

**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
COUNCIL CHAMBERS, CITY HALL
JUNE 20, 2012**



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Times shown are approximate. Items listed on the Regular Meeting may have been continued from a previous meeting and may not have been published on the Legal Notice for this meeting. For further information, please call the Planning Department at (435) 615-5060.

A majority of Historic Preservation Board members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

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.

WORK SESSION

Historic Preservation Board Staff Report



Author: Thomas Eddington, Planning Director
Kayla S. Sintz, Architect/Planner

Subject: Historic Sites Inventory (HSI) - Nominations

Date: June 20, 2012

Type of Item: Work Session

Summary

On May 2, 2012 the Historic Preservation Board discussed the Historic Sites Inventory (HSI) Nomination process. City Council and Planning Staff had requested the HPB's input on the current Land Management Code section addressing the HSI nomination process. The Board indicated they would not recommend any changes at this time.

Staff provided the input to City Council on May 17, 2012 during their Work Session agenda. Staff has been directed to return to Council with alternatives on whether or not the nomination process could be expanded and/or revised to include a few options that might improve the public process with or without an amendment to the Land Management Code. As the topic moves forward Staff will continue to update the HPB.

Board Member Katherine Matsumoto-Gray contacted staff with additional input regarding expanding the public involvement in the process and requested the HPB be given additional Work Session time to discuss.

Exhibit A: Minutes from Council Discussion 5/17/12

Exhibit B: Minutes from HPB 5/2/12

Mayor Williams added that some of those who have been working on open space preservation for 25 years are not convinced either, however, water storage tanks are not an option. He stated that he doesn't necessarily disagree with Mr. Hague. Having the ability to store water is a real issue, and it isn't based on any growth approved in the last 20 years but based on what has been vested.

Liza Simpson believed that conducting the open house was worthwhile and Mr. McAfee recognized staff who organized the event. Members were supportive of proceeding.

3. Nominations to the Historic Site Inventory. Thomas Eddington explained that the ability to nominate to the HSI was discussed by the Historic Preservation Board a couple of weeks ago. The Code provides that property owners may nominate their sites to the HSI or the Planning Department who conducts research to determine whether a full intensive survey is warranted. The HPB is the only entity that can officially designate properties to the HSI and members decided they did not want to be in the position of nominating and conducting the research and preferred the current Code process. The intensive level surveys will go a long way in clearing up many issues experienced the past couple of years. He pointed out that the CIP includes a request for funding for intensive level surveys to begin the two to three year process for the Main Street District, National Register District, and landmark and significant structures. Mr. Eddington stated that the HSI is based on a more cursory basis.

Cindy Matsumoto asked why the HPB would be doing the survey work. Mr. Eddington explained that in order to bring a nomination forward, there needs to be data for the Planning Department to accept the application. The HPB is the designating body and the Planning Department updates the HSI annually. Ms. Matsumoto pointed out that the Council would not be asking other boards to do the work and Mr. Eddington felt that is why HPB members agreed to the current process. HPB members can approach planning staff with a request to look at a building and do an analysis. She reiterated that she doesn't understand why HPB members would be doing the work. Thomas Eddington explained that they can still request that staff do the research.

Ms. Matsumoto noted that there is no mention of a public hearing if staff decides a property doesn't meet the criteria of the Code. Kayla Sintz suggested that the HPB be informed of any inquiry not meeting the criteria at a public meeting. Cindy Matsumoto felt there should be an opportunity for public input as there may be more information. Thomas Eddington pointed out that the HPB could also call-up the matter, request more analysis and then take the matter to a formal public hearing. Ms. Matsumoto pointed out that it will be two years before the HSI is complete.

The Mayor asked what triggers a review and Mr. Eddington explained that a request for review can be formal or informal and staff and owners have the authority to nominate. Mark Harrington interjected that this is similar to the process for zoning where applications are submitted by the Planning Department or property owners. This is very consistent. Thomas Eddington felt that the HSI is thorough given the addition of the

criteria in 2009. When applications go through HDDR, staff can make a determination on conducting an intensive survey.

Dick Peek agreed that a random person nominating a property is inappropriate but he felt that the Historical Society should be able to nominate and staff do the research. He wasn't sure if it is appropriate that the HPB nominate and designate and suggested fee structures for research on behalf of the Historical Society. The Historical Society has a lot of data which has been shared with the Planning Department and is still being used. Mr. Peek felt that having an advocacy group like the Historical Society to be able to nominate is a positive change.

Liza Simpson thanked staff for bringing this matter back because she understands the process better, including that informal requests can be made to the planning staff to research a property which already exists. Thomas Eddington pointed out that it keeps the process centralized rather than entities acting independently. Andy Beerman suggested that once or twice a year the HPB could invite the Historical Society to a public meeting for the purpose of making recommendations for nominations with follow-up from staff. This formalizes requests somewhat. Thomas Eddington stated that the HPB board has a voting member from the Historical Society.

Alex Butwinski asked if the Board can do both. He supported having a fee that would prohibit people from frivolously nominating a property. A fee structure would also give the Historical Society an opportunity to disagree with staff's determination. It is not clear that requests can be made to staff and if that is the practice, it should be codified.

Cindy Matsumoto understood the fee was \$1,000 for the Younger's application and Thomas Eddington responded that it was the fee for a determination of significance and their house did not meet the criteria because of the modification to the facade and roof structure but the HPB ruled contrary to the criteria. Tom Bakaly asked members if they want to decentralize the technical review for designation. The HPB is still able to designate and everyone is able to request the technical review. Decentralizing the technical review may prompt conflicting opinions. He assumed this issue is related to the demolition of the shed at 920 Empire Avenue and if this is the case, this specific situation should be addressed or a policy discussion about decentralizing the technical review should occur. Cindy Matsumoto stated that there may have been no mistake but it would be nice to air opinions publicly. The Mayor pointed out that the HPB has public input sessions and public hearings.

Mr. Eddington relayed that all three criteria must be met, including age of the structure, essential historic form group and façade, and local significance so the determination is objective. Dick Peek explained that it is not his intent to open it up to everyone but the Historical Society consists of experts; it is a licensed non-profit and should be allowed to nominate to the HSI. He felt staff, the property owner, Historical Society and possibly the HPB should be able to nominate. Mark Harington relayed there is a way to frame it to satisfy due process requirements and directing staff to make a nomination as

opposed to making the nomination creates no functional difference. He reiterated the zoning example where the Planning Commission may direct staff to initiate a zoning process and this is essentially the same thing.

Mayor Williams pointed out that the HPB has final authority which may trigger a public hearing and the City Attorney explained that process can be added. If the HPB requests staff to initiate a review the results should be brought back to the board with an opportunity for public input.

Mark Harrington emphasized the importance of balancing property rights and predictability of the listing which has a huge impact on people's property rights. The whole concept of the list is not supposed to be fluid. There is an annual review to update the HSI but not a constant sense of unknown by those making development decisions based on the listing. Liza Simpson stated that she is uncomfortable giving the Historical Society the power to nominate properties. The way to address this issue is to make sure that all of the nominations come back to the HPB at a public meeting not just the ones with a positive recommendation. Thomas Eddington believed this can be accomplished. Ms. Simpson pointed out that the Historical Society is still able to chime in on a property and supplement information. The Mayor suggested that the Historical Society simply talk to property owners about nominating their homes. Dick Peek spoke about the economic benefits of historic preservation and having a third party non-profit organization being able to nominate sites to the HSI which is a good thing and an improvement to the current Code. Alex Butwinski pointed out that if a property is never nominated, it will never go to a public meeting and the Historical Society will not have an opportunity to present its case.

Andy Beerman stated that the HPB has the ability now to make a request which is basically the same as nominating a property. If the Historical Society can make the same requests, the Code doesn't have to be changed, just the process. Dick Peek believes one triggers a public hearing and the other doesn't. The Historical Society has a significant data base to add to the City's knowledge base which may influence the HSI over time. Mark Harrington suggested adding an opportunity 30 days prior to the staff's annual review for either the HPB or the Historical Society to submit requests for the staff to include on its review list. The disposition of staff's recommendation has to be part of the annual report so if the HPB disagrees, the decisions can be called-up and revisited at a public hearing. This provides some predictability to the annual process rather than accommodating ad hoc determinations.

Cindy Matsumoto clarified that she was interested in the public hearing component and directing staff to clarify the process. Tom Bakaly understood consensus to have a public review of all requests. Dick Peek again emphasized that his request was to just add the Historical Society and the process remain the same as it is now.

Liza Simpson recited the current process, emphasizing that a Historical Society representative is a voting member on the HPB. The perfect venue already exists and

the only piece missing is not having a public meeting on negative determinations. She doesn't feel the Historical Society should be added as a nominating body and Mr. Peek again clarified his request that the Historical Society be able to nominate. The Mayor polled members and Cindy Matsumoto, Alex Butwinski and Dick Peek supported Historical Society nominations. Alex Butwinski explained that he wants someone other than staff be able to nominate, specifically the HPB and Historical Society. Tom Bakaly pointed out that the HPB has declined nominations because of the associated research. Dick Peek stated that research is an unreasonable request to make of a board and Cindy Matsumoto felt it is an odd request. Thomas Eddington believed there has to be some exercise to determine if the property meets the criteria of the Code and if staff is asked to research, there is no change.

Dick Peek reiterated his recommendation of adding HPB and the Historical Society as nominating entities to determine if the HPB can nominate and designate, and review the fee structure. Andy Beerman discussed altering the process so that the Planning Department presents positive and negative recommendations at a public hearing without changing the Code. Dick Peek felt it puts nominations into a process where appeals could go to the Board of Adjustment. Tom Bakaly pointed out that the Council would be giving a non-profit the ability to determine whether or not something met City Code. Mark Harrington disagreed. The Historical Society would be given the authority to apply but not make determinations. Cindy Matsumoto again expressed that adding a public hearing component satisfies her concerns.

The Mayor suggested that this matter return to Council and in the meantime that Councilmembers Peek and Matsumoto meet with staff to reach agreement on process. Mark Harrington stated that the option will represent the majority of Council looking to expand the nomination process. In addition to that, staff will bring one or two options back that illustrate formalizing the public process with or without an amendment to the LMC.

4. Capital Improvements Budgets. Nate Rockwood explained that the CIP process begins with Visioning and the presentation of the FIAR. In February, budget staff meets with managers to review potential modifications to current projects and to submit new project requests. Project requests are evaluated by the CIP Committee, consisting primarily of project managers and projects are ranked by established criteria. Once the capital budget is prepared, it is presented to the City Manager who makes adjustments if needed. The CIP is broken out into different funding types based on the flexibility of the funding. Mr. Rockwood explained that the CIP Committee focuses primarily on the transfer from the General Fund which can fund any capital projects outside of transit, water and golf. This year, based on FIAR projections and the operating budget, it was determined that approximately \$3.2 million is available for adjustments in 2012 and about \$3 million each for FY2013-14. Of this, approximately \$2 million goes toward on-going CIP projects which he named and two new additions for public art and aquatic equipment replacement. He referred to a list of new CIP projects which are water or transit fund related with the remaining \$1 million of the

MINUTES OF APRIL 4, 2012

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF APRIL 4, 2012

BOARD MEMBERS IN ATTENDANCE: Dave McFawn, Puggy Holmgren, David White, Alex Natt, Judy McKie

EX OFFICIO: Thomas Eddington, Kayla Sintz, Polly Samuels McLean, Patricia Abdullah

MOTION: Board Member Natt made a motion for Dave McFawn to be the Ad Hoc Chair for this meeting since Sara Werbelow was absent. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

ROLL CALL

Chair McFawn called the meeting to order at 5:11 p.m. and noted that all Board Members were present except for Sara Werbelow and Kathryn Matsumoto-Gray, who were excused.

APPROVAL OF MINUTES – March 7, 2012

MOTION: Board Member Natt moved to APPROVE the minutes of March 7, 2012. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

WORK SESSION

Discussion of May Preservation Month

Director Eddington reported that May was Historic Preservation Month. He asked if the HPB was interested in doing something related to historic preservation. The Staff had discussed the idea of combining with the Historic Society to bring in a speaker and sponsor some type of event. Another suggestion was to present the HPB preservation award during May. He asked if the Board had other suggestions for Historic Preservation Month that would promote public involvement with regard to Historic Preservation.

