



AGENDA

MEETING CALLED TO ORDER AT 5:00 PM

ROLL CALL

ADOPTION OF MINUTES OF October 7, 2015

ADOPTION OF MINUTES OF October 21, 2015

ADOPTION OF MINUTES OF November 4, 2015

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

REGULAR AGENDA – Discussion and possible action as outlined below

Design Guideline Revisions- Character Zones. Staff recommends that the Historic Preservation Board review and discuss current limitations of the 2009 Design Guidelines and provide input to staff regarding the development of character zones.

Discussion item only, no action taken

*Planner Grahn 55
Planner Turpen*

Administrative - Staff recommends the Historic Preservation Board choose one (1) awardee for the annual Preservation Award, select three (3) members to form an Artist Selection Committee, and discuss awarding commemorative plaques.

Public hearing and possible action

*GI-15-02972 71
Planner Grahn*

Legislative - Consideration of an ordinance amending the land management code section 15, chapter 11 and all historic zones to expand the historic sites inventory and require review by the historic preservation board of any demolition permit in a historic district and associated definitions in chapter 15-15.

Public hearing and possible recommendation to City Council

*PL-15-02895 107
Planner Grahn
Planner Turpen
and Planning
Director
Erickson*

ADJOURN

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF OCTOBER 7, 2015

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

EX OFFICIO: Bruce Erickson, Anya Grahn, Hannah Turpen, Makena Hawley; Polly Samuels McLean, Louis Rodriguez

ROLL CALL

Chair White called the meeting to order at 5:00 p.m. and noted that all Board Members were present.

PUBLIC COMMUNICATIONS

There were no comments.

ADOPTION OF MINUTES

September 2, 2015.

MOTION: Board Member Holmgren moved to ADOPT the minutes of September 2, 2015 as written. Board Member Hodgkins seconded the motion.

VOTE: The motion passed unanimously.

September 16, 2015

Board Member Beatlebrox clarified a comment she had made. She referred to page 31 of the Staff report, the last sentence in the second paragraph. The Minutes read, "She pointed out that miner's shacks were the original affordable housing." To clarify her intent she added, "and it would be valuable to have the existing buildings continue to be affordable housing."

Board Member Holmgren referred to page 35 of the Staff report, the paragraph beginning with Board Member Melville, "Ms. Melville pointed out that if they were not looking at these minor demolitions they would have a reason to meet." Ms. Holmgren corrected the sentence to say, "...would **not** have a reason to meet."

MOTION: Board Member Beatlebrox moved to APPROVE the minutes of September 16, 2015 as corrected. Board Member Hewett seconded the motion.

VOTE: The motion passed unanimously.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Board Member Stephens announced that he would be leaving the meeting at 6:30 this evening.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

CONSIDERATION OF AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE SECTION 15, CHAPTER 11 AND ALL HISTORIC ZONES TO EXPAND THE HISTORIC SITES INVENTORY AND REQUIRE REVIEW BY THE HISTORIC PRESERVATION BOARD OF ANY DEMOLITION PERMIT IN A HISTORIC DISTRICT AND ASSOCIATED DEFINITIONS IN CHAPTER 15-15.

Director Bruce Erickson thought the Staff report reflected the progress the Planning Staff was making on the Ordinance. The ultimately goal is achieve a recommendation from the Historic Preservation Board to the Planning Commission, who was the next review body. The Planning Commission would eventually forward a recommendation to the City Council to adopt the Ordinance. Director Erickson anticipated that the process would move forward into December.

Director Erickson noted that some parts of the Ordinance were complicated and other parts were straightforward. He stated that the Staff had done extensive benchmarking against other Historic Preservation Codes from Crested Butte, a location in Indiana, Breckenridge, Salt Lake City and Denver.

Planner Grahn reported on five items for discussion:

- 1) The Staff was recommending a third category for Historic preservation. In addition to the existing Significant and Landmark status, the third category would be Contributory. Buildings that would be considered Contributory would be 40 years old. They would be compatible to the streetscape due to mass and scale, architectural design or other features or materials. The building might have had substantial alterations, but the overall form would still be intact and they contribute to the rhythm and pattern of the streetscape.
- 2) Redefining the definition of demolition. The LMC currently provides a demolition definition; however, they want to include the ANSI definition so it is expanded to include dismantling, razing or wrecking of any fixed building or structure.
- 3) Demolition Permit Review. At previous meetings the Staff heard from the HPB regarding the amount of demolition reviews they would like to do. The Staff was proposing that a full Historic District Design Review application would still

come to the HPB. Smaller items such as a dryer vent would be approved through a Historic Preservation Boards waiver letter.

4) Noticing. Currently, there the City does not have a noticing requirement for items that come before the HPB for demolition review. The Staff was proposing to include in the LMC Amendment a requirement for a 14 day mailing notice and property notice sign, which is consistent with the Historic District requirement for an HDDR application.

5) Demolition by Neglect. The City currently does not have a Demolition by Neglect Ordinance. Other cities in Utah, including Ogden and Salt Lake, have that ordinance. It requires a minimum standard of maintenance, as well as a policy that would allow the Staff to enforce demolition by neglect and identify it when it is occurring. A Demolition by Neglect Ordinance in Park City would also include mothballing, which means securing the building so it would be rehabbed at a later date. The primary intent of the ordinance would be to create a minimum standard of maintenance to keep the structures from falling into disrepair. It would also prevent so many panelization projects from occurring because they would be maintained throughout their life rather than falling into neglect and decline.

Board Member Melville asked how a new status of Contributory Site would tie into the Code. Planner Grahn replied that Landmark and Significant designations would still be determined based on the current criteria. Contributory structures would have a lesser amount of integrity but there would still be historic materials and it would contribute to the streetscape overall. Director Erickson stated that the purpose of the third category allows the City to keep the integrity of the designation list, but also inventory structures that are important in the neighborhood and possibly make them eligible in the future for grants. Director Erickson noted that a proper inventory would help them do a much job of dealing with neighborhood compatibility because the structure would be identified and reviewed under the guideline. Director Erickson remarked that the Contributory category is consistent with the other locations they benchmarked against.

Director Erickson pointed out that at this point the Contributory structure would not impose additional regulatory requirements on the owner; however, that could change if they wanted more regulation.

Board Member Melville asked how adding the Contributory sites would affect the pending ordinance. Mr. Erickson stated that once it is included in the language, the Contributory sites would be regulated as they currently regulate under the pending ordinance. Ms. Melville asked if making changes to the pending ordinance would change the effective date of this ordinance from when it was first announced.

Assistant City Attorney McLean replied that it would not change the date. She explained that a provision under State law states that an applicant is entitled to approval if their application meets the requirements of the Code, except if the Municipality has introduced an ordinance which changes those requirements prior to submitting their complete application. Ms. McLean remarked that the trigger date is effective for 180 days and everything is put on hold during that time to give the Staff the opportunity to create the ordinance without having applicants try to rush through applications before the ordinance is adopted.

Board Member Melville wanted to make sure that things would not fall through the cracks if the pending ordinance was changed. Ms. McLean stated that the pending ordinance would still be in effect and anything that was captured under the original pending ordinance should continue. However, if additional items are added after the pending ordinance was introduced, that would then become the pending ordinance and the public would be noticed. Ms. Melville clarified that the changes would not affect the requirements and the effective date of the pending ordinance, and that the pending ordinance would not be affected by a proposed change such as the Contributory language. Ms. McLean replied that she was correct.

Board Member Beatlebrox liked the Contributory category because it anticipates that these particular buildings will be 50 years old and would probably be on the HSI. It also puts them on the HSI ten years earlier as a Contributory structure. Ms. Beatlebrox pointed out that many of the old A-frame ski chalets would automatically be placed in the Contributory category and she wanted to know how that might affect those owners. On one hand it could help the owners pursue grants, but it could also put a burden on the owners if they could not expand an A-frame structure. She asked if the Staff had looked at the number of A-frames that would become contributory and what affect it would have on the owners.

Planner Grahn noted that approximately three to five A-frames were demolished this year. She recalled that there were approximately nine A-frames left. Planner Grahn stated that this was an opportunity for A-frame owners and other ski era architecture to come forward and be considered contributory. The Staff had discussed the issue and it was a challenging question in terms of whether those structures contribute to the look of the Mining Era or the Ski Era. Planner Grahn believed the language as drafted would allow the Staff to identify the structures. If any of the structures receive grant funds they would move into the Significant category. If the owner chose not to receive grant funds or wanted to demolition the structure, they would still have some flexibility to do so.

Director Erickson clarified that a Contributing classification was an inventory and a record but it was not an automatic nomination to the Historic Sites Inventory.

The nomination would still come from the Staff. Board Member Beatlebrox was comfortable with that clarification.

Board Member Hodgkins asked for clarification on whether it was 40 years or 1975. Planner Grahn replied that the goal is 40 years. Director Erickson explained that 1975 was written in the original pending ordinance to make sure there was a hard date. When the ordinance is modified the 1975 date would be changed to 40 years when they make the LMC changes.

Director Erickson had asked the Staff to provide the LMC changes in text form before they come back with the redlined form. For that reason, the Board would not see redlined changes until the Staff makes sure that all of the points and comments by the HPB and the Planning Commission are correct. The HPB would not see the redlined update until the Planning Commission has at least one meeting to discuss the ordinance. He hoped to have recommendations from the HPB this evening to carry forward to the Planning Commission meeting on October 14th.

Board Member Melville noted that the information the Staff heard from the experts, including the group from Denver, was not included. The HPB had some knowledge of those discussions, but she questioned whether the Planning Commission would have enough background to consider Contributory status based only on the small paragraph written in the language. Director Erickson stated that the Planning Commission was looking to the Historic Preservation Board and the expertise of the Planning Staff for the needed information. He did not believe the Commissioners were willing to drill down into historic preservation. Director Erickson noted that the Planning Commission is responsible for looking out to the greater community to see what implications the contributory sites would have on the historic districts and throughout town.

Board Member Melville asked the Staff to explain a little more about Contributory Sites and how other jurisdictions consider contributory sites and why.

Planner Grahn thought it was important to note that other historic districts might have Landmark or Significant sites, but most jurisdictions base their designation off of the National Register surveys. For example, most of the homes in the Avenues area or the Sugar House area in Salt Lake are bungalows. If the bungalow has had a lot of modifications it would probably be considered Contributory. Planner Grahn stated that the Staff looked at San Francisco's categories because they had more than a typical city. In San Francisco, Contributory was similar to how it was explained for Park City in that it contributes to the look and feel of the streetscape and contributes to the neighborhood's historic integrity. Board Member Melville understood that it was typical in other areas to have the Contributory designation. Planner Grahn answered yes. Ms. Melville asked if Park City has ever had a Contributory

category. Planner Grahn was unsure whether there were designations for structures in in Park City beyond the National Register sites until they established the Landmark and Significant categories for the HSI in 2009. Assistant City Attorney McLean replied that Park City did have building designations prior to the Historic Sites Inventory.

Board Member Stephens believed that Contributory was a way to explain and describe a class of inventory in town without adding additional regulations aside from the review of demolitions. Director Erickson replied that he was correct. It would give the City an inventory and a means of a voluntary look. It also provides the opportunity to extend grants. He noted that it may eventually extend to the ski era homes, and the owner is not obligated on any changes to the LMC. Mr. Erickson remarked that its true purpose inside the Code is a reinforcement of the visual guidelines. He noted that the neighborhood compatibility guidelines are much more rigorous in this ordinance and the Contributory classification defines it.

Board Member Hewett asked if the Contributory category was an encouragement to keep some smaller homes. Mr. Erickson answered yes. Chair White assumed the Contributory designation would primarily refer to buildings with a smaller mass and scale that contribute to the feeling of the neighborhood. Mr. Erickson stated that the during the HDDR review the Staff attempts to look at neighborhood compatibility and requests to see a couple of surrounding structures. Contributory would greatly enhance their ability to regulate for neighborhood compatibility.

Board Member Hodgkins asked if the Contributory category would encompass everything that is 40 years old or whether it would meet specific criteria in order to be considered. Planner Grahn replied that being 40 years old definitely helps; but if the mass and scale of the structure was greatly altered it may not contribute to the look and feel of the streetscape. Mr. Hodgkins asked if the Staff had done an inventory to get a sense of the number of buildings that would be included. Planner Grahn replied that the Staff planned to do an inventory but it had not yet been done.

Planner Grahn stated that the second point was Defining Demolition. The current definition in the LMC was written on page 41 of the Staff report. The Staff was proposing to add **dismantling, raising or wrecking of any fixed building or structure or any part therein** to the existing language. The added language was taken from the ANSI definition. The Board was comfortable with the language.

The third point was the Demolition Permit Review. Planner Grahn noted that the most of the HDDR applications would be reviewed by the Historic Preservation Board as outlined on page 4 of the Staff report. However, if a structure is eligible

for a Historic District Design Review waiver because it is a minor alteration or minor construction that has little to no impact on the historic district, the Staff would retain the right to give administrative approval.

Board Member Melville thought the Board should still review an alteration when it involves historic materials, regardless of whether it is major or minor. Planner Grahn suggested adding language stating that if the building is on the Historic Sites Inventory or the materials are older than 1975, it could require an HPB review. Board Member Stephens thought that issue needed to be addressed. He pointed out that the demolitions the HPB has reviewed in the past few meetings were non-historic structures. He believed it was better to let the HPB review all historic structures even if it is minor as opposed to putting that burden on the Staff. Ms. Melville agreed. She noted that the process could be modified if the Staff and the HPB later realize that an HPB review is not necessary for all historic structures or the historic portion of structures.

Director Erickson was comfortable bringing anything historic to the HPB and to make sure the public knows what applications have been made for historic structures. He thought it was important to update the HPB on the number of permits that were currently in the application process and how many have been issued. The Staff was not allowing a number of permits currently in process to proceed because it may result in demolition, which is a violation of the pending ordinance. Mr. Erickson stated that he and Ms. McLean were still working through how the ordinance works. He anticipated a dozen permits currently in the pipeline in some form or another.

Director Erickson referred to the agenda for this evening and noted that 222 Sandridge had vested rights to move forward and it would not be reviewed by the HPB. Mr. Erickson clarified that the HPB was only seeing minor alterations now because the Staff was withholding other applications while the pending ordinance controls. Board Member Melville emphasized that her preference would be for the HPB to review any application that involves historic materials on a historic building.

Director Erickson was not opposed to placing that requirement on the HSI Landmark and Significant structures, but not for Contributory structures. Board Member Holmgren understood that they were only talking about historic materials and not Design Review. Director Erickson replied that the topic was demolition as defined, which would be altering any of the historic materials and form. He noted that the regulatory powers would also be extended to mining structures and not just homes.

Board Member Melville asked if it was possible for the HPB to see a list of the waivers. She was not against appropriate waivers and thought it would be helpful to have a list. Director Erickson stated that the Staff had that discussion

and he thought it would be an appropriate update for the Manager's report at each meeting. Ms. Melville was comfortable with that approach because it would keep the HPB and the public informed, and they would be able to track the process to make sure the waivers were appropriate.

Board Member Stephens assumed that there would not be a noticing requirement on waiver issues. Planner Grahn replied that he was correct.

Board Member Hodgkins understood that the current LMC definition talks about the exclusion of structures that are being relocated or reoriented. He asked if that would still be an exclusion in the new definition. Planner Grahn explained that currently when a building is relocated or reoriented is it not considered demolition because the majority of the building is picked up and moved. The only demolition would be the foundation if there was one. The same applies to reorientation because it only changes the direction of the structure. She explained that one reason the City does not use demolition and scraping the lot is because the owner is required to either panelize or reconstruct the building, which are forms of preservation. Some of the buildings are so deteriorated that they could not uphold a lifting or some have so many alterations that it cannot be structurally stabilized because of the condition of the materials. Instead of being able to demo the structure, scrape the lot and build something new as infill, the owner is required to reconstruct the building.

Board Member Melville thought the HPB should definitely look at the structures that are being moved or reoriented. Planner Grahn replied that currently those projects do not come before the HPB, but it was one of the proposed Code changes. Mr. Erickson clarified that the Staff had written the language with the intent that relocation or reorientation were not necessarily definitions of demolition; however they are reviewable acts. He noted that relocation and reorientation were currently reviewed under the HDDR process.

Planner Grahn referred to page 45, Item 2, which outline change to the LMC. She read, "All HDDRs will require an HPBR grants by the HPB for the following work..." She noted that panelization, reconstruction, and rotation were included. Relocation was not listed but it could be added. Director Erickson clarified that HPBR was a new acronym for Historic Preservation Board Review.

Assistant City Attorney McLean stated that the challenging part of definitions of demolition is that if a demolition requires a CAD it has to meet a higher threshold, including demonstrating economic hardship. The City has always tried to distinguish demolition related to a CAD from preservation, which could include reconstruction. Ms. McLean remarked that it was actually some wordplay and a difficult way to express what they were trying to do. That was the reason for having two competing definitions. Demolition can be tearing down a wall, but when the public hears demolition they think the house is gone. If a structure is

demolished and reconstructed, that is considered a preservation method and not demolition to remove a structure.

Board Member Melville understood that any site on the Historic Sites Inventory could not be approved for demolition without being reconstructed. Planner Grahn replied that HSI sites could not be approved for permanent demolition without a CAD. Ms. Melville asked when it would ever be appropriate. Planner Grahn explained that if it meets the hardship criteria then a special review board would have the ability to approve the CAD. Ms. McLean pointed out that the CAD review board has that purview but a CAD is rarely granted. Director Erickson remarked that the thresholds are very high, particularly the economic threshold. Ms. McLean thought it was important to distinguish that kind of demolition from what they were trying to accomplish with the ordinance in order to help preserve these historic houses.

Chair White asked where the HPB Demolition Review should come into the process. He asked if their review was slowing down the process and whether it should be part of the HDDR review or even the building permit process. Chair White was concerned that projects were being held up waiting for the HPB review. Director Erickson stated that a formal permit application would need to be submitted in order to trigger an HDDR review or a building permit. Mr. Erickson believed the HPB should make a determination on "demolition" early in the process before the applicant incurs the time and expense of an HDDR process. He explained that the Staff has been bringing the demolitions to the HPB with an HDDR waiver. They want to make sure that the Historic Preservation Board sees the possibility of the alteration of a building before it goes through the HDDR; because if it goes through the HDDR and the HPB decides it is not appropriate, the applicant has to start over. Director Erickson stated that the Staff was trying to make the HPB review the first step and they needed to create a new application in order to vest that step. Chair White accepted that explanation. He clarified that he was trying to be prudent but he did not want to slow down the process. Director Erickson stated that it would not slow the process. He believed that having the HPB look at the more questionable potential alterations to buildings would make the Staff's job a little easier.

Planner Grahn understood that there was agreement among the Board for the HPBR process. Planner Grahn summarized that all Historic District Design Reviews would require the HPB review the HPBR, which would include demolition of existing structures, panelization and reconstruction, rotation, relocation, new foundations and any other work involved in the HDDR process. She noted that if someone comes in for an HDDR waiver and it is affecting the historic material on a site listed on the HSI, those would also be reviewed by the HPB.

Planner Grahn asked if there were questions regarding the proposed noticing requirements. Director Erickson stated that the noticing requirement was set to be within 100 feet of the property; and anyone within that 100 feet radius would receive a mailed notice. Planner Grahn noted that 100 feet is consistent with the requirement for the HDDR applications. The mailed notice would be in addition to posting the property.

Board Member Beatlebrox asked if there only needed to be consensus from the Board and not a motion. Mr. Erickson replied that the HPB was not authorized to vote, but they were being asked to give the Planning Commission some guidance.

Planner Grahn commented on the next point which was Demolition by Neglect. She noted that pages 45 and 46 of the Staff report contained an explanation of what the Staff determined to be a minimum standard of maintenance. Page 46-47 summarized the intent of the ordinance.

Board Member Stephens believed they all knew what demolition by neglect looked like, but the question was how to define it. He commented on the number of homes that were currently lived in that were structurally inadequate. Mr. Stephens assumed that the intention was to preserve the buildings that are occupied and being neglected. He pointed out that the owner's definition of neglect might be different. Planner Grahn agreed that most of the buildings that have not been renovated do not meet structural codes. However, there is a difference between a structure that someone lives in and does what they can to keep the structure intact versus an abandoned structure that the owner hopes will fall down.

Board Member Hodgkins asked how they would enforce demolition by neglect and if there were consequences. Planner Grahn replied that if the Building Department determined that demolition by neglect was occurring, the City could fine the owner for every day that the deficiencies are not corrected. Assistant City Attorney stated that currently, the only methodology the City has is an Order to Repair, which can be a lengthy process. Ms. Melville asked if the City could board up or reinforce a structure. Ms. McLean explained that the City could abate, but it is a long process. The City issues an Order and Notice of Repairs that are needed and the owner has a specified time to appeal. She understood that part of the reason for addressing demolition by neglect as part of the Statute is to keep the houses from reaching such a deteriorated state. Under the International Building Code, the only way the City can require repairs is when it becomes a dangerous situation. Having it in the ordinance allows the City to enforce day to day maintenance to keep it from becoming a danger to people.

Board Member Beatlebrox asked if there were exceptions for people who were disabled or indisposed and could not do that type of work. Planner Grahn

believed it would need to be reviewed on a case by case basis. There have been situations where the owner lived out of town and the structure posed a dangerous situation. Usually when the Building Department contacts the owner they are unaware of the problem. They are willing to have the Building Department lien the property and make the repairs or they hire someone to do it. However, there are situations where the owner hopes the structure falls down undocumented because they believe the City would not require the structure to be reconstructed. Planner Grahn stated that the intent of the language was to address the owners who are purposely being negligent.

Board Member Melville asked if grants would be available for people who financially could not afford to repair the structure. Planner Grahn stated that when the Building Department issues an Order to Repair, they sit down with the owner to explain their options, including the possibility of grant funds. Many times the owner chooses not to work with the City. Director Erickson explained the process for finding and identifying structures that would be considered demolition by neglect.

Board Melville liked the process because it was proactive.

Director Erickson noted that the Staff would be taking their suggested Code changes to the Planning Commission on October 14th and the additional review by the HPB would be included as part of their recommendation to the Planning Commission.

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

Director Erickson reported that both Anya Grahn and Hannah Turpen have a master's degree in Historic Preservation. He noted that it is rare for a municipality the size of Park City to have that expertise. Planners Grahn and Turpen had researched other jurisdictions and Mr. Erickson believed their work would help the Staff legally define visual compatibility in the neighborhood.

Planner Grahn stated that she and Planner Turpen looked at Park City's design guidelines and they reviewed the General Plan for guidance. She and Planner Turpen had researched cities from San Francisco to the Midwest. When they went on City tour this year they also learned a lot from the Breckenridge historic district. They pulled all their research together to determine the best approach for infill and compatible additions to historic structures.

