

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF AUGUST 7, 2013

BOARD MEMBERS IN ATTENDANCE: Puggy Holmgren, David White, John Kenworthy, Gary Bush, Marian Crosby

EX OFFICIO: Thomas Eddington, Francisco Astorga, Anya Grahn, Patricia Abdullah

The Board voted on a chair-pro tem for this evening.

MOTION: Marian Crosby made a motion for David White to serve as the Chair Pro Tem. John Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

REGULAR MEETING
ROLL CALL

Chair Pro Tem White called the meeting to order at 5:35 p.m. and noted that all Board Members were present with the exception of the two vacant seats.

At the request of Planner Astorga, the Work Session was moved to the end of the agenda.

ADOPTION OF MINUTES – June 5, 2013

MOTION: Board Member Kenworthy moved to APPROVE the minutes of June 5, 2013 as written. Board Member Crosby seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS
There was no comment.

STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES

Director Eddington announced that the City Tour was September 18-23, and if any of the Board Members were interested in attending they should contact Patricia in the Planning Department. The tour was to Boulder, Colorado.

Director Eddington stated that the Staff would provide the Board with the matrix of Historic District Design reviews to update the Board on what the Staff has been working on these past few months.

Planner Anya Grahn reminded everyone that the HPB was scheduled have a second meeting this month on August 21st.

Board member Kenworthy understood that the Kimball Arts Center was not moving forward with their building, and asked if that was correct. Director Eddington explained

that the Kimball Arts Center had never submitted a formal application. The intent was to find a way for the Arts Center to be heard as an MPD so it would involve the public vetting process. However, the Planning Commission decided not to move forward with the LMC changes to allow for that. Director Eddington was unsure what the Kimball Arts Center would do as the next step. At this point no applications had been submitted.

Board Member Kenworthy heard that the Kimball Arts Center made an announcement at their opening that they would not be moving forward. Director Eddington assumed they were referring to the original design concept that was proposed because of the constraints of the LMC. He believed the Kimball would still go through some type of re-design process.

Chair Pro Tem White asked if the design of the Main Street Mall had been approved. Director Eddington stated that the Main Street Mall at 333 Main Street received final design review approval over a year ago. They were currently in the process of demolishing the interior and the project was moving forward.

REGULAR AGENDA – Discussion, Public Hearing and Action.

1101 Park Avenue - Grant

Planner Anya Grahn reported that the commercial structure at 1101 Park Avenue was built around 1929. The structure has gone through a number of major alterations over the years. In 1968 the wood clad exterior was replaced with concrete block and pressed brick. At some point a massive addition was added to the rear of the building which doubled the square footage.

Planner Grahn referred to a photo on page 52 of the Staff report showing the original structure, and compared it to a current photo of a structure on page 56. She noted that the road had heightened significantly, which changed the look of the original storefront.

Planner Grahn remarked that the applicant was issued an HDDR waiver for the replacement of windows on the addition to the structure, as well as on the historic significant portion of the building. The applicant was proposing to restore the storefront with wood windows to be more in keeping with the historic period. Currently there is a panel door that is outside of the historic period, and the applicant would like to replace that door with a French door that better reflects the historic period of the building.

Planner Grahn noted that up until recently the Planning Department had not received many grant applications for the Lower Park Avenue neighborhood. She believed this request was a good use of funds for the Lower Park Avenue RDA. Planner Grahn recalled that the current budget is \$188,041. The total cost to replace the windows and the door on both the addition and the significant historic structures was \$7,830.00. She pointed out that the grant program would only cover the portion related to the historic structure. Therefore, replacement of the four windows on the historic structure and the new door on the front was estimated at \$4,912. If approved the grant would be for half of the cost in the amount of \$2,456.

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The Staff recommended that the Historic Preservation Board review the proposed application and consider awarding the applicant a portion of the costs associated with the four storefront windows and the new entry door located at 1101 Park Avenue, in the amount of \$2,456.

Board Member Bush wanted to know what precedent the building has for a French door towards the back. He noted that one door faces Park Avenue and another door was on the south side of the building. Planner Grahn replied that the door facing Park Avenue would be eligible for the grant. The other French door facing 11th Street would not be covered by the grant. Board Member Bush asked if the French door was appropriate per the guidelines. Planner Grahn answered yes.

Board Member Bush understood that the front of the building would only get a regular single slab door. Planner Grahn replied that the front door would also be a French door. She noted that having that much glass was more historic than the current door. Board Member Bush thought a French door was actually two doors that open up. Chair Pro Tem White explained that there are two types of French doors; one is a single French Door and one is a double door. He noted that page 60 of the Staff report showed the door that was being proposed.