Board Member Holmgren stated that she has been listening to public comment about plants and other things in Park City. She had attended a Community Garden meeting and she wanted to know if the HPB was interested in supporting a small community garden, starting with the six ugly planters on Park Avenue. Another location for historical site planting was the City property behind the former Cattleman Brand X along the Poison Creek Trail. Board Member Holmgren pointed out that many of the fruit and nut trees and the roses in Park City have gone by the wayside.

Director Eddington stated that the Staff was open to any ideas. He believed there had been missed opportunities in the past for the HPB to be involved with community relations.

Board Member McKie agreed that the planters on Park Avenue look dead. In terms of a community garden, she did not think it was a good idea to grow food close to the road. For planting flowers, she asked if Park City had a gardening association that they could partner with and combine their efforts. Board Member Holmgren was unsure if there was an actual gardening association. She clarified that she was not suggesting that they plant food in the planters on Park Avenue. She was thinking of lavender, thyme, and other perennial plants. She thought vegetables would be a good choice along the poison creek trail because there is water.

Board Member Natt stated that he was in a leadership class that started a community garden. The growing season is short and they had to keep moving fruits and vegetables out of garages and into the yard. He liked the idea of repopulating some portion of Park City with historical plants. Board Member Natt was curious to know if the climate changes that have occurred over time would impact the plants that historically grew in Park City in the past. He asked if Park City has an Urban Forester or someone with that expertise to offer their opinion. Board Member Natt favored the idea of sprucing up Park Avenue.

Director Eddington stated that the Staff could work with the Maria Brandt, who does Park City Plant Maintenance primarily on Main Street. He also suggested that they contact Alison with Summit Community Gardens for her opinion on the best plants. Board Member McKie thought Summit Community Gardens would be excited to participate in a combined effort for a community garden in Old Town.

Board Member Holmgren had counted more than 18 City properties in Old Town that would be good locations for a community garden. Board Member McKie commented on a property on Upper Park Avenue. The lot is overgrown and she would be willing to contact the owner to see if they would rent it or allow it to be used for a community garden. The lot is flat enough to use growing containers.

Board Member McKie stated that she had spoken with Director Eddington about hosting a luncheon in May. The preservation conference that is held by the Utah Heritage Foundation is scheduled for May 3-5. She had called the Heritage Foundation to see if they had ideas for speakers that the HPB could use if they hosted a luncheon. They provided her with a few names. Board Member McKie remarked that one person from Washington, DC was head of Historic Sites for the National Trust for Historic Preservation. He is speaking at the Heritage Foundation Conference and he may be available to speak at an HPB sponsored luncheon. She spoke with his assistant and Board Member McKie expected to hear back from her the next day.

Board Member McKie suggested that the HPB could hold a luncheon at the High West Distillery, since they were the award recipient last year, and the public could purchase tickets to attend. She had contacted High West Distillery and they could accommodate approximately 80 people. If they could get a minimum of 50 people the cost would be

\$30 per person. A cash bar would also be available. Board Member McKie believed this was a good way to get the community excited about preservation. Director Eddington or the Board could provide the speaker with information specific to Park City that could be tied into his experience and expertise in historic preservation. Board Member Holmgren thought it was a great idea.

Director Eddington reported that he had spoken with Denise at the McPolin Farm. If the luncheon was not held at High West Distillery, another option would be to combine their efforts with Friends of the Farm and the Historical Society and hold an event at the McPolin Farm. It would be a more casual event and not a fund raiser. Director Eddington pointed out that it would be a good way to reinforce the HPB relations with the Historical Society and Friends of the Farm. Board Member McKie liked the idea of using the Farm.

Chair McFawn was concerned about weather in terms of planning an outdoor event in May. He suggested that they invite the Friends of the Farm and the Historical Society to attend the event at High West Distillery to help increase the likelihood of getting 50 people. Board Member McKie was not concerned about bringing in 50 people. The luncheon would be highly publicized. She noted that it was not a fundraiser. The \$30 charge was only covering costs. Board Member McKie remarked that the Museum could also help draw people if they coordinate with them.

Director Eddington noted that they would have use of the building at the McPolin Farm so weather should not be a concern. It believed the capacity was 50-60 people.

Board Member Holmgren preferred to pay \$30 to be waited on versus a potluck at the farm. Director Eddington stated that another option would be a catered event at the Farm. Board Member McKie pointed out that it was Preservation Month, not Day, and they could do more than one event. Board Member White favored the idea of having a speaker.

Board Member McKie stated that the speaker she was trying to get was Estephan Galvez, and she provided a brief background of his qualifications. He does not charge a speaker fee, but it is customary to give the speakers \$200-\$300 for their time. If Mr. Galvez was unavailable during the time of their luncheon, she had other names to contact. Susan Cooke was another speaker who specializes in barns. Board Member McKie suggested that Ms. Cooke would be a good choice to speak at another event at the McPolin Barn.

Board Member McKie recalled a previous discussion about a behind-the-scenes tour of renovation work. They also mentioned doing a behind-the-scenes tour at Claim Jumper and making it public. She also suggested that Director Eddington could dress up in his miner costume and walk the streets of Main Street.

Director Eddington pointed out that events do not need to be limited to Historic Preservation Month. He would like the HPB to get in the habit of combining efforts with other entities throughout the year. Friends of the Farm, the Historic Society and the HPB are the three primary historic groups in Park City, and they should be doing more together.

Board Member Natt asked if the HPB had a budget independent of the City budget. Director Eddington replied that there was not a separate budget; however, budget money is available that could be utilized for the HPB.

Board Member Holmgren asked about a joint visioning with the Friends of the Farm and the Historic Society. Director Eddington and Board Member McKie favored that idea.

Board Member Natt stated that he would like to sponsor a barn dance in the McPolin Barn, but he understood that it was deed restricted and could not be used. Planner Sintz replied that the Barn is structurally unsafe. Director Eddington remarked that the Barn could not be used, but the Friends of the Farm are allowed 12 events per year in the area behind the barn. It cannot be rented out for personal events and, therefore, the 12 events are not used every year.

Director Eddington stated that if the HPB has other ideas on how to publicize and communicate events, they should email him or Planner Sintz with their ideas.

On the issue of planting, Board Member Natt suggested a way to educate the homeowners on which plants they should buy to make their historic structures look more historic, which plants grow at this altitude and native plants that require low water. Planner Sintz thought it would be applicable to have a separate historic section when they rewrite the City Landscape Ordinance.

Board Member McFawn was interested in having Board Member McKie follow up with Mr. Galvez. He asked if it needed to be the first week in May. Board Member McKie replied that Mr. Galvez would only be in Utah for the Historic Foundation Conference. She understood that May 4th was the only day he would be available to speak at their luncheon. High West Distillery could accommodate the May 4th date and she was waiting to hear back from Mr. Galvez's assistant. If Mr. Galvez was not able to attend, she would contact other potential speakers. Board Member McKie asked if she could email the Board with updates or if they needed to meet to plan the luncheon.

Assistant City Attorney McLean commented on a recent case in Texas where they prosecuted an open meetings violation because someone on the City Council emailed other Council members about putting an item on the agenda. She preferred that the HPB stay away from individual emails. Ms. McLean suggested that they use the Staff as a conduit for coordinating their event.

Board Member McKie pointed out that if May 4th ends up not being a good date, they would have the rest of the month to plan something.

City Council Member, Dick Peek, suggested that Board Member McKie contact Sandra Morrison at the Museum. Mr. Galvez sounded familiar to him and he thought it could possibly be the same person who did an exhibit at the Museum.

Board Member White did not believe that getting 50 people to attend would be as daunting as it sounds. Chair Pro Tem McFawn still had concerns and he hoped the rest were right about it not being a problem.

Director Eddington stated that he could work with Board Member McKie on coordinating the event. He asked if the Board wanted to form a subcommittee to plan it. He indicated the short time frame. The Board discussed the logistics and where tickets could be sold. Assistant City Attorney McLean noted that the subcommittee should be two people to do the behind the scenes work to move things along. Chair Pro Tem McFawn would be gone the week of the luncheon, but he was willing to help as much as possible. He and Board Member McKie would be the subcommittee of two. If they needed more help they could use the Staff to reach out to see if anyone else was available.

Board Member McKie suggested another event at the end of the month, such as a potluck at the McPolin Farm. Chair Pro Tem McFawn favored holding an event at the Farm, and he also liked the idea of a barn dance. Director Eddington noted that a barn dance could be a summer event.

Director Eddington would work with Board Members McFawn and Natt and keep the other members updated as things progress.

The Board moved into the regular meeting.

STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Open Appointments – Historic Preservation Board

Planner Sintz reported that through April the City Council would be conducting interviews for open seats on the Historic Preservation Board. The Planning Department received five applications and four seats were open. Terms would expire in July for Board Members McFawn, Werbelow, White and Natt.

Board Member Natt announced that he was not seeking reappointment. He enjoyed his time on the Board but he needed to focus on other commitments. The Board members thanked Board Member Natt for his service on the Board.

It was noted that Sara Werbelow had not reapplied and she would be leaving the Board. Patricia Abdullah stated that two applications were for reappointment and three candidates would be interviewed for the two open seats.

Informational Update from Planning Director regarding demolition of non-historic structure at 920 Empire Avenue.

Director Eddington stated that originally two structures sat on the site at 920 Empire. The blue garage on the upper end of the site is a significant structure. The yellow structure at the lower end was not on the Historic Site Inventory.

When the applicant came in for a pre-application for HDDR, the Staff asked the applicant to do an intensive level survey to confirm the non-historic status to address concerns that it may be a historic structure. Director Eddington reported that the applicant returned with the requested survey, which confirmed that the blue structure was historic and the yellow structure was not.

As the applicant moved closer to pulling a building permit, the Planning Department requested that the Staff be allowed to do another intensive level survey. The applicant agreed and allowed time for Dina Blaes to do the equivalent of an intensive level survey on the site. Ms. Blaes confirmed that the structure did not meet the three criteria necessary to be on the HSI; one of which is age. The structure is 50 years old, but it did not meet the criteria of maintaining essential historic form. The yellow structure was originally built in 1930 with a gable roof. Over the years it had evolved with structures and additions surrounding the original structure. It was an amalgamation of different buildings that had been added. The roof structure had been changed from a gable structure to a hip roof. The alterations also changed the primary façade. The structure also did not qualify for the third criteria of significant local importance because it did not carry the significance mandated by Code to be locally significant. For those reasons, the structure at 920 Empire qualified for demolition and the applicants pulled a demolition permit.

Director Eddington noted that the applicants made a good faith effort to panelize the historic facades that remained. They were wrapped and stored on site. The applicant is not required to reuse them in any new construction. Currently, new construction is not proposed on the site; however, something would be built in the future. If a proposal is submitted, Director Eddington would keep the HPB updated on whether the panelized facades would be incorporated into the new building.

Board Member McKie asked if the blue historic structure was built at the same time as the yellow house. Director Eddington recalled that the blue structure was built five to eight years later. He reiterated that the blue structure is protected because it is on the HSI.

Board Member Natt asked if public noticing was required prior to the demolition. Director Eddington replied that if a structure is not on the HIS, noticing is not required. He emphasized the amount of research that was done on the structure before it was finally determined to be non-historic. Board Member Natt asked if the structure would have been saved if the City Council had adopted the amendments that were proposed earlier last year. Director Eddington answered no, because it was not a historic structure.

Board Member McKie clarified that the yellow house was a historic structure. The issue was that it did not meet the criteria to be listed on the HSI. In her opinion, the irony was that it was built prior to the blue structure that is on the Historic Inventory list. She asked if it would have been possible to restore the structure to its original form. Director Eddington replied that anything can possibly be restored to its original form. He wanted it clear that the Staff went inside the structure and took a number of photos. They also took down drywall to look at the studs and where the new portion of the building started. The original front of that building no longer existed because the original front was actually inside the new building. The few sidewalls that had some historic fabric were the ones the applicant panelized.

