

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MAY 21, 2014

BOARD MEMBERS IN ATTENDANCE: Chair John Kenworthy, Puggy Holmgren, David White, Marion Crosby, Gary Bush, Hope Melville, Clayton Vance

EX OFFICIO: Thomas Eddington, Kayla Sintz, Anya Grahn, Polly Samuels McLean, Makena Hawley

ROLL CALL

Chair Kenworthy called the meeting to order at 5:07 p.m. and noted that all Board Members were present.

APPROVAL OF MINUTES

April 16, 2014

MOTION: Board Member Holmgren moved to APPROVE the minutes of April 16, 2014 as written. Board Member Bush seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/BOARD COMMUNICATIONS

Marian Crosby disclosed that she has a personal relationship with one of the applicants on the agenda this evening; however, she felt it would not influence her decision this evening.

Director Eddington asked if the Board was comfortable receiving printed packets or if they preferred to utilize them electronically. By a show of hands, all the Board members still wanted to receive printed packets.

Planner Grahn reported that the RFPs had gone out for the Historic Preservation award.

Planner Grahn noted that the next HPB meeting was scheduled for June 4th, which was their regular week to meet. Because of the July 4th holiday, the July meeting would be scheduled for July 16th. She anticipated that the HPB would be back on their regular schedule in August.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

632 Deer Valley Loop – Determination of Significance Remanded back to the Historic Preservation Board to Consider Newly Submitted Materials by the Applicant (Application PL-13-02160)

Planner Anya Grahn reported that in November 2013 the HPB reviewed the determination of significance for 632 Deer Valley Loop. On November 25, 2013 the applicant submitted an appeal, which was heard by the Board of Adjustment in April 2014. Due to new evidence, the Board of Adjustment remanded it back to the HPB for further consideration.

Planner Grahn stated that the structure was built as a two room structure in 1900. That description remained consistent with the 1907 Sanborn Fire Insurance Map. Between 1912 and 1918 the structure was expanded into four rooms, as shown on the 1917 and 1927 Fire Insurance Maps. Planner Grahn reviewed an analysis the applicant had prepared of how the building was expanded over the years. By the 1930's the structure had a full-width front porch and the side porch was enclosed. A rear addition was added in 1969. Planner Grahn presented photos showing how the structure looked at the end of the historic period and a little after the historic period in the late 1930's. She indicated a portion of the roof that overhangs. When the Staff initially did their analysis they thought it was the addition on the back of the building. However, Planner Grahn was unsure what the building was because it is evident from the Sanborn maps that there were no outbuildings and the structure was too far away to be visible in a photograph.

Planner Grahn remarked that the 1941 Sanborn map was inaccurate in that it did not show the porch. However, as the applicant points out in his report, there is no way to get to the front door without a porch or some type of landing. Planner Grahn stated that the square shape of the structure is consistent with the 1949 tax card, but it shows the porch. She was unsure why the 1949 tax code shows only two lines to the side porch. The structure remained the same over the years, but in 1969 the rear addition was added.

Planner Grahn noted from the late 1930's photograph that the porch had not yet been enclosed. The end of the porch along the south wall was consistent with the edge of the cable. In looking at a current photograph, it appeared that the porch had been expanded. A symmetrical gable was evident in one photo, but a later photo showed that the gable was interrupted to accept the shed roof of the new addition.

Planner Grahn stated that the applicants had also done an analysis to show that the four room structure is single wall construction, which was typical of historic

construction techniques used in Park City. This structure is unique in that it is two sets of horizontal boards stacked on top of each other, rather than the typical vertical interior siding with horizontal exterior siding. Planner Grahn presented a photograph of the 1969 addition showing stud wall framing rather than single wall framing. The window openings are more horizontal than the typical historic vertical orientation. Planner Grahn pointed out the differences in material which differentiates this addition from the previous addition.

Planner Grahn stated that a main source of disagreement is that the applicant finds that the two-room historic mining structure that was built in 1900 is the essential historic form. The applicant believes the historic form was lost because of the addition that transformed it into four rooms and added a consistent gable over the entire roof. The Staff disagrees with the applicant's assessment. Planner Grahn remarked that the essential historic form is defined by the LMC as, "The physical characteristics of a structure that make it identifiable as existing in or relating to an important era in the past." She noted that the structure is a wood frame dwelling with a relatively square footprint, and that portion remains. It is one story in height and it still has the side porch.

Planner Grahn stated that equally important is that Universal Design Guideline #2 states that, "Changes to a site or building that have acquired historical significance in their own right shall be retained and preserved. In this case, the four room structure has gained historical significance. It is what appeared in the late 1930's tax photograph and it is over 50 years old. It also has importance to the Mature Mining Era. Planner Grahn reviewed a number of things that can destroy the essential historic form, which were listed in the Staff report. Loss of the roof pitch, adding additional stories, or relocating the structure outside of the historic period can have an adverse effect on the essential historic form. In looking at what the house looked like in the 1930's compared to present day, Planner Grahn believed that most of the details were similar.

Planner Grahn reported that the applicant also argued against Finding of Fact #4 in the original Staff report. The Staff amended the Finding to say that the four room cottage was constructed within the mature mining era, and that the rear addition, as the applicant proved in their analysis, was likely constructed around 1960. Planner Grahn noted that Finding of Fact #11, which is the new Finding of Fact #10, was revised to say that the rear addition is not historic and that a fire destroyed it in 1999. Because it is not historic it could likely be removed in the future. The applicant also argues that many alterations have been made to the interior and exterior of the structure, which have destroyed the historic fabric. Planner Grahn remarked that some of the changes that occurred are not uncommon in Park City and many houses have suffered these same alterations. Planner Grahn thought they could determine that the essential historic form remains for the reasons outlined in her presentation.

Planner Grahn stated that the applicant also argues that there is no record of any important person or event that occurred at this site. The Staff finds that the structure contributes to the understanding of the Mature Mining Era. Park City has one of the largest and best preserved groups of residential buildings built in a metal mining town in Utah and across the nation. The single wall construction method is unique to Park City and to the time period in which it was built. Four remaining structures, three on Rossi Hill Drive and this house on Deer Valley Loop, are an indication of what was once a much larger and denser historic neighborhood. The three houses on Rossi Hill are still on BLM land and are listed as part of the 1984 National Register nomination.

Planner Grahn remarked that another argument is that the historic context has been lost, as outlined in a letter included as part of the applicant's analysis. She agreed that some of the historic context in the neighborhood has been lost, but a lot of it still remains. Planner Grahn noted that the LMC designation for Significant does not require them to consider the historic context in terms of what the neighborhood looks like. She believed the three remaining houses in front of this house speak to what the neighborhood used to look like.

Planner Grahn reviewed the criteria for a Significant Site outlined on page 30 of the Staff report, and explained why she believed the house at 632 Deer Valley Loop meets the criteria. Planner Grahn stated that the consequences of not taking the Staff's recommended action is that the site could be removed from the Historic Sites Inventory, which would make it eligible for demolition.

Bruce Baird, legal counsel representing the applicant, stated that he helped write the Salt Lake City Historic Code when he was with the Salt Lake Legal Department. The Code received a number of awards for how well it helped preserve Salt Lake City.

Mr. Baird stated that the applicant, Bill Bertagnole, spent 32 years fighting the BLM for ownership of this property. He would explain why that was important for a reason he would talk about later regarding the demolition after the fire. Mr. Baird remarked that when the HPB met in November 2013 the applicants were not represented by Counsel and they did not understand the process or what to expect. Since that time they retained legal counsel and a consultant, and went before the Board of Adjustment. He pointed out that the Board of Adjustment remanded it back to the HPB to make them aware of the information contained in the applicant's analysis.

Mr. Baird presented his response to the Staff report. Mr. Baird stated that a large part of historic analysis is that beauty is in the eye of the beholder. Whether something is more or less historic is somewhat of a judgment call. He referred to the two comparison photos on page 20 of the Staff report and noted that one difference between the two is that all of the windows were changed. There was

also new addition in the rear and the building mass has changed. He pointed out how the siding had gone from horizontal to vertical. A chimney was added and a side porch was enclosed. Mr. Baird suggested that the difference between the photos shows that the historical integrity of the building is lost.

Mr. Baird referred to the photo on page 22 of the Staff report captioned, "photo shows stud wall framing and original window openings." He felt that was incorrect and that the photo actually shows a building falling down with a hole in the roof and everything snow covered. To say that the photo shows the stud wall is to overlook the most important aspect, which is a building falling down. Mr. Baird stated that there was a major fire in this building, and after the fire the City ordered this building to be demolished. At that time the structure was vastly older than 50 years. The only reason the building was not demolished at that time was because Mr. Bertagnole needed the continuing existence of the building as part of his due diligence claim with the BLM to gain ownership. He noted that the building condition has worsened since the fire but the applicant is prohibited from demolishing it now.