Planner Grahn pointed out that the Staff has also heard mixed opinions from the Planning Commission, the HPB and the City Council in terms of how different is too different for the Historic District. Obviously they want new construction to be

differentiated from historic structures, but the question is how much. Planner Grahn thought that Breckenridge had done a good job based on what they call the Breckenridge Vernacular, which picks out character defining features. The Breckenridge historic district looks similar to Park City in terms of types of structures and design. Planner Grahn noted that specific designs carried outside of their historic district throughout the town and that was influenced more by the Breckenridge Vernacular than the Design Guidelines.

Planner Grahn requested that the HPB comment on a list of questions outlined on page 56 of the Staff report. As they begin to discuss the Design Guidelines they need to think about whether they want more traditional design in Old Town or if there is a place for modern design, particularly in transitional zones.

Board Member Melville remarked that looking at pictures of houses was helpful. She suggested that the Staff give their presentation before they have that discussion so the Board has a better idea of what fits or does not fit.

Board Member Beatlebrox had looked up Vernacular on the Internet. She believed that the vernacular defines Park City's sense of place and with that sense of place comes a lot of pride and connection. Ms. Beatlebrox would not want to see that eliminated with a lot of ultra-modern construction. She thought the examples in the exhibits showing modern construction were extreme and jarring. Ms. Beatlebrox believed they should do whatever is necessary to avoid that from occurring in Park City. Ms. Beatlebrox agreed that some areas were appropriate to separate the old from the new with more modern design. She also like the idea of making the additions to historic homes look different to make the historic portion stand out.

Board Member Stephens thought it was more about mass and scale. He believed a creative architect would bring in the Park City vernacular to enhance their design. Mr. Stephens was cautious about directing the architectural style of what is built and remodeled in Park City and holding it to a specific style because it would become boring. He preferred to allow architecture to be more creative; however it would need to reflect the history of the built environment.

Board Member Hewett agreed that mass and scale were important. She favored making the more modern features less visible and less distracting. Ms. Hewett was unsure why they would relax that preference on the boundaries. Old Town is already small and she preferred to make it more impactful to achieve more continuity so you have the same feeling as you drive through all of old Town. Ms. Hewett suggested repairing what has occurred on the fringes that take away from the vernacular of Old Town.

Board Member Melville referred to the photo of 535 Woodside on page 72 of the Staff report. She believed the building was not consistent with Old Town in terms

of mass and scale and the elements. The wording on page 72 states that the applicant had a modern interpretation of the Design Guidelines. Ms. Melville questioned why it was put in the hands of the applicant and not the Staff. Planner Grahn remarked that the applicant had a modern interpretation of a chosen style and they obviously pushed modern to the brink and a lot further than some of the other examples in the Staff report. It was a question the Staff wanted to discuss with the Board in terms of how modern is too modern. Board Member Melville thought it was important to not only look at the building as it stands alone, but also the impact it has on surrounding structures and the District itself. The Staff had included good examples, but she had pictures of other structures that she would like the Staff to include in their overall review of whether or not the designs enhance the District. Ms. Melville suggested that they also look at renovations of historic buildings to make sure it remains a historic building. She noted that 41 Sampson was a Landmark structure and after the recent renovation she thought it was difficult to identify the historic building. She had the same difficulty finding the historic building at 124 Daly. The garage at 109 Woodside was another example of a historic building that was renovated into a structure that no longer looks historic or contributes to the District.

Ms. Melville suggested that the Board have another meeting to discuss compatibility and to visit various sites to get a visual sense of compatibility.

Planner Turpen noted that some buildings being constructed today were approved under the old guidelines and the projects were delayed for various reasons. She stated that the Staff would cross-reference Ms. Melville's list to make sure her examples were approved under the current guidelines. Ms. Melville pointed out that they needed to make sure the Guidelines would prevent that type of construction in the future.

Director Erickson suggested that the Board review the compatibility questions on page 60 of the Staff report so the Staff would know if the recommendations were on the right track and what they should bring back for discussion at the next meeting. He stated that the Staff would be crafting the compatibility guidelines based on comments by the HPB in an effort to achieve more consistency.

Planner Grahn noted that the Staff looked at compatibility as outlined on pages 60 and 61 of the Staff report. They were proposing to modify Design Guideline #6, which was a Universal Guideline, so it would have more influence on the overall streetscape of the neighborhood as opposed to just the neighboring structures. The Staff also talked about breaking up new additions into modules. Planner Turpen would explain that further when they discuss transitional elements. The modules would allow differentiation between the pieces. It would also help to break up the large volumes on new additions and new construction for more articulation. The Staff also talked about ways to make rear additions and accessory buildings subordinate to the historic buildings. Another issue was

to avoid large expanses of glass, which they have seen a lot in Old Town recently. Planner Grahn stated that Madison, Indiana does an excellent job of preservation and the Staff looked at how Madison defines compatibility. They incorporate things such as height, ratio of siding to windows, different materials, roof shapes, and other elements that contribute to the look and feel of the streetscape to cut down on the mass and volume of large box structures that do not fit with the neighborhood.

Director Erickson noted that the Staff was proposing to limit the amount of glass allowed in a garage door and generally finding that a glass garage door is not appropriate in the district. They were looking at amending the Guidelines specifically for garage doors and for control of night light to protect the night sky in the Historic District. The Staff was also looking at regulations related to glazing. Ms. Melville suggested that the Staff also consider lighting fixtures around garage doors because some light up the entire street. She thought the City had dark sky restrictions. Mr. Erickson stated that the lights are supposed to be downlighted and shielded with no light coming off-site. Planner Turpen remarked that lighting is regulated; however, Code Enforcement is typically not out at night and the City is not always aware of the problems.

Board Member Holmgren stated that there is a lot of traffic in Old Town and she leaves her porch light on all night. She has had things taken off her porch in the past and she does not want people coming on to her porch. Her light is bright and for good reason. She thought it was important for the Staff and the Board to consider both sides of the issue.

Board Member Beatlebrox understood that the list of compatibility for new construction infill on Page 60 was the proposed list. Planner Grahn replied that it was the current Guidelines in place to enforce compatibility. Ms. Beatlebrox asked if the Staff was comfortable with those Guidelines or if they were proposing to change them. Planner Grahn clarified that the only one they were proposing to change was Universal Guideline #6, which they would like to revise to read, "Scale and height of new structure should follow the predominant pattern established by historic structures on the same block or within the immediate neighborhood". Ms. Beatlebrox stated that it would personally help her to understand the Guidelines and how they are viewed by Staff, if they could look at each guideline and compare it to the examples that were provided. It would help the Board see how the Guideline was applied, whether it conforms. Whether or not they liked the design was immaterial if it meets the guidelines. Planner Grahn agreed that it would be a helpful exercise for both the Staff and the Board.

Board Member Bealtebrox read from page 60, Item 1, New buildings should reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites. She noted that all three examples were different but they all met the Guideline. Planner Grahn replied

that she was correct. Ms. Beatlebrox thought the example on the right was very modern. To answer the question by Staff regarding how modern is too modern, Ms. Beatlebrox did not believe the example on the right fit with the vernacular.

Planner Grahn stated that based on what the Staff was proposing for this meeting, the example on the right would be broken further into modules that reflect more the size of historic structures. Board Member Beatlebrox clarified that the structure could still be extremely modern but it would be more modular to reduce the visual size and scale. Director Erickson pointed out that the example on the right was not restrained in its architectural approach and that was something the Staff needed to consider. He thought they needed to put more emphasis on the word "restrained". Board Member Beatlebrox stated that restrained was not a precise word. Director Erickson explained that it was not a one line review. The design is reviewed against a ten bullet point review model. He thought the middle example showed more restraint. Ms. Beatlebrox noted that the middle example meets Bullet Point #2 because it does not directly imitate any existing historic structure. However, she questioned whether it met Point #3. Planner Turpen explained that #3 talks about specific style. Board Member Melville remarked that the example on the right would not comply with #3 because it was never a type of style in Park City.

Chair White believed that size was the primary objection to the example on the right. He thought a different mass and scale might make the style fit in better. Chair White thought the mass and scale of the middle example was acceptable. The issue was the glaring garage door.

Planner Grahn stated that the Staff would be coming back to hone in on details such as windows, doors and garage doors. She suggested that if they included mass and scale and volume it would help with the discussion. Director Erickson clarified that the discussion regarding the guidelines was bifurcated from the pending ordinance discussion. The Staff was proposing changes to the Design Guidelines in an effort to be more consistent and thorough and to take a more regulatory approach. He noted that the HPB would have the opportunity to discuss the Guidelines over time because it was not on a time frame like the pending ordinance. Director Erickson agreed that site visits are worthy and it may help to guide their discussion with the City Council in terms of how they feel about applying the Guidelines if they were to become a design review board rather than a preservation board.

Chair White stated that when he inquired about the example on the right, he was told that the original structure was a very large four-plex. However, he believed the new structure could have been scaled down. Mr. Erickson thought it was important to note that the building in the background was the same size. Woodside also has some of the large 1970s condo. Mr. Erickson believed the result of the building in the example was an overreach, which is why there were

reviewing the Guidelines. Director Erickson was pleased with the general recommendation and he was interested in working with the HPB to make sure the Staff was interpreting the Guidelines correctly.

Board Member Hewett was not in full agreement with the comment on glazing. She would keep an open mind, but in her opinion letting in the sun should be a personal choice. Board Member Beatlebrox pointed to the glazing on the Park City Museum. She also noted that there was no differentiation between the old and the new with the Park City Museum. In fact, the back of the building covered up the old back of the Park City Museum Building which was City Hall. She believed that certain things allowed on Main Street due to the density, location and the cost per square foot may not be allowable in a neighborhood. Planner Grahn thought it was something the Staff could look into further as they move forward with the discussion.

Board Member Stephens referred to #6, the Universal Guideline that the Staff was proposing to amend. He thought the language as written addressed mass and scale, but he questioned whether an appropriate mass and scale would still result in a product that would add to the historic community. He suggested revising the language to say, "Scale and height of new structures should follow the predominant pattern **and respect the architecture of the** neighborhood with special consideration given to Historic Sites". It would give the architect the opportunity and the obligation to reflect on what they were building in between the other buildings. Planner Grahn agreed and offered make the change.

Board Member Hodgkins if there were floor area ratios to regulate a building size for the lot. Planner Grahn stated that there is a building footprint but the size depends on the number of lots. A traditional Old Town lot is 25' x 75'. However, in some situations people may own 1-1/2 lots or two lots or more. As the lots grow the footprint grows. Planner Grahn noted that there is a 27' height requirement regardless of the topography of the lot. Within that 27', at 23-feet on the downhill side they are required to step it 10 feet before it could go back up. She explained that there was no restriction on the number of floors within the 27' above existing grade; however, they only have 35 feet from the top of the tallest wall plate to the lowest floor plate. Planner Grahn believed this would be a worthwhile discussion to have with the HPB because it requires diagrams to show how buildings can step down the hill and how the 35 feet is measured. Director Erickson encouraged the Board members to read the Architectural Section in the LMC to better understand the explanation. He clarified that structures are limited in size, but structures in Old Town were more difficult to regulate because of the steepness of the topography. A lot of the volume works uphill or downhill, which makes a structure appear larger, particularly on smaller lots. Board Member Melville stated that one problem with combining lots is that the setback is reduced. She thought that should be addressed at some point because the total amount of setback on two combined lots is less than it would

have been on one single lot. Director Erickson explained that the Planning Commission's rationale for combining lots was to reduce the number of cars and people in the District by having one house instead of two. He commented on a number of scenarios that defies that rationale. Board Member Hodgkins believed that combining lots also changes the nature of the neighborhood. Board Member Melville noted that one large house blocks more light than two smaller homes. Board Member Hewett thought requiring a module design for larger structures would help with the light issue.

Planner Turpen referred to Item #2, Transitional elements. She stated that transitional elements are very important for historic structures and new additions. The goal is to reduce the loss of historic material and to also distinguish between old and new. Planner Turpen stated that the Staff has been successful in requiring transitional elements, but the mass and scale of transitional elements vary between projects because they have not quantified what a transitional element should be. She noted that Breckenridge had relied heavily on modules to define the size and components of an addition. The result is an addition with smaller components that reflect the mass and scale of the historic structure. Staff was proposing to require modules so if the addition is larger than the existing historic structure addition be broken up into components that reflect the existing size of the modules of the historic structure. She asked if the Board was interested in having the Staff proceed with defining criteria for the Design Guidelines.

Board Member Melville asked if Planner Turpen had examples of a module addition. She remarked that when the new addition and the old structure are different colors it helps to make that differentiation. She understood that the City does not regulate color and suggested that maybe they should for that type of situation. Planner Turpen understood that the decision not to regulate color was made after significant discussion by the HPB at the time, and it was removed from the guidelines. Ms. Melville pointed out that in the example where two colors were used, the mass and scale appears to be broken down to look more compatible.

Board Member Stephens stated that restricting the size of the addition to 50% of the historic home without restricting the footprint would not be possible on a 25' x 75' lot. Planner Turpen explained that if the addition is less than 50% of the historic structure a transitional element would not be required because the addition would naturally be smaller. If the addition is larger than 50% of the historic structure a transitional element would be required, and she was prepared to explain how they would quantify the size. Planner Turpen referred to the Bullet Point #3 and noted that the Staff was proposing that the width of the transition element shall not exceed two-thirds of the width of the connecting elevation. The Staff believed it would preserve historic material and still allow the

owner to have usable space in the transitional element. It would also create clear delineation between what is old and what is new.

Board Member Hodgkins wanted to know what happens to the original historic exterior wall and whether there were limitations on how much could be removed. Planner Turpen stated that in theory they could remove two-thirds of the exterior wall that would then become interior space. Planner Grahn noted that the City does not regulate interior space. Board Member Beatlebrox pointed out that it would be a demolition that would be reviewed by the HPB.

Assistant City Attorney McLean felt that was a good point. She believed it would be more defensible if it was quantifiable rather than subjective. She suggested that the language should specify the amount of the wall that could be removed. Board Member Melville thought it would be ideal if the historic materials removed from the back wall of the historic house could be reused on the house. Planner Grahn replied that it was a good detail to discuss further when they reached that point in the Guidelines. She noted that currently the Staff encourages the reuse of historic materials whenever possible. Chair White pointed out that in some historic homes the back wall was already removed by previous additions.

Assistant City Attorney noted that the current Code talks about viewpoint from rights-of-way. She was unsure whether something visible from the right-of-way would have a different standard than something not visible from the right-of-way.

Director Erickson noted that the Staff was halfway through their presentation. He asked if the Board wanted to continue this evening or wait until their next meeting. In the interest of time and due to the number of items remaining on the agenda, Chair White suggested that they continue their discussion at the next meeting. Board Member Bealtebrox thought it would also give the Board members time to look at more examples of structures in town.

Planner Grahn noted that the last item was character zones. She noted that currently every location in the Historic District is treated the same. However, different neighborhoods within the Historic District have a different look and feel. The Staff discussed whether or not there should be different guidelines for different specific character zones. Planner Grahn pointed out that guidelines for character zones currently do not exist and she asked if the HPB thought it was something the Staff should look into. She suggested that the HPB think about it for the next meeting, at which time she would have examples to help with the discussion. Chair White thought Daly Avenue definitely merited some discussion.

MOTION: Board Member Beatlebrox moved to CONTINUE the discussion on the Compatibility Study to the next meeting. Board Member Melville seconded the motion.

VOTE: The motion passed unanimously.

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

1. 1328 Park Avenue - Demolition Determination – The applicant is requesting to remove a minor section of exterior siding, two windows, and window trim on the south elevation of the non-historic rear addition to the historic structure.

(Application PL-15-02932)

Planner Turpen reviewed the project located at 1328 Park Avenue. The applicant was proposing to remove two non-historic windows and non-historic siding on the southern façade of an addition. The Building Department issued a building permit for that addition in 1995, which was how the Staff determined that it was non-historic.

The Staff recommended that the Board approve this demolition based on the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report.

Board Member Melville noted that Finding of Fact #4 refers to the south façade and Finding of Fact #7 says north façade. Planner Turpen stated that Finding #7 should be corrected to south façade. Ms. Melville noted that the discrepancy also took place in the body of the report. She asked if it should be changed to south whenever north was referenced. Planner Turpen clarified that it should always be south and she apologized for the mistake.

Board Member Beatlebrox clarified that none of the material being removed was historic. Planner Turpen answered yes, and that it would not impact the historic structure in any way. Ms. Beatlebrox asked if they were just proposing to repair the water damage. Planner Grahn stated that when the project is completed it would look similar to what exists now.

Chair White understood that the applicant was proposing to remove the windows. Planner Turpen stated that there was extensive water damage and the windows would be replaced.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic horizontal wood siding and two windows on the south facade of the non-historic garage addition at 1328 Park Avenue in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report and as amended. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 1328 Park Avenue

1. The property is located at 1328 Park Avenue
2. The building is listed as Significant on the Historic Sites Inventory.
3. The property is located within the Historic Residential Medium-Density (HR-M) District.
4. On September 14, 2015 the applicant submitted a Building Permit for the demolition of non-historic horizontal wood siding and two (2) windows on south façade of the non-historic garage addition at 1328 Park Avenue.
5. The removal of the horizontal wood siding and two (2) windows is considered routine minor and routine maintenance.
6. The Planning Director made a determination on September 14, 2015 that this falls under routine minor and maintenance pursuant to LMC 15-11-12(A)(3) and has waived the requirement for a Historic District Design Review.
7. It can be determined that the horizontal wood siding and two (2) windows on the south façade of the garage addition are non-historic because a Building Permit for an addition and remodel was issued on January 9, 1995.
8. The removal of these items will not affect the historic materials of the building.

Conclusions of Law – 1328 Park Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-M District and the August 6, 2015 pending ordinance.

Conditions of Approval – 1328 Park Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on September 14, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
2. An HDDR Waiver Letter by the Planning Director is required for the approved design before a Building Permit can be issued by the Building Department.

2. 262 Grant Avenue - Demolition Determination – The applicant is requesting to remove minimal non-historic siding to add an egress window and a new door on the South elevation of a significant structure. (Application PL- 15-02901)

Planner Tech Makena Hawley reviewed the application for 262 Grant Avenue. The applicant was intending to install an egress basement window located on the south side of a Significant structure, as well as replace a non-historic window with a door providing access to the existing patio. The structure was built in 1968 and reconstructed in 2000.

Board Member Hodgkins asked if the egress was required by Code. Planner Hawley replied that it would be required by Code because the applicant had

enclosed a room. Planner Grahn understood from the building permit that the space was changed from a storage room to habitable space, which requires a window.

Board Member Melville asked why a window was not put in when the house was reconstructed in 2000, and whether the owner was prevented from turning the basement into habitable space at that time. Planner Turpen believed the applicant chose to have storage at that time and they now would like to maximize the living space. Ms. Melville wanted to make sure the HPB was not approving a window that was not previously allowed. Planner Grahn noted that this request would not increase the footprint because the footprint already exists and there is livable space in the house. She understood that the owners were remodeling the basement they needed to have egress from that space.

Board Member Hodgkins asked if the window needed to be placed in the specific location shown. Ms. Hawley thought it could be moved around but it needed to stay in that room. Ms. Melville noted that the door was required to be put in the back half of the historic house; however, the window placement is forward of the historic house. Planner Grahn stated that she would share Ms. Melville's concerns if the house did not have a porch. The Guidelines require that the window be shield from the front and she believed that with the porch and the vegetation and the fence it would not be visible from the front. It also lines up well with the window above it.

Board Member Beatlebrox was comfortable with the request. Ms. Melville confirmed that the materials were not historic on that side of the house.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic material at 262 Grant Avenue on the south side of the residence for the addition of an egress basement window, and replacing a window with the door on the back half of the historic house in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the Staff report. Board Member Hewett seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact – 262 Grant Avenue

1. The property is located at 262 Grant Avenue.
2. The site is listed as Significant on the Historic Sites Inventory.
3. September 18, 2015 the applicant submitted a Building Permit (BD-15-21876) to the Building Department.
4. The applicant is proposing to remove the non-historic wood skirting and replace with an egress window as well as install a new door on the back half of the historic house. Both of these projects are proposing to take place on the south elevation.

5. The Planning Director made a determination on August 29, 2015 that the proposed work is minor construction that does not detract from the historic structure on the lot or the historic structures in the neighborhood. Per Land Management Code §15-11-12(A) (3), the proposal does not require completion of a full Historic District Design Review (HDDR) process; however adherence to the Design Guidelines is still a requirement.

6. The additions will not affect the historic materials of the building based on evidence found on a site visit. From the site visit staff found that on the front façade, it was clear that historic siding had been preserved and married with new materials. This leads staff to believe that during the remodel in 2000, the historic material that could be saved was preserved and moved to the front façade. The replacement materials matched the existing historic material in profile. The materials on the South elevation are consistent with the new material found on the front façade. The minor demolition to install the egress window and door will have no negative impact any historic materials.

Conclusions of Law – 262 Grant Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-2 District and the August 6, 2015 pending ordinance.

Conditions of Approval – 262 Grant Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on August 20, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.

2. An HDDR review or a Waiver by the Planning Director is required for the approved design before a Building Permit can be issued by the Building Department.

3. 222 Sandridge Avenue - Demolition Determination – The applicant is requesting to remove: historic tacked stone retaining walls, non-historic exterior wood and stone steps, non-historic wood Fence, non-historic roofing , historic brick chimney, historic open porch and lower-level covered porch, non-historic pantry addition to be removed, 2 doors temporarily removed for restoration; 2 historic doors removed entirely, Historic windows to be replaced, Removal of historic architectural ornamentation, Lift house for new basement foundation and panelize a historic accessory building.

4. 279 Daly Avenue – Demolition Determination – The applicant is requesting to construct a new crawlspace foundation, replace existing non-historic windows and doors, restore non-historic front porch , demo the a non-historic rear wall of a non-historic addition, and replace the existing roofing as part of a larger renovation project of the historic house

Director Erickson noted that the applications for 222 Sandridge Avenue and 279 Daly Avenue were withdrawn by the Planning Department because they were vested prior to the enactment of the pending ordinance and did not require HPB review.

Board Member Melville asked if both projects were complete applications before the pending ordinance was enacted. Director Erickson answered yes.

The meeting adjourned at 6:45 p.m.

Approved by _____
David White, Chair
Historic Preservation Board

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF OCTOBER 21, 2015

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

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

ROLL CALL

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

PUBLIC COMMUNICATIONS

There were no comments.

ADOPTION OF MINUTES

There were no minutes to approve.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Director Erickson reported on scheduling to meet the deadline for the pending ordinance and LMC Amendments. HPB meetings were scheduled for November 4th and 18th and December 2nd, with a tentative meeting scheduled for December 16th if needed.