Chair Pro Tem McFawn appreciated the communications and emails he received regarding the demolition and he found them to be helpful. He shared Board Member McKie's sentiment that the structure was still historic even though it did not qualify for the

HSI. He suggested that the City find another word or category for structures that are historic but cannot be deemed significant or landmark status. Director Eddington noted that the Department of Interior Standards deals with buildings based on real data and criterion, and not anything that is arbitrary or capricious.

Director Eddington discussed the benefits of moving from the mining era into the recreation era for historic preservation. He believed the HPB should have that discussion in the near future.

Spring Walking Tour

Chair Pro Tem McFawn asked if the Board would be interested in doing a walking tour of some of the A-frame structures or other early recreation structures. He thought it would be beneficial when they begin to discuss the recreation era if they have an idea of some of the structures. He preferred to wait until June to schedule the walking tour. Director Eddington would schedule a walking tour in late June or early July.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

1. Annual Historic Preservation Award

Planner Sintz provided an update of what the subcommittee discussed regarding the Historic Preservation Award. The Staff report outlined the different categories and criteria for selecting the recipient. She outlined a time frame for the HPB to make a decision so they would have time to commission an artist and for the artist to do his work.

Board Member Natt stated that he and Board Member McKie were the subcommittee. They met for coffee at the Kimball Arts Center and later walked up to the Washington School Inn. It was a Sunday morning and they were able to tour the interior. They discussed the Washington School Inn and 1101 Norfolk as potential recipients. Board Member Matsumoto-Gray had told them about another structure on Empire. They were able to bring up a picture on the computer, but they had not seen the actual structure. Board Member Natt noted that he and Board Member McKie had not come to a conclusion on which structure they would prefer.

Board Member Natt stated that he was very impressed with the work that was done at the Washington School Inn and he would support that as a nomination. He has been inside 1101 Norfolk, which was also a quality project. Since Park City is primarily a tourist based economy, the Washington School Inn could promote themselves by marketing the fact that they were recognized by the HPB. Attracting people who are interested in skiing and staying in a historic property might be useful for the tourism based economy.

Assistant City Attorney McLean pointed out that the Washington School Inn is not yet in compliance and has not received a Certificate of Occupancy. It is not one of the selection criteria, but it should be considered.

Planner Sintz clarified that Washington School Inn has a temporary Certificate of Occupancy, which is good for 180 days and could be extended by the Chief Building Official. She explained that there were numerous issues; one being that they were not

currently in compliance with a CUP that they were coming back for. The Staff was still waiting on information. Planner Sintz suggested that the Washington School Inn would be an incredible candidate to consider for the next season. Another option was to delay this award until later in the summer to allow time for the Washington School Inn to come into compliance. She was confident that the issues could be resolved.

Board Member McKie noted that the last award was given out in August. She thought it would be nice if they could announce the award recipient at the luncheon in May. She understood that the Utah Heritage Foundation was giving the Washington School Inn a heritage award at their conference in early May. Ten sites in Utah were receiving awards and the Washington School Inn was the only recipient from Park City.

Planner Sintz remarked that there is a façade easement on the property with the State, and it would be appropriate for the State to give them an award. However, the issues with the City are based on local guidelines and a local conditional use permit.

After further discussion, Board Member McKie stated that the subcommittee would meet again and come to some consensus. They could present their ideas to the HPB on May 2nd and if the Board made a selection, it could still be announced at the luncheon on May 4th.

Board Member Natt was surprised that the list of properties the subcommittee was given to consider was not only short, but most were considered minor structural alterations. At the last meeting he had raised the question of whether the HPB needed to recognize a structure every year if they struggle to find something that meets the criteria. He felt it was more important to seek out the gems where people have taken real steps to preserve historic properties.

Board Member McKie believed the gems were there and they needed to make a greater effort to find them. The Board discussed various properties that were not on the list for consideration. Director Eddington assumed that anything listed on the HSI would qualify. Board Member McKie thought the subcommittee needed to spend more time researching properties. Board Member Natt clarified that he had misunderstood and thought they were constrained to the properties on the list. He agreed that the subcommittee should do more research and come back with additional information.

Chair Pro Tem McFawn thought 1101 Norfolk had a wonderful story. Planner Sintz noted that 1101 Norfolk was the first application for a TDR. She explained that the City issued their development credit letter. From that point, the applicant would shop that TDR to a developer. If and when that would be transferred as a TDR, a conservation easement would be placed on the property.

The Board would meet on May 2nd to discuss potential candidates, even if there were no other items on the agenda.

The meeting adjourned at 6:10 p.m.

MINUTES OF MAY 2, 2012

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MAY 2, 2012

BOARD MEMBERS IN ATTENDANCE: Sara Werbelow, Puggy Holmgren, David White, Katherine Matsumoto-Gray, Judy McKie

EX OFFICIO: Thomas Eddington, Kayla Sintz, Polly Samuels McLean, Patricia Abdullah

ROLL CALL

Chair Werbelow called the meeting to order at 5:18 p.m. and noted that all Board Members were present except for Alex Natt and Dave McFawn

PUBLIC COMMUNICATIONS

Ruth Meintsma, a resident at 305 Woodside Avenue, stated that a landmark structure at 335 Woodside was approved on Thursday. Ms. Meintsma had issues related to how the project applies to the new guidelines. She asked if the HPB would consider bringing it up for consideration or appeal to relook at the project.

Director Eddington explained that the 335 Woodside project went through the Historic District Design Review process and it has gone through Staff review. The application was approved last Thursday. Director Eddington noted that Ms. Meintsma lives within in the vicinity of the project location and came in as a member of the public to look at the plans and ask questions. She had concerns regarding some of the design aspects that were approved.

Director Eddington understood that Ms. Meintsma was requesting that the HPB either do a call up or join her in an appeal of the design review. Director Eddington noted that the HPB had not seen details of the 335 Woodside project. He explained that Ms. Meintsma has the opportunity to appeal the design, but there would be a cost associated with that process. Another option would be for the HPB to call it up and review the design in more detail.

Chair Werbelow wanted to know what basis the HPB would have to call it up. Director Eddington replied that they would call it up based on a request by a member of the public. If the HPB felt it was better for Ms. Meintsma to bring the appeal herself, the City could look into possibly waiving the appeal fee if the cost would be a hindrance for Ms. Meintsma. The HPB could forward a recommendation to the City Manager to waive the fee, but there was no guarantee that it would be done.

Chair Werbelow felt it was a difficult decision without knowing the specific issues. Director Eddington pointed out that the HPB could not know the specifics in case it did come up on appeal or the HPB chose to call it up. Chair Werbelow asked for the meaning of a call-up.

Assistant City Attorney Polly Samuels McLean clarified that the term call-up is used when it is done by the City Council. Under the Appeal section of the Code, 15 -1-18, a Board has the ability to appeal an item within its jurisdiction. Therefore, the HPB has that ability per Code. In this particular case it would be done in response to a request

from a member of the public. Ms. McLean could not ever recall an internal discussion regarding fee waivers; but another issue was timing. Director Eddington stated that to appeal an approval for an HDDR must be done within ten days.

Ms. Meintsma believed this was a good project for the HPB to be involved in because it deeply involves and tests the design guidelines. It is a landmark structure and very pristine. A lot could be learned if they look at it closely, and it may become a test case for future projects. Ms. Meintsma had done a lot of research and she had good, clean information. She stated that if the HPB did not want to be involved, she would go ahead and file for the appeal.

Ms. Meintsma stated that she had support to help with the \$500 application fee. However, she asked the HPB to entertain the idea of call-ups because another citizen may not have the financial means to appeal a concern in the future.

Chair Werbelow reiterated that without knowing something about the project it would be hard to bring an appeal.

Board Member White assumed that he was not allowed to participate in the discussion because 335 Woodside was his project, even though it had already been approved. Assistant City Attorney McLean stated that the rules of approval would apply in this matter.

Board Member White recused himself and left the room.

Board Member Matsumoto-Gray recalled a previous discussion about reviewing new guidelines projects after they had gone through the process. She noted that the Board had determined that they could not get involved in the process until the project was approved because they would lose their appeal status.

Chair Werbelow noted that timing was an issue because the ten day period would end on May 7th. She clarified that someone would have to file an appeal by May 7th in order for it to come before the HPB. Director Eddington replied that this was correct. The HPB would either call it up as an appeal or a private individual could bring an appeal forward prior to May 7th.

Board Member McKie wanted to know who the HPB would be appealing to if they called it up as an appeal. Assistant City Attorney McLean stated that they would appeal it to themselves. Chair Werbelow explained that they would be stopping the applicant's process.

Board Member Holmgren thought it made more sense for a third party to file the appeal rather than have the Board get involved. If timing was an issue, the HPB would not have time to visit the site and do all the research. In her opinion, the role of the HPB was arbitration. Chair Werbelow concurred.

Board Member Matsumoto-Gray agreed that the HPB did not have the necessary background information to make a decision on whether something was appeal worthy. She trusted that Ms. Meintsma had done her research and would bring an appeal to the HPB.

Ms. Meintsma reiterated her intent to file an appeal. Regardless of the outcome, she suggested that the HPB have a discussion on process to address any similar situations in the future.

Board Member White returned to the meeting.

On a separate issue, Ms. Meintsma recalled a suggestion for a concerned citizens email list on historic structure projects. Director Eddington asked if Ms. Meintsma was talking about projects that go before the HDDR. Ms. Meintsma stated that quite often the public is shocked and surprised when they see something happening, and it would be good if citizens could be notified by email so are informed and aware.

Director Eddington recalled having that discussion and one of the questions was whether they could set up an e-notify list for current projects. He explained that it is harder to notify on projects at the pre-application stage. E-notify could be used when formal applications are submitted for a Historic District Design Review. Director Eddington stated that a list similar to the list of HDDR projects could be posted on the website. Ms. Meintsma suggested that some type of notification would educate people and get them involved. It would also prevent people from being confused and irate.

Planner Sintz stated that the design review team looks at everything for both the pre-application and the regular application. She believed Ms. Meintsma was talking about a broader notification when someone turns in a full HDDR. Director Eddington stated that if they e-notify for HDDR applications, it would need to be expanded to include all other applications in an effort to be fair.

Board Member McKie suggested that they could expand the HPB webpage to include a list of active HDDR projects. Director Eddington stated that he would work with the IT Department to simplify the system and come back with a solution.

STAFF/BOARD COMMUNICATIONS & DISCLOSURES

Chair Werbelow noted that she had not received any noticing for the last few HPB meetings. She asked if other Board members had been notified. Board Member McKie stated that she was notified for this meeting, but she was not notified for the previous meeting. Chair Werbelow felt it was important for the Planning Department to be consistent in notifying the Board members when HPB meetings are scheduled.

Planner Sintz reminded the Board of the Heritage Foundation event on Friday and Saturday.

INFORMATIONAL UPDATE REGARDING 16 SAMPSON AVENUE

Planner Sintz had prepared a timeline for 16 Sampson Avenue. It is an old project that has gone through numerous reviews and designs and it is tied to a project at 201 Norfolk.

Planner Sintz stated that a condition of approval for 201 Norfolk indicates that a building permit cannot be pulled with a structure crossing a lot line. She explained that the building permit for 201 Norfolk has to be pulled by May 27th; therefore, 16 Sampson must come down prior to that date or 201 Norfolk loses all approvals.

Planner Sintz reported that in February 2006 a determination of historical significance was processed by a different owner on 16 Sampson. The structure was found to be historically significant. In October 2007, the HPB adopted the Historic Sites Building Inventory. 16 Sampson did not meet the criteria to be on the inventory because at that time only landmark structures were listed. When several structures were left off the 2007 list, the City Council placed a moratorium on all Old Town structures in 2008. The objective was to review the criteria, lower the standards, and create a two-tiered list of landmark structures and significant structures. In February 2009 the new Historic Sites Inventory was adopted and 16 Sampson was found to be significant at that time.

Planner Sintz noted that in 2007 a plat amendment was approved for 16 Sampson and 201 Norfolk. The goal of that plat was to do a garage addition to 201 Norfolk and to move 16 Sampson and dedicate a portion of the street to the City. That plat was approved and a newly created lot line went directly through the historic structure. There were several reasons why that could have occurred. When the structure was dropped from the Historic Sites Inventory in 2007, the intent may have been to demolish the structure. There were also different guidelines in place at the time that allowed historic structures to be moved.