Mr. Baird referred to page 23 of the Staff reported and remarked that the Staff had changed their argument from the historic form being a two room structure in 1918 to now say that the historic form is the four room building from 1930. Mr. Baird felt it was important to note that the Staff had changed their argument, which negates the newly proposed Finding of Fact #11, because it is untrue that the four room cottage was constructed between 1919-1918. Mr. Baird clarified that the two-room structure was constructed during that time. Making it a four room structure was an addition that came later. Mr. Baird thought there were arguments for whether or not it detracts from its essential historical form. However, other parts of the Staff report clearly acknowledge that it does detract from the historic form. The rear addition was specifically found to be non-historic and it could be demolished. He pointed out that removing the addition but leaving the house in place would cause a significant expense to fix the back of the house.

Mr. Baird read from page 26 of the Staff report, "Moreover, the Staff finds that the many alterations have destroyed much of the historic integrity of the structure." He gave Planner Grahn credit for her candor in acknowledging that much of the historic integrity of the structure is destroyed. He suggested that it was not within the Code or any legal principle not to allow a building to be demolished if much of its historic integrity has been destroyed.

Mr. Baird commented on the statement on page 27 of the Staff report stating that there is no record of any historic person or event that occurred at this site, and noted that the Staff simply says that normal people lived there and normal people are important. Mr. Baird stated that this was not the way historic preservation works. Average, middle-class miners cannot be deemed historic people simply

by saying that it proves how middle-class people lived. Mr. Baird stated that he heard Planner Grahn talk about how this building illustrated the historic density of this area. However, later in her presentation she described the density as it really is, and as shown on the map on page 28, as rural. He remarked that it could not be considered evidence of historic density and called rural at the same time. It is one or the other but not both. In terms of the neighboring structures, three of those structures are owned by the BLM. One is leased and the other two are allowed to rot away. There is no reason to assume that the BLM will do anything to save the other two structures. Regarding the historic context issue, Mr. Baird did not believe the City Code has context as a determining factor. He understood that the City was in the process of redoing its Historic Code to match the Federal Code, which does have historic context as a determining factor. He thought everyone could agree that these four houses sitting in the middle of a massive ski resort surrounded by condos had very little context remaining.

Mr. Baird referred to the criteria for designating historic sites on page 29 of the Staff report, and read from the second paragraph. "A reconstruction of the home, which is necessary based on the structural integrity of the home, raised by the Chief Building Official would also allow the site to remain significant. He understood that to mean that if the structure was reconstructed exactly as it was, it would go back to being significant. Even if that was true, it did not prove that this building in its current condition was worth restoring.

Mr. Baird referred to page 30 of the Staff report and Planner Grahn's argument that because the structure has been changed a number of times proves that it is historic, because part of the history of Park City is the growth and evolution and changing of structures. He was unsure how she reached that conclusion other than to imply that the more you change something from its past the more important it is to keep it for its past.

Mr. Baird commented on the process. If the HPB determines that the structure is historic, the applicant would appeal their decision to the Board of Adjustment. If the Board of Adjustment agrees with the HPB, that decision would be appealed to the District Court. He emphasized that there was no way this building would be reconstructed unless it was ordered by the US Supreme Court or the Utah Supreme Court. At best, the building will sit for years until the next heavy snow knocks it down completely. He did not believe either court would order a property owner to spend the money required to rebuild a structure in this condition when its historical integrity has been destroyed, according to the Staff report. Mr. Baird stated that if the City really likes this building and thinks it is historic, the applicant would sign over a release and the City could move it anywhere it sees fit. That was another option for their consideration.

Mr. Baird believed that the Staff report shows that the structure is not historic, and that the appropriate remedy is to allow its demolition. Mr. Baird read from

Finding of Fact #12, "...though the structure has lost its historic integrity due to the out of period alterations to its historic materials." He noted that the Staff report goes on to say that the structure has retained its historic form; and Mr. Baird felt he had established that it did not. Even if it did, this building was not historic and it will not stay standing. He asked the HPB to allow the owner to take care of this out-of-context, already destroyed, burned-out building that the City previously determined should be demolished.

Board Member Holmgren noted that Mr. Baird had compared the photographs on page 20, which showed the structure from different angles. She pointed out that the photos shown on page 25 showed the structure from the same angle of the old and the new, and she thought it was a better comparison of the roof line and the gables. Mr. Baird clarified that the differences he pointed out in the construction were the same regardless of which angle is shown. Board member Holmgren disagreed. She thought the roofline and the gables looked the same in both photos on page 25. It was graphically different on page 20. Mr. Baird remarked that the roofline and the gable were all that was left. If the HPB thought that was enough to call it historic, they could vote against the applicant and he would fight it.

Chair Kenworthy asked if they released the house to the City whether they would release the land with it. Mr. Baird answered no.

Board Member Holmgren stated that when the HPB discussed this issue in November 2013, she felt the structure met the criteria for Significant designation. and her opinion had not changed.

Chair Kenworthy opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, referred to the four bullet points on Page 16 of the Staff report and the issues raised by the applicant. The first bullet point - separate building periods have resulted in a loss. She believed that every structure on the HSI has similar additions, add-ons, and siding changes. This particularly structure was not unique on that fact. The second bullet point – Many alterations on the interior/exterior of the structure have destroyed any historic fabric. She thought it was better to say "some or much" historic fabric because a lot of it may be covered up as opposed to actually missing. Ms. Meintsma noted that the term "fabric" is not considered in the Determination of Significance. It only talks about essential form. In her opinion, the essential form is retained with this structure. Ms. Meintsma stated that the fourth bullet point- The site has lost historical context. She pointed out that context is not considered in a significant structure. It is only considered in a Landmark structure for DOS. If the Code changes in the future where context is considered for Significant structures, she has many comparisons of the Sanborn maps to Google maps showing that tons of context is still available around that structure.

Ms. Meintsma referred to the third bullet point – No record of any important person or events. She assumed the history of ownership on page 84 of the Staff report was a BLM list because it looked different from the Summit County ownership format. Ms. Meintsma had researched the list to find any names that may have been in the Park Record. However, when she reached 1919 and the name Willis A. Simmons, she found that Mr. Simmons was a part of park City history. She presented slides of her research and what she learned about Mr. Simmons. Ms. Meintsma noted that Willis Simmons lived in Park City four years before he lived at 632 Deer Valley Loop. He lived at 632 for eleven years. Ms. Meintsma noted that in 1918 Carl Hoger transferred the property to Willis A. Simpson. The structure is described as a four room dwelling house. She pointed out that Mr. Willis had 11 children and the house was expanded. The Staff report indicates that the addition was constructed to meet the growing needs of the homeowner. Ms. Meintsma had proof that there is history and the character of Park City in this house at 632 Deer Valley Loop, and the City should not allow it to be demolished.

Mr. Baird believed that the evidence produced by Ms. Meintsma was a definite stretch. Having to go that far to claim a person of historical significance only proved that all they had were rooflines and gables. Chair Kenworthy informed Mr. Baird that the purpose of this meeting was to hear new evidence and that the Board appreciates the efforts of the public.

Jill Lesh, stated that she drives by this conclave of houses and she would hate to see one house compromised because each one is critical to this diminished mass of houses. It is important to be reminded that that area is also part of the historic mining era

Chair Kenworthy closed the public hearing.

Board Member Holmgren stated that she has lived in Park City for more than 25 years. Just because Mr. Simmons was not a higher authority in town did not mean the house was not significant. What is significant, and what they have held on to for some many years is the ongoing history. The applicants' representative presented nothing new that would change her mind. She still believed the structure met the criteria for being designated Significant. Board Member Holmgren was unsure whether the City has a policy to prevent demolition by neglect. She understood that one structure was being held to task on Park Avenue and she suggested that the City should take that direction on this structure.

Chair Kenworthy reiterated that the HPB was hearing this issue for the second time because it was remanded back to them to consider new evidence. He

emphasized that their discussion should only focus on the new evidence presented.

Board Member White echoed Board Member Holmgren. In his opinion, the original historic massing and roof line was retained. It was unclear what historic material was under the existing non-historic siding, but he would still maintain that this structure is Significant.

Board Member Crosby noticed that the lot lines were shown on the Sanborn maps. The GIS map shows the lot line around the structure at 632, but then it shows multiple ownership and no lot lines on the balance of the property. She wanted to know why there were no lot lines and why it only shows the parcel numbers that are combined ownership. Board Member Crosby asked about the remaining BLM land that was showing in the ownership on the GIS.

Director Eddington was unsure when the property transferred to the BLM, but he understood that the people who lived in the houses retained renter squatter rights to the houses.

Bill Simon stated that he lives directly above the parcel in question. He understood that Board Member Crosby was asking why there were tax ID numbers but no lot outlines. He explained that the BLM owns the land but it does not own the houses. The Summit County tax records identify individual owners of those structures, and those pertain to the Tax ID numbers. Board Member Crosby asked why the lot lines appear in the Sanborn maps. Mr. Simon assumed that back then there was less of a definition as to who owned the property. Therefore, the Sanborn maps would just outline what looked like someone's land. Director Eddington clarified that it likely preceded BLM ownership where it was consolidated. Mr. Simon stated that from a legal chain of history, the situation is that the BLM shows title to this parcel plus the triangle above it, plus the triangle further up the hill.