Director Erickson announced that Anya Grahn and Hannah Turpen would be attending the National Historic Preservation Conference in Washington, DC. in November.

Director Erickson stated that the Staff was looking at processes that need to be established moving forward under the new ordinance. One challenge they encountered was a historic structure that has two or three remodels that were also historic. The question is which age in history to acknowledge. If the Staff cannot find a workable solution they would schedule a work session with the HPB for their input on process. It would be a policy action and it would need to be approved by the Legal Department.

The Staff requested that the Board reverse the agenda and review the demolitions items first and then move to the Pending Ordinance discussion and the Compatibility Study discussion.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

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

1. 1114 Park Avenue - Demolition Determination – The applicant is requesting to remove: non-historic windows, a portion of the non-historic rear wall, non-historic doors, a portion of the non-historic enclosed porch, the non-historic garage door on the historic single-car garage accessory structure, one (1) historic window on the single-car garage accessory structure, a portion of the historic north wall of the historic single-car garage accessory structure, and lift the house and single-car garage accessory structure for a new crawlspace foundation.
(Application PL-15-02587)

Planner Turpen reviewed the HDDR design review application for 1114 Park Avenue in the HRM District. The structure is listed as Significant on the Historic Sites Inventory. The applicant would like to add an addition; however, the HPB was only reviewing the elements that need to be removed to accommodate the renovation and addition.

Planner Turpen stated that the applicant would like to remove portions of the enclosed porch, which is not historic. The original porch was an ornate porch as shown in the 1940's tax photo. Planner Turpen asked if the Board had any issues with the removal of that material.

Board Member Melville understood that the Board was not looking at the design of the addition, but she asked if the porch would be replaced with another porch of some type of historic design. Planner Turpen stated that the original porch would not come back but it would be replaced with something more consistent and appropriate for the structure. Ms. Melville asked if the Staff had checked the Museum for photos of what the original porch looked like. Planner Turpen had not checked with the Museum; however based on the 1978 site survey it was an ornate porch with turn posts. Ms. Melville asked if the 1929 Sanborn showed a porch. Planner Turpen replied that there was a porch and it was shown on the 1940s photos because it had not been removed yet. An extensive alteration occurred in the 1960s. The applicant did an exploration demolition and could not find any evidence of the historic porch. Planner Turpen stated that in talking with the Design Review Team, the Staff finds that what was being proposed would be appropriate for the structure, even though it would not be a porch. Ms. Melville asked Planner Turpen to check with the Museum to see if they had photos.

Chair White understood that the enclosed porch would be removed and he asked if the roof above it would remain. Planner Turpen answered yes. She stated that it would maintain the semblance of a porch but she was not able to give the HPB

an idea of what would be going in because if it gets appealed they would be the appeal body.

The Board was comfortable with the removal of the porch.

Planner Turpen stated that the next item was removal of the rear wall. She presented an exhibit showing where the modern addition that occurred in the 1960's starts in relation to the historic home. No historic material would be impacted by the removal of the rear wall and it would be accommodating a small addition.

Board Member Melville asked if the non-historic addition would remain with the exception of the back wall. Planner Turpen answered yes. Ms. Melville was not opposed to it but she thought it was unusual. Planner Turpen stated that given the configuration of the lot it made sense to keep the existing addition. He pointed out that the new addition would be smaller than the existing house. Ms. Melville asked if the current siding on both the historic and non-historic portions would remain. Planner Turpen replied that the applicant was not proposing to replace the siding. She believed the siding was added in the 1960s because it matches the modern addition. The porch also has the same siding.

The Board had no issues with removing the non-historic rear wall.

Planner Turpen stated that the next item was to remove a portion of the north wall of the historic garage to accommodate a connection between the existing historic structure and the historic single car garage. It is a small portion that would not be visible from the public right-of-way. The Staff found that it would not have a negative impact on the historic structure.

Board Member Melville asked if the connection would be on the new addition to the house. Planner Turpen answered yes. The Board had no issues with removing a portion of the north wall of the historic garage.

Planner Turpen noted that in the 1960s most of the windows were switched out and the historic window openings were lost. The applicant completed an interior exploratory demo and discovered where the original windows openings were located. She presented the south elevation to show the areas outside of the existing windows that would be opened up to accommodate historically accurate window openings.

Board Member Melville did not think the middle window looked historic. Planner Turpen noted that the middle window would be replaced but the applicant was not proposing to alter the shape or size. Board Member Beatlebrox thought it was a good idea if it followed the lines of what was original in place.

Planner Turpen had spoken with the applicant prior to this meeting and clarified that they were not lifting the historic garage or replacing the foundation. The house is located within the flood plain so it will be lifted two feet and the existing foundation will be replaced. The new foundation will be concrete and standard for a flood plain. Planner Turpen clarified that all of the foundation was being removed to accommodate for a new crawl space.

Board Member Beatlebrox had visited the property and it looked very sturdy. She assumed the house could be lifted without any concern for damage. Planner Turpen stated that the applicant will take all the necessary precautions, which were addressed in their historic preservation plan. The Chief Building Official will review and approve the historic preservation plan to make sure the proposal meets the IBC and any concerns.

Board Member Melville noted that the inside of the house was already gutted. She asked if the applicant was proposing to brace the inside of the house when it is lifted. Planner Turpen reiterated that the applicant would do whatever is necessary to meet the IBC standards for successfully lifting a house. She noted that the Historic Preservation Plan is reviewed by the Planner who then sends it to the Planning Director and the Chief Building Official for their review and approval. Ms. Melville clarified that the garage would not be lifted. Planner Turpen stated that she was mistaken when she wrote the Staff report and that the garage would not be lifted. The applicant was not proposing to alter the height or the foundation of the garage.

Planner Turpen stated that none of the doors on the exterior of the house were historic. The applicant was proposing to remove the existing doors and replace them with historically accurate doors. Ms. Melville assumed the Staff would make sure that the replacement doors were appropriate.

Planner Turpen noted that the applicant was proposing to remove 11 non-historic windows from the historic house. One historic window on the single car garage will be removed to allow for an operable window. The existing window is fixed and would not meet egress requirements. The replacement window will be historically accurate.

Board Member White asked if the existing garage window was steel framed. Planner Turpen answered yes. Ms. Melville wanted to know why they were replacing a historic window with a non-historic window. Planner Turpen explained that the garage is being converted to living space, which requires an operable window for egress. The existing window does not open and it could not be an emergency exit.

Board Member Melville asked what would happen to the historic window because she would not like to see it discarded. Planner Turpen replied that the City could

not control what the owner does with the window. Board Member Stephens noted that historic windows have limited use because they are single-pane glass and not very effective for living space in Park City. Director Erickson stated that the Staff could suggest that the applicant find someone who might want the window as opposed to just discarding it. Board Member Holmgren suggested that an artist might want it. Ms. Melville stated that they have very little historic material left in town and it would be nice if the removed materials could be used on another building or somewhere else.

Planner Grahn stated that the Design Guidelines talk about being sustainable and try to keep as much material out of the landfill as possible. However, the Staff does not regulate what happens with removed material or how to dispose of it.

Kevin Horn, representing the applicant, stated that in their documents they could require that the window be preserved. He was certain that they could find a home for that historic window. Mr. Horn noted that the new window would be very similar to the historic window and there would not be noticeable difference looking from the street.

There was consensus from the Board for the applicant to remove all 12 of the historic and non-historic windows.

MOTION: Board Member Melville moved to APPROVE the demolition of portions of non-historic and historic materials at 1114 Park Avenue as specified in the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1114 Park Avenue

1. The property is located at 1114 Park Avenue.
2. The house is listed as “Significant” on the Historic Sites Inventory (HSI). The single car garage accessory structure is associated with the site and is also considered historic as it contributes to the historic context of the house and site as a whole.
3. The historic house was constructed c. 1901.
4. Sometime after the 1940’s, the historic ornate front porch was either removed completely or enclosed (screened-in).
5. According to the 1978 Utah State Historic Society Historic Preservation Site Information Form, in 1960 a one-story addition was added to the rear of the historic house with a sun deck in the rear yard.
6. A single-car garage accessory structure was added sometime after 1929. The current accessory structure does not show up on the 1929 Sanborn Map and accessory structures were not always documented as a part of the 1978 survey. .

It is not clear exactly when the garage was added, although staff has concluded that it was likely constructed in the 1940's or 1950's based on its materials and simple form.

7. On July 2, 2015, the Planning Department received a Historic District Design Review (HDDR) Application. The application was deemed complete on August 21, 2015. The application is still under review by the Planning Department. Revisions were submitted on October 2, 2015.

8. The applicant will remove the existing north, south, and west non-historic walls of the non-historic enclosed porch.

9. The applicant will remove the entire (225.5 total square feet) non-historic east (rear) wall of the house.

10. The applicant will remove a portion (41.25 total square feet) of the historic north wall of the historic single-car garage accessory structure.

11. The applicant will remove a portion (6.75 total square feet) of the historic south wall on the historic house surrounding two (2) existing non-historic windows.

12. The applicant will lift the non-historic and historic portions of the house and the historic single-car garage accessory structure for a new crawlspace and replace the existing non-historic and historic portions of the concrete foundation.

13. The applicant will remove five (5) non-historic doors and one (1) non-historic single car garage door.

14. The applicant will remove one (1) historic and eleven (11) non-historic windows.

Conclusions of Law – 1114 Park Avenue

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

Conditions of Approval – 1114 Park Avenue

1. Final building plans and construction details shall reflect substantial compliance with the revised HDDR proposal stamped in on October 2, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.

2. Where historic exterior materials cannot be repaired, they shall be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material, and finish. The replacement of existing historic material shall be allowed only after the applicant can show that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. No substitute materials have been proposed at this time. The applicant shall work with the Planning Department to review the condition of all historic materials prior to disposal.

2. 422 Ontario Avenue - Exploratory demo of non-historic exterior aluminum siding in order to inspect condition of historic wood siding beneath. (Application PL-15-02819)

Planner Grahn reviewed the request for an exploratory demolition permit. She noted that typically the HPB does not review these requests unless they are exterior under the pending ordinance. This was an exterior demolition.

Planner Grahn reported that the applicant was proposing to remove siding on the inside of the porch as shown on page 58 of the Staff report. Red lines indicated where the siding would be removed. Planner Grahn stated that siding was being removed in the specified locations because they were the least visible from the public right-of-way. The applicant also believes the historic material is most intact underneath the 1970s asphalt shingles siding and the Circa 1958 Bricktex. There are several layers of non-historic siding that the applicant would like to remove in order to assess the condition of the original wood siding.

Planner Grahn stated that this application would come back to the HPB as a full historic district design review in the future when the applicant submits an application to renovate and restore the entire house. The exploratory demolition permit is necessary in order for the applicant to do the physical conditions report and preservation plan. The house is listed as Significant on the Historic Sites Inventory.

Board Member Melville assumed that the non-historic Bricktex and asphalt shake would be removed regardless of whether or not there was historic wood underneath. Planner Grahn replied that they would like to remove it, but removing it from the entire building would be part of the historic district design review. To only remove it in specific areas is part of an exploratory demolition permit. Ms. Melville believed the siding would still have to be removed entirely. Planner Grahn agreed that it probably would but it still required HPB approval.

Board Member Melville was pleased that the applicant wanted to do the exploratory demolition. Chair White agreed that exploratory demolitions were good.

MOTION: Board Member Melville moved to APPROVE the exterior exploratory demolition of non-historic asbestos shingle and Bricktex siding on the north and south facades of 422 Ontario Avenue according to the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 422 Ontario Avenue

1. The property is located at 422 Ontario Avenue.
2. The building is listed as Significant on the Historic Sites Inventory.
3. The property is located within the Historic Residential (HR-1) District.
4. The removal of the non-historic asbestos shingle siding dating from the 1970s and Bricktex siding from c.1958 is considered exploratory exterior demolition.
5. The siding removal will occur on the north and west facades of the original crosswing's stem, where the exploratory demolition will be least visible from the public right-of-way.
6. The Bricktex dates from c.1958 and the asbestos shake siding was likely added in the 1970s. Neither of these materials are original to the building as it was originally clad in wood drop-novelty siding, as seen in the historic tax photograph.
7. No historic material will be removed.
8. The removal of these items will not affect the historic materials of the building. Rather, the purpose of this demolition permit is exploratory only; the intent is to determine the amount of historic wood siding present and its condition.
9. The applicant applied for a Building Permit for the exploratory demolition on September 29, 2015.

Conclusions of Law – 422 Ontario Avenue

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

Conditions of Approval – 422 Ontario Avenue

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on September 29, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.

CONSIDERATION OF AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE SECTION 15, CHAPTER 11 AND ALL HISTORIC ZONES TO EXPAND THE HISTORIC SITES INVENTORY AND REQUIRE REVIEW BY THE HISTORIC PRESERVATION BOARD OF ANY DEMOLITION PERMIT IN A HISTORIC DISTRICT AND ASSOCIATED DEFINITIONS IN CHAPTER 15-15.

Board Member Melville clarified that this was the same ordinance the HPB had seen in previous meetings. Planner Grahn answered yes. She explained that it keeps coming back on the agenda to give the HPB the opportunity to provide further comments. Ms. Melville noted that the Board has discussed changes in previous meetings regarding the demolition portion of the ordinance, and she would like those comments and changes carried forward in the Staff reports to

give the Board the opportunity to revise the changes they previously requested if necessary.

Planner Grahn stated that the direction given by the Planning Commission was for the Staff to start redlining the Land Management Code amendments. The intent was to bring those redlines to the HPB on November 18th for their review. Ms. Melville asked if it was possible for the November 4th meeting to include the changes the HPB had already recommended. Director Erickson stated that the Staff was trying to avoid having several versions of the legal redlining. Ms. Melville clarified that she was only asking for a separate list of changes that the HPB had suggested in previous meetings. She recalled that the HPB had only addressed the Demolition section.

Planner Grahn recalled from the last meeting that the Board had discussed a third category of Contributory structures. She was also willing to hear feedback on how to designate Significant structures. Ms. Melville recalled that the Board has made no changes to the redlining of the ordinance 15-11-10A(2), Significant Site. However, they had made suggestions for the new section on Demolition.

Board Member Beatlebrox stated that the only changes she could recall had to do with whether or not to the HPB needed to review a certain level of demolition. Ms. Melville reiterated her request for a list of changes the HPB had suggested to this point.

Board Member Stephens stated that so far the process was easy because the Board was only making decisions on historic or non-historic. However, if the Staff comes forward with a historic addition and the HPB is asked to make a judgement on whether or not it could be removed or demolished, he wanted to know which LMC or Guidelines issues the HPB would use to make that judgement call. He was asking the question because of the historic garage they had just discussed at 1114 Park Avenue. He noted that a garage with cinder block construction would not be viewed as historic as much as one that is clearly historic with wood frame construction. Mr. Stephens wanted to know how they would treat those two garages differently within the LMC. He believed any applicant would want to know what the Board would be judging their request against.

Planner Grahn reported that during the last Planning Commission meeting the Commissioners provided feedback on the pending ordinance. One of their concerns was the importance of having demolition criteria in order to be transparent and fair to every applicant. Planner Grahn stated that as the Staff works through the process of the Historic Preservation Board review, they would also draft demolition criteria as a gauge to help the Board make their decisions. The intent was to have the draft criteria ready for the November 18th HPB meeting.

Director Erickson stated that it was a multi-step process. The first is to improve the definition of demolition; the second is to draft criteria for demolition; the third is to determine the relationship between the definition and the criteria and align it with a Certificate of Appropriateness for Demolition which has the economic hardship criteria and the dangerous building abatement. Four elements could affect the alteration of a historic structure and the Staff was working through all four.

Director Erickson noted that the Certificate of Appropriateness for Demolition was already in the LMC and the abatement of dangerous structures was already in the Building Code. The Staff was trying to align those with the definition of demolition and the criteria for smaller demolitions.

Board Member Melville was hopeful that they would not run out of time before the pending ordinance expired. Her preference would be to get the ordinance passed within the six month timeframe, and make additional changes after it was adopted if necessary. Planner Grahn agreed. She outlined what the Staff was currently working on to keep the process on schedule. Planner Grahn stated that Demolition by Neglect was temporarily on hold in order to focus on the parts of the ordinance that needed to move forward. She noted that Demolition by Neglect is a bigger topic and the Planning Department needs to work with the Building Department and the Planning Department before it could be redlined. Ms. Melville stated that if the Staff finds that Contributory structures would cause a delay, she recommended that it be a topic for later as well so it would not hold up approval of the pending ordinance.

Board Member Beatlebrox had driven around and looked at several properties that Ms. Melville had suggested at the last meeting and she came to the conclusion that it was nearly impossible to legislate taste. Director Erickson remarked that once the Staff drafts compatibility guidelines he would suggest that the Board members on their own drive around and look at buildings and come back with comments regarding the Guidelines and compatibility.

Director Erickson suggested that the Board continue their discussion on the ordinance and then address Ms. Beatlebrox's comments during the discussion regarding compatibility and contributory structures.

Director Erickson stated that on November 18th the Staff would like the HPB to forward a positive recommendation on the suggested changes they would like to see move forward. The Staff would redline those changes and move them through the Planning Commission and the City Council.

Chair White believed the Board was comfortable with the existing redlines. Director Erickson summarized that the redlines included the IBC change, the change from 1975 to 40 years, and the updated definition of demolition.

Board Member Stephens thought the difficulty for the HPB would be making decisions on smaller issues and partial demolitions on historic buildings. He wanted to make sure the Board would have something to judge that against. He asked if it was possible for the Board to review the criteria before November 18th so they would be better prepared to discuss it. Director Erickson thought it might be possible to provide something prior to November 18th.

Director Erickson stated that the Staff was also working on items that the HPB did not want to review and was willing to let the Staff make the determination. Planner Grahn noted that based on comments by the Board, as well as procedures from other jurisdictions, if an item is considered maintenance repair it would not have to come to the HPB and the Planning Director would make the determination. New material on the historic portion of the building would come under HPB review; however, something like removing material on an addition for a dryer vent would be reviewed by Staff. The Staff was working on how to define those situations and how to codify it.

Board Member Melville agreed with Mr. Stephens that it would be helpful to see that information prior to the November 18th meeting so they could provide their comments to Staff and be ready to forward a recommendation to the Planning Commission. Planner Grahn thought it would be possible to provide a bullet list memo to the HPB. Ms. Melville would like the list to include the changes made by the Board and the decisions they had made to this point. It was important to make sure that the Board was in agreement on the changes and understood what they would be forwarding to the Planning Commission on November 18th. Director Erickson remarked that it would require some type of public noticing and he and the Staff would work on it. There was a possibility that they would be able to have a draft ready by the November 4th meeting. He pointed out that if the Board needed additional time for discussion and was not prepared to forward a recommendation on November 18th, they were scheduled to have at least one meeting in December.

MOTION: Board Member Holmgren moved to CONTINUE the review of recommendations and modifications to the pending ordinance to amend the LMC Section 15, Chapter 11 as listed on the agenda to November 4, 2015. Board Member Stephens seconded the motion.

VOTE: The motion passed unanimously.

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

Planner Grahn reported that the Staff was trying to address the changes to the Design Guidelines concurrently with the pending ordinance. However, they plan to delve further into the Guidelines in more detail once the ordinance passes.

Planner Grahn noted that the Board discussed some of the Guidelines at their last meeting and continued their discussion to this evening. She referred to page 20 of the Staff report, Defining Compatibility. They have looked to other cities to determine how compatibility could be defined. The LMC provides a definition but it is not very specific. The Staff proposed adding terms to the definition to make it more specific. At the last meeting the Board talked about what the terms mean and how they relate to the streetscape and the structure. Planner Grahn stated that after reading through the terms the Staff realized they were repeating the same information after each item. Therefore, the Staff decided it was better to just incorporate the bullet points used to evaluate compatibility into the existing definition of compatibility. The bullet points were outlined on page 20 of the Staff report. Planner Grahn noted that the Staff would be coming back with a redlined definition of Compatibility with the incorporated terms.

Planner Grahn asked if the Board members had questions or comments on the proposed terms, and whether other terms should be incorporated into the list.

Board Member Melville asked what was currently in the Design Guidelines. Planner Grahn replied that Compatibility is addressed more under the section of New Construction in the Design Guidelines. They are Universal Guidelines that hone in on what compatibility is in terms of architectural style consistent with styles in the area, etc. However, the Guidelines do not define compatibility point by point. It is a much broader definition.

Board Member Melville read language from the Universal Guidelines related to compatibility. Director Erickson remarked that the new Guidelines proposed by Staff were more precise and more focused, and provides a more measureable outcome of what does or does not comply with the Universal Guidelines. Ms. Melville asked if the Staff was proposed to keep the existing Guidelines and adding ones that were more specific. Planner Grahn answered yes. As they delve further into the Guidelines and start talking about specific elements they could address rhythm, solids to voids, proportions of opening and other more specific elements at that time. Planner Grahn stated that they could amend the definition of compatibility with the bullet point items and flush them out later with the Design Guidelines. Ms. Melville was comfortable with that approach. She agreed that the details of the windows and doors were important, but the larger impacts to the building such as mass and scale were also important. She

pointed out that some of the problem buildings they were seeing in town were a result of concentrating on the details but missing the overall mass and scale. Ms. Melville questioned whether the Universal Guidelines were being applied. Planner Grahn stated that the Universal Guidelines were being applied, but it goes back to fine tuning and being more specific. The Guidelines are large brush strokes that are applied to individual buildings. Planner Grahn suggested that they might want to look at creating a separate section for the Main Street and commercial buildings and remove them from where they are in the Guidelines currently. They could have that discussion after the first of the year when they start getting into more specifics with the Guidelines.

Planner Grahn clarified that for now the HPB was being asked to define Compatibility by incorporating the items listed on page 22 of the Staff report into the existing Definition of Compatibility, which is outlined in the Land Management Code.

Planner Turpen noted that the definition was not being added to the Design Guidelines. The purpose is to codify Compatibility in the LMC, which is stronger than the Design Guidelines. Board Member Melville pointed out that the Planning Commission addresses Land Management Code and it was out of the purview of the HPB. Assistant City Attorney McLean confirmed that the HPB did not have authority for the LMC. Planner Turpen noted that the Staff still wanted input from the HPB regarding the Definition before it goes to the Planning Commission. Ms. McLean stated that like the LMC, the Design Guidelines are adopted by resolution by the City Council; but the Council wanted HPB input and recommendations on both the Design Guidelines and the LMC. Ms. Melville wanted to be clear that the HPB was not looking at the Design Guidelines. They were being asked to give their recommendation on a proposed change to the LMC that would be decided by the Planning Commission. Ms. McLean stated that she was correct.