Planner Sintz stated that in November 2008 the Staff received applications for 16 Sampson and 201 Norfolk for Historic District Design Reviews and Steep Slope Conditional Use Permits. When those were turned in they were processed together as one application because the projects share a driveway and both properties are owned by one owner. In 2009, 16 Sampson was found to be significant and went back on the list. Planner Sintz noted that both applications were deemed vested under the old guidelines. In May 2009, the owner questioned why the historic information was conflicting. Much of the design had already been done and the owner submitted a determination of significance to challenge the historic designation. The HPB reviewed the application and unanimously approved keeping 16 Sampson on the Historic Sites Inventory. There was also unanimous support for the design that was being proposed. It is the same design that is currently proposed. There was very little historic fabric left and they hoped to salvage a few boards in order to re-mill the siding for the new structure. It was a successful idea to try to save the scale and take it back to the 1930's tax photo.

Planner Sintz remarked that in May 2009 the 16 Sampson HDDR was approved by Staff; and in that same month the Planning Commission approved the Steep Slope CUP for 201 Norfolk. In June 2009, the new Historic District Guidelines were approved. Planner Sintz stated that when the moratorium was put in place and they were revising the guidelines, the Staff was also asked to look at Steep Slope conditional use permit criteria and amendments to the Land Management Code. When 16 Sampson came in, it not only got caught in the moratorium, it also got caught in the LMC criteria change for Steep Slopes. For that reason, the addition to the rear had to be redesigned, which caused a delay from when 201 Norfolk was processed and the conditional use permits for 16 Sampson Avenue were approved.

Planner Sintz reported that in August 2001, 16 Sampson received Planning Commission approval for the Steep Slope CUP, and at the same time 201 Norfolk received a second year extension for its Steep Slope CUP. Since the projects are tied together and share a

driveway, the intent of the owner has always been to build the structures at the same time.

Board Member Matsumoto-Gray understood that it was a total tear-down reconstruction with possible salvaging of some boards. She noted that some of the summaries indicate that the structure would be moved. Planner Sintz explained that when discussing the 2009 Guidelines they sometimes talk about the structure being picked up and placed, kept in place or kept intact. The references to 16 Sampson being moved related to the issue of moving it off the property line. Minutes from past meetings point to the fact that it was reconstructed. Planner Sintz stated that the challenges of the structure are that old guidelines 65, 66 and 67 were applied. She felt it was important to follow the timeline of the 16 Sampson structure.

Board Member White clarified that the intent to move the structure was based on the fact that the property line runs through it. Planner Sintz remarked that moving the structure was approved for a previous design and that approval still exists. Board Member Matsumoto-Gray pointed out that in reality the structure would be demolished rather than moved. Planner Sintz stated that the structure would be reconstructed and moved to the back of the lot. Board Member White emphasized that it was being reconstructed but not panelized. Planner Sintz replied that this was correct.

Board Member McKie stated that an ongoing issue for her is that reconstruction was never intended to be used the way it is in Park City. The definition of reconstruction under the old guidelines is very similar to the definition currently in the LMC, which is verbatim to the definition used by the National Park Service. When she addressed her concern with the Preservationist Consultant, she was told that people purchase old mining homes for the land value and not for the actual home. They let the homes sit and deteriorate. Board Member McKie stated that the current guidelines and the requirements for reconstruction within the LMC are outside of how reconstruction is actually defined. She understood that the reason for doing reconstruction differently in Park City was to deter people from allowing houses to deteriorate so it could be torn down and reconstructed. She believed the situation was different for 16 Sampson Avenue because the house is not deteriorating and there is no deterrent. The owner found a loophole that allows them to tear down a habitable structure that was being lived in up until a few days ago. Board Member McKie thought the process was backwards because the City approved a reconstruction for 16 Sampson, and then it can vanish. She noted that currently the structure is still sitting there.

Planner Sintz remarked that the structure sitting there is not the historic fabric of the structure. Board Member McKie pointed out that it is listed as a significant structure on the Historic Inventory. Planner Sintz reiterated that 16 Sampson was still under the old guidelines and the old process. Director Eddington felt it was important for the HPB to understand the process because there are more projects that fall under prior Codes and prior guidelines. Board Member McKie had a hard time believing that the intent of the old guidelines was to allow something like this to occur.

Board Member White stated that he has been inside the house several times. The structure has been modified significantly and he agreed that there was very little historic fabric left. The shape of the roof is the primary historic element remaining. He asked by the house at 16 Sampson was originally left off the HSI list and put on at a later time.

Planner Sintz explained that the 2007 HSI list that was adopted, which did not have 16 Sampson Avenue, had higher criteria more in line with landmark structures. However, everyone felt that other structures were also important, even if they did not meet the landmark status; and new criteria with lower standards was written specific to Park City to bring in other historically significant structures under that umbrella. When the standard was dropped, 16 Sampson met the criteria and was added to the list.

Director Eddington noted that the City utilized the Secretary of the Interior Standard, which resulted in the Park City's landmark list. The list was significantly reduced from where it was the prior year once the stricter criteria were applied. Based on public feedback the standards were broadened which resulted in the significant list that was added to the Landmark list.

Board Member McKie disclosed that she lives across the road from the 16 Sampson property. She does not know the owners but she is acquainted with the person who currently lives in the house. She has been inside the house and was shocked at how different the house looks now compared to the original photographs. In her opinion, the historic fabric is not only the roof but also where the house sits and the orientation of the house. Planner Sintz reminded the Board that it was important to focus on the old guidelines and not the criteria under the new guidelines.

Board Member White asked if the structure was still sitting over the property line. Planner Sintz answered yes. Board Member White stated that that would be the exceptional case called for in the guidelines. Board Member McKie questioned how that could be an exceptional case when both properties were owned by the same person. Planner Sintz replied there were two owners when the plat was processed.

Assistant City Attorney McLean stated that the normal procedure with the City has been that if an existing building sits on a lot line prior to recordation of the subdivision, the structure needs to be removed. For some reason it did not occur with 16 Sampson Avenue; but that was unusual from the typical process.

Board Member McKie was concerned about setting a precedent. There was no guarantee that similar situations would not occur. In her opinion the issue went beyond old and new guidelines. Planner Sintz stated that guidelines were the issue because the new guidelines would never allow a plat through a historic property. Board Member Matsumoto-Gray clarified that it was allowed to happen because 16 Sampson was not listed as historic at the time the plat was approved. Planner Sintz pointed out that in the past structures were moved and additions were allowed that were very different from what the new guidelines allow.

Assistant City Attorney McLean remarked that even though the Board may disagree with the findings or the HDDR that occurred, the fact is that it did occur and the period for the appeal process has passed. Under Utah law there is vesting and a reliance on City decision. Therefore, it is important for the City to stand by earlier decisions. She recognized that it is difficult for people who were not involved in the decision process to accept what occurred; but owners have the right to rely on the decisions that were made.

Board Member McKie felt there was good reason to lower the cost of the appeal fee so people have the ability to appeal something they oppose. Chair Werbelow asked if the

public would have been notified when the plat amendment occurred three years ago for 16 Sampson. Director Eddington replied that there would have been public noticing. He did not believe that appeals were an issue since the problem was remedied with new design guidelines and revisions to the LMC. In addition, HDDR approvals now have an expiration, which they did not have in the past.

Board Member Matsumoto-Gray felt the best remedy was public outcry to put pressure on those with vested rights to consider what is best for the community and re-apply under the new guidelines. Board Member McKie asked if the HPB could write a letter to the owners expressing how they feel. Director Eddington stated that the Board members could write a letter as concerned citizens. The owner has vested rights and the Board would be appealing to their civic commitments.

Board Member White stated that if both properties are currently owned by the same person, the rule of law requires the owner to remove the lot line with a new plat amendment before proceeding. Planner Sintz noted that the structures share a driveway but they do not touch, which makes it a different situation. Board Member White thought the structures were sitting on the property line. Planner Sintz explained that 16 Sampson currently sits on a property line. Board Member Matsumoto-Gray understood that the owner needs to remedy the situation before obtaining a building permit, and their remedy is to knock down the structure. Board Member White understood that the owner intended to demolish the structure and reconstruct it in a different location off the property line. Planner Sintz replied that this was correct.

Chair Werbelow asked Director Eddington to explain his comment that they could expect to see more projects under the old guidelines. Director Eddington presented a matrix of active approvals. Those identified in blue were based on the 1983 guidelines. The HPB should expect to see those projects come forward with work that was done based on the old design guidelines.

Board Member Holmgren stated that this has always been a problem in Park City and in Utah in general. It was a strong and unanimous opinion of the former HPB to add a very specific and formal sunset clause to the LMC to keep these situations from occurring.

Director Eddington presented a second sheet of completed projects that had received a certificate of occupancy. A third list was projects that were withdrawn or expired. The Staff would continue to update the list and keep the HPB informed.

REGULAR AGENDA – Discussion, public hearing, and possible action.

440 Main Street - Grant
(Application #PL-11-01254)

Planner Kirsten Whetstone introduced Shane Barber, the owner of 440 Main Street, the Bandits Grill and Bar Restaurant. The structure is listed on the new Historic Sites Inventory as a landmark site eligible for National Register of Historic Places. It is also part of the Park City Main Street Historic District. The building was constructed in 1898 and according to the HSI the structure remains very close to how it was described in the Register nomination. Some modifications have occurred over time; one of which has to

do with the lower panel area below the storefront window. The applicant would like to restore the panel to its original look.

The Staff report contained a brief history of the structure. Planner Whetstone noted that the application was submitted in 2011. The design review team met on site and after looking further, the contractor wanted time to confirm whether more significant work would be required. The applicant and Staff have been in contact and the applicant requested to keep the application open and pursue the grant.

Planner Whetstone noted that grant money for this application would come from the CIP for Historic Grants funds, since there were limited funds left in the Main Street RDA. An exploratory permit was obtained and the contractor was able to submit another bid on what it would actually cost to bring it back to the way it looks in an old photograph.

The Staff recommended that the Historic Preservation Board review the request for this grant and consider awarding the applicant a portion of the eligible costs listed. A 10% contingency was included in the bid to cover unexpected utilities or other unexpected issues. The contingency was not included in the itemized amount for the grant request. The eligible expenses totaled \$15,320 and half of that amount would be \$7,660.

Planner Whetstone stated that typically the property owner is responsible for paint. In this case, given the repair, it may be necessary to repaint the entire façade. The Staff requested that the HPB discuss whether a portion of or all of the paint should be granted.

Chair Werbelow opened the public hearing. There was no comment. Chair Werbelow closed the public hearing.

Board Member McKie disclosed that Bandit's was one of her favorite eating establishments.

Board Member Matsumoto-Gray asked if the plywood on the front covered up the historic element. Mr. Barber answered yes, and explained that the concern is not knowing what is behind that. There appears to be grates behind there and they do not know what those are. They were unable to explore enough without damaging or tearing away a lot of the building.

Planner Whetstone noted that the Staff report contained a rendering provided by the contractor showing how the new store front would look. The contractor would like to bring back the raised panels and bead board to restore the original look.

Board Member Holmgren referred to the photo with the gentleman and young girl and the ladies dining room and suggested that those might be windows in the basement. Mr. Barber stated that he had that same thought; however, the contractor measured where it was and determined that it was not deep enough to be a window. The old foundation stone makes it difficult to see anything. Planner Whetstone noted that because it was covered the grate could not be seen from the inside. She clarified that Mr. Barber did not intend to bring back the grates.

Board Member McKie asked if the photo presented was the only picture. Mr. Barber answered yes. Other pictures he found were either shaded or the structure was blocked.

Board Member Matsumoto-Gray asked if the paint estimate was for the entire front facade. Mr. Barber answered yes. The existing paint is so old that it would be hard to match.

Chair Werbelow liked the project and supported the grant request.

MOTION: Chair Werbelow moved to award a grant in the amount of \$7660 to cover a portion of the costs associated with the discussed restoration of the Bandit's Grill and Bar at 440 Main Street. Board Member McKie seconded the motion.

VOTE: The motion passed unanimously.

Board Member McKie commented on the possibility of expanding the grant program. She commented on several houses around Old Town where the owners do not have certificates of occupancy for various reasons. If the grant program could be expanded to include interior items it would help to get those homes livable and back on the market.