Board Member Crosby asked if a copy of the Notice to Vacate that was issued in 2013 was included in the Staff report. Planner Grahn stated that it was a standard building Notice and Order to Repair, but it was not included in the Staff report.

Board Member Crosby stated that she would not argue that the site meets the criteria for a Significant site, and that based on the 1995 and 2009 Renaissance Level Surveys it should be on the HSI, nor that the staff erred in their initial analysis regarding when and where the additions were made to the structure, and that the structure did retain its essential historic form. As a member of the HPB she fully supports and encourages preservation of historic structures, especially the structures that have appeared in water color paintings over the years. They are an essential part of the historic fabric of Park City for all the

reasons that the Staff outlined in the Staff report, and for the new evidence presented.

Board Member Crosby had visited the site twice and in the Notice to Vacate Order that was issued by the City, there seemed to be enough evidence to support that the structure is in serious disrepair and has been deemed uninhabitable. In using the LMC and the Historic District Guidelines as their tools, Board Member Crosby questioned whether the HPB could subjectively reach a decision for this structure to remain a Significant site without placing an undue economic burden on the owners. In addition, the owners have stated that when they were litigating with the BLM they were not given proper notice that their property was being placed on the Historic Sites Inventory.

Board Member Crosby found this to be a difficult situation. She understood that some of the Board members felt strongly that it should remain a Significant site; but she was not that certain based on the new evidence presented, the Staff report, and the reasons for why the building was deemed uninhabitable.

Director Eddington responded to Board Member Crosby's question about whether being deemed uninhabitable would justify removing it from the Historic Sites Inventory, and stated that the answer was no. He noted that many of the historic sites are uninhabitable or have other issues.

Board Member Crosby felt the HPB was being asked to make a difficult decision under the circumstances. She believed it was forcing a moratorium on these types of homes. She also believed that it was an undue hardship on the owners. However, if the Board is limited to basing their decision on the historic site and whether it retained its historical form under the alterations made over the years, if that is the preview of this board, she would have to agree with the keeping the Significant designation.

Board Member Bush remarked that this issue speaks loudly to what they struggle with in the Historic District. It is a diamond in the rough and they somehow need to change the dynamics. He was unsure how that could be done and whether additional grants, tax relief, or other incentives would help. Board Member Bush thought it was clear that this was a "hot potato" and that the Board was imposing their will on these property owners. He questioned whether they have the right morally and legally in a property rights state to impose their will. That was the reality they were dealing with.

Chair Kenworthy agreed that this was a difficult issue with extremely unique circumstances. However, the HPB could only stay within their boundaries and look at it from the scope of their purview.

Board Member Bush stated that often when they designate the historic structures, particularly in Landmark situations, they are committing the property owners to be curators, and that is a huge responsibility and a financial burden. He suggested that eventually the owner, or a potential new owner, would realize the potential for a historic property and the best use of it. Board Member Bush believed all the essential form of the structure was still there, and it met the criteria for a Significant designation. For those reasons he supported leaving the structure as Significant on the Historic Sites Inventory. Board Member Bush felt it was important for the Board to understand that the house would be demolished if they decided to remove it from the HSI. He could not see how the house could be restored or rehabilitated. It would be demolished and rebuilt and he believed that was the proper course. The question was how to make it attractive for the property owner to go in that direction. Board Member Bush recommended that the HPB keep the structure on the HSI and explain to the applicant that they were not expected to repair or restore this fabric. He pointed out that the owners were in a predicament because they could not realize the value of the house until they sell it, and no one will buy it until the house is gone and rebuilt. He asked if the City could allow the owners to get rid of this hazard, but commit that form to the site.

Director Eddington stated that Board member Bush was talking about panelization and/or reconstruction, which is frequently done with other structures. It is a viable option for the owners. Other opportunities include adding new additions that are done correctly in accordance with the Design Guidelines.

Board Member Bush asked if the City has ever encumbered the title to the property with an obligation to replace the form. Assistant City Attorney McLean stated that the decision whether to reconstruct and/or panelize is considered when someone comes in with a preservation plan. It has its own process and the process is considered in the Guidelines. When someone is ready to do reconstruction or repair a historic house and submits a preservation plan, a financial guarantee is put in place to make sure that the preservation plan is adhered to. Ms. McLean commented on the distinction between demolition and reconstruction. Demolition means it goes away forever and it is removed from the Inventory. Reconstruction means the structure needs to be built back to its essential form that now exists. If the structure remains on the HSI, the applicant has the opportunity to submit a preservation plan and a plan for any associated development, and work with the City to try to achieve it.

Board Member Bush recalled that the applicant previously stated that they were not interested in restoring the house, and without an application that process will never happen. He suggested the possibility of trying to create a new solution that works for everyone.

Assistant City Attorney McLean stated that every situation is different. She pointed out that several houses in Park City are in very poor condition, which is basically demolition by neglect. Sometimes owners do not maintain the historic house. If it falls down it is removed from the HSI and, the applicant no longer has to adhere to the Inventory. Ms. McLean clarified that this was only one scenario and there were many other reasons why that could happen. The City has begun to address demolition by neglect through the Guidelines and the process. If a house is in disrepair the owner is required to stabilize it so it remains standing and continues to retain its form.

Assistant City Attorney remarked that the purview for the HPB was whether or not this house meets the criteria for a Significant designation on the Historic Sites Inventory.

Board Member Bush asked if historic integrity was form, material, location or something else. The term is used frequently and he was unsure what it meant. Planner Grahn replied that it was all of the above. Historic integrity is looking at what exists and being able to tell what it looked like during the historic period. For example, replacing historic materials with different materials takes away some of the integrity and character of when it was originally built. Its historic location also contributes to the integrity of the structure.

Assistant City Attorney McLean asked Planner Grahn to clarify Finding of Fact #12 since the finding indicates that the structure has lost its historic integrity. Planner Grahn suggested revising Finding #12 to say, "Though the structure has lost some of its historic integrity due to out-of-period alterations, such as the non-historic siding, aluminum windows and replacement of porch posts, it has retained its essential historic form. The out-of-period addition to the south and west elevations of the structure do not detract from its historic form". Planner Grahn recommended including additional findings of facts after the Board had made their comments.

Chair Kenworthy appreciated the comments from Board Member Bush because this unique situation is very conflicting. Chair Kenworthy noted that Councilman Dick Peek was in attendance. He encouraged Mr. Peek to ask his fellow Council members to fund some of these grant programs so the City would have a mechanism to help the owners. Within their purview, the HPB was looking at this form and finding out new evidence and new history about the occupants of this building. It was a difficult situation for the HPB. Chair Kenworthy believed that if the City had better funding and the owners understood the process of applying for financial assistance, it would help with historic preservation.

Councilman Peek stated that the City Council was currently in budget talks and he encouraged the Board members to attend the meetings or send the City Council a letter outlining the importance of financial assistance.

Board Member Vance was grateful for all the comments and he thanked Board Member Bush for his comments. As a member of the HPB, he felt it was both a blessing and a burden to be able to make these decisions. He clarified that none of the Board members were against the applicants, but they were obligated to uphold the current laws. Based on the Findings of Fact, Board Member Vance did not believe anything presented this evening provided additional evidence that would persuade him to change the previous decision. Board Member Vance noted that the applicant's attorney had mentioned the Old North Church in Boston during his presentation. He thought it was an ironic example considering that the Old North Church is out of context and surrounded by new modern buildings. Board Member Vance stated that this very dilapidated but wonderful historic house could be something very similar in the future. Board Member Vance encouraged the applicants to continue their pursuit and the HPB would continue to follow what they were obligated to do, which it to preserve Park City's historical character.

Board Member Melville noted that since the last meeting the house had been boarded up and secured from vandalism. She thought that was a positive step forward. Board Member Melville stated that the Staff report was very comprehensive and everything was addressed, including the new evidence. She agreed that the page 25 comparison of the 1930s tax photo with the current one helps make it clear that the essential historic form is there. Board Member Melville appreciated that the applicant would prefer to have vacant land, but the building meets the criteria for a Significant site per the Code. It is at least 50 years old, it retains its essential historic form and it is in the historic era. It is not Landmark but it is Significant. Board Member Melville did not believe they could treat this property any different than they treat other similar properties. She agreed that this situation highlights the importance of historic preservation grants and having more funds from the City to offer assistance. It does cost more to own and maintain a historic property, and it benefits everyone in the City.

Chair Kenworthy stated that public hearings are not typically re-opened, but because this was a unique situation he was interested in hearing additional input or questions.

Someone wanted to know what other properties in and around Park City looks like the one in question. Chair Kenworthy replied that there is a very dilapidated property on Park Avenue that has significant problems very similar to the property at 632. There were at least a dozen other properties throughout the City. Chair Kenworthy thought it was unfortunate that so many historic homeowners are faced with these difficult situations.