Board Member Stephens referred to the bullet points and he understood how they helped define and strengthen the LMC. He noted that there was an actual number associated with the height, and while it might be nice to have a specific number, he was concerned that it might create design issues. Mr. Stephens recalled a previous discussion in this presentation about the relationship of floor levels and porches to the surrounding structures. He thought that by itself would handle the height issue. He suggested that the Staff look at that possibility. Mr. Stephens was unsure whether the 5' number would be successful in the long run. Planner Turpen noted that Salt Lake also uses a specific number for their height. Mr. Stephens cited a home on Upper Park Avenue where the 5' number would create a very unusual house being built next to it based on the rhythm and pattern. He believed there were other mechanisms in the LMC and the Design Guidelines to restrict the height of the buildings.

Ms. Melville asked if the Staff had photos they could show to demonstrate the reason for the proposals in terms of compatibility. Planner Grahn thought they could relook at some of the examples of individual projects that were given earlier.

Chair White stated that there was a glaring problem with the height situation on Daly Avenue where nice historic homes sitting in a canyon have huge buildings on either side of them. Planner Grahn thought they could definitely remove the 5' height. When they address specific guidelines for mass and scale, they can look at how to better define height to keep it more consistent on the streetscape.

Board Member Melville asked if the definition of compatibility would be going to the Planning Commission soon; or if it was longer term, whether it would hold up adoption of the pending ordinance. Planner Grahn replied that if the Staff finds that it would delay the ordinance they would remove the definition. Ms. Melville felt certain that the Planning Commission would want to see the need for this change and how it would work in terms of buildings. Director Erickson stated that in some cases the Staff was responding to the City Council direction on compatibility. He thought it was particularly apparent in the joint meeting between the HPB and the City Council. Director Erickson noted that the Planning Commission has a different role and it would be fine if they needed more time for the Staff to raise their conscience on preservation issues.

Board Member Melville referred to the structure at 535 Woodside shown on page 31 of the Staff report and she asked Planner Grahn to explain how the new definition would have avoided that building. Planner Grahn believed it applies to the proportion of openings within the facility. There is a lot of glass and it is very wide. Ms. Melville pointed out that it was a style that did not exist in Park City. Planner Grahn was not the project planner but she assumed the applicant might have argued that it was a modern interpretation of industrial mining. Planner Grahn pointed out the rhythm to voids ratio on the building and asked if the solid to void ratio was consistent with a historic house next door. She applied materials and texture and talked about the roof form. Ms. Melville asked the style of windows would it be referenced. Planner Grahn stated that the Design Guidelines would recommend style of windows. It is a very fine detail of compatibility rather than the larger picture. Planner Grahn noted that the scale and volume of the building at 535 Woodside was very large and she thought it could have been broken up a better to reflect the mass and scale of the adjacent structures.

Director Erickson stated that if the proposed guidelines had been adopted in LMC the building at 535 Woodside would have been much different. He pointed out that it was a remodel of a 1970s building, but they would not have seen the elements Planner Grahn and Ms. Melville pointed out. Mr. Stephens believed the 1970s building would not have been built under the new guidelines. Ms. Melville

emphasized the need to provide visuals to the Planning Commission to demonstrate why the proposed guidelines are important.

Board Member Stephens understood that the guidelines would prevent the types of structures they do not want to see in Old Town, but at the same time they would not want to see repetitive architecture right next to each other. He asked if the Staff had anything that would prevent two almost identical homes from being built next to each other. Planner Turpen stated that the Staff encounters those situations quite often. They stand by the Guideline that speaks to the rhythm and dominant pattern of the streetscape. Generally and historically there are not identical structures on a street and that is the established pattern. The applicants are told that having two identical houses is not consistent with the existing pattern on the street. Planner Turpen noted that the Staff has recently honed in on that Guideline and they were steering architects in that direction. There has been some pushback primarily due to the cost issue of having to pay for two designs.

Board Member Stephens asked if Ms. McLean was comfortable defending the Staff's position to stand by the Guideline. Ms. McLean stated that the more concrete and defined they make the criteria, it becomes more defensible but it is still difficult. Mr. Stephens explained that he asked the question because once it is adopted into the LMC the applicant has a strong argument if their application meets the LMC. Director Erickson stated that the HPB could recommend adding a bullet point stating that repetitive designs are not consistent with the design guidelines. Board Member Melville thought it was better to have the statement in the LMC versus the Design Guidelines. She used the example of garage doors. The Guidelines say there should not be two garage doors on a single lot. However, the LMC states that the front of the house should not be substantially garage door. It is easier to enforce it when it is part of the LMC because the Guidelines are recommendations that could be argued. Director Erickson agreed that the LMC is stronger. If the bulleted items proposed in the Staff report are included in the definition and adopted into the LMC, they could add language stating that repetitive designs are not consistent with the rhythm and scale of the neighborhood as defined.

Board Member Beatlebrox wanted to know what would happen in a case like Mountainlands Trust where they there are two replicate structures. Director Erickson replied that the Staff would recommend architectural changes. Ms. Melville pointed out that in most cases a slight change would be enough to make the structures look different. Chair White thought it was important to be specific as opposed to just saying no replication because people will do whatever they can to get around it.

Board Member Beatlebrox commented on the question of whether or not they should define a vernacular. She was concerned that the examples of modern

architecture that were successful might be legislated out. Ms. Beatlebrox liked the discussion regarding the bullet points, but she felt it was difficult to legislate taste. Director Erickson stated that the Staff was starting to define sub-neighborhoods of different types of rhythm and scale and that will help define compatibility. He believed the inclusion of modern style architecture using the elements of design in the Guidelines will result in homes of appropriate scale. Mr. Erickson used 41 Sampson as an example. Ms. Beatlebrox thought they needed to have samples of very compatible structures and then identify the reasons why they are compatible and what are the Best Practices success factors.

Director Erickson noted that some HPB Board members have asked for the background ordinances and the Best Practice drawings. He stated that what came in from Tahoe and Denver was very specific. As they move forward he believed the requested background information would be helpful.

Board Member Melville commented on 41 Sampson Avenue. It was a historic building but the historic building is gone. She did not believe that was the example they were trying to achieve with the Guidelines. Planner Grahn pointed out that 41 Sampson had approvals under the previous Design Guidelines and it was actually in litigation with the Building Department. What was actually constructed was not consistent with the 2009 adopted Design Guidelines. Director Erickson agreed with Ms. Melville that 41 Sampson was not something they would want to see from the standpoint of historic. His intent was to use it as an example of mass and scale.

Director Erickson suggested that the Board members take the list of compatibility guidelines and walk the neighborhoods to see how they work. Instead of the Staff providing pictures, he asked that the Board members take pictures of structures that they would like the HPB to review and discuss with the Staff.

Board Member Melville thought it was important to remember that this was a Historic District. If they want to keep the sense of a historic district the structure has to fit, regardless of whether or not they like the building. Mr. Erickson agreed that the Historic District is not the place to make a bold statement of change. Board Member Stephens noted that they also needed to look to the General Plan, and the General Plan calls for rhythm of patterns and mass and scale. They needed to keep that in mind even through the LMC process.

Planner Turpen requested that the HPB continue the next section, Character Zones, to the November 18th meeting. The Staff was still working on a package with good examples of character zones to help the Board decide whether it was something they would like to see move forward. It was a longer term project that was not part of the pending ordinance. Planner Turpen provided a brief explanation of character zones and their purpose.

Board Member Stephens understood that they were going through the character zone process because the Staff needed additional flexibility in approving architecture that would be appropriate for specific neighborhoods. He noted that the Guidelines fit across the board and apply everywhere. A character zone might allow something that is appropriate in that particular neighborhood but not anywhere else. He believed character zones would give the architectural community the opportunity to build the best product for the site.

The meeting adjourned at 6:14 p.m.

Approved by _____
David White, Chair
Historic Preservation Board

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF NOVEMBER 4, 2015

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

EX OFFICIO: Bruce Erickson, Makena Hawley, Polly Samuels McLean, Louis Rodriguez

ROLL CALL

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

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Director Erickson provided a Staff update to the HPB. He noted that a Staff report was submitted to the City Council on 923 Park Avenue for their meeting the following evening. The Staff report updates the Council on the situation at 923 Park Avenue and how the Staff was handling it. Mr. Erickson assumed that the City Council would provide guidance on the final outcome. He expected to see the crane on-site this week, but he had not seen any evidence of a crane. Director Erickson reported that the Building Department has been to the site and was conducting a review on whether the correct shoring was in place and whether the weather had any effect on the building.

Board Member Melville thought it was unusual to see a cement block foundation instead of a poured foundation. She asked if that cement block was a factor. Director Erickson was unsure whether it was a factor because he is not a building expert. He asked if Board Member Stephens could answer the question. Mr. Stephens stated that it is perfectly acceptable in some situation, but it is not seen very often. Based on his personal experience it is harder to do it with a house that is being raised and put back down because by definition blocks are square but a concrete wall does not have to be poured square. Very often with old houses, particularly those with multiple additions, pouring a concrete foundation to meet the house achieves a better fit. Mr. Stephens agreed that while cement block foundations are acceptable it is unusual to do it.

Chair White agreed with Mr. Stephens that block foundations can be done but most of the foundations are poured concrete. However, occasionally people choose to do concrete block because it is less expensive. Chair White did not

believe there was any less strength with concrete blocks and it was not prohibited by any codes. He noted that the foundation is still engineered with the correct number of steel rebar and the block cores are filled in.

Board Member Melville stated that her general concern was that they were starting to see the failures of a lifted house quite often. She asked if there was anything the HPB could or should be doing to protect these structures. Director Erickson remarked that vigor in watching what occurs is very important. He noted that the penalty phase, which is enforced by a different department, is very important to help prevent these situations from occurring.

Director Erickson explained that the Planning Department has two control mechanisms on these type of activities. One is the Steep Slope Conditional Use permit and the second is the HDDR and Demolition Permit Review. Both are permissible actions. The Staff has started to add conditions of approval. The first one is that if an applicant is allowed to raise the house in some form to put a foundation underneath it, the building cannot be raised for more than 45 days. He noted that the structure at 923 Park Avenue was raised longer than 45 days. The Staff has originally selected 30 days for the condition of approval but the Building Department informed them that concrete needs 28 days to cure. Director Erickson remarked that in the new permits, the Staff was regulating the data and the bond amount would increase to pay for lowering the building within 45 days if it becomes non-compliant. He noted that the Engineering and Building Department have been briefed on that regulation and Planners Grahn and Turpen were helping to writing the language.

Director Erickson stated that the Planning Department has the authority to request a structural engineering review of the cribbing. If the contractor changes the cribbing from the approved cribbing location, the Staff would be able to visit the site and look at the engineers stamp and determine that it was not being done as approved. Unless the structural engineer approves the change the project would be stopped. Director Erickson stated that under the conditional use permit for Steep Slopes, the Planning Department would start requiring that no excavation on a steep slope CUP could occur at October 15th, which is the same date that the City Engineer regulates for paving.

Director Erickson recognized that the new regulatory actions were in retrospect, but they would apply moving forward to try and prevent what has occurred in the past.

Board Member Beatlebrox noted that every article she read regarding 923 Park Avenue states that no one knows what happened. She assumed that some kind of inspection needed take place but it could not be done right now because of safety reasons. She asked if that was why Director Erickson was waiting for the crane; or whether he was waiting for the crane to actually lift the structure and

put it back down. Due to the length of time, she asked if there were concerns about structural failure.

Director Erickson replied that the structure has been roughly stabilized which has temporarily alleviated that concern. The Building Official and the Police Department have been to the site at least once and they have given him preliminary discussion on how they intend to conduct the investigation. They will be out there when the building is being lifted in a safe context, and they will provide a determination. Mr. Erickson stated that when the Legal Department reviewed the report from the Planning Department to the City Council, they asked for an expected date when the report would be back. Mr. Erickson remarked that there was concern related to the situation and that the Building Department was closely monitoring it, but they needed to get a crane on site to put the building back on the blocks as quickly as possible.

Board Member Stephens believed that because of the position it has been in, he believed the mostly likely outcome is that the structure has been torqued. However, frame-constructed house are pretty forgiving, so when the crane lifts it up it and puts it back down it will not be square anymore, but it would not be a monumental task to put some winches on it and square it back up again. Chair White pointed out that most of the houses are not square anyway, but this particular house was extremely not square. He stated that the crane needs to right the house to a reasonable point and then set it back on the proper support and complete the foundation. He felt sure that once the house is lowered and they start building on it, they would try to straighten even more. Chair White emphasized that it was not doing the house any good in its current position.

Director Erickson would follow up with the Building Department to see if there was a way to expedite the crane.

Director Erickson reported that the Planning Department was also concerned about the yellow house to the north with the garage up in the air because there has been very little activity.

Director Erickson commented on scheduling. He reported that when the pending ordinance went forward, the City filed papers the next day for determination of significance on eight houses that were not covered under the HSI. He believed there were now 13 structures on the list. Director Erickson stated that the protection of those 13 plus other structures covered by the pending ordinance was moving forward. He explained that the protections that were talked about were coming up and there were brand new application forms for the HPB to authorize demolition whether it is reconstruction, restoration or panelization. The Classification of contributory buildings in the District would be coming forward, as well as a new process for bringing items to the HPB. Director Erickson noted that the item on the agenda this evening was a non-historic structure that as

currently regulated would allow the Planning Department to take action instead of going to the HPB. Director Erickson stated that the HPB would be reviewing the pending ordinance on November 18th. The Planning Commission will meet on November 17th. Another HPB meeting was scheduled for December 11th, at which time the Staff would like the HPB to forward a positive recommendation on the pending ordinance to allow time for it to go before the Planning Commission and on to the City Council.

Board Member Melville asked if it would be ready for the Board to take action on November 18th. Director Erickson replied that there would be noticing issues for the meeting on November 18th. In addition, the Staff would like the additional time to make sure everything is ready to move forward. He noted that the Legal Department had completed their review and Planners Grahn and Turpen were making their updates. The Legal Department was reviewing the comments and suggestions from the HPB to make sure they have a legally defensible position before it moves forward.

Director Erickson stated that the Planning Commission would have one meeting in December on December 9th. The City Council only has one meeting in December and if they do not keep on schedule it would go before the City Council on January 7, 2016 for approval.

Director Erickson stated that as the Staff works through neighborhood compatibility and neighborhood zones, they would like the Board members to take more pictures of structures and send them to the Planning Department. Planners Grahn and Turpen would incorporate those pictures into a powerpoint presentation and explain whether the projects were approved under the old ordinance or the 2009 revisions; and whether or not the compatibility ordinance that is being proposed would have changed the outcome. Director Erickson clarified that it was parallel to the pending ordinance, but it would be a slower process because the Board wanted more time to understand compatibility.

Board Member Douglas stated that a natural tendency is to look at structure in a negative sense and wonder how it was allowed to happen. However, it would be helpful to look at structures in a positive sense and determine what was good, because changes to the LMC might create a situation that would not allow the good ones to be duplicated. He thought it was important for the Board to be aware of both sides of the issue.

Director Erickson commented on other items that were moving forward. He noted that the Legal Department had completed their first review of new definitions for demolition to make sure they conform to State Code. That would probably come before the HPB in January. Demolition by Neglect was going forward and would probably have three levels. Demolition by Neglect would be much more rigorous on a Landmark site, medium rigorous on a Significant site,

and exterior on the Contributory buildings. Director Erickson stated that the Staff was trying to find a way to address Demolition by Neglect on mine structures. For example, the California Comstock Mine Building is a Landmark structure that would be stabilized for the winter. If a mine structure is Landmark or Significant it is easier to write criteria for Demolition by Neglect than if it were a telephone pole. The Staff was working on moving that forward. Director Erickson remarked that the HPB would see the first part on November 18th and the rest would be in December or January. He stressed the importance of getting everything completed and before the City Council in January to stay within the six month time period before the pending ordinance expires.

Assistant City Attorney McLean noted that the Planning Commission would be reviewing the pending ordinance on November 11th. She thought it would be helpful if someone from the HPB attended that meeting to represent the Board and explain their discussion and recommendations.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

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

1. 221 Main Street – Demolition Determinations – The applicant is requesting to move an existing vent on the south side roof of the buildings as well as add ventilation on the upper loft level, coming through the new roof materials on a Landmark site. (Application PL-15-21863)

Planner Tech Makena Hawley reviewed the demolition request for 221 Main Street. The applicant intends to remove the non-historic roofing in order to add four new exhaust pipes on the rear of the addition.

The Staff recommended that the Historic Preservation Board review the application, conduct a public hearing, and approve the demolition of non-historic roofing on the south rear end of 221 Main Street.

Board Member Hodgkins understood that it was non-historic roofing material, but he believed it was a historic roofline and it would penetrate through that in a historic portion of the building. Planner Tech Hawley stated that in her research of past approvals for this site, she found that an entire re-roofing was done on the structure. She thought that the re-roofing as well as the portion that would be taken out of the roof was not historic. She had taken her information from the Building Permit and the HDDR pre-application from 2011. Ms. Makena remarked that the line may be the same but the actual material being removed was non-historic.

Board Member Hodgkins agreed that the material was non-historic. His concern related to the historic nature of the building. The City allows material to be replaced in kind and he asked if the Staff was saying that once the material is replaced it no longer matters because it is not historic. Director Erickson clarified that the Staff opinion was that removing the material would not have an effect on the historic ridgeline, it would continue to maintain its historic shape, and it would still be readily identifiable as a historic structure, based on the review criteria.

Board Member Beatlebrox asked where on the building it would occur. Chair White stated that it would be on the southwest corner in the rear of the building. Ms. Beatlebrox understood that if it was in the rear of the addition, it would be away from the dormer windows. Ms. Hawley replied that she was correct. Ms. Beatlebrox stated that what she considers to be the historic roofline is the area with all of the dormer windows. Board Member Hodgkins was not sure he agreed with Ms. Beatlebrox because the historic photo showed the same roofline.

Board Member Stephens was familiar with this building and tried to clarify the concerns. He reviewed a drawing by Elliott Work Group contained in the Staff report which showed that the penetrations would occur at the back of the building in an addition that was put on when the building was converted to a bed and breakfast. Mr. Stephens pointed out that it was a fairly new addition to the historic building. He recalled that the addition occurred sometime in the 1980s.

Board Member Hodgkins asked if the photographs shown on page 22 of the Staff report were also from the 1980s. Mr. Stephens replied that the colored photos were the most current. Mr. Stephens and Mr. Hodgkins reviewed several photos and tried to identify specific elements. Mr. Stephens pointed to a picture identified as the Bogan Boarding House and noted that the railing was added in 1983 and the addition was put on after that time.

Ms. Hawley noted that the Historic Sites Inventory shows the date of when the photos were taken and the third photo was taken in 2008. Board Member Hodgkins asked if they were saying it was part of an addition and not part of a historic structure. As written, the Staff report suggests that it was a replaced roof where the penetration would occur. If it is in a roofline that was part of an addition that was not historic, he thought that would be an important distinction to make. Ms. Hawley stated that she was under the impression that it was an addition in the back, but she did not have the exact year that the addition was put on. She explained that based on the historic preservation guidelines, taking away non-historic material is usually considered minor construction that does not affect the historic nature of the building.

Chair White read from the Staff report, "This addition to the west side was built in 1907", which would make it a historic addition. The Staff report further states that the addition was severely damaged by fire in 1940 and it was not restored until

1985. Chair White stated that if the portion of the building they were looking at was originally a historic addition and it was then destroyed by fire and restored fully in 1985, should they assume that the house was restored back to the original 1907 addition and if so, was the 1985 considered historic.

Director Erickson remarked that the building itself is in the Register. The addition that burned in 1940 and was reconstructed in 1985 is considered the same as other non-historic additions to historic buildings. As long as it does not affect the character of the building, the building itself retains its historic character. The penetrations are going through non-historic shingles in a non-historic portion of the roof.

Chair White stated that he was trying to figure out whether in 1985 the addition was reconstructed to the original 1904 addition. Director Erickson asked if he was talking about the original form or materials. Director Erickson believed that the reconstruction roughly restored the form. He pointed out that if the form of the building had been disturbed by the addition it would have been taken off the Register.

Chair White stated that he personally had no problems with the request proposed by the applicant.

Board Member Melville asked if it would make a difference if it was actually a historic building. Board Member Hodgkins stated that he was expressing his concerns because they were reviewing this application as part of a test. He was trying to point out that if material is replaced in kind, is the homeowner allowed to penetrate to do whatever they want because it is new material and not historic. He thought it was important to distinguish whether or not the roofline was reconstructed in the historic portion. The fact that it retained its Register designation would indicate that the roofline was part of the form. Whether or not they allow these penetrations, Mr. Hodgkins thought they should make it clear that they were allowing penetrations that in the past would not have been viewed as historic. He pointed out that even though it was in the back it would still be visible from the street. Mr. Hodgkins thought they should ask the question of whether the vents need to be there or if there is another alternative. He believed another question to consider is how many penetrations are considered insignificant.

Board Member Melville understood that Mr. Hodgkin's concern was whether it affects the form of a historic building versus just going through the materials. Mr. Hodgkins answered yes.

Board Member Beatlebrox stated that at one time you could stand in the vacant lot and look carefully at that side of the structure. She stood there many nights talking about the history of this building and the ghost that lives on the top floor.

Now there is a building instead of a vacant lot and she questioned whether the rear portion could still be seen from the street. Ms. Beatlebrox asked if the pipes would be visible. Director Erickson replied that they would not be visible from the side where Ms. Beatlebrox used to stand.

The applicant, Seth Adams, agreed that the pipes would not be seen from that standpoint because the buildings are three feet apart. He clarified that where they would penetrate the roof is non-historic. It is so far back that it would not be seen from the sidewalk across the street. Mr. Adams believed it would only be visible from the back side.

Board Member Stephens thought Mr. Hodgkins made a good point about these being test cases. However, he also raised an issue that had not been addressed which is what happens when someone requests a demolition on historic material on a historic structure, and what values they have to judge that against. For example, if someone asks to put a window in a historic house where there previously was not a window, what would the HPB use to make that judgment. Mr. Stephens thought it was important to deal with that issue prior to an actual application so people would know ahead of time how it would be addressed.

Director Erickson recalled that the HPB had this situation at the last meeting when an applicant requested to install a window on an historic house for egress. Director Erickson stated that there were two different questions. The first is how to address a penetration in a historic structure. The second is how to address it if the penetration is in a non-historic portion of a historic structure. Director Erickson remarked that the correlation to the question is how many times it could be done before the building is no longer historic. Board Member Hodgkins thought a third question was if the penetration is in a historic structure but in replacement material whether that fact matters.