Director Eddington stated that there is a list of uninhabitable structures. Last year the City worked with the architectural firm CRSA to provide an update on some of those structures. There were approximately 26 properties on the list that have varying degrees of issues. Most of the structures are occupied.

Board Member White noted that currently plumbing, electrical and heating were eligible items under the grant program. Board Member McKie was unaware that those items were eligible. Board Member Holmgren stated that the grant program was initiated primarily for that reason. Board Member McKie suggested that they reach out and inform people that the grant program is available. She noted that owners pay out-of-pocket and then get reimbursed from the grant. Since some have to obtain loans if they do not have available cash, Board Member McKie thought it would be helpful if the City could provide a letter stating that the owner would be reimbursed when the project is completed.

ANNUAL HISTORIC PRESERVATION AWARD

Board Member Matsumoto-Gray thought the home at 841 Empire Avenue at the top of Crescent Tram would be a good candidate for the preservation award. It was on the Historic Home Tour last year and everyone liked it. She noted that the owners went to great lengths to do a lot of sustainability focused efforts in their remodeling. She had contacted the owner to get a list of those features but she had not yet received it.

Board Member McKie stated that she did a personal field trip to look at historic structures but she did not have any suggestions at this time. She noted that at the last meeting the HPB talked about announcing the award in May since it was Historic Preservation Month. Board Member McKie stated that everyone in the subcommittee was excited about the Washington School Inn. If there are no other options, it could be considered if the issues are cleared up.

Planner Sintz reported that the Washington School Inn turned in their CUP modification and she was meeting with the architect the next day. Board Member McKie asked Planner Sintz to email the subcommittee with updates if anything progressed.

Board Member White recalled a previous conversation about taking a field trip in May. Director Eddington offered to set up a field trip.

Board Member Matsumoto-Gray noted that they have consistently talked about 1101 Norfolk. It was the first project under the current guidelines and they also did the transfer of development rights. She stated that giving the award to a residential property was also considered because it could be used to set a good example. However, the benefit of awarding a more public property is that it allows people to visit the property. Board Member Matsumoto stated that they also talked about giving it to a house that has not had a significant remodel as an example of preservation. Board Member White thought the structure at 1101 Norfolk met that example. He believed 1101 Norfolk was a great choice, but felt the Board should go look at it.

Board Member Holmgren stated that she had an aerial photo of Park Avenue, Woodside and Empire. Some of the photos are structures from the 1940's. She thought it would be interesting for the Board to do a walking tour to see how many structures in the photo still exist.

Board Member Matsumoto-Gray suggested that they could give it to a neighborhood. She noted that the Prospect and Sandridge neighborhoods still have a lot of historic houses.

The Board agreed to tentatively schedule a walking tour on Wednesday, May 16th. Planner Sintz stated that she would check to see if they could conclude the tour at the Washington School Inn to look at the interior. She suggested that someone contact the owners of the other properties being considered to see if they could walk through the interior of those structures as well.

WORK SESSION

Discussion of Historic Sites Inventory designation and nomination process

Director Eddington stated that the Staff wanted to discuss the issue of nominating structures and sites for the Historic Sites Inventory. There had been some confusion with regard to 920 Empire and how sites get nominated. The Staff would be discussing the process with the City Council during a work session on May 17th. Director Eddington did not think the City Council would want to make a recommendation without hearing input from the HPB.

Director Eddington noted that the LMC section that deals with nominating sites was attached to the Staff report. He stated that currently building and property owners can nominate a site to the Historic Sites Inventory and/or the Planning Department. The current methodology is that if a structure or site is nominated it would come into the Planning Department and the Planning Staff would do research, review and analysis. If it appears to potentially qualify, the Staff would recommend an intensive level survey to dig into the sites history and begin to research old photographs, Sanborn maps and other available documentation from various sources. The completed survey would then

be presented to the HPB. Director Eddington remarked that the HPB as a body is the entity that would actually vote on any structure.

Director Eddington stated that there was some question as to whether the Board should be able to nominate a structure and then bring it back to themselves. There is confusion as to how that would work. Currently the Board members have the ability to come to the Planning Department and suggest that they research a building that is not on the list but may qualify. He was unsure whether the HPB, either individually or as a Board, would want to take on the task of finding a building and doing the research and analysis and then funding an intensive level survey. That would be the process if they do the nominating. He felt it was better to bring any potential candidates to the Planning Department rather than do the work themselves.

Director Eddington understood that the matter would put the HPB in a slightly awkward position. However, he wanted to open it up for discussion to see if the HPB was interested in altering, amending or revising the LMC to modify the nominating process; or whether it was better to keep the current process but clear up the confusion.

Board Member McKie clarified that if they kept with the current process the Staff would do the legwork and bring it before the HPB. In addition, if the Board or a Board member finds something that they think belongs on the list, they could still nominate that structure. Director Eddington stated that they could recommend that the Planning Department nominate the structure and begin the intensive level research.

Chair Werbelow thought the current process was the best approach.

Board Member McKie asked if the issue was being raised because new buildings were coming up because they were reaching the 50 year mark or for some other reason. She asked if there were any hidden structures that the HPB was unaware of. Director Eddington replied that a policy discussion that the Staff would be bringing to the HPB in late summer is whether they want to start looking at the recreation era as a historic period. Currently, historic preservation is the mining era and the decline of the mining area.

Board Member Holmgren noted that the infamous A-frames would be part of the recreation history. Director Eddington stated that the A-frames would be the first to qualify given the timeline.

Board Member Matsumoto-Gray had a general feeling that every decision about the Historic Sites Inventory comes from Dina Blaes. She agreed that Dina is very thorough and they were lucky to have her; but she thought it would be beneficial to have multiple preservation consultants with different backgrounds and points of view weigh in on some of the difficult or questionable decisions. Chair Werbelow and Board Member McKie supported that idea.

Director Eddington stated that Dina Blaes with Preservation Solutions is very well versed in addressing their concerns. Dina has taken her cues from the HPB starting in 2005-2007 when the Board made recommendation on the eras, building, and sites they wanted to look at; as well as the LMC revisions they were interested in making. Director Eddington was confident that Ms. Blaes could continue to address their concerns if they

move into a new era. He noted that the City has a contract with Dina Blaes. However, if the HPB was interested in another viewpoint they could talk to her about the possibility of working with a sub-consultant as a different viewpoint.

Board Member Matsumoto pointed out that the decisions are not always cut and dry. Two preservation consultants who look at the exact same thing can come to two different conclusions. Planner Sintz stated that technically the guidelines should be written in a way that makes it completely understandable. Board Member Matsumoto-Gray replied that there were too many subjective judgments in the guidelines. Planner Sintz disagreed. The old guidelines were subjective but that was changed with the new guidelines. Planner Sintz understood that Sandra Hatch, another preservationist, was involved with 920 Empire. Director Eddington stated that two separate consultants looked at 920 Empire and they both gave the same opinion.

Board Member Matsumoto stated that if the HPB would be determining what goes on the inventory, they are not the experts. They have their particular backgrounds but they take their cue from the preservation consultant and how the guidelines were interpreted. She personally would prefer more information from different points of view in that discussion.

Chair Werbelow agreed, but she was unsure how they could do it logistically. Director Eddington suggested that the property owner could hire a second consultant at their own expense. Over the past several years, when the City has used their consultant and someone hired another consultant, the consultants have come to the same conclusion. The benefit of having the more definitive guidelines based on the Secretary of Interior Standards is that it is not arbitrary and capricious. It is very focused. You meet the codes and you meet the guidelines. The Staff has a specific intensive level survey sheet to follow for their research.

Chair Werbelow believed the concern was less about the properties that were going on the list and more about the properties that were dropping off. She thought it was critical to have more than one opinion on the determination of insignificance.

Board Member McKie stated that if someone from the HPB had known that 920 Empire was no longer on the list, they could have stepped in with a recommendation to reconsider adding it to the HSI. Director Eddington noted that 920 did not qualify for the Historic Sites Inventory for a number of reasons, but it could have gone through the process if the Board had been aware it was not on the list. He clarified that the list comes to the HPB for the final decision; however they take their cues from the preservation consultant. The information is presented to the HPB for either approval or removal. Director Eddington noted that Historic Preservation has become more refined over the last 25 years and it is more black and white. Director Eddington reiterated that the City has a standing contract with Dina Blaes, but he would explore ways to bring on a sub-consultant.

Director Eddington asked if the HPB wanted to play a different role in the nomination process, or if they were comfortable with the Planning Department and the property owners being the two nominating entities; with the understanding that the HPB members could bring building sites to the Planning Department to nominate.

Historic Preservation Board
Minutes of May 2, 2012

The Board members were comfortable with the current process. Director Eddington invited the Board to attend the City Council work session on May 17th.

The meeting adjourned at 7:05 p.m.

Approved by: _____

Sara Werbelow
Historic Preservation Board

DRAFT

MINUTES OF MAY 29, 2012

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MAY 29, 2012

BOARD MEMBERS IN ATTENDANCE: Sara Werbelow, Puggy Holmgren, David White, Katherine Matsumoto-Gray, Dave McFawn

EX OFFICIO: Thomas Eddington, Francisco Astorga, Mark Harrington, Patricia Abdullah

ROLL CALL

Chair Werbelow called the meeting to order at 5:38 p.m. and noted that all Board Members were present except for Alex Natt and Judy McKie

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS & DISCLOSURES

Director Eddington noted that this was a special meeting for the purpose of hearing the appeal on 335 Woodside Avenue. The next regular HPB meeting would be Wednesday, June 6th. The July meeting would fall on July 4th. Director Eddington asked if the Board preferred to change the June meeting to the third Wednesday in June, which would be June 20th.

Chair Werbelow was comfortable meeting on June 20th, unless the other Board members felt it was too long to wait to finalize the preservation award. Board Member Matsumoto-Gray was not opposed to two regular meetings prior to July 4th, but she was comfortable waiting until June 20th. Board Members White and McFawn concurred.

Director Eddington clarified that the next HPB meeting would be scheduled for Wednesday, June 6th. The Staff would work with the awards subcommittee prior to June 20th for more definitive information. He believed a grant application would also be on that agenda.

Planner Francisco Astorga reported on an email he received from a property owner who purchased a landmark site property at 109 Woodside Avenue. A few months earlier the Planning Department had approved work on the brown accessory building that is accessed off of King Road. Planner Astorga reported that the accessory building was the first reconstruction project approved under the new design guidelines. The site was pending a sale and the new owner had finalized the paperwork. There were some issues with a failing retaining wall on site. He met with the property owners on Friday and they were preparing to issue the financial guarantee. Planner Astorga recalled that the HPB and the City Council specifically requested to review this project since it was the first project approved under the new reconstruction criteria. The HPB should expect to see this on their agenda in the near future.

Planner Astorga noted that the demolition permit had not yet been issued, but the accessory building would come down within the next two weeks. He clarified that it was only the accessory building and not the main dwelling. As the project manager, Planner

Astorga encouraged the Board members to contact him if they had additional questions. Based on the new guidelines, property owners within 100 feet were noticed twice. He would send the Board members an email with a more specific time frame as to when the accessory building would come down, as well as the exact amount of the financial guarantee.

Board Member White disclosed that he was the project architect for 335 Woodside and would be recusing himself from hearing the appeal this evening.

REGULAR AGENDA – Discussion, public hearing, and possible action.

335 Woodside Avenue – Appeal of Design Review
(Application #PL-12-01541)

David White recused himself and left the room.

Planner Astorga reported that the Planning Department had received an appeal of the April 26, 2012 approval of the Historic District Design Review for 335 Woodside Avenue. Ruth Meintsma had submitted the appeal and she was prepared to give a presentation this evening.

Planner Astorga reviewed the project at 335 Woodside and explained the reasons for the HDDR approval. The Staff provided the HPB with an extensive packet of documents and relevant information to support their decision.

Planner Astorga reported that the structure at 335 Woodside is a landmark site and it is eligible for the National Register of Historic Places. The proposed work does not include reconstruction or panelization. The owner would like to lift the house a few inches to build a basement addition underneath the historic structure. The house would be brought back to its original elevation after adding a permanent foundation. The project also includes a three-story addition towards the rear of the property.