Board Member Holmgren thought it was a good project and very visible. She asked about the side windows and whether they would be replaced. Planner Grahn stated that the applicant had not addressed those windows.

Planner Francisco Astorga disclosed that the applicant also submitted a master sign plan for signage of the new business. They also submitted a conditional use permit to have offices at this location. The CUP application would require a review by the Planning Commission. The Planning Department was currently working on both applications.

MOTION: Board Member Holmgren moved to APPROVE the grant application for 1101 Park Avenue in the amount of \$2456. Board Member Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Board Member Kenworthy stated that because this property is visible, he wanted to know if it was possible to post a sign indicating that the HPB approved a grant for this project and supports it. Since there are funds to be allocated, he would like more people to be aware that grant money is available for Lower Park Avenue.

Planner Grahn agreed that if there is a way to post a sign during construction it would be a benefit.

Chair Pro Tem White realized that he should have called for public input prior to a motion. He asked if there was public present who wanted to make comment. There was no public input.

The Board members moved into Work Session

WORK SESSION – Discussion only

Demonstration and overview of the Historic District Resign Review Process

Planner Grahn noted that the Board members had expressed an interest in possibly sitting in with the Design Review Team to understand the HDDR process. As an alternative the Staff decided to go through an HDDR review this evening so the Board could see how the process works.

Planner Grahn presented the pre-application packet and explained that an applicant submits a pre-application for conceptual review. The application is assigned to a planner for initial review. The Design Review Team meets every Wednesday. The team consists of members from the Planning Department, the Building Department, and the Preservation Consultant. She noted that the pre-application can be submitted at no cost to the applicant and the Staff encourages pre-applications. The applicant comes before the DRT to talk about their idea and each department represented expresses their issues and guides the applicant through the process. If it is an historic property the DRT may suggest the grant program or tax incentives. The DRT offers other suggestions to help guide the applicant through the application stage.

Planner Grahn stated that following the pre-application meeting, if the project is simple, such as changing windows and doors, the DRT would issue an HDDR waiver signed by the Planning Director. The applicant would take the waiver to the Building Department to obtain a building permit. If the project is more intensive, such as new construction or an addition, the project goes through a Historic District Design Review as the next step in the process.

Planner Grahn explained the steps of the HDDR process. The application is submitted and assigned to a Planner. The Planner reviews the application for completeness and to make sure it meets all the criteria. Once the application is deemed complete the property is noticed by placing a sign on the property and sending letters to neighboring properties. Within a 14 day review period the Planner makes sure the project matches the LMC and complies with the Design Guidelines. If changes need to be made for compliance, the applicant has the opportunity to make the necessary changes or provide additional information. Once that has been done, the next step is to post the property with a new sign stating that the Planning Department has approved the application and appeals may be made to the Planning Department within ten days of this notice. Following the ten day period, the applicant submits construction documents to the Building Department for the building permit process. At the same time, the Planning Department conducts another review to make sure the plans submitted to the Building Department match the plans that were approved. If the reviews are satisfactory, the building permit is issued. Once construction is completed, the Planning Department conducts a final inspection to make sure what was built matches the approved drawings.

Planner Astorga clarified that the HDDR waivers are based on specific criteria that tells the Planning Director what can or cannot be waived. He remarked that when the application involves more extensive work such as temporarily lifting a structure to add a foundation or any other major renovation, a financial guarantee is required. The financial guarantee should be done at the building permit stage prior to issuance of a building permit.

Planner Astorga used a project he had reviewed for a garage located at 109 Woodside Avenue to show the HPB how the process actually works. He pointed out that the garage itself was technically on King Road. Planner Astorga presented photos that the applicant had submitted with the physical conditions reports. He explained that a physical conditions report includes the description of floors, walls, roof or any type of structural member that would help the Planning Department make a decision on whether the elements need to be replaced or whether it could remain in place. The physical conditions report includes photographs, a narrative, cad files, or any as-built conditions of the structure such as floor plans, roof plan, elevations and site plans to help define the existing conditions of the structure.

Planner Grahn noted that page 15 of the Staff report contained a blank application to show the format and the requested information.

Planner Astorga reported that in 2009 or 2010 the City had an architect conduct a physical conditions report on City owned properties, and that is often used as a sample of a completed physical conditions report. The report is large but the Staff could make it available if the Board members wanted to see.