Director Erickson remarked that when the Planners review these applications they look at the exact language in the LMC in terms of what makes these structures historic, and whether or not any of the changes would affect the LMC criteria. He stated that the limitation on the number of times the roof could be penetrated or a window could be installed is directed correlated to the LMC criteria. On a Landmark site, the Planners go directly to the National Parks Service criteria for that designation. Director Erickson noted that the Staff uses the National Park Service and LMC regulations, and the Historic District Design Guidelines for construction on historic buildings as their tools in evaluating these applications. The standards are higher for penetrating a historic structure and historic materials, and the materials have to be replaced in kind.

Board Member Holmgren had gone by the structure that morning and she did not believe it would be visible from the street. Director Erickson reported that the Staff had approved a request weeks earlier on another house where non-historic

material was penetrated on a historic house for a dryer vent, and then replacing the roof. The recommendation for 221 Main was consistent with their decision on that building. He summarized that the request is to penetrate a renovated structure from 1985 through a roof that was replaced in 2001. The home retains its essential historic form and would be readily identified as a historic structure after the proposed modification.

Mr. Adams commented on existing vents that stick out of the side of the building and noted that those vents would be relocated to the back of the building so they will no longer be visible.

Brian Brassey, the contractor, stated that they were also planning to separate the residential utilities from the commercial utilities in the building. Presently all of the venting comes out of the side of the building at the lower level. By moving the utility room for the residential unit up to a loft in the non-historic portion of the building in the back, the least visible location would be through the roof.

MOTION: Board Member Melville moved to APPROVE the demolition of non-historic roofing on the south rear end of 221 Main Street for installation of four new exhaust pipes per the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 221 Main Street

1. The property is located at 221 Main Street.
2. The building is listed as Landmark on the Historic Sites Inventory.
3. The property is located within the Historic Commercial Business (HCB) District.
4. On September 16, 2015 the applicant submitted a Building Permit for the relocation of the interior mechanical room which proposes to affect the exterior by adding 4 exhaust pipes through the non-historic south roofing at 221 Main Street.
5. The removal of the non-historic roofing is considered minor construction and routine maintenance. It can be determined that the roofing on 221 Main St. is non-historic because a Building Permit for a re-roof was issued on December 19, 2011.
6. The removal of the non-historic asphalt shingles will not affect the historic materials of the building.

Conclusions of Law – 221 Main Street

1. The proposal complies with the Land Management Code requirements pursuant to the HR-M District and the August 6, 2015 pending ordinance.

Conditions of Approval – 221 Main Street

1. Final building plans and construction details shall reflect substantial compliance with the proposal stamped in on September 14, 2015. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
2. An HDDR Waiver Letter by the Planning Director is required for the approved design before a Building Permit can be issued by the Building Department.

Board Member Melville stated that in considering these test cases, she thought an issue that may come up in the future is when they see a reconstruction to the building something that would come up in the future related to reconstruction of a building or the building was demolished and there was really no historic material was used in the structure and now nothing in the building is 50 years old. Director Erickson used the example of a nice house on Woodside that mimicked the historic structure that was there previously or it was renovated and no historic material was used. The building would be regulated under the Contributory category and it would require an HPB review. Assistant City Attorney McLean understood that under the Code a reconstructed building can still be Significant. Ms. Melville understood that a reconstructed building that had used historic materials could remain on the HSI. However, the criteria for being on the HSI is that it has to be 50 years old. Ms. McLean replied that 50 years old is only one criteria. The building could meet the other criteria including having received a grant.

Assistant City Attorney suggested that the Board ask the Staff to address the question at a future meeting to be clear on the criteria and how those types of structures would be addressed. Ms. Melville thought it was important to look at current Code as they address these questions to see if the language is open to interpretation and whether it needs to be strengthened.

The meeting adjourned at 5:46 p.m.

Approved by _____
David White, Chair
Historic Preservation Board

Historic Preservation Board Staff Report

Subject: Historic Preservation-Compatibility Study
Author: Anya Grahn, Historic Preservation Planner
Hannah Turpen, Planner
Date: November 18, 2015
Type of Item: Work Session

Summary Recommendation

Staff recommends that the Historic Preservation Board review and discuss improvements which can be made to the 2009 Design Guidelines and provide input to staff regarding the development of character zones.

Background

Historic preservation code provisions date back to approximately 1982. In the early 1990s, the City expanded regulations limiting demolition of commercial properties, primarily on Main Street, and soon after extended protections to residential properties which were on the initial survey or over 50 years old, subject to a determination of significance hearing. In 2007, the City contracted Preservation Solutions to conduct a reconnaissance level, or “windshield” survey of the historic district. This increased our current preservation program in which some 400 sites and structures were designated as historic on the City’s Historic Sites Inventory (HSI) and the adoption of the 2009 *Design Guidelines for Historic Districts and Historic Sites*.

Owners of properties on the HSI may not demolish buildings or structures designated as historic unless warranted by economic hardship; however, reconstruction and panelization may be deemed necessary and approved by the Chief Building Official (CBO) and Planning Director if specified criteria are met as defined in the Land Management Code (LMC). The City has been successful in encouraging historic preservation through a “carrot and stick” approach, which includes the Historic District Grant Program and Land Management Code (LMC) exceptions benefitting historic properties.

One of the goals of the General Plan (GP) is that infill and new additions should be compatible in the neighborhood context and subordinate to existing historic structures. The GP recommends creating Design Guidelines that raise the level of review for whether or not additions to historic homes are “compatible” and “subordinate” to the primary structure. Further, it suggests creating compatibility regulations that limit lot size, massing, siting, and height in order to guide compatible neighborhood development. Staff finds that one way enhance the character of a neighborhood would be to create distinguishable character zones.

During the October 7, 2015, work session regarding Visual Analysis and Compatibility, the HPB expressed interest in looking at character zones. Many cities have categorized neighborhoods within their Historic District as character areas or zones. Each character

zone would embody a distinct pattern of development, architectural style, or vernacular while contributing to the overall historic district. Staff committed to returning to the HPB in November to discuss further the merits of character zones.

Analysis

Staff has looked to a number of communities—including Breckenridge, Colorado; St. Anthony Falls Historic District, Minneapolis, Minnesota; and Druid Hills Local Historic District, Gainesville, Georgia—to understand their use of character zones. In these cities, character zones or areas have been applied to:

- Develop individual design standards or guidelines for each character zone that specify scale, architectural style, materials, roof form, parking, etc.
- Create more site-specific contexts for individual design projects because what is appropriate on one block may not be appropriate in a different sub-neighborhood
- Emphasize certain developmental, landscape, and architecture features that distinguish one neighborhood from another

Staff is not suggesting amending the LMC to redefine setbacks, heights, or footprint in different neighborhoods. Rather, staff would recommend defining characteristics of neighborhoods in the Design Guidelines to assist designers in capturing the Park City vernacular style of that particular neighborhood. As a reminder, vernacular architecture is defined as a category of architecture based on local needs, locally available construction materials and skills, and is a reflection on local culture at the time of construction. Staff will return to the HPB in the future to discuss components of Park City's vernacular style and ways it may be reflected in the Design Guidelines.

As part of this work session analysis, staff has identified five (5) character zones that could be applied to Park City because of their distinguishable characteristics:

1. Ontario Avenue

Like many streets in Park City, the steepness of the terrain prevented Ontario Avenue to be constructed in its platted right-of-way during the historic period. Similar to the rest of Park City, house forms in this zone were typically hall-parlor, cross-wings, pyramid-roof cottages, and gable-front cottages. Early Sanborn Fire Insurance Maps show that the houses along Ontario Avenue were constructed facing west, towards town. Front yard setbacks are consistent between neighbors and it was not uncommon for accessory buildings to be constructed in the backyard. While Ontario Avenue was dotted with hall-parlor, cross-wing, and front-gable house forms like the rest of Park City, those on Ontario Avenue often featured more high-style decorative Victorian details like ornate bay windows and ornamented porches.

Today, the steepness of Ontario Avenue has dictated the look and feel of Ontario Avenue's streetscape. The streetscape is characterized by one- and two-car garages with suspended driveways or even stairs leading to the house below on downhill lots. Houses continue to be designed facing west to take advantage of views of the Old Town.

See Exhibit A for staff's analysis of Ontario Avenue.

2. Sandridge Road

Historically, Sandridge Road was not platted. Much like Ontario Avenue, hall-parlor and cross-wing house forms were constructed to face west, towards town. Some of these houses, like 222 Sandridge Avenue, featured ornate bay windows and decorative porches reflecting the Victorian Era. The most prevalent character-defining feature that continues to exist today is the number of wood frame sheds that were constructed adjacent to Sandridge Road. Unlike Ontario Avenue, Sandridge Avenue remains largely unchanged with limited infill development.

See Exhibit B for staff's analysis of Sandridge Road.

3. Daly Avenue

Historically, Daly Avenue served as a route to the mine sites, thus allowing the neighborhood to be more industrial in nature. Unlike other Park City streets, the neighborhood is characterized by sheds located adjacent to the street and which likely housed cottage industries during the historic period. The location of Silver Creek and the steepness of the hillside promoted the construction of housing along canyon walls. Daly Avenue's proximity to the mines led to the construction of boarding and lodging houses alongside the typical cross-wing and hall-parlor houses. Further, many of the street's original hall-parlor houses were expanded into cross-wings at the turn of the century as families grew.

Today, Daly Avenue features a mix of large multi-unit residential complexes, larger new single-family homes, and historic houses. A number of historic accessory structures remain adjacent to the street; however, many have been lost. Unlike the historic fabric which features staggered houses without clear setbacks, new development has largely followed the setbacks prescribed by the Land Management Code (LMC) to create defined front, rear, and side yards.

See Exhibit C for staff's analysis of Daly Avenue.

4. 300-400 Blocks of Park Avenue

Upper Park Avenue is characterized by its well-preserved historic character. The streetscape was developed with consistent setbacks. In some places, smaller side yard setbacks have created pockets of density. Wealthy merchants and businessmen built larger houses on Park Avenue, such as the Samuel L. Raddon House at 325 Park Avenue, among the traditional hall-parlor, cross-wing, and pyramid roof cottages. Historically, houses on Park Avenue often featured decorative Victorian Era embellishments such as wood shingles, turned porch posts, brackets, and other detailing. Further, institutional buildings were constructed among houses on Park Avenue.

Today, this portion of Park Avenue has retained much of its historic integrity. Houses have been renovated and new additions constructed that contribute to the look and feel of the neighborhood.

See Exhibit D for staff's analysis of the 300-400 Block of Park Avenue.

5. Main Street

Main Street is the most distinctive character zone in Park City. Unlike the residential areas surrounding it, the commercial district was historically comprised of one-part and two-part block buildings as well as larger block buildings like the Claimjumper Building (See Design Guidelines page 16 for more detail on commercial building types). While Upper Main Street was primarily commercial, lower Main Street was characterized by more industrial uses such as the National Garage (High West), the Kimball Garage (formally Kimball Art Center), Park City Union Pacific Depot (Zoom Restaurant), and Morrison Merrill Lumber Yard (Sky Lodge).

Historically, some character-defining features of this area were:

- Traditional wood frame buildings and brick buildings
- Traditional storefronts along Main Street with residential or commercial uses on upper levels
- One to two stories in height at the street front
- Zero setbacks
- Building widths limited to 25 to 50 feet to reflect lot combinations

Currently, this zone is addressed as a subsection in the Design Guidelines called Main Street National Register Historic District. Staff finds that the unique characteristics and distinct building forms of commercial structures are limited by the current Design Guidelines. Staff recommends that specific Design Guidelines be created for historic and new construction on Main Street. This would be the only character zone to have its own set of guidelines completely related to the look and feel of Main Street.

See Exhibit E for staff's analysis of Main Street.

Questions for the Historic Preservation Board

- Does the Historic Preservation Board find that Character Zones are appropriate for Park City? Is this a suitable way to clearly define the distinct areas of the Historic District?
- Would the Historic Preservation Board support the identification and incorporation of Character Zones in the updated Design Guidelines?
- Does the Historic Preservation Board find that each of the Character Zones defined in this report embody a distinctive pattern of development, architectural style, or vernacular while contributing to the overall historic district? If so, staff will return with additional Character Zones in Old Town.

Summary Recommendation

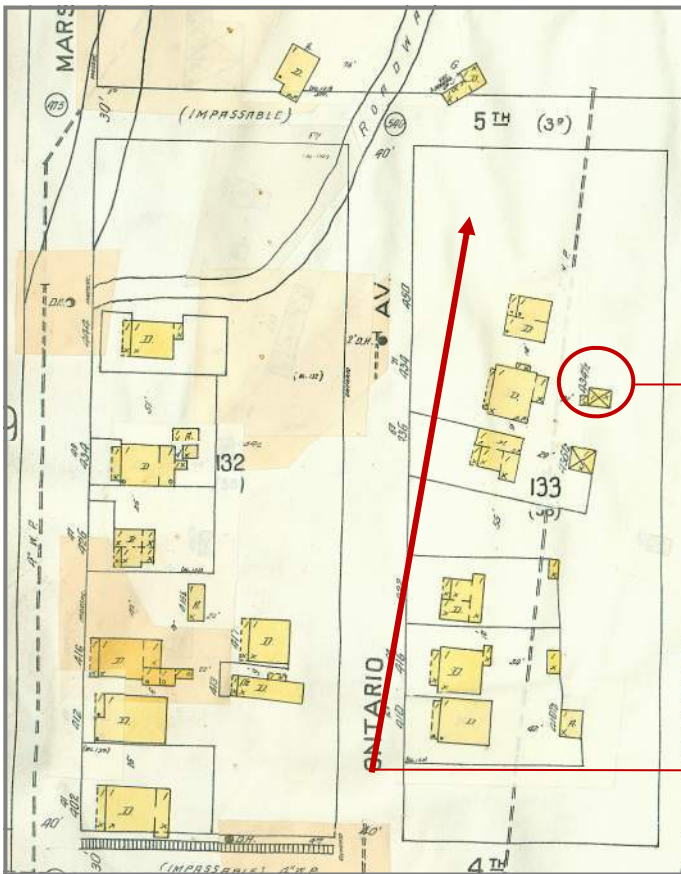
Staff recommends that the Historic Preservation Board review and discuss improvements which can be made to the 2009 Design Guidelines and provide input to staff regarding the development of character zones

Staff recommends that the Historic Preservation Board visit the Character Zones defined in this report before the Historic Preservation Board meeting in order to gain a better understanding of these distinct areas of the Historic District.

Exhibits

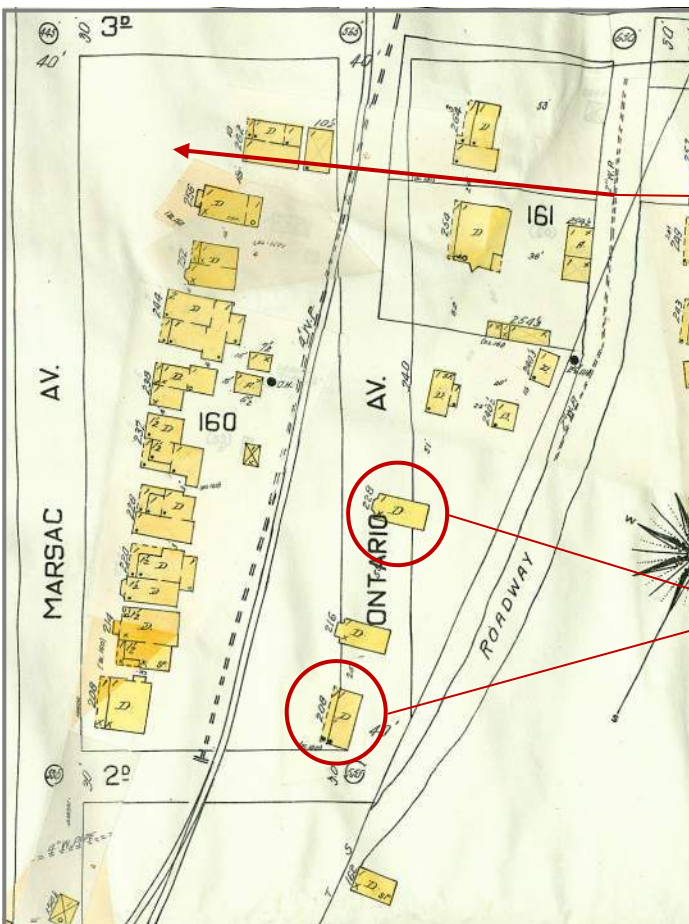
- Exhibit A – Ontario Avenue Character Zone
- Exhibit B – Sandridge Road Character Zone
- Exhibit C – Daly Avenue Character Zone
- Exhibit D – 300-400 Block Park Avenue Character Zone
- Exhibit E – Main Street Character Zone

Exhibit A– Ontario Avenue Character Zone



Accessory structures and residences were constructed in backyards.

Note that the road was not built in the platted right-of-way, but the houses maintain a consistent front yard setback.



Houses were constructed to face town. The dashed line at 254 Ontario shows the full-width front porch facing west, towards main Street.

Decorative Victorian-Era details such as the bay window at 228 Ontario would have been constructed on the façade or “face” of the building. This bay window also faces West towards Main Street. Ornate porches were constructed on the front of these s as well.

Ontario Avenue Character Zone



Streetscape Features

- *Historic Houses with ornate Victorian facades facing west, towards town*
- *New residential development has constructed street-facing garages and entrances*

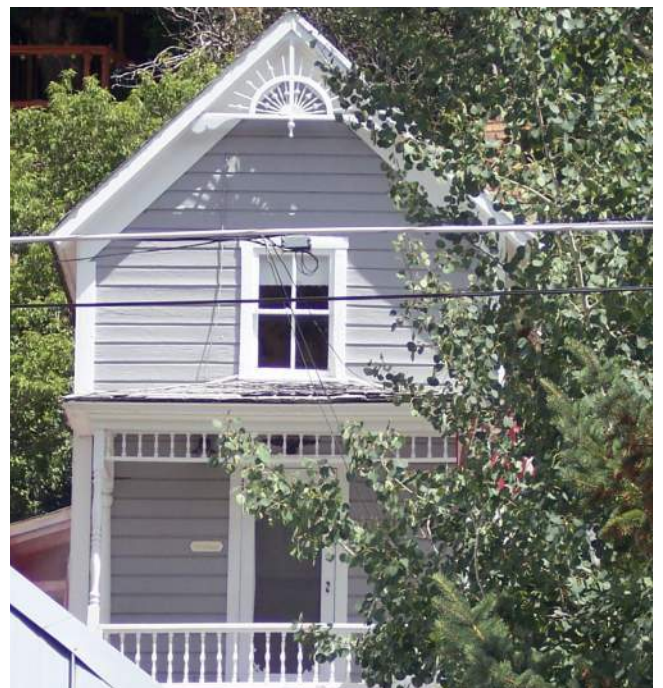
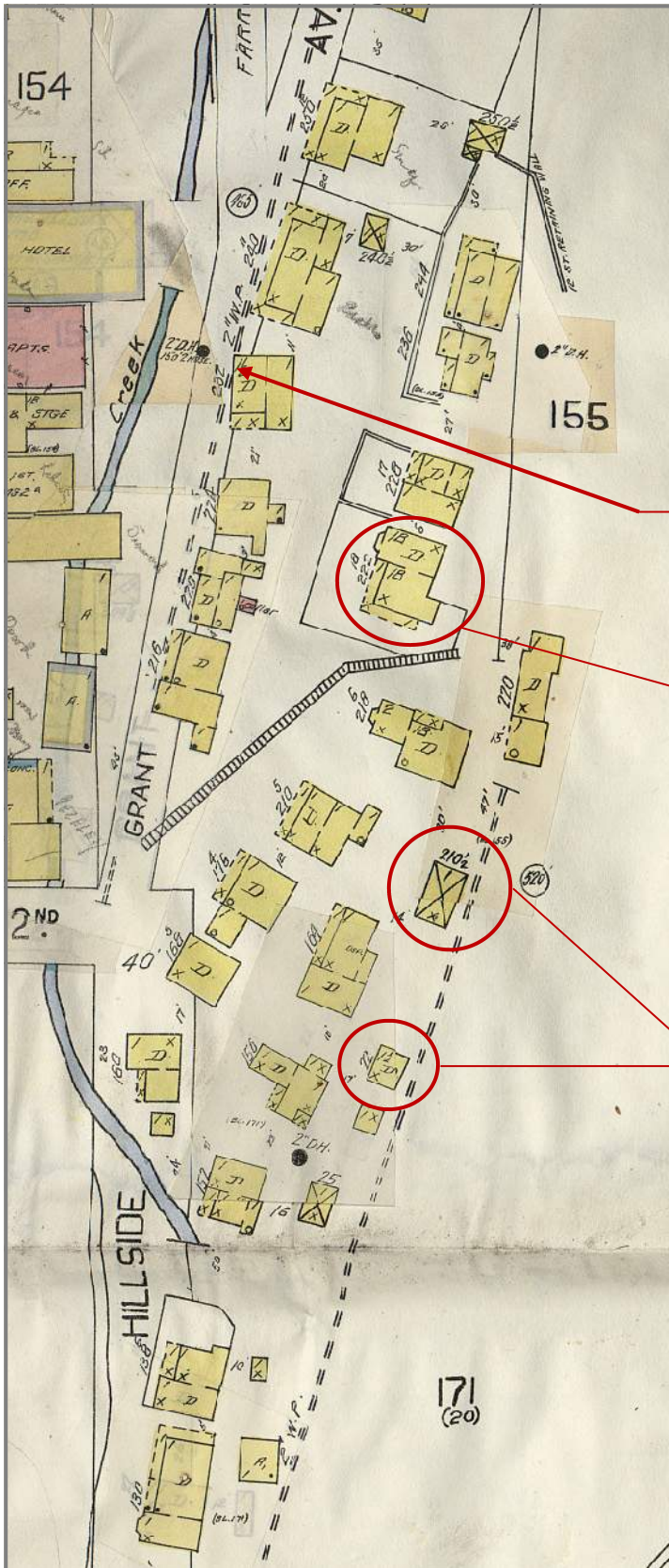


Exhibit B– Sandridge Road Character Zone



Much like Ontario Avenue, houses along Sandridge Road were constructed to face west towards town while their rear façade faced Sandridge Road, not platted on these maps.

Note that houses along Sandridge also featured ornate Victorian architectural designs such as wrap-around porches, bay windows, etc.

Historically, Sandridge was dotted with accessory buildings and sheds. Those that have survived continue to be a character-defining feature of this neighborhood.