Planner Astorga reported that the approval was to completely renovate the structure and keeping all the facades in their current location. The project meets the LMC criteria for setbacks and applicable development standards. The appeal submitted by Ms. Meintsma was outlined into three separate principles or items. The first was the concept of integrity, which is a section found in the Historic District Design Guidelines. Planner Astorga provided an exhibit that defined the concept of integrity using the definition of the National Park Service. In the appeal, Ms. Meintsma also indicated issues with the footprint and massing, believing that it did not comply with Guideline #3.

Planner Astorga reviewed the Analysis on page 5 of the Staff report. The Staff believed the structure was built in 1893 and the same footprint was followed in the Sanborn map of 1907. Interior changes were identified in 1929. He presented maps from 1940 and 1958. Planner Astorga remarked that because digital formats were not available, Preservation Consultant, Dina Blaes had hand-sketched the maps. He noted that Ms. Blaes was present this evening to answer additional questions.

Planner Astorga compared the historic footprint to the existing footprint. The survey shows that the front of the structure was still the same; however, the rear was completely different. He indicated a jog on the rear façade, as well as bump outs on both sides. Planner Astorga stated that in terms of the concept of integrity, the mass and form was not intact as defined in the design guidelines. The Staff was unable to determine which rear façade was the original façade. Because it was extensively modified and considered a tertiary facade, the Staff approved the removal of approximately 4-1/2 feet along the rear of the property to accommodate a specific addition that meets the design guidelines. Planner Astorga remarked that the appeal was related to removal of that 4-1/2 feet in the rear.

The Staff found that the project met the design guidelines because the concept of integrity had been applied correctly. Planner Astorga clarified that the Staff was unable to determine the exact time frame of when the rear façade was removed, but there was evidence that it was done after 1958. For that reason, the Staff allowed the removal of the last 4-1/2 feet.

Planner Astorga understood that the structure may still have historic materials along the rear façade. A condition of approval was added requiring that all historic material be saved for any future repairs or maintenance.

Director Eddington clarified that the back 4-1/2 feet was the full addition and the material was different. Planner Astorga stated that the structural members had a newer construction, as submitted in the physical condition report. However, some of the exterior members resembled a more historic type of construction. It was unclear what had actually happened to the structure.

Board Member Matsumoto-Gray understood that the addition occurred to the back of the structure; however they were unable to confirm whether the changes to the back of the structure were part of the original house, whether it was completely new construction, or whether it was a combination of both. Planner Astorga explained that the structural members are new, but the siding may be historic. Director Eddington remarked that some of the siding could have been removed from the original rear façade and used on the new addition.

Chair Werbelow asked for an explanation of the origin of 1958 in the analysis. Planner Astorga stated that the Sanborn map of 1958 was not the same footprint configuration that existed in 1907. That was evidence that the rear façade was changed after 1958.

Board Member Matsumoto-Gray asked Planner Astorga to speak to the size and scale argument that the appellant had raised in the appeal regarding the mass of the addition. Chair Werbelow questioned whether that issue had bearing on what the HPB was being asked to review. She understood that the specific issue for the appeal was removal of the 4-1/2 feet.

Director Eddington clarified that the issue primarily was removal of the 4-1/2 feet, based on the determination that it was outside of the period of historic significance and was added after 1958. Planner Astorga remarked that the historic period was from 1896 to

1929. Director Eddington pointed out that the original historic structure would have been approximately 4-1/2 feet shorter during the period of historic significance.

Chair Werbelow stated that she was trying to understand the relevance of the addition specific to what the HPB was being asked to determine this evening. Planner Astorga clarified that the maps used for the analysis were not perfect or as accurate as current surveys. Graphics are changed and lines get moved. He had not done an analysis on scale because of the potential for error, and he was hesitant to have a discussion on scale for that same reason.

Board Member Matsumoto-Gray stated that her previous question related to Planner Astorga's comment that the appeal was broken into three arguments. One was integrity and the second was size and scale of the addition. Based on that comment, she asked whether size and scale was something the HPB needed to consider. Planner Astorga replied that the HPB could consider size and scale in reviewing the appeal. He explained the breakdown of the appeal and detailed each of the arguments. He stated that the HPB had the purview to review everything submitted under the appeal, including size and scale.

Board Member Matsumoto-Gray understood that the Staff determined that the mass, form and size of the addition obscured the original house, and the HPB had the purview to review their determination. Planner Astorga replied that this was correct.

Ruth Meintsma pointed out that the new addition and the back of the structure addition were two separate topics. She clarified that her appeal pertained to the back addition from 1958.

Chair Werbelow remarked that the HPB should be looking at the 4-1/2 feet that the Staff determined could be removed. They were not analyzing the addition to the home. Board Member McFawn referred to the last paragraph on the last page of the appellant's letter, which addressed Universal Guideline #3 for the historic exterior features of the building, and suggested that it may affect the roofline. He thought the HPB should look at the appeal from the standpoint of the roof line.

John Watkins, the owner of 335 Woodside Avenue, assumed that Ruth Meintsma had evidence to support her case, but he had not yet seen it.

Board Member McFawn understood that the road in front may have changed and for that reason the Staff had not addressed the setback. He noted that the 1900 Sanborn map showed approximately 23 feet from the back of the property line to the back of the home. Planner Astorga believed 23 feet was the distance from the accessory building to the side. He noted that the accessory building no longer exists.

Dina Blaes cautioned the HPB against referring to a Sanborn map with the same level of specificity and accuracy that they would a survey. She pointed out that the Sanborn maps were never intended to be scrutinized in that way.

Ruth Meintsma, the appellant and a resident at 305 Woodside Avenue, stated that she did not disagree with the assessment made by the City. However, she understood that

their conclusion made sense based on the information they had, and when there is uncertainty and confusion, the City has to weigh on the side of what is actually known.

Ms. Meintsma explained the concept of integrity she had submitted in her appeal, which was found in the Introduction of the Design Guidelines. She was very intent on the survival of physical characteristics that existed during the historic period. In her opinion, if the structure is truly pre-1900, it should definitely be kept. Ms. Meintsma remarked that the integrity is more than structure, materials and the slope of the back roof. It is the fact of how it illustrates life 112 years ago. She believed the back roof particularly illustrates that people built these houses quickly and then expanded them over time as their income allowed or their families grew. Ms. Meintsma thought the home at 335 Woodside was a perfect example of that characteristic.

Ms. Meintsma pointed out that 335 Woodside was the first landmark structure under the 2009 Guidelines to come under this level of scrutiny and this much change. Because there are many gray areas and uncertainties, if the structure is in fact historic and dates back to 1900, it is imperative that they hold on to it because it is a significant illustration.

Ms. Meintsma explained how she approached her conclusions. She recognized that the Staff put serious time and effort into their review. They gathered information from various sources and pieced them together to create a picture to help make their decision. It was like a large jigsaw puzzle and many pieces were missing. Without the pieces the picture was still discernible, but she intended to insert the missing pieces to create a more accurate picture.

Ms. Meintsma commented on integrity in terms of the life people lived and how they lived in the house. She noted that the back addition would be historic in its own right if it was constructed pre-1900.

Ms. Meintsma referred to the Analysis on page 5 of the Staff report. She agreed with the assessment that the rear half of the structure is different; however, she did not agree that it was completely different. Ms. Meintsma referred to the paragraph below the images, which stated that one could clearly identify the rear façade and there was a small change in the rear wall plane. There were some nuances at the back of the house that were understandable, but Planner Astorga had informed her that the primary issue was the back step-out that no one could figure out. She agreed with the language stating that there is clear evidence that the rear façade had been reconfigured from the original footprint; however, she was prepared to show evidence that once the step out is removed, the remaining portion was pre-1900 construction; both the construction and the siding as it now stands. Ms. Meintsma believed she could show that the existing rear extension, which was approximately 4-1/2 feet, was built as an add-on to the original plank frame and it was added on with stud frame construction pre-1900. It was sided simultaneously as a whole with the original structure. She believed bump outs were part of the pre-1900 addition, and that the rear extension was relieved of those bump outs after 1958. Based on her research, Ms. Meintsma believed the back of the house was opened up to make more room. It was boxed in with paneling and then the bump outs were added on after the fact. That is why the bump outs were easy to remove to maintain the original structure.

Ms. Meintsma referred to the third paragraph on page 6 of the Staff report and agreed that Planner Astorga made the best assessment possible without additional evidence. She disagreed with the statement regarding a tertiary façade, because if the house as a whole is historic, the guidelines do not say that one side is more historic than another.

Ms. Meintsma agreed with language on page 6 of the Staff report, stating “The construction of the rear portion of the structure is different from that of the rest of the building. The walls are 2” x 4” studs at 24” on center with tar paper on the outside and wood siding over it. She believed that statement was critical in the assessment of whether or not this is historic. Ms. Meintsma stated that the tar paper is not on the outside of the framing and it is not in between the framing and the siding. She believed that was an error. Tar paper and foam insulation are newer materials. If the tar paper was on the outside of the frame and on the inside of the siding, her thoughts about the original siding for both the structure and the back addition would be wrong. From all the photos she researched over and over again, she did not agree with the Staff assessment. When she visited the interior of the home she could see that tar paper was pushed back in, but it was not between the frame and the siding.

Ms. Meintsma stated that when she and Ms. Blaes went inside the home, she had certain ideas and Ms. Blaes gave her direction on areas where she could be wrong. Ms. Blaes told her to use the Sanborn maps, which she did. Ms. Meintsma presented the dimensional site plan and explained the formula she used to determine the footprint and configuration in 1900, 1907, 1929, and 1940. Ms. Meintsma believed the Sanborn maps and her calculations supported the fact that the house as it sits today was there through all those years. Using the 1900 map she used the same outline and colored in the shed extensions. That was where the footprint did not match. She believed the shed extensions created the confusion with footprint.

Ms. Meintsma noted that the lack of interior on the Sanborn maps does not indicate that no walls existed. She acknowledged that it was a gray area because there was no way to know for certain. Indications of interior walls were evident in pictures. Ms. Meintsma presented a series of photos to support her research and opinions.

Ms. Meintsma presented an exhibit which showed a rafter or an eve used as roof support. The cut-off piece of wood was not attached to the roof. There were originally two that went down the stud going below the wall. She had consulted people who work with historic houses and they all said it was where the wall had been. It was a wall support. Ms. Meintsma noted that it matched perfectly with the Sanborn map. She measured where the wall support comes in from the back wall and it was 8’10”. It measured 8’6” on the Sanborn map with her grid. It was not as exact as some of her other measurements, but it was still an indication that the back wall showed on the Sanborn maps consistently over the years. Ms. Meintsma presented another exhibit of the wall structure. She was told that the oxidation shows that the boards were older than 50 years.

Ms. Meintsma thought the bumps out on the north side looked like shed extensions. She showed a wall on the other side and noted that the back bump out was the one in question and one Planner Astorga had struggled with in particular. Ms. Meintsma read from the guidelines, “a bump out to add room to the interior could be counter-productive

for the efficiency and simplicity of the construction methods. She noted that the bump outs were added quickly and the siding was slapped on and the windows and doors were cut out. She commented on the amount of work and construction it would have taken to add a roof to make the room 20" larger.

Ms. Meintsma stated that the structure is sitting on timbers and railroad ties because there is no foundation. People dug the areas flat and they had to make them level. Leveling the ground to place a square or rectangle house is much faster and simpler than making the ground level for a structure and jut outs. It was counter-productive to what was occurring at the time to put a jut out in back to add 20" to a room. Ms. Meintsma remarked that if it was a shed step out, she questioned the purpose of a shallow shed. She was told by people who work with these types of structures that the shallow shed would be for storage of window and door paneling and siding. She noted that the door could have been saved and put back on in 1958. Other paneling pieces that were inserted were missed in the preservation plan and the physical conditions report.

Ms. Meintsma talked about the reason for putting the bump out on the north end of the west wall to be used as a storage shed. She noted that when the houses were built, people enjoyed the fact that they were symmetrical. It was the style at the time. So when bits and pieces were added to the house, it was added to the back.

