

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF OCTOBER 14, 2009

BOARD MEMBERS IN ATTENDANCE: Roger Durst – Chair; Ken Martz – Vice-Chair; Brian Guyer, Dave McFawn, Sara Werbelow, David White

EX OFFICIO: Thomas Eddington, Brooks Robinson, Kirsten Whetstone, Dina Blaes, Mark Harrington, Patricia Abdullah

ROLL CALL

Chair Durst called the meeting to order and noted that all Board Members were present except for Adam Opalek, who was excused.

MINUTES – September 2, 2009.

Board Member Werbelow stated that the Board talked about a lot of different items to tighten up and amend the grant application form. She understood that the Board would receive a copy of the new draft but nothing was included in the Staff report. She requested that the HPB been given the opportunity to discuss the draft document and revisit the issue for clarification, since some of the items discussed were vague in the minutes.

Board Member Werbelow referred to page 6 of the minutes and felt the reference that Board Member Durst made regarding the 109 historic structures was unclear.

Chair Durst recalled that 109 was the number of historic structures identified in Planner Kayla Sintz's report. Planning Director Thomas Eddington replied that it was in Planner Sintz's report. He asked if Board Member Werbelow was asking for more clarification on that information with regards to grants. Planner Werbelow recalled that the purpose of the discussion was to revise the grant form, which is vague in terms of time frames for submitting applications and articulating special circumstances. She noted that Board Member Martz had raised good points regarding potential economic hardship considerations and the primary residence consideration. Board Member Werbelow reiterated her request that the Board have the opportunity to review the revised form to make sure it addresses the issues they discussed. She stated pointed out that the comment Board Member Opalek made about landmark and significant structures was not detailed in the minutes and she believed this was is still a work in progress.

Director Eddington agreed that it is a work in progress and stated that he and Planner Sintz were working on revising the grant application language. The intent is to provide the HPB with copies for review and discussion.

Chair Durst asked if that would be available for the November 4th, meeting. Director Eddington noted that the HPB has a full agenda for the November 4th meeting, but the draft document should be completed for their review at that meeting.

MOTION: Board Member Martz moved to APPROVE the minutes of September 2, 2009. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

Chair Durst asked Dave McFawn, a new Board Member, to introduce himself and provide a brief background.

Board Member McFawn stated that he is a fourteen year resident of Park City and he has lived in Old Town, Prospector and various other locations. He currently resides in Silver Summit.

PUBLIC COMMUNICATIONS

There was no comment.

STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES

Director Eddington noted that page 17 of the Staff report included a list of the current Staff Historic District Design Review projects. He noted that some of the properties are in compliance and others are pending in the process. Director Eddington stated that the Staff will continue to provide these updates at every meeting. He noted that the HPB would hear any disputes on these projects through the appeal process.

Chair Durst requested that the Board Members have a current copy of the Historic Sites Inventory, the Land Management Code and the Historic District Design Guidelines.

Director Eddington stated that the Planning Commission currently meets twice a month on the second and fourth Wednesday. The HPB typically meets on the first and third Wednesday. He explained that the Staff is looking at consolidating some of the meetings and have asked the Planning Commission to consider one meeting a month as their regular Planning Commission meeting to discuss applications and for the second meeting to be for long range planning and General Plan discussion. Director Eddington asked if the HPB was interested in reducing their meetings to once a month, since they do not always have an agenda for two meetings. If the Board members did not object, the Staff would like to try a cycle of meeting the first Wednesday of every month. This would allow the Staff to consolidate the agenda, as opposed to meeting twice a month with only one or two items for discussion.

The Board members did not object to meeting once a month on the first Wednesday of every month. The meetings would begin at 5:00 p.m.

CONTINUATION – Public Hearing and Continue to date specified.

100 Marsac Avenue – Appeal of Staff's Determination of Compliance of a Historic District Design Review

The applicant was out of town and requested that this item be continued to November 4, 2009.