Patricia Smith stated that she was instrumental in bringing historic preservation to Park City, and she was one of the original two-person campaigns to get 13

independent sites listed on the National Register and to get two historic districts formed. She started the Park City Museum and she re-established the Park City Historical Society and the cemetery preservation. She has been a preservationist since 1976. She instigated the tax reform act in Park City to begin block grants on Main Street for rehabilitation. Ms. Smith thought it was important to make Park City Codes match the Federal Guidelines. The City was missing the most important guideline, which is context. Context is the buildings that used to be around this building. It would be the outhouse, the woodshed, the underground food storage, and other elements in this property that ties it to its function, history and use.

Ms. Smith noted that the City has commissioned Cooper Roberts to do a full historic sites survey on the 400 existing properties in Park City within the next two years. One of the things they will be doing is adopting the criteria of context. Ms. Smith agreed that this particular situation was very contentious. She felt very gratified with this last Staff report because they had been carefully considered and their interests were represented and answered. However, the reality is that the Bertagnole's will put the property up for sale. It is maximum density zoning and it can hold four triplexes without the house. If the house remains it would be three triplexes and this house would be a vestibule addition on to one of the triplexes and incorporated into the new redevelopment. Ms. Smith pointed out that the house itself would not be respected as to its boundaries from the public view shed. It will simply be incorporated into another building. If the Bertagnole's do not put the property up for sale, they cannot afford to, nor do they have any interest in fixing the house. They have already invested \$261,000 into this project. They now own the property and they own the land. Theirs is the first patent received in that entire area. Before that it was squatters rights and no deeds.

Ms. Smith stated that if Cooper Roberts brings Park City up to date with the Federal standards in the next two years, this house, having lost all of its context, will be delisted. Ms. Smith did not have solutions, but she could say with confidence that this little house would not be visible from any angle because of future development. If they want a reminder of their history in Deer Valley, she suggested that it could be a park. They could form a non-profit support group to acquire those buildings and restore them as public property. Ms. Smith reiterated that in two years when the context criteria is written, the house will either be demolished or it will become a front room for a triplex.

Ms. Smith understood how difficult it was for the HPB to do their work. She commented on the process and noticing. By going through this process they found that the requirements and the timing on documents and communications were hard to figure out. They were never notified about the first public hearing. Secondly, they were never told that they had the opportunity to appeal because the notice went to the BLM and not the owners. It is a confusing process and

she would like to see something smoother and more direct. One suggestion would be to re-examine the notice times.

Chair Kenworthy thanked Ms. Smith for her time and he hoped she understood that the HPB had considered this carefully from every viewpoint.

Chair Kenworthy closed the public hearing.

Assistant City Attorney McLean recommended adding a finding of fact stated that historic materials currently exist on the house. Another finding should outline the essential historic form that still exists. Ms. McLean noted that there was significant reliance on the 1930's tax photo and she recommended adding a finding of fact referencing the 1930s photo and that the structure essentially looks the same in the more recent photograph. Ms. McLean felt it was important to have that information contained in the Findings of Fact to support why the HPB made their decision in the event that it is litigated.

Planner Grahn read the additional Findings of Fact for consideration as follows:

Finding #17 - Historic materials that exist include wood siding beneath layers of Bricktex and vertical siding; the original window opening on the west elevation; original full-width porch and roof; original brick chimney on the four (4) –room structure; and single wall construction.

Finding #18 - Out of period materials visible on the historic house today include the aluminum windows, non-historic vertical wood siding, decorative metal porch posts, changes to window sizes, and changes to roofing materials.

Finding #19 - The structure retains its Essential Historic Form in that the physical characteristics of the structure that make it identifiable as existing in or relating to an important era in the past include the original four (4)-room side gable cottage with full width porch.

Board Member Bush thought they should say that the porch is on the front. Planner Grahn agreed and added, with full-width porch on the front.

Finding #20 - The structure meets the criteria for local designation as significant as the two (2)-room structure is nearly 113 years old, though the renovation to a four (4)-room cottage was completed between 1912-1918. The structure retains its Essential Historic Form in that the 1969 addition does not negatively impact the four (4)-room side gable cottage and full-width porch form. The structure is important to local history, architecture, and culture in that it contributes to our understanding of Park City's Mature Mining Era (1894-1930) and documents settlement patterns, building materials, construction techniques, and socio-economic makeup.

Assistant City Attorney McLean recommended adding another Fact regarding the evidence presented by Ruth Meintsma showing that Willis Simmons lived in the house and was recognized as a notable person in the Park Record. Ms. McLean requested that Ms. Meintsma provide the Staff with a copy of her presentation.

Planner Grahn drafted Finding of Fact #21 - There is evidence that W.A. Simmons lived in the house, and he is recognized as notable to Park City's history.

Finding #22 - The Essential Historic Form is depicted in the late 1930s historic tax photograph and can be seen in relation to the photo on page 25.

Chair Kenworthy asked if they should address the fact that the home is still in its original location.

Planner Grahn drafted Finding #23 - The structure is in its original location.

Assistant City Attorney McLean added Finding #24 - No additions obscure the Essential Historic Form when viewed from the primary public right-of-way. No addition of other stories occurred after the period of historic significance, and there have been no changes in the pitch of the main roof of the primary façade.

Juli Bertagnole, one of the owners, stated that the three people who own this house were not financially or physical able to do what the HPB was asking them to do. In her mind, reconstruction is not preservation. Reconstruction is tearing down the building to reconstruct it.

Chair Kenworthy believed that Ms. Smith understood the process and the different options. He pointed out that the Board was encouraging the City Council to provide financial assistance through the grant program.

Ms. Bertagnole stated that the owners did not have time to wait for tax credits or financial grants. They needed to be able to sell their property. Chair Kenworthy assured Ms. Bertagnole that the Board understood the uniqueness of the situation and the owners' frustration. Ms. Bertagnole asked for a clear explanation of what she should tell a potential buyer in terms of what they would be required to do if they purchase the property. Chair Kenworthy reiterated that Ms. Smith understood the process and she could explain it to Ms. Bertagnole.

Assistant City Attorney McLean explained that because it was such a lengthy analysis, the HPB was considering the analysis in the Staff report as part of the Findings of Fact, as well as the new evidence presented this evening.

Assistant City Attorney McLean added Finding #25 - The analysis of the report is included herein with the new evidence.

Board Member Melville asked if the change to Finding #12 that was mentioned earlier in the discussion was already incorporated in the Findings of Fact. Planner Grahn answered yes.

MOTION: Board Member Holmgren made a motion that based on the evidence heard this evening, and the Findings of Fact, as amended with the additional Findings 17 through 25, that the structure should be kept on the Historical Sites Inventory as a Significant designation. Board Member Vance seconded the motion.

VOTE: The motion passed. Board Member Crosby voted against the motion.

Chair Kenworthy encouraged the owners to apply for a grant. Board Members Melville and Crosby expressed an interest in seeing the park that Ms. Smith had suggested come to fruition.

Findings of Fact – 632 Deer Valley Loop

1. 632 Deer Valley Loop is within the Residential-Medium Density (RM) zoning district.
2. There is an existing side gable hall-parlor structure at 632 Deer Valley Loop. This structure is currently listed on the Park City Historic Sites Inventory as a “Significant” Structure.
3. The structure was initially constructed as a two (2) room hall-parlor structure with an entry on the west elevation circa 1900.
4. Between 1912 and 1918, the structure was expanded to the north to create a four (4)-room cottage. It is this side-gable structure that is depicted in the late-1930s tax photograph.
5. Circa 1969, a rear addition was constructed along the full width of the south wall. This addition differs from the single-wall construction of the four (4)-room structure in that it has stud-wall framing. It is believed that the side porch was expanded at this time to create a mudroom; the width of the enclosed porch extended beyond the south wall and onto the new addition.
6. The existing structure is in serious disrepair and is not habitable in its current dangerous condition.

7. There is very little original exterior materials remaining on the exterior of the home. The original wood lap siding has been covered by layers of Bricktex and vertical wood siding

8. The double-hung windows on the façade were removed and expanded to install larger, undivided rectangular windows after 1969. The original wood double-hung windows throughout were replaced by aluminum windows.

9. After 1969, the turned wood porch posts were replaced with new decorative metal columns. A brick chimney was installed above the enclosed side porch that was later repaired with thick layers of Portland Cement.

10. The rear addition of the structure, dating circa 1969, was severely damaged in a fire on May 17, 1999. Because the rear addition is found not to be historic, it may be removed.

11. Between 1912 and 1918, the four (4)-room cottage was constructed. It is believed to be between 96 and 102 years old. Portions of the structure, dating from the original hall-parlor plan, may be as much as 113 years old.