Sandridge Road Character Zone

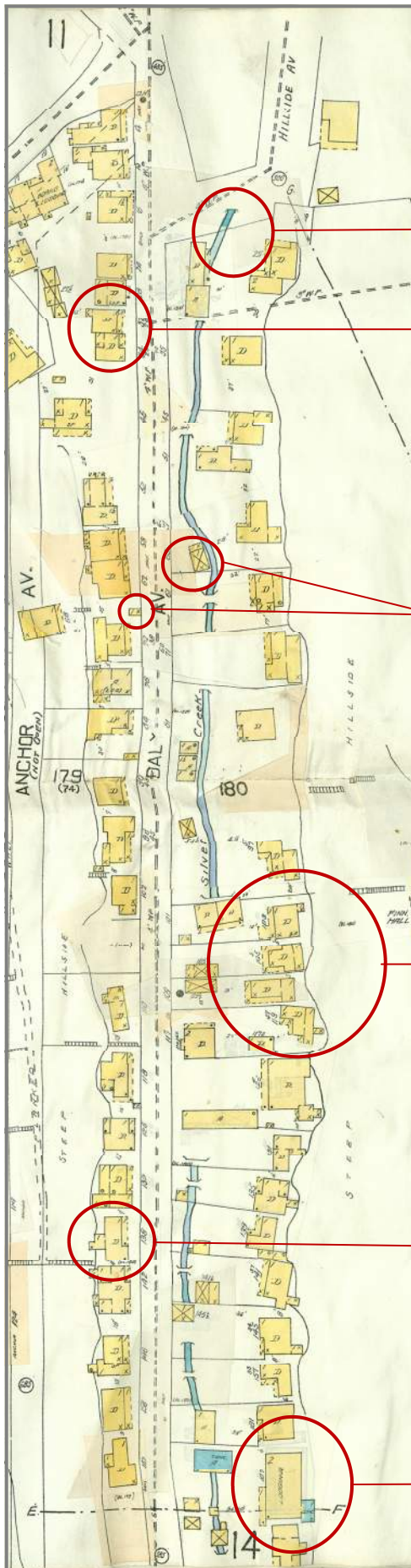


Streetscape Features

- *Historic Houses with ornate Victorian facades facing west, towards town*
- *New residential development has constructed street-facing garages and entrances*



Exhibit C– Daly Avenue Character Zone



Historically, Silver Creek was daylit along the east side of Daly Avenue. This caused the houses to be set back further from the street and adjacent to the hillside.

Houses on the west side of Daly Avenue are located closer to the street due to the steep slope of the canyon behind them.

Accessory structures such as sheds and garages were typically located closer to the street.

Setbacks are not consistent along the east side of Daly Avenue. Rather, structures were often staggered.

It was not uncommon for hall-parlor plans to be expanded to cross-wing form.

While the majority of houses along Daly Avenue were relatively small, there were also several larger boarding houses on the street.

Daly Avenue Character Zone

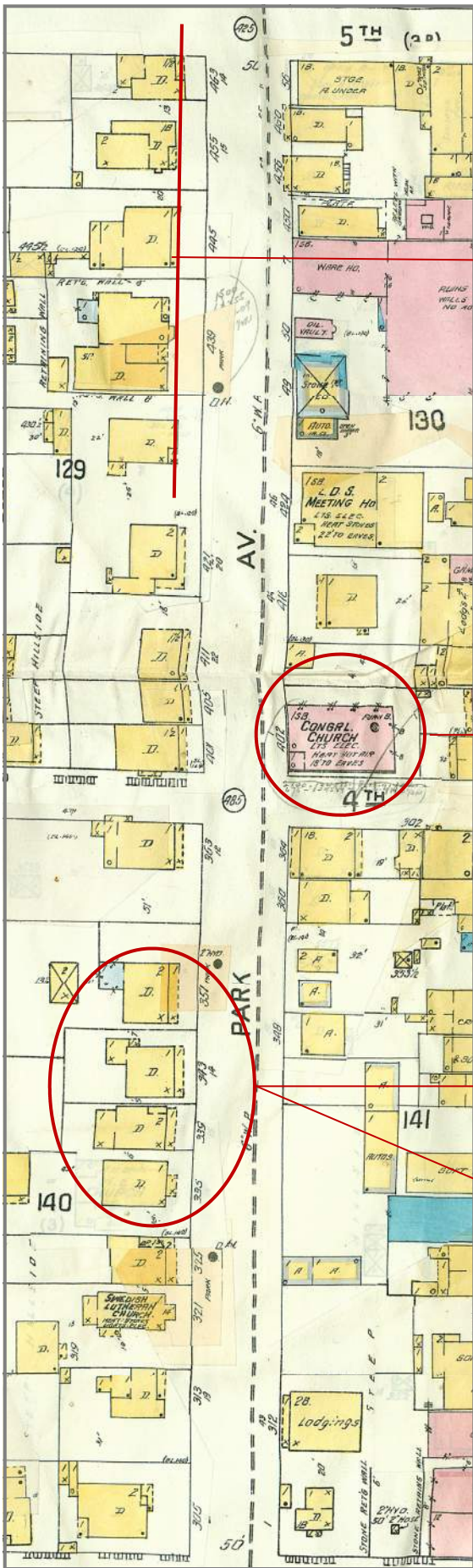


Streetscape Features

- *Industrial nature reflected in sheds and barns located adjacent to the street*
- *Steepness of the grade and location of Silver Creek influenced placement of houses adjacent to canyon walls*
- *Lodging and boarding houses neighbor hall-parlor and cross-wing forms*
- *Many of the original hall-parlor houses were expanded to create cross-wings c. 1900*



Exhibit D- 300-400 Block Park Avenue



Front yard setbacks along the west side of the street are very consistent.

Institutional buildings such as churches and schools make up the streetscape. Main Street buildings and uses also back up to the east side of Park Avenue.

Limited side yard setbacks create greater pockets of density .

Wealthy merchants and business men built larger homes along the east side of Park Avenue. These house featured ornate Victorian details such as decorative shingles in the eaves, turned porch posts, and scrollwork.

300-400 Block Park Avenue Character Zone

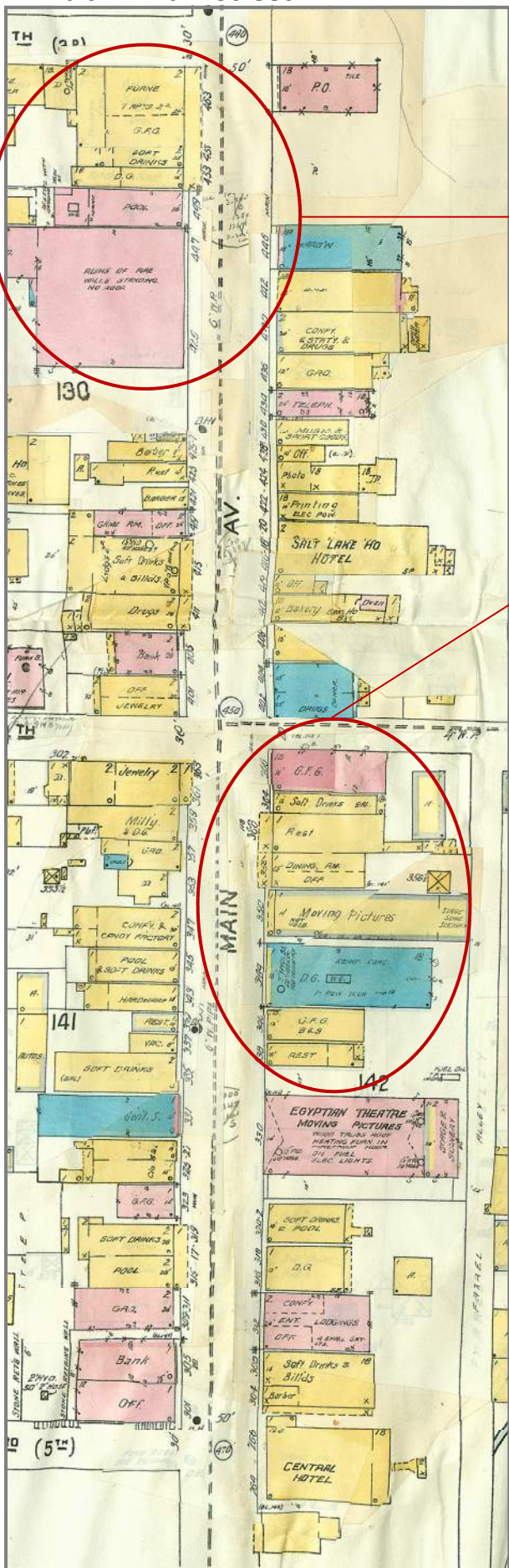


Streetscape Features

- *Consistent front yard setbacks and limited side yard setbacks creating higher density*
- *Streetscape dotted with institutional buildings and the back of Main Street commercial buildings*
- *Ornate Victorian Architecture (compared to simple miner's shacks)*

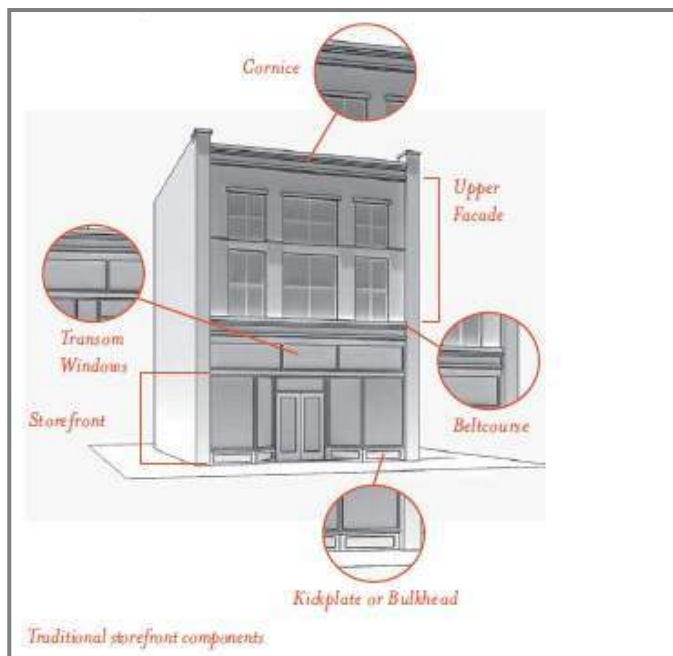


Exhibit E- Main Street



Widths of buildings along the streetscape varies depending on its use. Note how most building setbacks are consistent; however, dashed lines represent balconies over walkways.

Mix of building materials such as wood, stone, and brick. Further, some buildings backup to Swede Alley.



Page 15 of the Design Guidelines discusses commercial building types and styles.

Main Street Character Zone



Streetscape Features

- Consistent setbacks along the street front, with some balcony projections
- Different building widths for different uses
- Use of stone, brick, and wood
- Storefront architecture



Historic Preservation Board Staff Report



Subject: Annual Historic Preservation
Award Program
Author: Anya Grahn
Date: November 18, 2015
Type of Item: Administrative
Project Number: GI-15-02972

Summary Recommendations

Staff recommends the Historic Preservation Board choose one (1) awardee for the annual Preservation Award, select three (3) members to form an Artist Selection Committee, and discuss awarding commemorative plaques.

Background

The Historic Preservation Board (HPB) has indicated as part of their Visioning goals the intent to continue the Preservation Awards program. The awards program is to be based on a Project utilizing the *Design Guidelines for Historic Districts and Historic Sites*, adopted in 2009, and the focus of the award may change from year to year. The Board has agreed that the HPB Preservation Award should not compete with any of the Historical Society's awards, but complement the existing joint preservation efforts already taking place and highlight the *Design Guidelines for Historic Districts and Historic Sites* by which all development in the Historic Districts must comply.

Properties are selected for this award based on the following categories:

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

Previous award winners include:

- 2011: High West Distillery (artist Sid Ostergaard)
- 2012: Washington School House Hotel (artist Jan Perkins)
- 2013: House at 929 Park Avenue (artist Dori Pratt) and Talisker on Main/515 Main Street (artist Bill Kranstover)
- 2014: Garage at 101 Prospect (artist Bill Kranstover)

All five (5) of these paintings are showcased in City Hall, on the main and second levels. Owners of these sites have received a frame copy of the art work as part of the award.

In the past, the Historic Preservation Board has discussed commemorating these award recipients with a plaque. This award is not intended to compete with any of the Historical Society's awards, and staff has confirmed with the Park City Museum that they are currently not awarding plaques to property owners.

If the Historic Preservation Board is interested in awarding plaques to past and future Historic Preservation Award recipients, staff will return to the HPB to discuss these options more fully. ***Would the Historic Preservation Board be interested in either of the following?***

1. Customized plaque with limited text stating the property address, Historic Preservation Award Recipient, and the year the site received the award. The plaque would measure no more than ten inches by seven inches (10"x7").
2. Customized plaque with headline that states the property address, Historic Preservation Award Recipient, and the year the site received the award. Additionally, the plaque would also provide a short history of the site. Staff has heard from several property owners and Old Town residents that a short history of sites would help the community better connect and promote the history of Old Town.

This is the fifth (5th) year that the Historic Preservation Board is honoring projects in Old Town. If the HPB chooses to present property owners with a commemorative plaque, staff recommends that we invite the past award winners to attend the City Council ceremony in which we honor this year's award winner as well as past Historic Preservation Award recipients. The plaques could be distributed at this City Council ceremony in May, in honor of Historic Preservation Month.

The Historic Preservation Award is intended to honor those projects completed under the 2009 *Design Guidelines*. Staff recommends that the HPB consider the following projects as an award recipient this year:

1. **337 Daly Avenue.** This new structure is Infill Development. The applicant utilized the Design Guidelines to build new compatible construction that reflects vernacular Park City architecture in its use of a cross-wing form, simple posts, double-hung windows and panel doors, stacked stone and vertical siding. Despite the large size of the house, the volumes have been broken up to reflect the mass and scale of adjacent historic houses. The owner has completed most of the construction work himself, and he intends for the project to be completed in December 2015.
2. **651 Park Avenue.** This structure is an example of Adaptive Re-Use. High West renovated and added a small kitchen addition to the rear of this bungalow. The site is currently used as event space for the distillery. Construction was completed late-2014, so this property was not

considered for an award last year. The site is designated as “Landmark” on the City’s Historic Site Inventory and is eligible for the National Register of Historic Places.

3. **343 Park Avenue.** This project is an example of Excellence in Restoration. In 2014, the Historic Preservation Board awarded a Historic District Grant in the amount of \$30,000 to fund the renovation of this site. Work included pouring a new foundation, structural upgrades, and window/door restoration. The work was completed in 2015, and the house is designated as Landmark on the City’s Historic Site Inventory and was listed on the National Register of Historic Places in 1984.

Staff would recommend that the HPB focus on choosing one (1) of the above nominees for their annual Historic Preservation Award.

Recommendation

Staff recommends the Historic Preservation Board choose one (1) awardee for the annual Preservation Award, select three (3) members to form an Artist Selection Committee, and discuss awarding commemorative plaques.

Exhibits

Exhibit A- Photographs of 337 Daly Avenue

Exhibit B- HSI Form for 651 Park Avenue + Current Photographs

Exhibit C- HSI Form for 343 Park Avenue + Current Photographs

Exhibit A- 337 Daly Avenue



Exhibit B– 651 Park Avenue





HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property: **House at 651 Park Avenue**

Address: 651 Park Ave

AKA:

City, County: Park City, Summit County, Utah

Tax Number: BA-ALL

Current Owner Name: MOORE ANNE HADLEY TRUSTEE

Parent Parcel(s):

Current Owner Address: 2274 S 1300 E #G15-323, SALT LAKE CITY, UT 84106

Legal Description (include acreage) ALL THE BADASS SUBDIVISION; CONT 3749.8 SQ FT OR 0.09 AC

2 STATUS/USE

Property Category

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

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full Partial

Use

- Original Use: Residential
- Current Use: Commercial

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

3 DOCUMENTATION

Photos: Dates

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

Drawings and Plans

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

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

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

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

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Bungalow type

No. Stories: 1

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

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

General Condition of Exterior Materials:

- Good (Well maintained with no serious problems apparent.)

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

□ Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.²

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

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

6 PHOTOS

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

Photo No. 1: East elevation. Camera facing west, 2006.

Photo No. 2: Southeast oblique. Camera facing northwest, 1995.

Photo No. 3: Southeast oblique. Camera facing northwest, 1983.

Photo No. 4: Southeast oblique. Camera facing northwest, tax photo.

² From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.

Serial No. PC 100

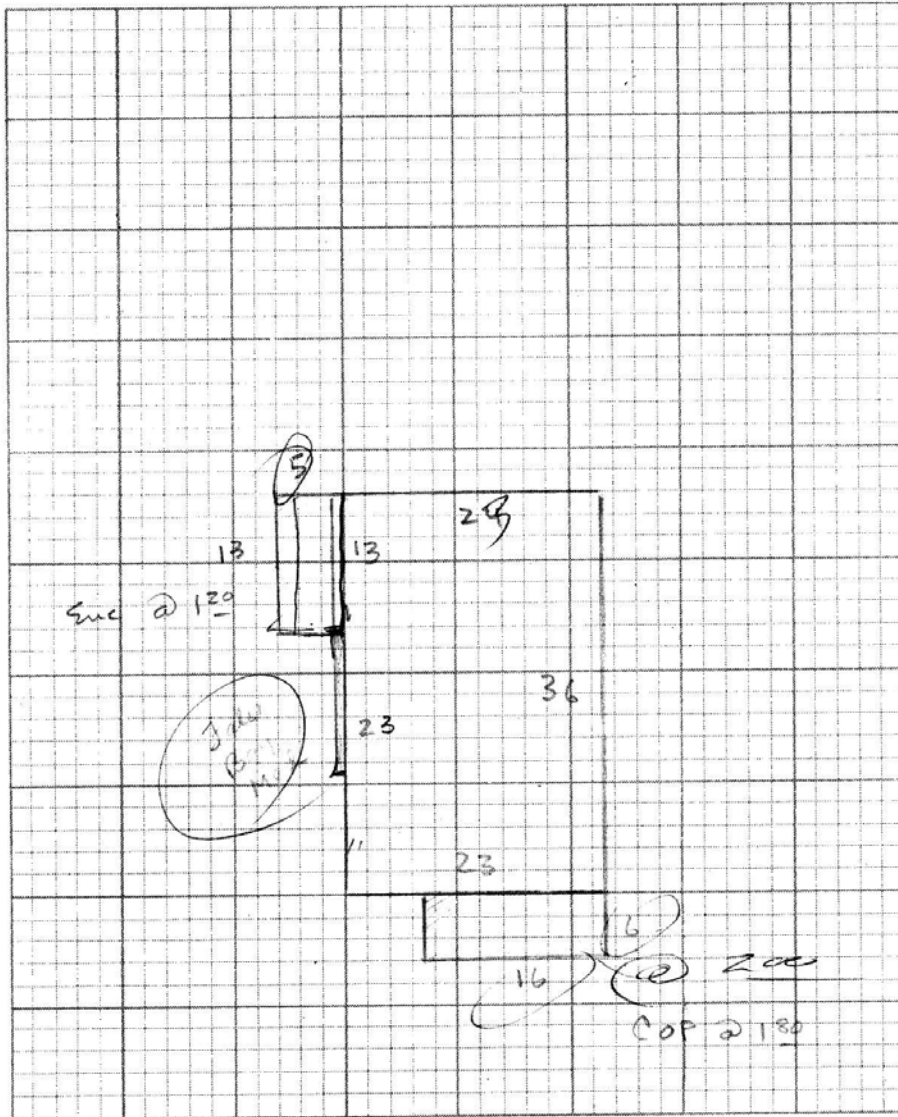
Location _____
 Kind of Bldg. Res St. No. 651 Park
 Class _____ Type 1 2 3 4. Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		841		\$ 2388
	x x				
	x x				

Gar.—Carport x Flr. _____ Walls _____ Cl. _____

Description of Buildings	Additions
Foundation—Stone _____ Conc. <input checked="" type="checkbox"/> None _____	
Ext. Walls _____ <u>Siding</u>	
Insulation—Floors _____ Walls _____ Clgs. _____	
Roof Type _____ Mtl. _____	
Dormers—Small _____ Med. _____ Large _____	
Bays—Small _____ Med. <u>1</u> Large _____	50
Porches—Front _____ 96 @ 180	173
Rear _____ 65 @ 120	78
Porch _____ @ _____	
Metal Awnings _____ Mtl. Rail _____	
Basement Entr? _____ @ _____	
Planters <u>Rail 40</u> @ _____	
Cellar-Bsmt. — 1/4 1/2 3/4 Full _____ <u>None</u>	
Bsmt. Apt. _____ Rooms Fin. _____ Unfin. _____	
Attic Rooms Fin. _____ Unfin. _____	
Plumbing {	Class <u>2</u> Tub <u>1</u> Trays _____
	Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u>
	Wtr. Sfr. _____ Shr. St. _____ O.T. _____
	Dishwasher _____ Garbage Disp. _____
Built-in-Appliances _____	
Heat—Stove <input checked="" type="checkbox"/> H.A. _____ Steam _____ Stkr. _____ Blr. _____	
Oil _____ Gas <input checked="" type="checkbox"/> Coal _____ Pipeless _____ Radiant _____	
Air Cond. _____	
Finish—Fir <input checked="" type="checkbox"/> Hd. Wd. _____	
Floor—Fir _____ Hd. Wd. <u>2</u> Other _____	60
Cabinets <u>1</u> Mantels _____	
Tile—Walls _____ Wainseot _____ Floors _____	
Storm Sash—Wood D. _____ S. _____; Metal D. _____ S. _____	
Total Additions	771

Year Built _____	Avg. Age <u>32</u>	Current Value	\$ 3159
Inf. by <u>Owner (Tenant)</u>	<u>Neighbor Record - Est.</u>	Commission Adj. _____ %	
Remodel Year _____	Est. Cost _____	Bldg. Value	
Garage—Class _____	Depr. 2% 3% _____	Depr. Col. 1 2 3 4 5 6 <u>55</u> %	
Cars _____	Floor _____ Walls _____	Current Value Minus Depr.	\$ 1737
Size— _____ x _____	Age _____	Carport—Factor _____	
Other _____	Cost _____	Roof _____	
		Doors _____	
		Size— _____ x _____ %	
		Other _____	



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Depr. Value
		x				
		x				
		x				
		x				
		x				
TOTAL						

Remarks: _____

26 100
Serial Number

OF
Card Number

Owners Name _____
 Location _____
 Kind of Bldg. Res St. No. 651 Park
 Class. 5- Type 1 2 3 4. Cost \$ 5283 x 94%

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
	x x	428	6 ³⁰	\$ 4966	\$
	x x				
	x x				