Ms. Meintsma noted that the Sanborn map from 1900 did not show the shed in the back, but in 1907 and 1929, you could see how all along the neighborhood people dug into the back wall. If they put a shed on the back they needed to dig more and make it level. They did not want to do that much work so they just did what was minimal. Ms. Meintsma indicated a step up in the back and noted that the back wall was actually dug out to accommodate the house. She pointed out how the back wall wraps around the house.

Ms. Meintsma summarized that mining town architecture is unique and was built quickly to accommodate the rush of people into the area. Simplicity in design, symmetry and shape were primary characteristics to accomplish a quickly constructed sturdy, functional home. The simple rectangular shape was also key to more easily accomplish a level foundation on which to build a structure. Convolved wall forms would complicate the process and so they were avoided.

Mr. Meintsma reviewed the elements of the house as it changed from one Sanborn map year to another.

After concluding her Sanborn maps analysis, Ms. Meintsma reported on her research regarding materials. She presented a graphic of the back end of the house showing how the planks were laid across the length of the house and where the new rafters for the extension were scabbed in. In order to scab in the rafter, they had to remove three planks in for access to add on rafters. Ms. Meintsma showed a picture of a plank on the roof that is now roof decking, and noted the wallpaper. She presented a photo of the original hall and parlor which had the same wallpaper. It appeared that someone had taken off the back wall with the wallpaper on it, deconstructed it, put in the rafters, made the extension and repurposed those back plank walls to the roof. That had to have

occurred in 1900 when the wallpaper was there. She noted that the boards were reused at the same time. Ms. Meintsma remarked that this represented consistency in material from the old to the new. Ms. Meintsma presented additional pictures showing the same wallpaper. After the wallpaper was put on the boards, batten was put in between and tacked on. There is still evidence of that batten, which indicates that it was an exterior wall because batten was added to keep out the wind.

Ms. Meintsma stated that at the turn of the century very little wood was available. After the industrial revolution there was an increase in population and the industry used all the wood. Therefore, wood in existing structures was kept and reused.

Ms. Meintsma presented a photo showing the tar paper between the framing and siding. In her research she found no tar paper on the outside, which indicates that the new material is later dated. She stated that if there was new material between the framing and the siding, the siding would have had to be put on after 1958. That was the reason why Planner Astorga reached his conclusion.

Ms. Meintsma presented a picture showing a gray material called house sheeting paper. She found a number of pictures showing the paper between the framing and the siding, both in the front portion, as well as on the back addition. She believed the photos showed consistency from the old to the new addition. She spoke with someone in Oklahoma who finds this material in old oil boom houses. However, he stays away from that material because it has asbestos in it. Asbestos was resistant to rot, insects and fire. Ms. Meintsma reported that someone at the State Historic Preservation Office found reference to a similar material in a 1952 catalog. The material was used to wrap hot pipes around boilers that were up against the walls. She remarked that someone could have found the material and repurposed it in the 1950's, but she believed that was a small possibility. Ms. Meintsma pointed out that in the 1940's insulation and sheeting materials changed drastically. It was 1900 when they first started considering holding heat inside the house and began by stuffing walls with newspapers. By 1940 better materials were available and the sheeting would have been hard to find. Ms. Meintsma believed the material was more available and used pre-1900, as opposed to post-1958.

Ms. Meintsma presented photos to support her comments regarding the flooring. She believed a small cutout of flooring in the front of the house was consistent from the very front to the very back of the house. It is very visible and very beautiful. Ms. Meintsma found a piece of flooring exposed in the foundation. She took a photo and sent it to five experts who confirmed that it was old growth wood based on the tightness of the rings in the wood. If that wood could even be found today it would be very expensive.

Ms. Meintsma presented a graphic showing the original back hall and parlor wall. She indicated the area where the rafters were shimmed in, and noted the difference where the eaves were kept on the front portion of the wall and where they were cut off for the added rafters. Ms. Meintsma stated that when the extension was first added, they kept one back wall and disassembled the other wall. The materials with the wallpaper were taken from the disassembled wall and repurposed on the back room. She explained why one half was cut off and the other half was left. In order to disassemble the wall, the rafters were cut off because they were in the way. Ms. Meintsma indicated the wall that remained, noting that it was consistent with the footprint.

Ms. Meintsma remarked that in looking at the back rafters, she could see the old wood and then the scabbed-in wood on the new extension which looked new. In looking closer, she found that the beams were both old wood and new wood. The second one back extends down and becomes darker. The old looking, weathered dark portion that was on the exterior moves up to what looks like new wood. She noted that it was pre-1900 ceiling rafters that did not look like old wood. Ms. Meintsma pointed out that the vertical wood that was added in December was not that much different from the old rafters in the back, yet the rafters were definitely pre-1900.

Ms. Meintsma stated that the Staff was working with new guidelines that had not been applied before. Planner Astorga had all the information required to make his determination, but she believed there were holes in the analysis. Ms. Meintsma commented on inconsistencies she had found in the physical conditions report that did not comply with the guidelines.

Ms. Meintsma presented a graphic of the proposed footprint of the structure with the approved back portion cut off versus the assumed footprint of the original house. She did not believe the Staff's assumption speaks to the history of the structure.

Ms. Meintsma read from the 1980 National Register regarding in-period rear expansion, which stated that an extension represents a major alteration to the original house and usually contributes to the significance of the house because it documents the most common and acceptable method of expansion of the small Park City house. The additions document an important factor in Park City's residential development. Ms. Meintsma pointed out that the structure itself may not maintain original integrity, but it has integrity in its own right because it tells a story.

Chair Werbelow thanked Ms. Meintsma for her presentation.

Mr. Watkins, the owner and applicant, stated that he had spent over two years working things out with the City, and over that time he submitted five to seven different designs. He appreciated Ms. Meintsma's attention to detail; however, the City reached their conclusion after a long investigation process. Ms. Watkins noted that he met with Ms. Meintsma after the appeal was filed, and he understood that she had also met with Dina Blaes and Planner Astorga. Ms. Watkins was interested in hearing a response from Ms. Blaes.

Planner Astorga asked to comment first. He noted that most of the drawings submitted by surveyors or architects usually come in a 24" x 36" format. The Staff requests that they reduce the size to 11" x 17" so they can be scanned to 8-1/2" x 11" to fit in the Staff report. When a 24" x 36" drawing is reduced to 8-1/2 x 11, the integrity is lost due to the smaller scale and some of the information is lost. He explained that this was the reason why he had not done the proportion analysis. The information available online and in the Staff report was already reduced. Even if they worked with the 24 x 36 drawings, once those are copied the scale is compromised and there is too much room for error.

Planner Astorga commented on primary, secondary and tertiary façades. He noted that a tertiary façade is a rear façade. Tertiary facades are treated differently and the

guidelines allow the additions to come off the back. Planner Astorga reiterated that there is too much room for error to make a true analysis based on the Sanborn maps. Therefore, the Planning Department based their decision on the original Sanborn configuration from 1900 to 1958.

Ms. Blaes remarked that regardless of the decision this evening, Ms. Meintsma should be commended on the level of detail of her investigation. One advantage of the appeal process is that it helps define how the Staff interprets different things. If the HPB feels that the Staff's interpretation was incorrect, they have the opportunity to provide guidance. Ms. Blaes understood Mr. Watkins' frustration, but she could also see the benefit of an appropriate appeal.

Ms. Blaes reported that Staff met on site with the applicant, Ms. Meintsma and some of the neighbors. She did not believe anyone doubted whether or not the rear wall was made of historic material and may have been an original piece. She clarified that it was not likely to have been built at the time of the original structure, but it could have been added fairly soon after the original structure was built. It was very typical in Park City to build a two-room home and parlor and then add a shed extension. She could name at least 30 structures that have the same configuration of a rear shed extension.

Ms. Blaes remarked that the question related to Universal Guideline #3 and the direction to receive most of their guidance from the Sanborn maps. In looking at whether the addition has integrity on its own, it does not have the same footprint. Based on the early Sanborn maps it was not likely that the structure was built as a salt box type. It is not a common building form in Park City, and even the structures that are salt box shaped were not built as salt box houses. Ms. Blaes believed the house at 335 Woodside was probably built circa 1893, and by the time the Sanborn maps were prepared it had the rear configuration that was more than just a simple shed extension. With that information the Staff needed to determine whether or not the rear addition maintained its integrity based on the definition in the Land Management Code and the design guidelines. The Staff concluded that it did not maintain its integrity based on available evidence.

Ms. Blaes stated that if the HPB felt that Ms. Meintsma presented additional information to suggest that the addition was built or extended as a salt box extension early in the period, they have the purview to determine whether the new information is sufficient to support that argument. The Staff took the position that the bump out additions were lost, and while there is no question that historic material exists on the rear of the wall and the north and south elevations, the Staff conducted the proper analysis to make their conclusion. Because the integrity of the rear portion was not fully intact, the Staff determined that the rear portion could be removed to accommodate an addition compatible with the historic structure.

Chair Werbelow asked Ms. Blaes to speak to the roof form issue and whether removing 4-1/2 feet would substantially impact the historic roof form. She also asked Mr. Blaes to address the change to the window that Ms. Meintsma had shown.

Ms. Blaes remarked that it was impossible to know what the historic roof form was, but she was certain that it was not built as a salt box. It was built as a hall and parlor with a

shed extension. One of the most important things about Park City and the reason for having the National Register of the Historic District for the mining boom residence, is that hall and parlor houses were one of the most commonly constructed building forms. An interior configuration defines the hall and parlor versus the salt box, and they are two different forms. The architectural aspect is critical because it informs how the vernacular elements were applied on the exterior. Ms. Blaes stressed that the evidence was clear that the structure was not built as a salt box.

Ms. Blaes remarked that the window change and the transoms were an important point. The guidelines state that if there are compatible elements in the house, the City cannot compel the owner to return them to their historic form. However, if an owner comes in for an approval to change the element, at that point the City can request the applicant to bring it back into compliance with the design guidelines. Ms. Blaes believed that was also echoed in the LMC.

Board Member Matsumoto-Gray asked Ms. Blaes to explain the assessment that some of the structural materials in the back part of the house are post-1958. She asked if a stud construction shed addition could have been done in the 1890's. Ms. Blaes replied that it was entirely possible. She did not think anyone would argue that some of the material was old. The issue is that the old material is not in its historic configuration that supports the integrity of the addition as contributing to the historic significance of the house. Ms. Blaes stated that the factor was more footprint than material. She clarified that the HPB needed to decide whether Ms. Meintsma had provided enough evidence to support retention of the existing addition that makes the house from a hall and parlor style to a hall and parlor with shed extensions.

Board Member Matsumoto-Gray clarified that the issue was not whether this addition was done in the historic period of significance for this structure. Ms. Blaes replied that timing was an issue; but not whether it was stud framed or single-wall construction. Ms. Matsumoto-Gray thought the type of construction could be potential evidence as to whether the addition was done in the 1960's or the 1890's. Ms. Blaes replied that the time period was not definitive. The Staff looks at elements that have the greater evidence and in this case it is the footprint that existed and the consistency that repeated year and year based on the Sanborn maps.

Chair Werbelow pointed out that the Sanborn maps start in 1900 and that presented an issue. Ms. Blaes replied that it was not an issue because it was still a historic period. If the original footprint was consistent in the most recent Sanborn maps, it would be an easier decision. The material could be completely new, but if the footprint was retained, it would be easier to argue maintained integrity. Ms. Blaes advised the HPB to look at the big picture and not focus on whether or not the wood is 100 years old. The question is whether the evidence Ms. Meintsma presented shows that the shed extensions were built during the historic period and supports and retains its historic integrity. She reiterated that the Staff could not find that evidence. In her opinion, the Sanborn maps do not suggest it at all. Ms. Blaes stated that in her experience she does not pay attention to interior wall configuration in Sanborn maps, except in Park City and a few other places where the construction methods were known and commonly used and the bump out extensions were fairly common.

Ms. Blaes recognized that this was a difficult position for the HPB. However, she felt their discussion would help the Staff understand the level of investigation they expect for future projects. Chair Werbelow asked if the Staff could have done anything more or different in their investigation. Ms. Blaes replied that the Staff could have gone to the same level of detail as Ms. Meintsma. The first step would be intensive level surveys, which is the City is looking at doing on some of the structures in Park City. She questioned whether the Planning Department had enough Staff to move to that level of detailed investigation.