12. Though the structure has lost some of its historic integrity due to the out-of-period alterations to its historic materials—such as the non-historic siding, aluminum windows, and replacement of the porch posts—it has retained its Essential Historic Form. The out-of-period addition to the south and west elevations of the structure do not detract from its historic form.

13. The structure is important in local or regional history because it is associated with an era of historic importance to the community, the Mature Mining Era (1894-1900).

14. The Historic Preservation Board found that the structure met the criteria of LMC 15-11-10(A)(2) and thus should remain on the Historic Sites Inventory (HSI) on November 13, 2013.

15. The applicants submitted an appeal to this determination on November 25, 2013, within ten (10) days of the HPB's determination.

16. The appeal was reviewed by the Board of Adjustment on April 15, 2014; however, the BOA remanded the appeal back to the Historic Preservation Board (HPB) due to the applicant's submittal of new evidence. The evidence submitted has been incorporated into the facts herein.

17. Historic materials that exist include wood siding beneath layers of Bricktex and vertical siding; the original window opening on the west elevation; original

full-width porch and roof; original brick chimney on the four (4) –room structure; and single wall construction.

18. Out of period materials visible on the historic house today include the aluminum windows, non-historic vertical wood siding, decorative metal porch posts, changes to window sizes, and changes to roofing materials.

19. The structure retains its Essential Historic Form in that the physical characteristics of the structure that make it identifiable as existing in or relating to an important era in the past include the original four (4)-room side gable cottage with full width porch on the front.

20. The structure meets the criteria for local designation as significant as the two (2)-room structure is nearly 113 years old, though the renovation to a four (4)-room cottage was completed between 1912-1918. The structure retains its Essential Historic Form in that the c.1969 addition does not negatively impact the four (4)-room side gable cottage and full-width porch form. The structure is important to local history, architecture, and culture in that it contributes to our understanding of Park City's Mature Mining Era (1894-1930) and documents settlement patterns, building materials, construction techniques, and socio-economic makeup.

21. The Essential Historic Form is depicted in the late 1930s historic tax photograph and can be seen in relation to the photo on page 25.

22. There is evidence that W.A. Simmons lived in the house, and he is recognized as notable to Park City's history.

23. The structure is in its original location.

24. No additions obscure the Essential Historic Form when viewed from the primary public right-of-way. There are no changes in pitch of the main roof of the primary façade and no additions of upper stories or removal of upper stories.

25. The analysis of the report is included herein with the new evidence.

Conclusions of Law – 632 Deer Valley Loop

1. The existing structure located at 632 Deer Valley Loop meets all of the criteria for a Significant Site as set forth in LMC Section 15-11-10(A)(2) which includes:

(a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

(c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

1255 Park Avenue – Carl Winter’s School Remodel and Addition
(Application PL-13-02117)

Assistant City Attorney McLean remarked that it was unusual for the Historic Preservation Board to participate in the Design Review Process. She recalled that the last time was with the Museum several years ago. Ms. McLean explained that the HPB was being asked to look at the design review and provide input so the City, as the owner, could consider their viewpoints. She understood that it could be confusing when the City is the applicant and also the administrator of the guidelines. In this case the City was wearing two hats; and the HPB was being asked by the owner to participate in the design review.

Chair Kenworthy clarified that this was an opportunity for the Board members and the public to provide input to help the HPB formulate a response to the City Council. He noted that the project had not yet been approved. Chair Kenworthy understood that if it was appealed, it would go the Board of Adjustment and not the HPB.

Board Member Melville asked about the timeline. She understood that the Library was already closed and the books were moved out and that construction had already started. She wanted to know why the historic design review was so late in the process.

Chair Kenworthy believed the Staff would answer many of the questions in their presentation.

Planner Ryan Wassum presented the timeline over the past year. On March 28, 2013 the City Council agreed on the scope and budget for an expanded Carl Winter's Building. On September 5, 2013 the City Council directed the HPB to participate in the design review of the Library remodel and addition as outlined per the LMC. On November 23, 2013 and March 19, 2014 the applicants attended a pre-application conference for the HDDR process. April 18, 2014 the HDDR application was submitted to the Planning Department and was deemed complete on that date. On May 1, 2014 the required HDDR public hearing was held. Today, May 21, 2014, the HPB has the opportunity to provide design comments for the City Council.

Planner Wassum noted that the Planning Department must make a decision on the HDDR by June 16, 2014, which is within the initial 45 days. The appeal process would be ten days following final action for approval or denial. The appeal would be scheduled per the Board of Adjustment time frame.

Chair Kenworthy dispelled the comments that the project was approved and construction had started.

Planning Manager Sintz explained that this project required a Master Planned Development. The original MPD for the Library was approved in 1992 and they came back for modifications. That final approval was granted by the Planning Commission on December 11, 2013. She commented on two exhibits in the Staff report. One was a letter from Jim Telford dated January 24th, which she recalled was in response to the MPD report because the HDDR application had not yet been submitted. The second exhibit was a letter that was solicited from Steve Swanson in regards to the Utah Heritage Foundation. Based on the date, Planning Manager Sintz believed that the report provided to the Utah Heritage Foundation also related to the Master Planned Development drawings and not the HDDR application.

Planning Manager Sintz noted that the owner's representatives were present this evening and they would walk the Board through a discussion that occurred in January when the City Council put a hold on the project to re-evaluate the site. It greatly affected the timeline as to when the HDDR application was actually submitted.

Board Member Melville stated that because the process had progressed so far and appeared to be on the road to approval, she felt it was too late for the HPB to participate or for their comments to have any impact on the project.

Jonathan Weidenhamer, the Economic Development Manager for the City, and a representative for the applicant, replied that the HPB would have impact on the project. When the HPB was asked to participate in the Museum process their input was taken seriously by the City Council. Board Member White was on the Board at that time and he recalled that changes were made based on HPB input.

Mr. Weidenhamer understood that the process was not ideal from the standpoint of timeline. When they were asked to revisit the scope and the site in late December, the timeline was delayed because it took several months before the City Council re-affirmed the commitment to the adaptive reuse of this building with the Library as the centerpiece of the development area. Mr. Weidenhamer stated that a couple more months of scope was added to the project to make it more green and more sustainable. It also took 9 weeks to do the construction documents required for the HDDR. Mr. Weidenhamer recognized that the process was not perfect and it has added a lot of stress to the project and deadlines. However, he was optimistic that the process would continue to go well and that they were moving in the right direction. They have worked very closely with Staff and consistently within the guidelines.

Mr. Weidenhamer stated that the comments and opinions expressed by the HPB would be presented to the City Council at their first meeting in June. They have already spoken with the Building and Planning Departments regarding the scope of work involved. He did not believe that potential changes recommended by the HPB would hinder the timeline or cause substantive changes to the exterior. Mr. Weidenhamer clarified that when the City Council gave the authority to move forward with the project they were clear about wanting to hear HPB input as a second opinion.

Planning Manager Sintz stated that if there could be consensus from the HPB on specific comments, Mr. Weidenhamer could take those to the City Council. The Board would be notified when that occurs. Their comments would also be reflected in the minutes from this meeting.

Mr. Weidenhamer introduced Matt Twombly, the project manager for the City, and noted that Mr. Twombly was involved with the library addition for the City in 2004. He also introduced Jasmina Jusic, the Development Services Librarian, and Kevin Blaylock the project architect. He provided a brief summary of Mr. Blaylock's accomplishments and professional expertise.

Kevin Blaylock, the project architect, stated that his firm was commissioned by Park City and the Library in January 2013 to begin this project. He outlined the process and the approach that led to where they were today. Mr. Blaylock stated that in March 2013 they started the public input process to determine the types of materials that the public had deemed acceptable for the addition to the library, as well as the program components of the library. At the same time they conducted a process of analyzing the project to determine whether to add a small, medium or large addition, or whether they should find a new piece of land and build a brand new library to avoid some the challenges of remodeling the existing Library. After looking at the construction timeline costs and the City goals, they decided on a smaller addition and an interior remodel, which was the current proposal being presented this evening. Mr. Blaylock stated that through that process they shared their design in back and forth dialogue with the City Council, the Planning Commission, the Steering Committee, the Friends of the Library and the Library Board to keep their finger on the pulse of the community. The approach incorporated the Library goals and the City goals, which included respect for the historic building, reveal more of it if at all possible, and comply with the Department of Interior Guidelines for historic places.

Mr. Blaylock stated that the project objective for the Library is to create a 21st Century library and to develop a stronger civic identity. He pointed out that a 21st Century library has nothing to do with design or appearance. It is about programs, functionality, and how it works within the community and for the community as a civic hub. The building programming consists of a number of new areas and new offerings to the public. It has to be Code compliant and part of that is being successful in meeting of all the ADA requirements.