Att. Gar.—C.P. Flr. _____ Walls _____ Cl. _____

Description of Buildings

Foundation—Stone _____ Conc. Sills _____

Ext. Walls 5.1

Roof Type Hip Mtl. Shg

Dormers—Small _____ Med. _____ Large _____

Bays—Small Med _____ Large _____

Porches—Front _____ 80 @ 2⁰⁰ 160

Rear _____ 65 @ 2⁰⁰ 130

Porch _____ @ _____

~~Planters~~ Rail 40' @ 1.50 20

Ext. Base. Entry _____ @ _____

Cellar-Bsmt. — 1/4 1/3 1/2 2/3 3/4 Full _____ Floor NONE

Bsmt. Gar. _____

Basement-Apt. _____ Rms. _____ Fin. Rms. _____

Attic Rooms Fin. _____ Unfin. _____

Plumbing { Class 2 Tub 1 Trays _____
 Basin 1 Sink 1 Toilet 1 650
 Wtr. Sfr. _____ Shr. St. _____ O.T. _____
 Dishwasher _____ Garbage Disp. _____

Heat—Stove H.A. _____ FA _____ HW _____ Stkr _____ Elec. _____

Oil _____ Gas Coal _____ Pipeless _____ Radiant _____

Air Cond. — Full _____ Zone _____

Finish—Fir. Hd. Wd. _____ Panel _____ 80

Floor—Fir. Hd. Wd. 2 Other _____

Cabinets 1 Mantels _____

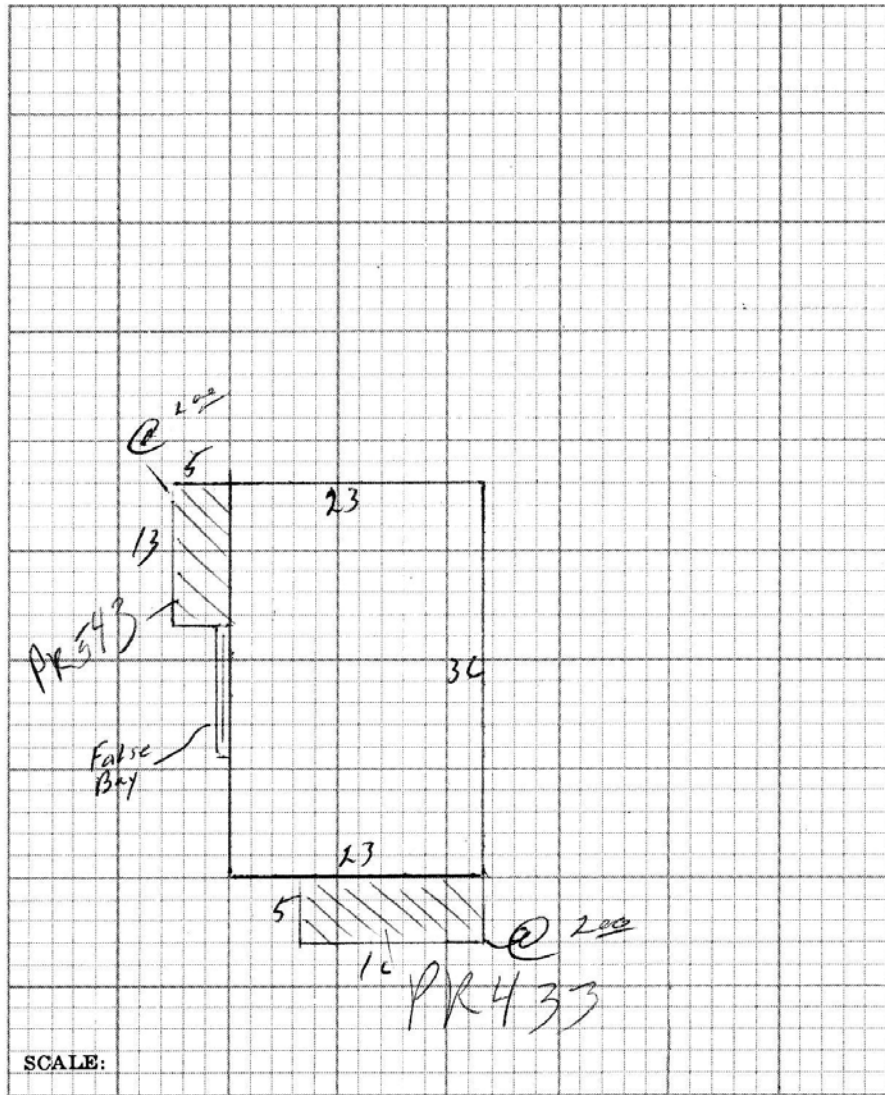
Tile—Walls _____ Wainscot _____ Floors _____

Storm Sash—Wood D. 1 S. 62; Metal D. 1 S. _____ 55

Awnings — Metal _____ Fiberglass _____

Handwritten note:
 11/22/12

Total Additions		1145
Year Built <u>1925</u>	Avg. 1.	Replacement Cost 6111
	Age 2.	Obsolescence
Inf. by { Owner <u>Tenant</u>		Adj. Bld. Value
{ Neighbor - Record - Est.		Conv. Factor <u>118</u>
Replacement Cost—1940 Base		11011
Depreciation Column <u>3</u> 4 5 6		5154
1940 Base Cost, Less Depreciation		
Total Value from reverse side		
Total Building Value		\$ 3717



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Factor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

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

_____ 1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS _____

Sarah A White &
 Maureen Brown
 P.O. Box 242
 Park City, Utah 84060

PC-100
 VarLB6UWD-
 357 JQC108
 M82-414 OUT

PC 100 All lots 12-13-25 & 26 Blk
 6 Park City Survey

TC-541 (M-20) (URBAN LAND CARD)

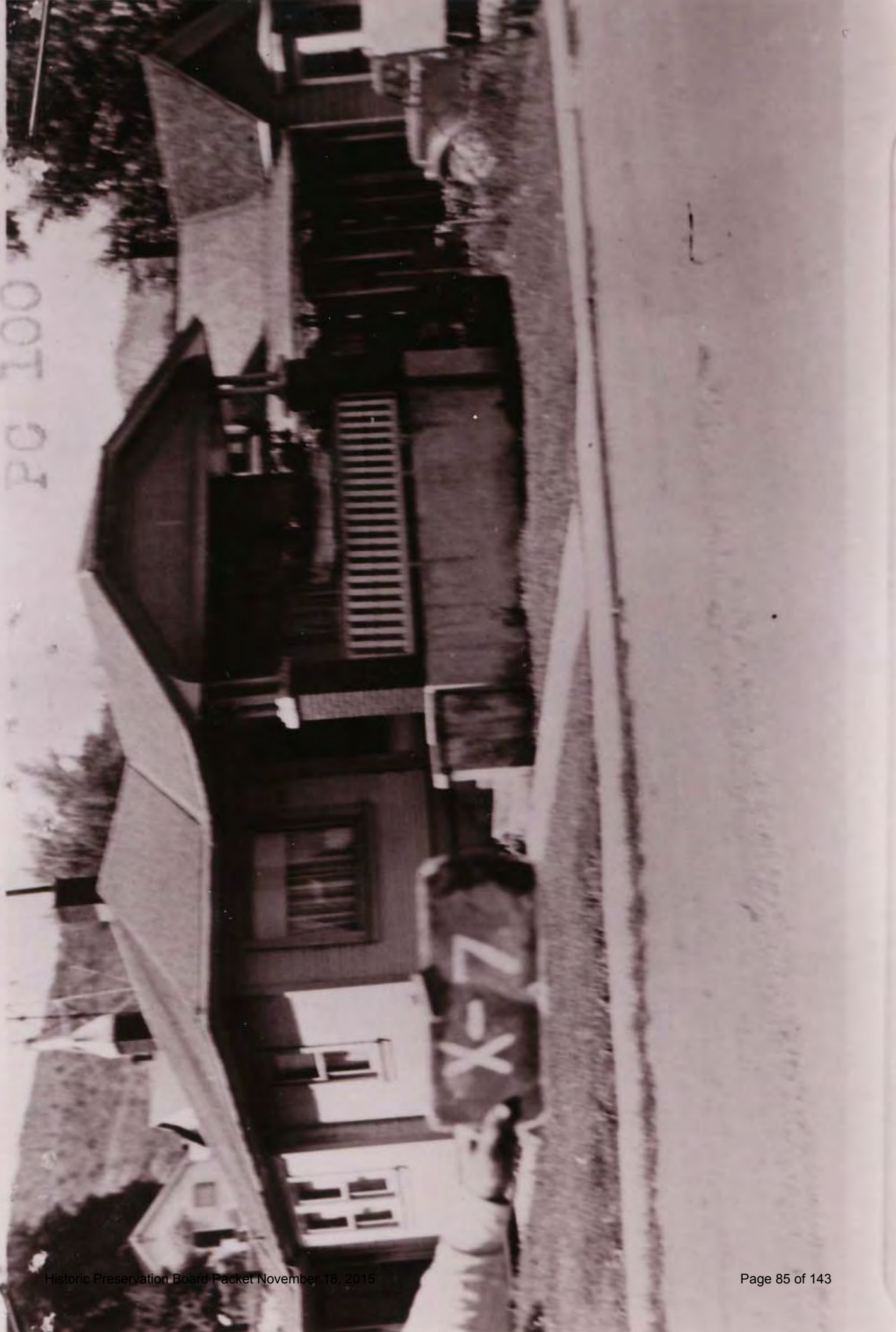
(Serial No.-Owner-Add.-Desc. of Property)

PARCEL NO.	FRONTAGE OR AREA	DEPTH FACTOR	RATE	CORNER INFLUENCE	RATE	VALUE
	50 ft. (x 75')	1.000	65.00			3250
	50 ft. (x 52 ft.)	0.740	40.00			1480
	25 x 26					702
TOTAL ASSESSED VALUE						5432 805

eg. ca. 1300 sq. ft. @ 0.54

val. based on 25 x 26 because only 25 ft. wide *

PG 100



Property Type:

Historic Preservation Research Office

Structure/Site Information Form

Street Address: 651 Park
Park City, Summit County, Utah
Name of Structure: House at 651 Park

UTM: 12 457940 4499390
T. R. S.

Present Owner: Maureen Brown and Sarah White

Owner Address: P.O. Box 242, Park City, Utah 84060

Year Built (Tax Record): Effective Age: Tax #: PC 100
Legal Description Kind of Building:

All of Lots 12, 13, 25, and 26 Block 6, Park City Survey.
Less than one acre.

Original Owner: Lila Nelson Construction Date: c. 1925 Demolition Date:

Original Use: Residential rental Present Use:

Building Condition: Integrity: Preliminary Evaluation: Final Register Status:

- | | | | | | | |
|--|--------------------------------|---|---|-------------------------------------|--|---|
| <input type="checkbox"/> Excellent | <input type="checkbox"/> Site | <input type="checkbox"/> Unaltered | <input checked="" type="checkbox"/> Significant | <input type="checkbox"/> Not of the | <input type="checkbox"/> National Landmark | <input type="checkbox"/> District |
| <input checked="" type="checkbox"/> Good | <input type="checkbox"/> Ruins | <input checked="" type="checkbox"/> Minor Alterations | <input type="checkbox"/> Contributory | Historic Period | <input type="checkbox"/> National Register | <input type="checkbox"/> Multi-Resource |
| <input type="checkbox"/> Deteriorated | | <input type="checkbox"/> Major Alterations | <input type="checkbox"/> Not Contributory | | <input type="checkbox"/> State Register | <input type="checkbox"/> Thematic |

Photography: Date of Slides: 1983 Slide No.: Date of Photographs: 1983 Photo No.:
Views: Front Side Rear Other Views: Front Side Rear Other

- Research Sources:
- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> Abstract of Title | <input checked="" type="checkbox"/> Sanborn Maps | <input checked="" type="checkbox"/> Newspapers | <input type="checkbox"/> U of U Library |
| <input checked="" type="checkbox"/> Plat Records/Map | <input type="checkbox"/> City Directories | <input type="checkbox"/> Utah State Historical Society | <input type="checkbox"/> BYU Library |
| <input checked="" type="checkbox"/> Tax Card & Photo | <input type="checkbox"/> Biographical Encyclopedias | <input type="checkbox"/> Personal Interviews | <input type="checkbox"/> USU Library |
| <input type="checkbox"/> Building Permit | <input checked="" type="checkbox"/> Obituary Index | <input type="checkbox"/> LDS Church Archives | <input type="checkbox"/> SLC Library |
| <input type="checkbox"/> Sewer Permit | <input checked="" type="checkbox"/> County & City Histories | <input type="checkbox"/> LDS Genealogical Society | <input type="checkbox"/> Other |

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Hanley, Gerald. Telephone interview, May 1, 1984, Park City, Utah.
Park Record, May 25, 1939, p. 1. Lila Nelson obituary.

Architect/Builder: Unknown

Building Materials: Wood

Building Type/Style: Bungalow

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

This house is a one story frame bungalow with a hip roof. Characteristic of a bungalow is the low pitch of the hip roof and the prominent front porch. The facade is almost symmetrical with a door set slightly off-center between two large plate glass windows. The porch is set off-center, spanning just two thirds of the facade. It has a clipped gable roof, porch piers that are original, and a balustrade that is a more recent addition. The balustrade is unobtrusive and is in keeping with the character of the building. Because the porch is positioned off-center it creates the impression of asymmetry. The siding of this house is narrow novelty siding, like a majority of Park City's bungalows. The house is raised slightly off the ground, and has lattice panels along the lower edges. A square bay projects from the south side to which a small half frame half screen porch is attached at the west end. The house is in fair condition, and except for the replacement of the balustrade, has no exterior alterations. It, therefore, maintains its original integrity.

Statement of Historical Significance:

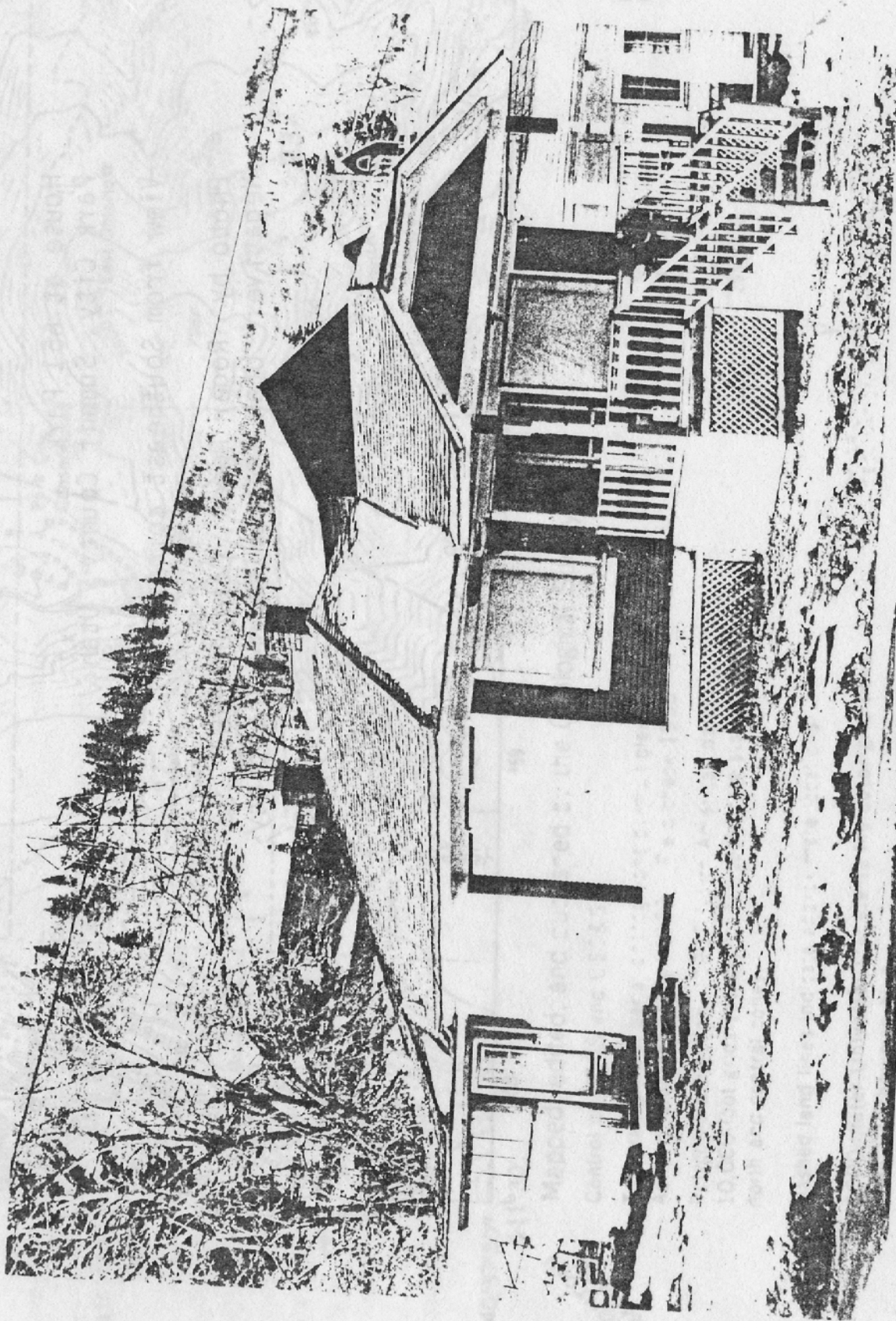
Construction Date: c. 1925

Built c. 1925, the house at 651 Park is architecturally significant as one of 18 extant bungalows in Park City, eight of which are included in this nomination. The bungalow is the major Park City house type that was built between 1907 and the end of the mining boom period, and significantly contributes to the character of the residential area.

This house was built c. 1925 as investment property for Lila Nelson,¹ a daughter of one of the early settlers of Park City. Her parents were Col. John A. and Eliza C. Nelson, who came to Park City in the mid-1870s and were prominent in the mining, social, and business affairs of the community. Lila was born in 1868 in Virginia City, Montana, graduated from the Sacred Heart Academy in Ogden, Utah, and for several years served as treasurer of a large theatrical chain in the East. She also taught school for a time in Montana and spent two years in Alaska during the gold rush with her brother, John, before returning to take up her permanent residence in Park City. Lila's residence was on Nelson Hill (now the location of the headquarters of the Park City Ski Resort). She died in 1939. This house remained in the Nelson family until 1953, when it was purchased by William P. Hanley. The Hanleys owned it until the current owners bought it in 1976.

The basic styling of this house is similar to that of other bungalows in town which were built in the late 1920s, two examples being the houses at 1100 and 1110 Woodside.

¹Telephone interview with Gerald Hanley, brother of William Hanley, May 1, 1984, Park City, Utah. Mr. Hanley's statement that this house was built in the 1920s as investment property for Lila Nelson is supported by all the available evidence.



To place on the projection with American Datum 1983
move the projection lines 8 meters north and
6.4 meters east as shown by dashed corner lines





Exhibit C– 343 Park Avenue



HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 343 Park Ave

AKA:

City, County: Park City, Summit County, Utah

Tax Number: PC-44

Current Owner Name: NEELY BLAKE IV & BETH H/W (JT)

Parent Parcel(s):

Current Owner Address: 15720 WOODVALE RD, ENCINO, CA 91436

Legal Description (include acreage): ALL LOT 11 & S1/2 LOT 12 BLK 3 PARK CITY SURVEY; Acres 0.07

2 STATUS/USE

Property Category

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

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ineligible eligible
 listed (date: 7/12/1984 - Mining Boom Era Residences Thematic District)

3 DOCUMENTATION

Photos: Dates

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

Drawings and Plans

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

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

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

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

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Foursquare

No. Stories:

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

Number of associated outbuildings and/or structures: accessory building(s), # ____; structure(s), # __1__.

General Condition of Exterior Materials:

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

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

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

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

6 PHOTOS

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

Photo No. 1: East elevation. Camera facing west, 2006.

Photo No. 2: East elevation. Camera facing west, 1995.

Photo No. 3: Northeast oblique. Camera facing southwest, 1983.

Photo No. 4: Southeast oblique. Camera facing northwest, tax photo.