MOTION: Board Member Martz moved to CONTINUE 100 Marsac Avenue to November 4, 2009. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

REGULAR MEETING – Discussion, Public Hearing and Possible Action

175 Snow's Lane – Determination of Historical Significance

City Historic Consultant, Dina Blaes, stated that the structure at 175 Snow's Lane is the Judge Mine superintendent's house. The Staff report contained background information on the structure and noted that the HPB has the authority to designate sites to the Historic Sites Inventory. The Staff report contained analysis and discussion as to how the Staff came up with the recommendation to list this site as a significant site on the HSI. LMC Section 16-11-10, which is the Park City Historic Sites Inventory criteria for designation, was also provided to show why the structures was not designated as a landmark site, but it is considered a significant site.

Ms. Blaes stated that the criteria that was adopted by the City Council in July requires that in order for a site to be designated to the Historic Sites Inventory, it must meet all three of the criteria listed under significant sites. Ms. Blaes noted that the Staff report included information within the criteria, as well as the Staff analysis outlining why the structure did or did not meet that individual criteria. Based on that analysis, the Staff found that the site at 175 Snow's Lane meets the criteria for designation as a significant site.

The Staff recommended that the HPB make a motion to designate this building on the Historic Sites Inventory as a significant site.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

Board Member Werbelow asked if the owner has any feedback.

Ms. Blaes explained that language in the LMC states that either the owner or the Planning Department can apply to have a building designated. A courtesy notice was sent to the owner to inform him that the Planning Department was recommending this designation. The owner had the opportunity to attend this meeting and voice their objection or present additional information, but they were not in attendance or represented by anyone.

City Attorney, Mark Harrington, clarified that the owner would still have the opportunity to request their own forma hearing per the DOS provisions in the Land Management Code, regardless of the action taken this evening.

MOTION: Board Member Martz moved that the site at 175 Snow's Lane, Judge Mine superintendent's house, be included in the Historic Sites Inventory. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

205 Snow's Lane – Determination of Historical Significance and Inclusion on the Historic Sites Inventory

Ms. Blaes noted that the Staff report provided background, analysis and discussion on the historic home at 205 Snow's lane, per the criteria contained in the Land Management Codes as it pertains to the Historic Sites Inventory. Ms. Blaes stated that the structure did not meet the criteria for designation as a landmark site, but it does meet the criteria for designation as a significant site.

Board Member Marts asked about the silo structure that also sits on the site. Ms. Blaes stated that the silo structure is not old. In 2006 the City did an intensive level survey and the silo structure was found not to be significant.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

MOTION: Board member Martz moved that the site at 205 Snow's Lane be included in the Historic Sites Inventory. Board Member Guyer seconded the motion.

VOTE: The motion passed unanimously.

115 Woodside Avenue – Determination of Historical Significance and Inclusion on the Historic Sites Inventory

Ms. Blaes noted that the Staff report contained background and analysis for the structure at 115 Woodside Avenue. She stated that the property does not meet the criteria for a landmark site designation, but it does meet the criteria for designation as a significant site, based on age, integrity and significance. A detailed analysis was provided in the Staff report. Ms. Blaes pointed out that the structure has undergone significant alterations over the years. She remarked that pop-top additions are typically very disruptive to the historic integrity. However, she felt the pop-top addition on this structure was very well done and it does not obliterate the roof line.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

MOTION: Board Member Werbelow moved to include the site at 115 Woodside on the Historic Site Inventory as a significant structure. Board Member White seconded the motion.

Board Member Martz stated that he was on the old Historic District Commission in the mid-1990's when the additions were approved for this structure. He recalled that the structure was lifted and a foundation put underneath. Historic material still remains but it is not visible.

VOTE: The motion passed unanimously.

Update on Mining Relates Site

Ms. Blaes provided an update on mining related sites. She noted that most of those sites in the canyons would be coming before the HPB for inclusion on the HIS. She stated that the mining related sites were identified and made cursory inclusions in February, but additional sites have been found that need to be included. Ms. Blaes remarked that previous surveys projected the sites as a fairly scattered collection of buildings. The Staff is now presenting those more as an Alliance Mines collection, etc. She noted that the previous information was disjointed and unclear and the Staff has been trying to organize that information so the Board and the public can see how much is left of each of those mining sites.

