is 484 square feet on the main level, for a total of 1,275 square feet on the main level. The upstairs will be 495 square feet, for a total square footage of 1,732. There is a basement, but it is not included in the calculations as it is all below grade.

Chair McReynolds reviewed the issues in the staff report with the applicant. Mr. DeGray explained that concrete steps were installed during a previous renovation, and he planned to replace them with wooden stairs. He indicated and discussed the changes to the building footprint with the Commissioners. Windows will be standard double-hung windows. He explained that he would like to review with the Staff what can be saved of the existing siding, and if there is a disagreement, come back to the HDC for approval. Chair McReynolds asked that the words "as determined by the Preservation Planner" be added to Condition 7. She discussed historical compatibility of doors with the applicant.

Commissioner Swanson asked if there was any original detail left on the house. Mr. DeGray replied that he believed there was some under the aluminum siding. They have an old photograph of the structure, and he noted that the original detail is quite modest.

MOTION: Commissioner Werling moved to APPROVE the application for 262 Grant Avenue based on the findings of fact, conclusions of law, and conditions of approval with the addition of the wording "as determined by the Preservation Planner" to Condition 7. Commissioner Swanson seconded the motion.

VOTE: The motion passed unanimously, with Commissioner Peek abstaining from the vote.

Conditions of Approval - 262 Grant Avenue

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Community Development Department is a condition precedent to the issuance of any building permit.
2. The final building plans shall reflect substantial compliance with drawings (dated November 11, 1999) as submitted and reviewed by the HDC on February 7, 2000. Any changes or deviation from the plans

- as approved by the HDC shall be reviewed and approved by Planning Staff prior to construction.
3. All exterior lighting types and locations shall be reviewed for compliance with City lighting regulations and approved by the Planning Department prior to issuance of final building permits.
 4. A formal landscape plan shall be submitted and approved by the Planning Department prior to the issuance of final building permits. A landscape plan shall be drawn at 1/4" scale. The plan shall include, but is not limited to, the identification of all existing significant trees; proposed and existing plantings; planters; driveways; the historic shed placement; walkways and their materials. Non-historic landscape elements or elements which are not compatible with typical historic landscapes in the area are not permitted.
 5. A detail of all handrail elements shall be reviewed by the Planning Department and approved according to the HDC's Illustrated Building Materials Handbook prior to the issuance of final building permits.
 6. The existing historic shed shall be re-positioned on the site at least (5') five to (7') seven feet away from the house in order to maintain some semblance of the original physical relationship between the house and the shed.
 7. Remove existing aluminum siding and repair all existing historic wood siding and replace missing trim elements (ex: corner boards, fascia boards, etc.). All ghost outlines and general wear exhibited by the existing original wood siding shall remain. Replacement of any original wood siding or elements shall be made only in cases of structural failure or major deterioration as determined by the Preservation Planner. All replacement of missing elements (ex: corner boards, fascia boards, etc.) shall match existing historic material in profile, dimension, configuration, texture, and finish as determined by Staff according to the HDC's Illustrated Building Materials Handbook.
 8. The front porch shall consist of a wood deck with wood steps installed perpendicular to the adjacent wall of the house, wood bead-board porch ceiling, square wood porch posts, and a wood porch railing having a simple geometric baluster design. The base of the porch shall consist of wood board-and-batten siding. A detail of the reconstructed front steps, porch, ceiling, posts, and hand railing shall be submitted for approval by the Planning Department according to the HDC's Illustrated Building Materials Handbook prior to the issuance of final building permits.
 9. The roof material shall be architectural grade composition roof shingles, having a high profile (or definition). The colors shall

- be reviewed by the Planning Department before final building permit issuance.
10. The house shall have body, trim, and accent colors. The colors shall be complementary of each other but provide sufficient visual contrast. A paint application shall be submitted to and approved by the Planning Department prior to issuance of a final building permit.
 11. Window and door trim construction detail shall be reviewed and approved in accordance with the HDC's Illustrated Building Materials Handbook by the Planning Department prior to final building permit issuance.
 12. All standard conditions of approval shall apply.
 13. This approval shall expire on February 7, 2001, if a building permit has not been issued.

205 Main Street - Request for extension of HDC approval

Planning Assistant Barlow explained that nothing has changed with the application or staff report since the last meeting. He explained that HDC design approval for the building has expired, and the applicant is asking for an extension of that approval.

Ralph Stanislaw, the applicant, recalled that a lengthy discussion was held on December 20 and referred to the December 20 minutes. He explained that at the time the permit was going through its final extension, they were working with the contractor and getting final building permit adjustments to the design, and there was some confusion on the part of the applicant as to whether the extension continued until April 19, 2000, or if it actually expired the end of September. He believed there had been some inconsistency and that there was still an approval on the project for the exterior colors even though the approval for the structure had lapsed. Efforts with the contractor did not reach a satisfactory resolution for the owner, leading to additional delays. The investment group is looking at options for the property, and it is currently for sale as one option, but they would like to continue to obtain approval to move forward with the project to coincide with the April 19 expiration date. He referred to the November 2 letter from the Staff outlining a number of items to be taken care of and stated that they had worked on some of those items with the Staff. He was not aware of a hold being placed on the project the end of August and noted that he has letters from the County showing that there was ongoing activity on the project after that. He explained that they are asking for an extension of the structure approval to coincide with the colors and materials approval.



PLANNING DEPARTMENT

Historic Preservation Board

To: Historic Preservation Board (HPB)
From: Anya Grahn
Subject: HPB Agenda
Date: October 7, 2015

Staff legally noticed the Historic District Design Review (HDDR) applications for 279 Daly Avenue and 222 Sandridge Road. These applications were deemed complete prior to the pending ordinance, which was adopted on August 7, 2015. Because they were complete before the ordinance adoption, they are not regulated under the new ordinance and they do not require demolition review by the Historic Preservation Board (HPB).