Mr. Blaylock provided a brief history to re-familiarize the Board members with the Library building. He provided a slide showing the footprint of the structure in the early 1900's. It is a four-sided building and the front is slightly buried by the parking lot. The two entry points on each side were originally exits for the High School. In 1992 a three-story addition was added that started to wrap around the building. In some areas it did not respond well to the historic fabric of the building. Since then a shuttle stop and other civic amenities were developed in the area. Mr. Blaylock stated that part of the challenge was to capitalize on these site opportunities. One challenge was to find a way for the Library to create a strong civic presence and to act as an anchor for the Lower Park Avenue master planned development.

Mr. Blaylock stated that they started to look at opportunities to link the public skate park and the City Park and connect all the different icon city elements to the Library. They thought about creating a pedestrian walkway that gathered everyone and brought them to the new front door of the Library. Mr. Blaylock noted that along this timeline, as part of the MPD process and public feedback, they originally had the new building entry on the east historic face. After working

with the Planning Commission changes were made and the entry is now set back approximately 22 feet from the building face.

Mr. Blaylock indicated the location of the shuttle stop and the pedestrian crosswalk which lends itself to working more favorably with their proposed solution. He stated that the intent was to create a single cohesive addition. Therefore, they explored ideas for removing all or a portion of the 1992 addition and reveal more of the historic character of the building. Mr. Blaylock reviewed slides of the building and noted that there were prominent historic components that responded to the historic building, but they did not believe the components contributed to the historic fabric of the original structure. In comparing the historic front side of the building on the east with the north side of the building, they could start to see the L-shaped piece that was added in 1992 that covered up a large portion of the historic structure in the back. He indicated two windows that he believed were in place with the original construction.

Mr. Blaylock reviewed the current proposal, which included removing the 1992 addition all the way around the back of the building and to reveal what it was originally. He stated that they were able to achieve all of the program requirements of a 21st Century Library and the community multi-purpose event space, and still reduce the footprint to help reveal some of the historic fabric.

Mr. Blaylock presented images to show the context and mass.

Mr. Blaylock stated that the materials pallet was derived from the building, as well as materials that are found in the immediate context. Two primary building materials were shown. One was zinc, which is a dull matte metal that has been used for centuries in Europe. The second was a real wood siding product that was developed in Europe and has some reference to historic Park City. They chose zinc for its longevity and sustainability, but also because the gray tone was a way to imply the gray concrete base of the building without replicating it. It was also more affordable.

Mr. Blaylock reiterated that part of the goal was to create a multi-purpose, multi-use library. He indicated the portion of the Library that, in addition to being the entry, would also serve for after-hours uses. The Library itself could be secured even if the remainder of the building is being used for other events after the Library closes. That led to the opportunity of creating an active zone that activates the park and provides a place for social gatherings.

Board Member Holmgren referred to the checkerboard in front of the glass on the north side and asked about the material. Mr. Blaylock replied that it was a concrete terrace. Board Member Holmgren asked if he had considered using granite for the terrace like they were doing for the sidewalks on Main Street. Mr. Blaylock replied that they were dissuaded from using granite due to maintenance

issues. They also need to respect the budget they were given for this project. Board Member Holmgren thought the granite material had worked well on Main Street. Mr. Jonathan stated that they would like to do granite but it was not affordable.

Planning Manager Sintz reported that early in the process the owner group talked about the subordination of materials and making sure that the materials used in the historic portion of the building remained the dominant features. The concrete was dressed up with the scoring pattern, but they were very cognizant that it is a secondary, subordinate, less important addition. They were asked to respect the original library and not use materials that would be termed "nicer" than what the original structure had.

Board Member Holmgren understood the concerns, but she thought it was very impressive that they could put those types of sidewalks and curb and gutter in Main Street Old Town. She believed it was all American granite. Board Member Holmgren clarified that she only mentioned it as a suggestion.

Mr. Blaylock reiterated that one of the challenges was to create a more sustainable building. As they construct buildings now days, they typically create a structure that they add insulation to, and then put cladding over the top. However, they do not have that opportunity with the Library building. Instead, they have to strip away the interior components and add insulation and make the walls fatter on the inside. Mr. Blaylock noted that all the windows were changed out in 1992 and they had done a good job matching the existing historic windows that were in place in the early 1900s. He stated that a few of the windows would be replaced on the back where the brick that was covered up would be exposed. Mr. Blaylock noted that in 1992 the stair tower off the back of the building was removed and it was patched with gray concrete. They found the existing brick in the basement of the building and they plan to use as much of that brick as possible for infill. Mr. Blaylock explained how they also intend to expose some of the existing historic brick walls in the study rooms on the second floor, and have natural light coming in from the west off Norfolk.

Planning Manager Sintz asked Mr. Blaylock to summarize the discussion they had with City Council regarding the energy efficiency and the desire to modify the roof form to get a higher efficiency rating, but still retain the historic roof. Mr. Blaylock remarked that currently there was no insulation in the building. He reiterated his previous explanation on how they plan to insulate the walls to be more energy efficient. He noted that the same exploration needed to be done on the roof. Mr. Blaylock stated that currently the building loses energy through the roof and that allows snow to melt. The roof was reinforced in order to add insulation so it would support the required snow load and still maintain its historic character. Mr. Blaylock stated that in 1992 swamp coolers were added to the roof and they are visible from Norfolk and up the hillside. Those swamp coolers

were removed in the image he presented because they would be replaced with a high-efficiency mechanical system.

Mr. Weidenhamer noted that the City Council had to wrestle with their goals of being sustainable versus the policy for historic preservation. They asked the City Council to make a priority decision and it was unanimous that historic renovation on both the interior and exterior was most important. Therefore, they decided to pursue a LEED certification as opposed to Energy Star certification. Mr. Weidenhamer believed they were very close to achieving LEED Silver standard.

Planning Manager Sintz stated that when the City Council called time-out on the project to look at all the options, there was a hard discussion on the fact that per the newly adopted general plan, one of the greatest forms of preservation is adaptive re-use. She believed that utilizing this building in the lower Park Avenue area was a long-term commitment by the City Council to look at adaptive re-use of the City's historic structures. It could also be used as an example for future economic development. Planning Manager Sintz thought this was an exciting project, particularly with the ability to have LEED certification with a Landmark structure. She recalled from public input documents that the desire for this building is to be listed on the National Register. Planning Sintz believed there was a strong commitment from the City Council to move that process forward once the renovation is complete.

Mr. Weidenhamer stated that one of the primary goals for the project, and driven by the library programs, was to identify an entry way into the Library. He believed that had been accomplished. Working with Staff, preservation consultants, and an experienced architect they were able to modify the design based on input, and to subordinate the new entry way. He pointed out that the City Council has a commitment to a community center; and there are already community tenants in the building that use the traditional and historic entryway. He recognized that the entry has been split up and the main entrance to the Library would be focused on the north end. The rest of the community uses would continue to use the main historic doors. He thought it was a good balance of community goals and Council goals over the Library program. It also highlights the commitment to authentic community fabric. Mr. Weidenhamer believed the proposal was consistent with the City Council goals and the current guidelines.

Chair Kenworthy liked the proposal. He asked if the entrances would be seasonal entrances or used for the different uses inside the building. Mr. Weidenhamer replied that the entrances would continue to be open as they are today. Chair Kenworthy asked if people could access all aspects of the building through those entrances or if it would be partitioned for specific uses. Mr. Weidenhamer stated that people would have full access to the building through those entrances.

Mr. Blaylock clarified that in an effort to address the security of the Library, people entering through the stair tower entry might encounter another set of doors.

Board Member Crosby asked about security surveillance. Mr. Twombly stated that currently there were 12 to 15 cameras in and around the building. There is a desire to enhance the security with additional cameras and additional door security.

In looking at the new view from Park Avenue, Board Member White liked the fact that the total original building seems to be maintained. He thought it was a good idea to have the entry on the north end and to keep the original stair towers. Board Member White liked how the height of the addition on the north side was the same height as the concrete base with the same color. He assumed the dark brown on the west side and the north side was a wood material. Mr. Blaylock replied that he was correct. Board Member White asked about the maintenance and longevity versus using another material. He suggested the possibility of using a more sustainable material in the same dark brown that was shown.

Mr. Blaylock explained that the proposed material is a real wood veneer with a protective film that is laminated on to a resin backer. It is insect and rot resistant and it will not warp or fade like real wood, even though it has a real wood face. The upkeep is minimal. Board Member White asked about if the ultra-violet would fade. Mr. Blaylock stated that it has a ten year warranty against fading. The color may eventually lighten a little beyond its ten year mark, but it would always look like brown wood. Mr. Blaylock noted that they were still exploring a completely synthetic material as another option. The material is all manmade but it has the same look.

Board Member White supported what was being proposed for the project.

Board Member Holmgren referred to the north side and asked if anything was planned for the area above the new entrance. She asked if they would consider a roof garden. Mr. Blaylock stated that they intent to put in a decorative gravel mulch. The portion on the corner would be an outdoor reading terrace that comes directly off a reading room on the second floor. Mr. Weidenhamer noted that the unusable portion was driven by the budget. He explained that there would not be enough structure underneath to support a rooftop garden.