Chair Durst asked if the Board would address those sites collectively or if they would still be considered individually. Ms. Blaes stated that they would still be considered as individual structures. Part of the LMC amendments adopted in July define the site as a collection, and it can either be one structure or several structures. The Planning Department can still address maintenance or a re-development proposed on one structure without looking at the entire site. The intent is to make sure they are understood and interpreted and that the information presented shows them as a collection of buildings that contribute to the significance. As an example, the water tank on the hill does not mean anything without knowing which mining site it was used for and the collection of buildings it relates to. Ms. Blaes stated that each individual structure would be listed on the Inventory, but it would be listed as a site and the site is a larger area than the parcel it sits on.

Chair Durst asked about the number of sites. Ms. Blaes replied that it was approximately seven sites. Chair Durst requested that the Board Members have the opportunity to review the information on those sites in advance of the November 4th meeting. Ms. Blaes stated that the Board would receive the Staff report prior to the meeting. Chair Durst noted that the Staff report is not mailed until the Friday before the meeting. He requested to receive the information a week before the meeting. Board Member Martz thought it would be helpful to receive the sites separate from the packet if anyone wanted to visit the sites before bad weather.

Ms. Blaes stated that the application requirements are fulfilled when the information is submitted on the determination of designation. She asked what format the Board would like for receiving information on the mining sites because the photographs are quite large. The Board discussed various options. The suggestion was made for a common place on the Park City website that the HPB could access. Ms. Blaes asked if the Board currently has access to the City FTP server. She could put the information on the Server for the Board to retrieve. Ms. Blaes stated that she would ask the IT Department if the HPB could have permission to access the FTP server. Another alternative was to put the information and photos on a disk for each of the Board members.

Ms. Blaes stated that the discussion on the mining related sites could be postponed to the December meeting if the Board members could not obtain the materials early enough to review it before the meeting in November.

601 Sunnyside Drive - Grant

Planner Kirsten Whetstone provided a brief background on the historic cabin structure at 601 Sunnyside, located in the RD zone. The structure is historically significant as a Landmark site and is eligible for the National Register of Historic Places.

Planner Whetstone stated that the applicant, Michael LeClerc, is the owner of the historic structure. The structure is in disrepair and has been condemned for human occupation by the Chief Building Official. With the exception of the cinder block shed addition, the structure maintains its original form. However, the wood material is in such an advanced state of decay that little, if any, material can be salvaged. The applicant was seeking a grant from the Historic Preservation Board to reconstruct the structure. Planner Whetstone noted that the HPB has not previously been asked to consider a grant for a complete reconstruction, but it is within policy to do so.

Planner Whetstone stated that in September 2008, building plans were approved for reconstruction of the historic structure, including excavation for a garage and basement beneath the house. The building plans included a contemporary house located on the site, with a minor connection. The grant request is for the reconstruction of the historic house. The applicant plans to reconstruct the structure using new materials. The work also includes removing the doors and windows by repairing or replacing them with new double hung wood windows in the same locations. The porch would be reconstructed as well.

Planner Whetstone noted that the applicant had submitted a letter identifying all the items listed for the bid. The numbers did not include adding a basement under the structure that was previously approved. Planner Whetstone clarified that foundations are appropriate for grant requests but not basements. The Staff requested input from the Board as to whether a portion of the foundation estimate in the range of \$3,500 for the cost of a slab on grade, could be eligible for a grant due to the fact that the structure currently has no foundation and the proposed plan includes a garage under the house.

Planner Whetstone stated that the eligible items for this grant request totaled \$53,900. That amount excluded the foundation cost, the excavation, grading and backfill for the basement and garage, heating and ventilation, rough plumbing and rough electrical. She noted that the program is a matching grant. Therefore, half of the total cost of the eligible items would be \$26,950. Adding in \$3,600 for a slab on grade would increase the total to \$56,000 and the matching portion to \$28,750.

The Staff recommended that the HPB consider granting the applicant one-half of the proposed cost of the eligible preservation work in the amount of \$28,750. By awarding the grant, the HPB would be contributing to the ongoing preservation of a historically significant building in Park City. Planner Whetstone noted that the funding source would be the CIP fund for historic grants. The fund currently has approximately \$30,000 available. No additional funds were granted during the recent budget approval by the City Council.

Planner Whetstone reiterated that the structure is currently listed as a landmark site and is eligible for the National Register of Historic Places. Dina Blaes pointed out that the proposed reconstruction would remove the structure from a landmark designation because reconstructed buildings do not qualify for the NRHP. After reconstruction the structure would have a significant site designation.