Board member McFawn asked about the position of the tar paper relative to the framing of the house. Ms. Blaes replied that single wall construction had horizontal planes with tar paper in between horizontal plane. It was a common method.

Board Member Matsumoto-Gray pointed out that there were two potential scenarios. One was that the bump outs were intact or added pre-1900. The second was that the bump outs were a separate addition that used materials like the original structure or potentially an addition that had a slightly different shape. She felt it was important to look at the details and not rely solely on the Sanborn maps. Because the two scenarios were so similar she could only focus on the details.

Ms. Blaes remarked that having both detailed and non-detailed members on the HPB would benefit the discussion. However, in representing the City, they have to step back and look at the bigger picture of the preservation program, reasonableness within the preservation program, and the potential of making a decision that might possibly lose integrity.

Board Member McFawn agreed with Ms. Matsumoto-Gray about looking at the details, but he understood the advice to step back and look at the big picture. In regards to the question of why someone would build a 20" shed, he thought Ms. Meintsma presented a logical argument for why people would store items in that type of area. He asked Ms. Blaes to speak to that issue.

Ms. Blaes stated that the explanation was plausible, but it was not something they see anywhere in Park City. The additions on the north corner are the ones that indicate that these were not rectangular shed extensions and they were built as separate components. She did not believe people would go to the trouble of building a 20" storage shed. Ms. Blaes thought Ms. Meintsma had raised good points about salvage materials. Board Member McFawn remarked that re-purposing would be logical for the 1900's.

Board Member Holmgren remarked that the hall and parlor home is historic. Her home is the same situation. She sees the house as being historic but not the add-on shed. Ms. Holmgren clarified that she supports the historic significance of the freestanding sheds that they were trying to protect and help people refurbish. The small add-on sheds were different, and in her opinion, not historic.

Board Member Matsumoto-Gray and Ms. Blaes discussed other structures in Park City where additions to an original structure were deemed historic and protected under the current guidelines.

Mr. Watkins remarked that he was not a developer who came to alter the City or build large structures. He grew up in Park City and he wants to retire there and build memories with his children. He loves Park City. When he purchased this property he read all the documents, talked to architects and worked with the Planning Department. He purchased the property with the intent to preserve something unique. Mr. Watkins pointed out that the guidelines are just that, guidelines; and he went through many iterations with the City to meet those guidelines. He has been going through the process for three years and he would like to move forward. He appreciated Ms. Meintsma's diligence and he agreed with her assessment that the structure is very cool, which is why he purchased it. In the grand scheme of things, it is a deteriorating home on the hill and he intends to make it a beautiful site in the City. He had followed every direction given by the City to reach this point. Mr. Watkins felt it was unfair to ask him to change things now, after going through a three year design process. He understood this was an appeal of the City's decision and he believed it was a judgment call. Mr. Watkins left it in the hands of the HPB and asked that they allow him to move forward.

Lance Kincaid, a general contractor in town, spoke on behalf of Mr. Watkins. He has been in Park City since the early 1970's and has been a full-time owner since the 1980's. Mr. Kincaid stated that he has worked on historic homes since 1991 and his resume is on file with documentation for this house. Mr. Kincaid pointed out that Ms. Meintsma assumed many things in her presentation. She sent photos to people who offered their thoughts of what things might be. She assumed that existing holes in the foundation were cut for plumbing, and he disagreed with that assumption. He referred to Ms. Meintsma's comments assumptions regarding the rafters inside the building and explained why the stained rafters were clearly the end of the wall as it was built. He indicated the splicing where the two types of wood come together, and noted that many years separate the two types of wood. Mr. Kincaid also indicated a change in the flooring to indicate a separation from the old to the new. He also pointed out that the stud wall is nailed with manufactured nails, not the hand forged nails evident in the original structure.

Chair Werbelow opened the public hearing. There were no comments. Chair Werbelow closed the public hearing.

Chair Werbelow asked Ms. Blaes for clarification on the intensive level survey. Ms. Blaes replied that an intensive level survey involves more intensive research on buildings in terms of site visits, photography, title search, materials research, etc. She noted that the mining sites that came before the HPB for designation of the Historic Sites Inventory were closest to an intensive level survey. For example, mining manuals from the 19-teens were pulled to help understand the construction methods of the ore bins to help date them. Ms. Blaes explained that for the current surveys, McAllister and McAllister and the Utah Historic Architecture books are the bibles for historic building types and styles that help define those stylistic elements. Ms. Blaes remarked that an intensive level survey also involves far greater field work and far more photographs of ghosting, seams in siding, changes in materials, access to the exterior. An intensive level surveys also involves contacting the property owner to see if they are willing to allow an interior survey of the building. Interviews with former owners are also part of the intensive level survey as a way to gather additional history and photographic documentation.

Chair Werbelow wanted to know when an intensive level survey would come into play. Ms. Blaes stated that the HIS is based on a reconnaissance level survey. Typically, an intensive level survey is conducted on those same buildings once the reconnaissance level survey is completed. Ms. Blaes remarked that intensive level surveys are very expensive and require significant research time. Very few jurisdictions do them at all, or they do them in small pieces, such as one neighborhood or one historic subdivision. Intensive level surveys are also done more slowly and more systematically than reconnaissance level surveys because they are difficult to do.

Planner Astorga echoed Ms. Blaes in terms of the amount of time required for an intensive level survey. Ms. Blaes pointed out that it also involves full title searches and looking at old obituaries and newspapers.

Chair Werbelow stated that in this particular case for 335 Woodside, she had not heard new information this evening that was conclusive enough to make her want to overturn the approval and start over again.

Board Member Matsumoto-Gray did not feel there was enough information for her to feel confident about the amount of time the house looked like a salt box. However, she was inclined to err on the side of preservation. She heard enough evidence to feel comfortable that old materials were there in some fashion, and although it is not the exact footprint, in her interpretation of integrity it was all relevant.

Chair Werbelow understood that there was an additional step in terms of retaining historic material. Planner Astorga noted that a condition of approval requires the property owner to meet with the building inspectors and with the Planning Department to see if any or all of the historic material could be salvaged for future repairs and maintenance. Ms. Blaes remarked that it was the same protocol the City has followed in the past. If it can be safe and serviceable, it should be retained. If not, it should be replaced in kind. Planner Astorga believed that a lot of the material, particularly on the bottom rear façade, is rotten and the Planning Department would like the Building Department to inspect it.

Board Member McFawn appreciated everyone's input and all the work done by Staff and the applicant. He commended Ms. Meintsma for her efforts and level of detail. In his opinion, manufactured nails versus hand crafted nails was a key factor. The use of manufactured nails helped make his decision to uphold the Planning Department's findings and approval.

MOTION: Board Member Holmgren moved to stand behind the design guidelines and the report from the Planning Department, and deny the appeal of the Staff's determination for 335 Woodside Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report. Board Member McFawn seconded the motion.

VOTE: 3-1. Board Members Werbelow, McFawn and Holmgren voted in favor of the motion. Board Member Matsumoto-Gray voted against the motion. Board Member White was recused.

Board Member Holmgren stated that Ms. Meintsma is very detail oriented and the material she presented this evening was fabulous. The design guidelines and the LMC are living documents and this was the type of detail that needs to continue appearing and be included in the documents. She appreciated the efforts of Planner Astorga, Ms. Meintsma and Ms. Blaes.

Director Eddington reported that the Planning Department is looking at the possibility of beginning intensive level surveys for the Historic District as early as July. It would take two to three years to get them all done. It is a lot of work, but depending on budget, the City Council is heading in that direction.

Findings of Fact – 335 Woodside Avenue

1. The rear wall is scheduled to be removed because it has been determined to be part of a non-contributory footprint/addition.
2. The Sanborn maps of 1900, 1907, 1929, 1940, and 1958 indicate the same exterior configuration.
3. The historic configuration shows the footprint of the front half to remain unchanged in its hall-parlor form with the porch covering the entire length of the front facade.
4. The historic configuration shows that the rear half of the structure is different from what exists today.
5. There is clear evidence that the rear façade and the rear portion of the side facades have been reconfigured from its original footprint.
6. The existing post-1958 rear façade was not built within the historic period and it has not reached historic significance on its own as defined in the LMC because it is not at least fifty (50) years old and does not meet the criteria for designation.
7. Staff finds that removal of the post-1958 rear addition/modification does not render the site ineligible for listing on the National Register of Historic Places or for designation as a local Landmark Site.
8. The construction methods used in the extant rear portion of the structure are different from those used on the original hall-parlor portion of the building.
9. The wall structure of the rear façade is 2" x 4" studs at 24" on center with tar paper on the outside and wood siding over.
10. The wall structure of the front and side facades is of the typical historic construction, known as "single-wall construction", found in Old Town consisting of two (2) layers of 1" x 12" pine boards running perpendicular to each other.

11. Staff acknowledges that there is historic material on the exterior of the rear façade that is the same as the front and side facades, 1" x 7" pine drop siding.
12. This exterior material is in very poor condition.
13. The evidence found on rear façade as deteriorated historic material is not enough to support that the existing rear façade has achieved a level of historic contribution.
14. Generally, the majority of the structures' materials, structural system, architectural details, and ornamental features, as well as the overall mass and form must be intact in order for a building to retain its integrity.
15. Staff finds that the Concept of Integrity related to the material has been met and that this principle has been properly applied as the overall mass and form of the rear facade is not intact.
16. The footprint analysis of the Sanborn maps has been properly applied as this historical evidence has been utilized to compare the historic configuration to the existing shapes.
17. Staff finds that Universal Guideline No. 3 has also been met as the historic exterior features of the building are retained and preserved in conjunction with the historic preservation theory practiced by the Planning Department.
18. The existing configuration tends to reflect a residential building type/style resembling a saltbox structure.
19. As indicated on the HSI and confirmed on the Sanborn maps, the actual building type/style was a hall and parlor, which is more common to Old Town.
20. The discussion in the Analysis section in the May 29, 2012 Staff report is incorporated herein.

Conclusions of Law

1. The Historic District Design Review application is consistent with the Park City Land Management Code (LMC) and the Design Guidelines for Historic Districts and Historic Sites.
2. Approval of the Historic District Design Review application does not adversely affect the health, safety and welfare of the citizens of Park City.
3. The Concept of Integrity has been properly applied.
4. The Sanborn maps were corrected utilized to make a determination of contributory significance.

5. Universal Guideline No. 3 has been met as the historic exterior features of the building are retained and preserved in conjunction with the historic preservation theory practiced by the Planning Department.

Order

1. The appeal is denied in whole and the Staff's determination is upheld.

Conditions of Approval

1. The architecture and contractor shall schedule an on-site meeting with the Planning and Building Department to inspect existing historic siding material along the rear façade to determine if there are any materials that can be retained for future repairs, maintenance, etc.

The meeting adjourned at 7:57 p.m.

Approved by _____

Sara Werbelow, Chair
Historic Preservation Board

DRAFT

REGULAR AGENDA

Historic Preservation Board Staff Report



Author: Kayla S. Sintz
Subject: 2012 Preservation Award
Date: June 20, 2012
Type of Item: Administrative

Summary

On March 7, 2012 the Historic Preservation Board created a sub-committee to discuss and report back to the Board on candidates for the 2012 Preservation Award.

On April 4, 2012 and May 2, 2012 the Board wanted to take additional time to look at other probable properties and schedule a tour of projects to consider.

On May 16, 2012 the Historic Preservation Board toured the following properties to compare 1983 Guidelines with current Guidelines and consider projects as probable award candidates:

130 Sandridge
Prospect Neighborhood
108 Park Avenue
841 Empire Avenue
1101 Norfolk Avenue
1059 Park Avenue
543 Park Avenue

Recommendation

Pursuant to Resolution 11-20 the Historic Preservation Board has the ability to identify and award exemplary historic projects in compliance with the Historic Guidelines on an annual basis in the form of a Preservation Award based on criteria not limited to:

- Adaptive Re-Use
- Infill Development
- Excellence in Restoration
- Sustainable Preservation
- Embodiment of Historic Context
- Connectivity of Site

Staff is requesting discussion on the following items:

- Sub Committee discussion regarding potential properties
- Future Action
- Artist Selection
- Presentation Timing