Director Eddington asked if the balcony on the upper level would be usable. Mr. Blaylock stated that it was originally intended to be usable in the original adaptation; however, budget constraints forced them to remove that amenity.

Board Member Melville asked why the 1992 addition was being removed, since it would result in losing space. Mr. Blaylock replied that most of the space was stage wing and storage space on the third floor. The storage needs were accommodated with a more efficient plan and the wing space that was used for theatrical productions is no longer necessary for film productions. He believed it was a worthwhile sacrifice to remove the addition in order to attain more of the historic nature of the existing building.

Board Member Melville asked why they would not just remove the top level of the addition because doing that would achieve the same amount of exposure they are getting with the new addition. She wanted to know why they would not leave the brick of the addition in the back and on the sides rather than rebuild it. Mr. Blaylock explained that they wanted to make sure that the addition looked consistent all the way around the building to avoid a piecemeal look with the existing historic structure, a 1992 addition and a 2014 addition. Secondly, the 1992 addition does not conform with the current structural codes and requirements. The amount of retrofit work required to punch openings and add insulation involved more work and expense than if they removed the addition and started with new construction.

Board Member Melville thought the view was jarring, particularly the north side driving down Park Avenue. She noted that the old addition was brick and the new construction is a slick composite and zinc. She did not like the appearance of two new materials tacked on to an old building or the different levels and heights of various materials and colors. In her opinion, the zinc wall looked like a penitentiary wall going around the building. Board Member Melville was looking for harmony within the entire building, but instead she saw a number of different pieces.

Board Member Melville asked if an assessment had been done to determine whether this proposal would affect the National Register eligibility, which was a condition of approval for the project. Mr. Blaylock replied that nothing proposed would hamper or restrict National Register eligibility. In his view and that of the historic consultant, they were doing everything to promote the ability for the building to be recognized for the National Register.

Board Member Melville asked if an analysis had been done by a professional consultant to verify that it would meet the requirements for the National Register. Planning Manager Sintz pointed out that the Historic District Design Guidelines are based on the Secretary of Interior Standards, and the whole process for HDDR and the universal guidelines is based on that process. The architect and the owner representatives have been meeting with Staff to go through the different analyses. Based on the process, Ms. Sintz was confident that the proposed project would be eligible for the National Register; otherwise, it would undermine the entire Historic District process.

Board Member Melville believed there were a number of areas where the project did not meet the historic design guidelines. If the project is built to the plans presented, she preferred to have it analyzed now rather than after it is built. Board Member Melville strongly encouraged an analysis of whether this project would meet the requirements to be eligible for listing on the National Register as part of the approval. She felt it was very important to have that confirmed before they move forward. Board Member Melville had read the letter from the Utah Heritage Foundation regarding the placement of the primary entrance. The letter states that the secondary entrance is fine when needed for ADA compliance, but the proposal to include a new exterior entry separate from the building runs counter to accepted preservation philosophy, which recommends that historic entrances continue to be used as primary entrance. She thought that was an important factor that had not been addressed.

Planning Manager Sintz noted that she had clarified earlier in the meeting that the Utah Heritage Foundation letter was in reference to the MPD drawings. She remarked that the Staff had the same concern and the entrance was moved back 22 feet because of the comment in the letter that Ms. Melville had referenced.

Board Member Melville pointed out that it was still meant to be a primary entrance. Ms. Sintz replied that it would be a primary entrance for the Library but not necessarily for the building. She thought it was important to understand the different functions occurring in the building. If the entire structure was just a library she could see where the entrance might be a concern.

Director Eddington referred to the rear façade and asked if there was a reduction in mass on the west side. Mr. Blaylock replied that it was a three story brick volume along the residential street. He recalled that one of the Planning Commissioners had asked if there was a way to break down the scale to make it more compatible with the residential neighborhood. Mr. Blaylock reiterated that it is a four-sided building with different activities on all four sides. That was one reason why they looked at breaking it down a little. In addition, the City has a requirement to break up continuous expanses with separation or stepping. Director Eddington noted that the reduction on the back was significant.

Board Member Melville emphasized her request to have a professional historic preservation consultant look at the drawings and provide guidance to assure that the building would not lose its ability to be listed on the National Register. Planning Manager Sintz offered to pass her suggestion on to the City Council.

Board Member Vance stated that according to MPS.gov, the Secretary of Interior standards for rehabilitation, presentation, etc., encourages an addition that does not imitate the historical structure. He believed that standard would qualify the Library for Landmark status on the National Register. Board Member Vance

remarked that he personally thought the Department of Interior was completely wrong. Just because something is law does not mean it is right. He thought the real issue was how to break up a façade. Commissioner Vance agreed that the addition looked like a brick wall. However, the system of columns, window placement, fenestration and the order of the building broke it up in such a way that the mass did not appear large because it was broken down. Rather than breaking it down into smaller masses, he preferred to see something that stays with the continuity of the order of the existing structure and breaks it up in the same order as the original structure using like materials. At the same time, they could make it modern in accordance with the Secretary of Interior standard to keep its historic status. Board Member Vance outlined some of his issues with the proposed design. He thought the wing that comes out further on the north wall should align. He was also unsure how the bottom as shown relates to the existing building. Board Member Vance stated that he personally likes to see historic additions on historic structures, recognizing that his opinion did not agree with the Department of Interior.

Chair Kenworthy noted that a historic addition would not satisfy the goal of keeping it as a Landmark structure. Board Member Melville thought it could be done and still keep its historic status. She noted that the Marsac Building was renovated without adding additional pieces and different materials. She did not believe the finished product would have looked nearly as good if those things had been added. Board Member Melville suggested that they renovate the Library in a similar way as the Marsac Building.

Mr. Weidenhamer stated that the Marsac Building already lacked needed space when it was completed, and the City plans to do a \$100,000 interior remodel within the next month because they are out of space. He noted that the City was very close to walking away from the Library building for the same reason; however the City Council revisited the issue and re-committed to the adaptive re-use knowing that space would be an issue. Mr. Weidenhamer felt it was time to find the balance and understand that there are trade-offs when committing to the re-use of a 1922 building.

Board Member Melville clarified that she favored adaptive re-use of the Library because it is a wonderful building. The question was how to do the exterior. Board Member Melville outlined areas where she did not believe the proposal met the design guidelines. She read, "Additions should be visually separated from historic buildings when viewed from the public right-of-way." She did not think the new entrance was removed from the building by a transitional element. Board Member Melville further read, "Window shapes and patterns found on the historic building should be reflected in the new addition." She noted that the windows on the north side looked nothing like the historic building.

Board Member Melville read from Guideline D2.1, General Compatibility, "Additions should complement the visual and physical qualities of the historic buildings." In her view, the addition of the zinc banding that wraps around the building, and the wood component on various heights in no way complemented the physical and visual qualities of the historic building. She read from D1.2, "Additions should be visually subordinate to the historic buildings when viewed from the primary public right-of-way." Board Member Melville remarked that the proposed addition was so different that it was jarring and it would overpower the rest of the building.

Chair Kenworthy asked if Board Member Melville thought the addition provided the functionality for what she would like to see in the community. Board Member Melville replied that it might flow better if the addition was separated a little more and there was less variety of materials. She was bothered visually by the different heights that do not relate to the old building. Chair Kenworthy asked if Ms. Melville liked the functionality of the indoor/outdoor space. Board Member Melville stated that indoor/outdoor is always nice, but she believed it could be achieved in ways other than what was proposed.

Board Member Holmgren doubted that there were many people drive up and down Park Avenue more than she does. She comes home from the grocery store south on Park Avenue and she starts looking over there right away to see who is out with their dog or she starts looking for a parking place. With the mature greenery, the front entrance is not noticeable until you reach the front of the building. She looks at that building every day and realizes the contrast from when she moved into her house in 1991. At that time someone was filming a ghost movie there and the City was getting ready to tear down the building. Six weeks after she moved in the City decided to save the building and refurbish it. She visits the Library building every day and sometimes twice a day because it is a gorgeous structure. Board Member Holmgren pointed out that before even reaching the building you have to pass the unattractive condominiums that stick up to the end of the parking lot, the parking lot itself, and then the trees.

Board Member Melville noted that the trees on the north side would be removed with the construction. Board Member Holmgren understood that the trees would be replaced. Mr. Weidenhamer clarified that four trees would be removed and replaced.

Board Member Holmgren thought the architect had done a great job designing the project, and that the mature landscaping softens the look. Her primary concern was parking generated by increased use and capacity. Mr. Blaylock stated that approximately seven parking stalls would be lost to add more green space. Planning Manager Sintz recalled that because this is a high-use for public transit, the Planning Commission had requested a thorough analysis of the parking and found it to be acceptable for the other amenities. Board Member

Holmgren pointed out that with the current parking on a movie night, there is no room for emergency vehicles to get in if necessary. Ms. Sintz understood that there were parking issues with special events. Ms. Holmgren stated that besides the Library parking lot, the problem extends to the Mawhinney lot across the street and people parking in private yards.