Planner Astorga continued showing the photographs of the garage at 109 Woodside. He noted that the garage doors were not historic. It was evident that the roof needed to be replaced. There were no historic photos of the garage structure; however, there was evidence from the Sanborn map showing that the footprint had not changed. Planner Astorga noted that the applicant had requested to reconstruct the garage.

Planner Grahn stated that the Planning Department considers reconstruction as the last effort. The Staff visits the site to determine whether reconstruction is necessary as the only method of preservation. Planner Astorga noted that 109 Woodside was a landmark site on the Historic Sites Inventory. He pointed out that King Road used to be called Woodside Gulch.

Planner Astorga presented a series of Sanborn maps starting with 1889 forward. Board Member Crosby referred to one of the Sanborn maps and she thought the garage appeared to be crossing the lot line. Planner Astorga replied that she was correct. He intended to show a survey later in his presentation that addresses the lot lines. He remarked that the property over Woodside Gulch was not dedicated to the City until there was a plat amendment for the application in 2010.

Planner Astorga reviewed the as-built photos and documents showing the existing condition in terms of size, materials, measurements, etc. He then showed what the applicant had proposed. He presented the survey and indicated the property line that Board Member Crosby had mentioned. He pointed out the portion that was dedicated to the City and the lots line that were removed, creating one lot of record that was approved by the Planning Commission. Planner Astorga reported that the neighboring property owner would not sign an encroachment agreement for the footing of the garage, primarily because he was concerned that his retaining wall would be affected. To remedy the issue, the garage was able to be shifted 18" towards the house because it met the criteria for relocation.

Director Eddington clarified that typical movement of historic structures is not allowed unless it meets one of three criteria. Planner Astorga outlined the four treatments for historic preservation per the Historic District Design Guidelines, which are Preservation, Rehabilitation, Restoration, and Reconstruction. He noted that the criteria for not being able to secure an encroachment agreement was no longer in the Code. Planner Astorga pointed out that Section 15-11-15 of the LMC addresses the criteria for reconstruction. Section 15-11-12 outlines the standards for the Historic District Design Review Process. He reviewed the requirements for the Financial Guarantee as specified in the LMC. He noted that the financial guarantee for the garage was \$62,000.

Board Member Kenworthy asked if the \$62,000 was only for the garage project. Planner Francisco answered yes. The amount was based on 333 square feet. Director Eddington explained that the typical calculation is \$250/ft; however, exceptions can be made for accessory structures or porches. He recognized that the financial guarantee was a high cost, but it was implemented to encourage reconstruction projects to move forward in a timely manner.

Planner Astorga presented the document from the Building Department recommending the reconstruction of the garage and the reason for shifting the garage 18". It also identified the financial guarantee.

Planner Astorga reviewed the time line and dates of the pre-application beginning in October 2010, the HDDR review in January 2011, the submittal of completed plans in May 2011, noticing, and final approval of the project in February 2012. A building permit was issued in June 2012. Planner Astorga noted that a final inspection was conducted last month and the financial guarantee was released.

Planner Astorga had received several questions asking about the orange color. He noted that during the 2009 update of the Historic Guidelines, it was decided that the City should no longer regulate what color people could paint their structures. Planner Astorga reported on a last minute change to the roofing material. The Staff also had questions as to why the Planning Department did not require older looking materials. The answer is that the documentation showed that the material was already there and it was original.

Board Member Kenworthy asked if the applicant had to begin the project within a certain time frame before he would have to re-start the process. Planner Astorga noted that the Code allows the Staff to call an application "inactive status", but they try to weigh that against the amount of work already down and how much would be lost if they re-started the process. Director Eddington stated that typically if an applicant is tweaking the project or the project is delayed for another valid reason, the Planning Department works with the applicant to keep it moving forward.

Director Eddington believed that the pre-application DRT meeting that was implemented in 2009 has been one of the successful endeavors. There is no application fee and the applicant can present a conceptual plan without having a set of formal drawings. The process engages the applicant and gives them information upfront on what is or is not allowed before spending money on the design.

Chair Pro Tem White stated that from the standpoint of an architect, the pre-application phase was invaluable.

Board Member Kenworthy asked if this garage had received any grant money or whether it was eligible to apply. Director Eddington did not believe reconstruction was disallowed for grants. The applicant had not applied for a grant.

Planner Astorga pointed out that the site was originally designated as a Landmark site. Per the Code, once a reconstruction is approved, the designation drops from Landmark to Significant. Even if the structure retains the original form, the actual material is not restored. Therefore, the site remains Landmark because of the main structure, but the garage would drop to Significant status. He noted that the City labels sites rather than structures so he was unsure how that would be handled. Director Eddington thought it might be considered a Landmark site with an accessory structure. He felt it was better to label it with the more restrictive and higher status.