Planner Whetstone stated that after field visits, it was evident that the condition of the wood is such that it would take a lot of work to be able to reuse it. That was one reason why reconstruction was chosen as a preservation approach.

The applicant, Michael LeClerc stated that the Building Department would not approve reusing the majority of the wood. However, he would like to use some of it, particularly the front façade. He noted that he has a panelization permit to remove the material.

Board Member Martz asked about the design guidelines in terms of building duplication. Planner Whetstone remarked that the previous guidelines did not apply to this structure because it was outside of the historic district. The new guidelines do apply.

Board Member White asked if this proposal was a restoration or a reconstruction. Planner Whetstone replied that a reconstruction has new materials. The new materials do not lend itself to restoration. Therefore, the project has to be a reconstruction and replication. Ms. Blaes remarked that the issues is how important it is to keep this structure as a landmark site. She noted that some buildings are severely deteriorated and the Chief Building Inspector has asked for reconstruction tools. Unfortunately, landmark sites are tied to the NRHP. She reiterated that this site would still maintain a significant status if the reconstruction is done.

Mr. LeClerc explained that he originally purchased the structure to renovate and clean it up. When it was condemned, he went through the process of getting full plans approved, based on the site and what is allowed in the zone. He stated that he would like to preserve the structure as is, but no one wants to attempt that. Like everyone else, he likes the little house sitting up there on its perch.

Board Member Werbelow thanked Mr. LeClerc for looking into creative solutions. She recalled that when this first came to the HPB several months earlier it was described as a spec project. Mr. LeClerc stated that once he realized that he needed to reconstruct the cabin completely because it was condemned by the Building Department, he needed to define the box and design a newer house that would fit on the lot and within the zone requirements. Once he defined those parameters, he backtracked to design a house different from what was approved to avoid building a big house on Deer Valley Drive. Mr. LeClerc remarked that he needed to know what he could do before proceeding in this direction.

Board Member McFawn had questions on eligible items. He referred to paragraphs 2 and 3 on Page 91 of the Staff report and the items identified as being excluded. He noted that the number did not add up with the numbers on page 113 in the summary of improvements. Board Member McFawn stated that he came up with \$35,950 in eligible costs. Therefore, approximately \$17,000 would be the matching funds. Planner Whetstone asked if Board Member McFawn had added in the \$3600 for the slab on grade. Board Member McFawn answered no.

Chair Durst stated that he was not on the Board at the time of the design approval nor had he seen it. He referred to the comment that the wood was determined to be unusable due to deterioration and that Mr. LeClerc had secured approval for panelization. He could not understand how the panels would be reincorporated into the building. Mr. LeClerc stated that the way the preservation plan is worded, they would disassemble the cabin under the panelization permit and then determine what wood, if

any, could be reused. Mr. LeClerc hoped that the front façade has been protected enough from the sun that the wood could be reused. It does not show any dry rot or mold.

Regarding the portion of the design that incorporates the main house, Chair Durst understood that Mr. LeClerc was proposing to sustain the form, mass, scale, proportion, pattern, texture and color that is on the original house. Mr. LeClerc replied that the historic house would serve as a template for the style, color, etc. Chair Durst also understood that the structure would be moved up and lateral. Mr. LeClerc clarified that it would be moved two or three feet laterally to square it with the road and bring it even with the lot line. The structure would be moved less than two feet high. It could be as much as three feet on the lateral.

Board Member Martz stated that during a site visit, the HPB issued an advisory status to the Planning Department to review the project. At that time, the HPB felt that duplication was the best process to move forward. He noted that the building has unique characteristics, such as the metal strapping that was used as weather protection and he would like that uniqueness preserved or continued, even in a duplication. Board Member Martz believed the applicant had the approval to duplicate, which makes it eligible for grant possibilities. He agreed that this is a unique building in a unique location. Even with the issue of dropping from a landmark to significant designation, he could see no other alternative for preserving this structure because the condition is very deteriorated. Board Member Martz felt the grant application was appropriate and this project was an appropriate use of grant money. He remarked that restoring the structure without an addition would be a plus.