Mr. Weidenhamer stated that language from the original 1992 MPD carried through stating that when an event reaches a certain size, a threshold is reached where there are additional requirements set by the Building Official and Fire Marshall. Director Eddington recalled language about a connection to the Mawhinney parking lot. Mr. Weidenhamer replied that the Mawhinney parking lot is required to be kept as parking for the use of the building.

Chair Kenworthy asked for the net gain or loss of square footage. Mr. Blaylock stated that they were gaining approximately 2400 square feet of net space. Chair Kenworthy pointed out that they were gaining interior space and losing seven parking spaces.

Board Member Crosby asked if they had considered replacing or relocating the lost parking spots. Mr. Twombly stated that the biggest issue with parking was the use from the 1992 MPD. At that time there were two pre-schools and the University of Utah, in addition to the film series and the Library. Those schools, including the U of U, have all gone away. The uses include the Library, the new preschool, and the Film series. Because of the reduction in uses and the number of people using the building at one given time, a parking reduction was warranted.

Board Member Bush noted that there was a small parking lot on the north side of the athletic field that could easily accommodate eight additional spaces. Mr. Blaylock remarked that parking was heavily discussed at both the Planning Commission and City Council levels. Ultimately, both groups wanted to be more sustainable and promote a more walkable community. They felt that with the site development and connecting the pedestrian trails, people should be able to park at point A and get to point B without getting back in their cars.

Board Member Holmgren stated that it was a lovely game plan but it would never happen. She favored Board Member Bush's suggestion about adding parking to the lot at the north end of the athletic field.

Chair Kenworthy opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside Avenue, thought the plan was gorgeous. She liked the separation on the north side and how the height was diminished and stepped back. She liked the different materials. Ms. Meintsma thought the way they did the exposure at the back was beautiful. She stated that

a lot of the homes look down on roofs and she was pleased that they had made the roof of this building pleasant to look at. Ms. Meintsma thought the zinc wall in the back had a curvature element to it. She remarked that the addition is very different from the historic and it was broken up by the brown color and the zinc. She believed they were different enough that the historic building blooms out of the new addition. It gave it a stage to stand on. Ms. Meintsma stated that her comments were strictly her personal opinion as a neighbor but she thought the project was exciting.

Chair Kenworthy closed the public hearing.

Chair Kenworthy asked the Board for their final comments.

Board Member Vance clarified that he and Board Member Melville thought the proposal presented was very jarring. They would like to see an addition that is more harmonious and compatible in materials, and one that follows the historic order of the building rather than be the focal point.

Board Member Melville stated that her concern was whether it continues to be a Landmark building and whether it meets the criteria of the Code 15-11-10(A), Landmark Sites, 1(b), "that it retains its' historic integrity in terms of location, design, setting, materials, workmanship, feeling and association." She did not believe this addition was what it could be in terms of accomplishing all of that. Ms. Melville had concerns about jeopardizing the Landmark status and its listing on the National Register of Historic Places. She would like to see a good opinion from a certified professional as part of what goes to the City Council.

Chair Kenworthy stated that he would like to see a parking and transit plan to see how the plan supposedly works. He had concerns with having a multi-purpose building centered around a City Library, with an extended 2400 square feet and less parking.

Board Member Crosby commented on the additional 2400 square feet, and she wanted to know the parking ratio per thousand square feet. Planning Sintz stated that the ratio was analyzed for the Planning Commission in the MPD. She could not recall the facts; however, it did meet the criteria. Board Member Crosby recalled that it was three spaces per 1,000 square feet. Ms. Sintz replied that the ratio is based on the type of use. She noted that an MPD has the ability to modify parking after going through a specific analysis.

Board Member Crosby referred to the north side and asked which parts specifically would be removed and when they were built. She was told that it would be all of the 1992 addition. Ms. Crosby understood that it was being replaced with the zinc covered wall. Mr. Blaylock replied that most of it would be replaced with the wood clad material. Ms. Crosby referred to the west elevation

and indicated the mature trees around it. She thought the zinc wall appeared to be a long span without a break and asked if there was a way to break it up. She commented on the bump outs on the southwest side of the original building and asked if there was a way to reflect something similar to that in the zinc wall to break up the expanse of straight zinc.

Mr. Blaylock reported that the zinc is a panelized product that helps reduce the scale. The wavy pattern shown was a perforation through the metal to show the glass behind the wall, which were the study rooms. The intent was to allow as much natural light as possible. Ms. Crosby felt that was an important fact to know. Otherwise, it just looks like a penitentiary wall. Mr. Weidenhamer stated that when they first walked into the Library with Mr. Blaylock they talked about the glow and vitality of the interior uses and finding a way to let the community know that Library and community events were occurring inside. Mr. Weidenhamer noted that he and Director Eddington had a similar reaction when Mr. Blaylock first proposed the metal. However, as they looked at pictures of applications, they quickly changed their mind. He noted that Mr. Blaylock had included pictures of the zinc application in his presentation, but he had asked him to remove them to avoid confusing the discussion. Mr. Weidenhamer apologized for not providing the pictures.

Board Member White agreed that retaining the Landmark status was the most important issue and they should get a professional opinion to make sure this project would not have a negative effect. He also agreed with the concerns regarding the parking. In terms of the architecture, Board Member White thought Ms. Meintsma's comment about the historic building blooming from the addition was completely accurate. He personally liked the design very much.

Board Member Holmgren reminded them about the parking area on the other end of the dog field. If it belongs to the City they could make it bigger.

Chair Kenworthy asked Jasmina Jusic for her thoughts on the design, as well as the functionality and the expansion of the interior. Ms. Jusic stated that the Library Staff was neutral on the exterior design. Regarding the interior, the plan would improve functionality and allow for an expanded children's area and an expanded teen and tween area. There will be more room for the Library collection and it will allow room for a digital medium lab of appropriate size. It provides flexible space for all types of community events, as well as different types of programming. It also allows the flexibility to keep changing the Library interior as things evolve. Ms. Jusic personally liked the exterior design and she thought it made the historic building stand out.

Planning Manager Sintz summarized a list of items taken from the discussion this evening: 1) Board Member Holmgren would like to see granite on the exterior patio. 2) Chair Kenworthy had raised questions regarding the entrances. Chair

Kenworthy clarified that he liked all the entrances, including the new entrance. It was important to do everything possible to retain the Landmark Status and the National Register of Historic Places and he believed that could be accomplished with the proposed design. There was consensus among the Board that keeping Landmark Status and the eligibility for the National Register of Historic Places was very important. 3) Board Member Crosby had asked about the surveillance system. She also had questions about the ability to break up the zinc wall and received clarification on that. 4) Board Member White had agreed with the comments regarding the Landmark status and the National Register Status. He liked the views from Park Avenue and that the stair towers were being left intact. He liked the different materials and massing and thought the addition was subordinate to the historic. Board Member White had questions on the durability and maintenance of the wood material. 5) Board Member Holmgren had asked about putting a roof garden over the new entry. 6) Board Member Melville had a number of concerns and felt that the materials and the different levels and heights were jarring. She thought there was lack of cohesiveness. She was concerned about problematic elements of the addition. Board Member Melville felt strongly about making sure that the National Register Eligibility would not be compromised. She did not feel that the entry had been separated. She would also prefer less material components. 7) Board Member Vance had echoed Ms. Melville's concerns. He also stated that he did not agree with the Secretary of Interior standards. Board Members Vance and Melville had made comments about retaining the 1992 addition or utilizing some of the brick material similar to the 1992 addition. 8) All of the Board members expressed major concerns regarding the loss of parking. 9) Board Member Bush had made comments about potentially using the parking lot on the north end of the athletic field to make up the lost parking spaces.

Assistant City Attorney McLean asked if there was consensus regarding the materials. She understood that Board Members Vance and Melville thought the materials were jarring, and she asked if the rest concurred. Board Member Holmgren thought the building was nice looking and she liked the proposed materials. She had attended all of the public meetings and she thought the architect followed a lot of the public input. With the exception of Board members Vance and Melville, the rest of the Board members liked the materials and design.

Assistant City Attorney McLean pointed out that all of their comments would be forwarded to the City Council. She asked about the timeline for presenting their comments to the City Council. Mr. Weidenhamer anticipated that it would be the first City Council meeting in June. Planning Manager Sintz thought the City Council should also have a copy of the minutes from this meeting. Director Eddington questioned whether the minutes could be prepared in time for the June 5th meeting and suggested that it may not be until the June 12th meeting. Ms. McLean asked if Chair Kenworthy would be available to represent the HPB

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at the City Council meeting on either June 5th or June 12th. Chair Kenworthy stated that he would be out of town on June 5th. Ms. McLean requested that Chair Kenworthy choose someone to represent the HPB if he was unable to attend. Planning Manager Sintz would contact Chair Kenworthy as soon as the date was confirmed.

The meeting adjourned at 8:14 p.m.

Approved by _____
John Kenworthy Chair
Historic Preservation Board