Chair Pro Tem called for public input.

Ruth Meintsma, a resident at 305 Woodside, referred to the photo of the garage in its original condition. A number of people have asked her about this project. Ms. Meintsma and others thought the reconstructed garage looks like a brand new building and a lot of people wanted to know how that was allowed to happen. The garage had its own amazing appeal and contributed to the funky fabric of Park City. The garage is now clean and it has lost all the feeling it offered. Ms. Meintsma found it difficult to explain to people that it was how the process works, and that this type of reconstruction is rare. She personally believed that because the original feel is lost, it also loses the character. She was glad that reconstruction is very rare. Ms. Meintsma asked if it was possible to use bits and pieces of the materials in a reconstruction.

Planner Astorga replied that there is an opportunity in some cases, depending on the condition of the material.

Ms. Meintsma stated that because so much of the old material is deteriorated and could not be reused, when an applicant is asked to save bits and pieces, it goes above and beyond the call of the applicant because it is time consuming and sensitive. She thought a grant should be applied for in that circumstance. Ms. Meintsma felt that if some of the material was saved, even it was patched in bits and pieces, people would be satisfied if they could see some of the historic incorporated with the new. When all you see is a new building, every bit of character is lost except for the size and mass.

Planner Astorga thought Ms. Meintsma's suggestion could be added to the criteria for reconstruction and codified. Board Members Crosby and Holmgren favored that idea. Planner Astorga suggested that the HPB could be included in that process.

Ms. Meintsma understood that there comes a point when a structure could no longer stand, and she understood the decision. However, she would have recommended building a new garage on the inside and keeping the outside the same.

Director Eddington stated that as the Staff has discussed bringing back the Design Guidelines to the HPB for review, one of the issues is the fine line between panelization and reconstruction. He suggested that the new guidelines could push panelization more than it does currently. Reconstruction would still be the last alternative, but it is an easier alternative for the applicant.

Director Eddington thought Ms. Meintsma raised a good point that if they intend to preserve the funk and the character, that method would have to be incentivized.

Board Member Holmgren asked about the two houses on Park Avenue, one being the former Blue Cross Ski House and the other the little white bungalow that has been deemed unsafe. Planner Anya Grahn stated that the former Blue House received a notice and order last July, and the Staff has been working with the applicant to help them understand what would be involved to stabilize the property. The owner submitted plans through an HDDR to add an extensive addition to the rear. The Staff has spoken with them several times to specifically explain what needed to be changed in order to comply with the design guidelines. The owner submitted another set of drawings last week and stated that it would be their final submittal. Planner Grahn stated that after reviewing the plan she denied the application and the owner has ten 10 days to appeal. If they file the appeal, the next step would be for the HPB to hear that appeal.

Director Eddington noted that there was some interior gutting of the Blue Ski House structure and it was caught by the Planning and Building Departments. It was a proactive opportunity pursuant to the 2009 Code not to allow demolition by neglect. The gutting was stopped and the process was started.

Planner Astorga noted that there was also a survey on file, as well as a physical conditions report that was done by the preservation consultation, which enabled them place a lien on the property for financing. The Staff was trying to work with the owner to keep the structure from falling down.

Board Member Crosby clarified that the owner was doing a demo without pulling a demo permit. She asked if the City stopped the work mid-process or if the structure was fully gutted. Director Eddington replied that a fair amount of the internal portions of the building had been gutted.

Planner Grahn commented on the white bungalow. She stated that the Building Department noticed that the roof on the addition was completely caved in on the back and it is not secured. The Building Department issued a Notice and Order for the owner to make the necessary repairs; however, the owner was not willing to work with the City. The Staff was continuously explaining his options and hoping for a positive result.

Director Eddington stated that some owners do not have an interest in preserving the property for economic reasons. They feel it would be more beneficial to remove the historic structure and rebuild. Since the City does not allow demolition by neglect, if the owner does not cooperate, the City could structurally support the building and lien the property.

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Director Eddington noted that the Staff would provide a matrix at the next meeting so the HPB could see the Historic District Design Reviews that were currently in process. Planner Grahn stated that another work session would be scheduled to discuss the intensive level surveys the City has awarded. The Staff would also go into more detail about what that is and what it means.

The meeting adjourned at 6:38 p.m.

Approved by _____
David White, Chair Pro Tem
Historic Preservation Board