Chair Durst asked if this grant were awarded, if the other improvement approved for this project would not be necessary. Without seeing the design, he deferred to his fellow Board Members who approved it. Based on the fact that this building would be raised two feet, Chair Durst wanted to know if the gradient would increase or if a new material would be introduced. He asked if there would be a two foot foundation below the porch.

Mr. LeClerc explained that part of his preservation plan states that the front slope stays as is with the staircase coming off the road. Chair Durst wanted to know what would happen with the three foot vertical face at the porch if the gradient stays the same. Mr. LeClerc stated that currently there is an 8-inch front board on the porch itself. Code requires at board surface at least 6-8 inches above any dirt surface. He noted that the Code would require it to be raised from where it currently sits in order to keep the distance between wood and dirt. With the 8 inch front porch, which is significantly lower than the house, he thought the difference would be minimal from what currently exists.

In response to the cost question raised by Board Member McFawn, Planner Whetstone re-worked the bid numbers. The total cost was \$73,500. After excluding the costs for excavation, grading and foundation, heating, hardware, plumbing and electric, the total cost for eligible items was \$53,900. Adding in the \$3600 for partial foundation, the total eligible cost was \$57,500.

Board Member White clarified that the grant request was for foundation under the cabin but not the addition. Mr. LeClerc replied that this was correct. Board Member White asked if the HPB typically issues grants for plumbing and electrical. Planner Whetstone replied that some items related to plumbing and electrical used to be eligible. Board

Member White thought rough items may have been eligible but not finished items. Mr. LeClerc stated that he received a grant 15 years ago on another house in Old Town and he did receive money for rough plumbing and heating. Board Member White stated that footing and foundation is part of stabilization. Bathtubs and toilets should not be part of the grant.

Board Member Martz stated that there has always been some difference between a restoration and duplication. Duplications are expensive and require some cuts.

Board Member White felt a grant for the cabin portion was very appropriate. Board Member Werbelow agreed, noting that this was precisely why the grant program is available. She thought the Board should be aware that this is the last grant that could be awarded indefinitely until more funds are allocated for this area. This is a significant project on a unique property and should be preserved. Board Member Werbelow asked if the Board as agreeing to grant the slab on grade portion of the foundation. Board Member White replied that they would grant only the portion under the cabin.

Planner Whetstone pointed out that money would come from the CIP fund. Planner Robinson felt there was some confusion after Bret Howser, the Budget Director, spoke to the HPB at a previous meeting. Planner Robinson explained that the RDA funds for Main Street and Lower Park Avenue have been cut off for the grant program to allow the City to use the remaining money for other projects. However, the City Council has provided other general funds into the grant program that are not tied into geographic boundaries of the two RDAs. The money can be used for any historic property. Since the proposed project is on Deer Valley Drive and outside the RDA boundary, it is appropriate to provide money for preservation.

Board Member Guyer asked Mr. LeClerc if it was certain that he would not build the adjacent structure if he received the grant money. Mr. LeClerc replied that he was not prepared to say it would never happen but it was not his intention. If he receives financial help from the City, he plans to just use the original structure, but he could not guarantee what might happen in the future. Mr. LeClerc expressed his frustration that the City had not condemned the property before it changed ownership. His intent when he purchased the property was to preserve the cabin as is, and he was surprised when the Chief Building Official condemned it after its purchase.

Chair Durst asked if there would be enough residual property to allow a subdivision to accommodate another building lot. Mr. LeClerc stated that the property is not zoned for a subdivision. Someone would have to apply for a replat before that could happen. He noted that the Code clearly states that the minimum lot size is the exact size of the existing lot. Planner Whetstone clarified that the RD zone does not have a lot size and it could be subdivided. However, it would be a CC&R issue and it would still require a plat amendment. She noted that it would be possible but very difficult based on the CC&Rs of the subdivision.

Chair Durst opened the public hearing.

There was no comment.

Chair Durst closed the public hearing.

MOTION: Board Member Martz moved to award a grant in the amount of \$28,750 for the reconstruction project at 601 Sunnyside. Board Member Werbelow seconded the motion.

VOTE: The motion passed unanimously.

The meeting adjourned at 6:20 p.m.

Approved by _____
Ken Martz, Chair
Historic Preservation Board