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

SERIAL NO.
RE-APPRAISAL CARD (1940 APPR. BASE)

Owner's Name _____
 Owner's Address _____
 Location _____
 Kind of Building Res Street No. 343 Park
 Schedule 1 Class 4 Type 1-2-3-4 Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Actual Factor	Totals
1	x x		844	\$ -	\$ 2396
	x x			\$	\$
	x x			\$	\$

No. of Rooms 4 Condition _____

Description of Building	Add	Deduct
Foundation—Stone <u>12' x 15'</u> Conc. <u>None</u> ✓		156
Ext. Walls <u>Siding</u>		
Insulated—Floors _____ Walls _____ Clgs. _____		
Roof—Type <u>Hip</u> Mat. <u>Shg.</u>		
Dormers—Small _____ Med. _____ Lg. _____		
Bays—Small _____ Med. _____ Lg. _____		
Porches—Front <u>110" @ 1.10</u>	121	
Rear _____ @ _____		
Cellar—Basin't— $\frac{1}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ $\frac{1}{2}$ $\frac{3}{4}$ full-floor <u>No</u>		45
Basement Apts.—Rooms Fin. _____		
Attic Rooms _____ Fin. _____ Unfin. _____		
Plumbing— Class <u>1</u> Tub _____ Trays _____ Basin _____ Sink _____ Toilet _____ Urns _____ Ftns. _____ Shr. _____ Dishwasher _____ Garbage Disp. _____		
Heat—Stove <u>H. A.</u> Steam _____ S. _____ Blr. _____ Oil _____ Gas _____ Coal _____		
Air Conditioned _____ Incinerators _____		
Radiant—Pipeless _____		
Finish— Hd. Wd. _____ Floors— Fir. <u>✓</u> Hd. Wd. _____ Conc. _____		
Cabinets <u>1</u> Mantels _____		125
Tile— Walls _____ Wainscot. _____ Floors _____		
Lighting—Lamp _____ Drops <u>✓</u> Fix. _____ <u>W/ additional Port. W/ 200-4 @ 30"</u>		120
Total Additions and Deductions	121	446
Net Additions or Deductions	-121	2396

OK

Ave Age 45 Yrs. by { Est. Owner, Tenant, Neighbors, Records }
 REPRODUCTION VALUE \$ 2071
 Depr. 1-2-3-4-5-6 58/42 % \$ _____
 Reproduction Val. Minus Depr. \$ 870
 Remodeled _____ Est. Cost _____ Remodeling Inc. _____ % \$ _____
 Garage—S 8 C _____ Depr. 2% 3% _____ Obsolescence _____ \$ _____
 Cars _____ Walls _____ Out Bldgs. _____ \$ _____
 Roof _____ Size x Age _____ \$ _____
 Floor _____ Cost _____ Depreciated Value Garage _____ \$ _____
 Remarks (3) yrs. Ave. Val. (1941) **Total Building Value** \$ _____

Serial No. PC44

Location _____
 Kind of Bldg. Rgn St. No. 343 Park
 Class 3 Type 1 2 3 4. Cost \$ _____ X _____ %

Stories	Dimensions	Cu. Ft.	Sq. Ft.	Factor	Totals
1	x x		844		\$ 1709
	x x				
	x x				

Gar.—Carport x Fr. _____ Walls _____ Cl. _____

Description of Buildings	Additions
Foundation—Stone _____ Conc. _____ None <input checked="" type="checkbox"/>	
Ext. Walls <u>Siding</u>	
Insulation—Floors _____ Walls _____ Cigs. _____	
Roof Type <u>Shp</u> Mtl. <u>Shg</u>	
Dormers—Small _____ Med. _____ Large _____	
Bays—Small _____ Med. _____ Large _____	
Porches—Front <u>110</u> @ <u>1⁰⁰</u> <u>110</u>	
Rear _____ @ _____	
Porch _____ @ _____	
Metal Awnings _____ Mtl. Rail _____	
Basement Entr. _____ @ _____	
Planters _____ @ _____	
Cellar-Bsmt. — 1/4 1/3 1/2 2/3 3/4 Full _____ Floor _____	
Bsmt. Apt. _____ Rooms Fin. _____ Unfin. _____	
Attic Rooms Fin. _____ Unfin. _____	
Plumbing {	Class <u>1</u> Tub <u>1</u> Trays _____
	Basin <u>1</u> Sink <u>1</u> Toilet <u>1</u>
	Wtr. Sftr. _____ Shr. St. _____ O.T. _____
	Dishwasher _____ Garbage Disp. _____
Built-in-Appliances _____	
Heat—Stove <input checked="" type="checkbox"/> H.A. _____ Steam _____ Stkr. _____ Blr. _____	
Oil _____ Gas _____ Coal _____ Pipeless _____ Radiant _____	
Air Cond. _____	
Finish—Fir <input checked="" type="checkbox"/> Hd. Wd. _____	
Floor—Fir <input checked="" type="checkbox"/> Hd. Wd. _____ Other _____	
Cabinets _____ Mantels _____	
Tile—Walls _____ Wainseot _____ Floors _____	
Storm Sash—Wood D. _____ S. _____; Metal D. _____ S. _____	
Total Additions	<u>460</u>

Year Built _____	Avg. Age <u>53</u>	Current Value	\$ <u>2169</u>
Inf. by { Owner - Tenant -	Neighbor - Record - Est.	Commission Adj.	%
Remodel Year _____		Est. Cost _____	Bldg. Value
Garage—Class _____	Depr. 2% 3%	Carport—Factor _____	
Cars _____	Floor _____	Walls _____	Roof _____
Size— _____ x _____	Age _____	Cost _____	x _____ %
Other _____			
		Total Building Value	\$ _____

Appraised 12-3-59 By 1331

PC 44
Serial Number

OF
Card Number

Owners Name _____

Location _____

Kind of Bldg. Res St. No. 343 Park Ave

Class 3 Type 2 3 4. Cost \$ _____ X _____ %

Stories	Dimensions	Sq. Ft.	Factor	Totals	Totals
	x x	676		\$ 2970	\$
	x x				
	x x				

Att. Gar.—C.P. x Flr. _____ Walls _____ Cl. _____

Description of Buildings Additions Additions

Foundation—Stone _____ Conc. _____ Sills _____

Ext. Walls Sid (A)

Roof Type HIP Mtl. Pat + Alum

Dormers—Small _____ Med. _____ Large _____

Bays—Small _____ Med _____ Large _____

Porches—Front 110 @ 120 132

Rear _____ @ _____

Porch _____ @ _____

Planters _____ @ _____

Ext. Base. Entry _____ @ _____

Cellar-Bsmt. — 1/4 1/2 3/4 Full None

Bsmt. Gar. _____

Basement-Apt. _____ Rms. _____ Fin. Rms. _____

Attic Rooms Fin. _____ Unfin. _____

Plumbing { Class 1 Tub. 1 Trays _____

Basin 1 Sink 1 Toilet 1 550

Wtr. Sfr. _____ Shr. St. _____ O.T. _____

Dishwasher _____ Garbage Disp. _____

Heat—Stove _____ H.A. _____ FA HW _____ Stkr _____ Elec. _____ 313

Oil _____ Gas Coal _____ Pipeless _____ Radiant _____

Air Cond. — Full _____ Zone _____

Finish—Fir. Hd. Wd. _____ Panel _____

Floor—Fir. Hd. Wd _____ Other _____

Cabinets 1 Mantels _____

Tile—Walls _____ Wainscot _____ Floors _____

Storm Sash—Wood D. _____ S. _____; Metal D. 1 S. _____ 30

Awnings — Metal _____ Fiberglass _____

108 @ STORAGE @ 1.50 252

Total Additions 1277

Year Built 1904 Avg. 1904 Replacement Cost 4247

Age 2 Obsolescence _____

Inf. by { Owner - Tenant - Neighbor - Record - Est. Adj. Bld. Value _____

Conv. Factor 116

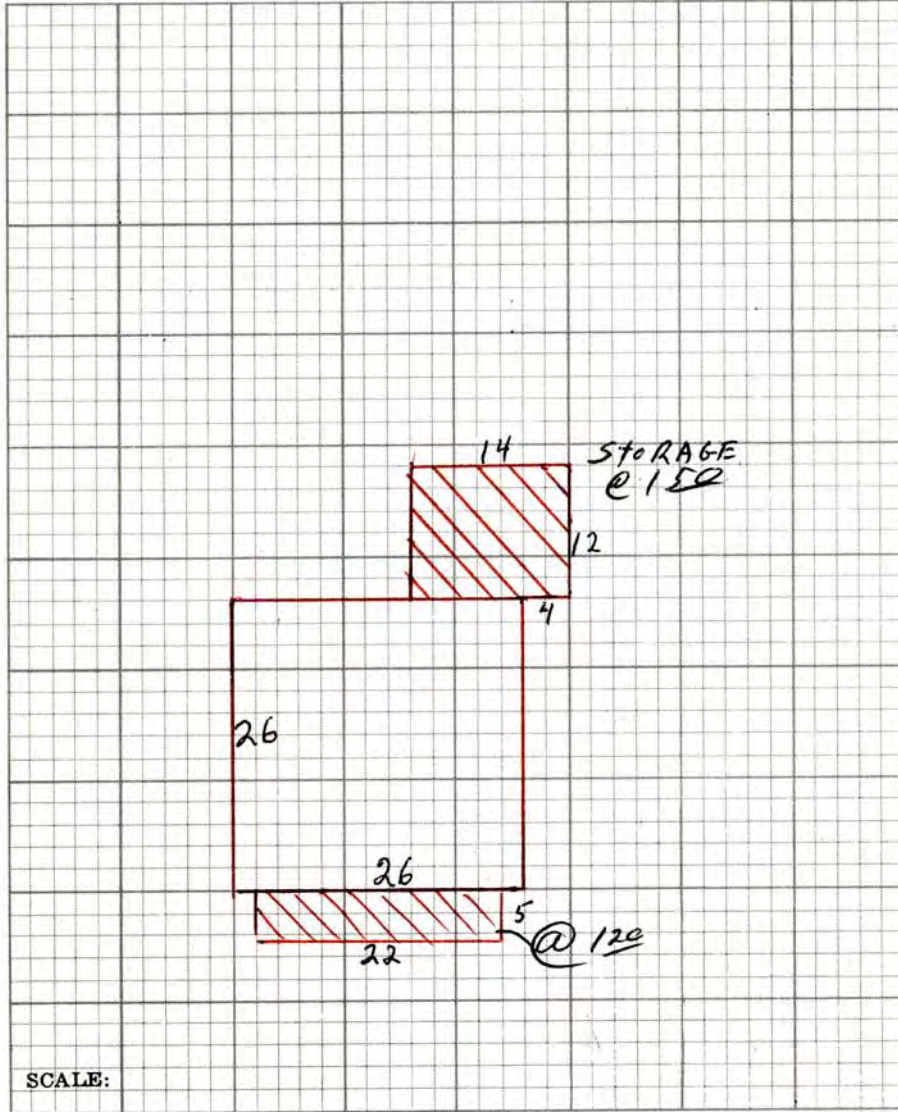
Replacement Cost—1940 Base _____

Depreciation Column 1 2 3 4 5 6 _____

1940 Base Cost, Less Depreciation _____

Total Value from reverse side _____

Total Building Value \$ _____



RESIDENTIAL OUT BUILDINGS	Age	Size	Area	Fac- tor	Cost	Conv. Fac.	Adj. Cost	Depr. Value
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		
		x				.47		

Garage — Class _____ Depr. 2% 3% _____

Cars _____ Floor _____ Walls _____ Roof _____ Doors _____

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

_____ 1940 Base Cost _____ x _____ % Depr. _____

Total _____

REMARKS _____



Structure/Site Information Form

IDENTIFICATION 1

Street Address: 343 Park Park City, Summit County, Utah UTM: 12 458120 4498980
 Name of Structure: House at 343 Park T. R. S.
 Present Owner: Robert W. Thielke
 Owner Address: 1026 Hillview Drive, Salt Lake City, Utah 84117
 Year Built (Tax Record): Effective Age: Tax #: PC 44
 Legal Description: Kind of Building:
 All Lot 11 and South half Lot 12 Block 3, Park City Survey
 Less than one acre.

STATUS/USE 2

Original Owner: probably Walter and Ann W. Wilcocks Construction Date: c. 1898 Demolition Date:
 Original Use: Residence Present Use:
 Building Condition: Integrity: Preliminary Evaluation: Final Register Status:
 Excellent Site Unaltered Significant Not of the National Landmark District
 Good Ruins Minor Alterations Contributory Historic Period National Register Multi-Resource
 Deteriorated Major Alterations Not Contributory State Register Thematic

DOCUMENTATION 3

Photography: Date of Slides: 1983 Slide No.: Date of Photographs: 1983 Photo No.:
 Views: Front Side Rear Other Views: Front Side Rear Other

Research Sources:
 Abstract of Title Sanborn Maps Newspapers U of U Library
 Plat Records/ Map City Directories Utah State Historical Society BYU Library
 Tax Card & Photo Biographical Encyclopedias Personal Interviews USU Library
 Building Permit Obituary Index LDS Church Archives SLC Library
 Sewer Permit County & City Histories LDS Genealogical Society Other Census Records

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):
 1900 Census Records. Summit County, Park City Precinct. p. 156-A.
Deseret News. March 12, 1930, p. 10. Ann Wilcocks obituary.
Salt Lake Tribune. June 20, 1898, p.1.

Architect/Builder: unknown

Building Materials: wood

Building Type/Style: Pyramid House

Description of physical appearance & significant architectural features:

(Include additions, alterations, ancillary structures, and landscaping if applicable)

This house is a one story frame pyramid house with a truncated hip roof. Typical of the pyramid house is the square plan, the generally symmetrical facade with the door set slightly off center between pairs of double hung sash one over one light windows, the truncated hip roof, and the porch supported on lathe turned piers that spans the facade. The windows are framed with a common type of Victorian molding, one that is grooved and has decorative corner blocks. There is a rear shed extension on the northwest corner of the building, which in scale and materials complements the original section, and may in fact be original. In-period rear extensions are part of Park City's architectural vocabulary. Although in many cases an extension represents a major alteration of the original house, it usually contributes to the significance of a house because it documents the most common and acceptable method of expansion of the small Park City house. This house has received no major alterations and is in excellent condition. It maintains its original integrity.

Photos:

Statement of Historical Significance:

Construction Date: c. 1898

Built c. 1898, the house at 343 Park is architecturally significant as one of 69 extant pyramid houses in Park City, 28 of which are included in this nomination. Of the 28 being nominated, 11 are true pyramid houses and 17 are variants of the basic type. This house is one of the true pyramid houses. The pyramid house is one of the three most common house types built during the early period of Park City's mining boom era, and significantly contributes to the character of the residential area. It appeared early on, but continued to be built with variations longer than the other two types.

This house was built by at least 1900, as indicated by the Sanborn Insurance Maps, having probably been built c. 1898 as investment property by Walter and Ann W. Wilcocks, who lived down the block at 363 Park. William Scoble, Ann Wilcocks' brother, sold them the property in 1888, at which time there was a different house located there. That house was probably destroyed in the fire of 1898, which burned many of the houses in town, including some along this the west side of Park Avenue.¹ Ann Wilcocks, widowed in 1900, probably rented out this house until selling it in 1905 to her 21 year old nephew, William J. Scoble (a son of William Scoble). The 1900 census records indicate that at that time this house was probably occupied by William Boyd, a druggist, and his family. William J. Scoble, who had previously lived with the Wilcocks in their neighboring house, owned this house until 1924, although it is unclear whether or not he ever lived here. Other owners of the house include Willard R. Jones (1924-26), Henry and Corina Tuggle (1926-49), and Robert W. Thielke (1949-c.1980).

¹Salt Lake Tribune, June 20, 1898, p. 1.



House at 343 Park
Park City, Summit County, Utah

View from Northeast corner

Photo by Roger Roper, October 1983
Negative: Utah State Historical Society







Historic Preservation Board Staff Report

PLANNING DEPARTMENT

Subject: LMC Amendment Park City Historic Sites Inventory Criteria & Demolition Permits
Author: Anya Grahn, Historic Preservation Planner
Hannah Turpen, Planner
Bruce Erickson, AICP, Planning Director
Date: November 18, 2015
Type of Item: Legislative – LMC Amendment

Summary Recommendations

On August 6, 2015, City Council directed the Planning Department to move forward with a pending ordinance (Exhibit A). Staff is requesting that the Historic Preservation Board provide input on staff's proposed changes to amend historic designations, the Historic Preservation Board's (HPB) demolition permit review process and noticing, and new definitions to be included in the Land Management Code (LMC).

The Planning Department requests the Historic Preservation Board open a public hearing, review the possible Land Management Code amendments, and forward a positive recommendation regarding the staff's proposed changes as referenced in this staff report to City Council.

Description

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

Reason for Review

Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. The Historic Preservation Board may also provide comments to City Council regarding LMC changes. Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18.

Background

History of Park City's Preservation Movement

The development of the ski resorts (Snow Park Ski Area, 1946; Treasure Mountain, 1963; Park City West /Canyons Resort, 1968; and Deer Valley Resort, 1981) played a major role in transforming Park City from a mining ghost town into a year-round resort destination. Greater real estate demands and increased development spurred the historic preservation movement in Park City, which largely began in 1978 with the Main Street nomination for the National Register of Historic Places. A second thematic National Register nomination recognized the historic significance of the Mining Boom Era residences in 1984. These two districts were focused on preserving historic buildings within Old Town.

Early on, the City recognized the need to assist property owners in order to encourage historic preservation. Initially, the City placed 180-day stay on demolition that provided an opportunity for the City to purchase or find a buyer for a historic property threatened by demolition. Further, the City purchased the Watts House and National Garage, put out a request for proposals (RFP) to rehabilitate the site, and then lobbied the Department of the Interior to keep the National Garage on the National Register of Historic Places after it had been panelized. Today, High West is one of the best examples of a historic rehabilitation project in Park City. The City's grant program, established in 1987, incentivized preservation efforts using RDA funds. Design Guidelines and the Land Management Code (LMC) also allowed the City to maintain the historic look and feel of its historic districts.

The City has been successful at developing regulations favoring historic preservation. We have created opportunities for mixed-use development, eliminated parking requirements for historic structures, and adopted provisions in the LMC and Design Guidelines all in an effort to encourage and make feasible historic preservation.

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

Historically, up to 2002, the LMC gave the Community Development Department the authority to "review and approve or deny all applications for Building permits to build, locate, demolish, construct, remodel, alter, or modify any façade on any structure or building or other visible element...located within the Park City Historic District." The HDC had the ability to review and approve design review applications in those cases where the Community Development Director (CDD) found the proposal did not comply or the CDD was unable to make a determination at all. However, past preservation planners' practice was to take nearly all applications to the HDC. In 2002, the HDC also reviewed demolition permits for locally designated historic buildings. As part of a stakeholder process leading up to the 2003 amendments, several designers requested that the Planning Department either follow the code and make the initial determination, using the Historic Preservation Board (HPB) primarily an appeal authority, or change

the LMC to reflect the actual practice to take all applications to the HPB. The Council chose to refine the LMC process but left staff as the primary design review authority.

Since 2006, the LMC and practice have been aligned in staff decision first with the HPB taking a different role. Their purpose is to review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites, designate sites to the Historic Site Inventory (HSI), and participate in the design review of any City-owned projects located within the Historic District at Council's direction, as outlined in the Land Management Code per LMC 15-11-5.

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

Pending Ordinance:

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

Staff's understanding of the need to update the LMC

The intent of the pending ordinance is to expand the protection of Park City's Historic Districts through amendments and additions to the Land Management Code. The goal of the pending ordinance is to:

- Expand the Historic Preservation Board's role in demolition determinations;
- Expand the Historic Sites Inventory criteria;
- Modify the process for designation to the Historic Sites Inventory;

- Modify the criteria for relocation and/or reorientation of Historic Building(s), disassembly and reassembly (panelization) of Historic Buildings, or reconstruction of Historic Buildings;
- Modify the noticing requirements for demolition permits; and
- Expand the definitions in the Land Management Code.

Research We've Conducted

The research that staff has conducted in order to craft the pending ordinance includes researching other jurisdiction's ordinances, comparing definitions, and analyzing the existing regulations in the Land Management Code. Input received from the Historic Preservation Board and Planning Commission has helped guide staff's research and areas requiring analysis. Staff's proposed amendments reflect this research and input.

Why we are making these recommendations

Staff received direction from City Council on August 6, 2015 to move forward with the pending ordinance in order to increase the protection of Park City's Historic Districts. Staff brought the pending ordinance to the Historic Preservation Board and Planning Commission for review and input. After receiving direction from the Historic Preservation Board and Planning Commission, staff has brought back possible amendments and/or clarifications to the pending ordinance.

The HPB has reviewed the pending ordinance on August 13, September 2, September 16, October 7, and October 21, 2015. Thus far, we have heard from the HPB that:

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

We will be reviewing the proposed LMC changes with the Historic Preservation Board on November 18, 2015, and requesting that they also forward their recommendations to City Council.

The Planning Commission completed a review of the first draft of the proposed LMC changes on September 9th. Public input on September 9th was in support of the new ordinance and reducing potential loss of historic structures through demolition (see 9.9.15 Planning Commission Minutes, Exhibit B). The Planning Commission also expressed concern about the need for greater public communication and accountability on panelization and reconstruction projects to prevent decisions being made solely in the field.

Staff followed up with the Planning Commission to propose changes to the pending ordinance on October 14, 2015. Comments from this meeting provided the following direction (see 10.14.15 Planning Commission Minutes, Exhibit C):

- Staff’s proposal of a third historic designation—Contributory—was concerning as the Planning Commission found that evaluating structures at the age of forty (40) years was a moving target and the definition of contributing to the streetscape was too vague.
- The Planning Commission was also very concerned that the Historic Preservation Board (HPB) would be too arbitrary and capricious in their demolition review. The Commission recommended that staff develop a checklist for reviewing demolitions, as defined by the International Building Code (IBC).
- The Planning Commission found that the HPB’s demolition review was onerous on property owners as it extended the timeframe for completing construction projects.

Analysis

Staff requests that the Historic Preservation Board review and provide input on the following proposed Land Management Code (LMC) changes.

1. Purposes of the Historic Preservation Board (HPB)

As part of the pending ordinance, City Council requested that the HPB review demolition permits. The HPB is not currently authorized to serve as a design review board, and City Council has asked that staff return to City Council with a discussion on providing HPB with design review authority in the future. Staff plans on addressing this after the pending ordinance is passed.

Proposed Changes:

15-11-5. PURPOSES.

The purposes of the HPB are:

(A) To preserve the City’s unique Historic character and to encourage compatible design and construction through the creation, and periodic update of comprehensive Design Guidelines for Park City’s Historic Districts and Historic Sites;

(B) To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land Uses;

(C) To provide input to staff, the Planning Commission and City Council towards safeguarding the heritage of the City in protecting Historic Sites, Buildings, and/or Structures;

(D) To recommend to the Planning Commission and City Council ordinances that may encourage Historic preservation;

(E) To communicate the benefits of Historic preservation for the education, prosperity, and general welfare of residents, visitors and tourists;

(F) To recommend to the City Council Development of incentive programs, either public or private, to encourage the preservation of the City’s Historic resources;

(G) To administer all City-sponsored preservation incentive programs;

(H) To review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City’s Historic Districts and Historic Sites; ~~and~~

(I) To review and take action on all designation of Sites to the Historic Sites Inventory Applications submitted to the City-; ~~and~~

(J) To review and take action on demolition permit applications for those Sites listed on the Historic Sites Inventory.

2. Historic Designations

On January 22, 2009, the City Council, at a public hearing, discussed proposed amendments and approved a resolution adopting LMC amendments to Land Management Code, Section 15-11-12 to establish the Park City Historic Sites Inventory. The Land Management Code, Section 15-11-12: Park City Historic Sites Inventory specifies that the Planning Department shall maintain an inventory of Historic Sites located with Park City.

Research and development of the Historic Sites Inventory was conducted by the City's Historic Preservation Consultant, Dina Blaes and her staff at Preservation Solutions using criteria set forth in Land Management Code, Section 15-11-12(A): Criteria for Designating Sites to the Park City Historic Sites Inventory. Four hundred five (405) sites--with a total of five hundred twenty five (525) buildings, accessory buildings, and/or structures--were identified as meeting the criteria for designation to the Historic Sites Inventory. Of these sites, one hundred ninety-two (192) sites meet the criteria for designation as "Landmark" Sites and two hundred thirteen (213) sites meet the criteria for designation as "Significant" Sites. The HSI was adopted on February 4, 2009.

Of the four hundred five (405) sites adopted as part of the original Historic Site Inventory, two hundred thirteen (213) sites met the criteria for designation as Significant Sites. Staff's evaluation of these sites was based on the criteria set forth in Title 15-11-10 and the subsequent recommendation to the HPB to include these sites on the Historic Sites Inventory as Significant Sites was based on the information gathered during fieldwork and from secondary sources.

Following the initial adoption of the 2009 HSI, sites and structures were removed from the HSI as more information was discovered and the site or structure was found not to meet the designation criteria. Most of these sites were previously on the HSI but removed due to additional analysis of non-historic alterations to their form. The purpose of these changes is to safeguard those structures forty (40) years old or older that have had significant alterations yet continue to contribute to the rhythm and pattern of the streetscape within the H-Districts, and may return to the HSI if future restoration efforts comply with adopted standards.

Staff is not recommending any changes to the criteria for Landmark listing on the HSI. Staff's intent in modifying the "Significant" designation is to expand the criteria in order to capture those structures that continue to contribute to the historical significance and integrity of the historic district due to their form, mass, scale, or historical features, though they may have had past alterations that have caused them to be removed from the Historic Sites Inventory in the past. The intent is not to dilute to the Historic District with severely altered structures, but rather provide greater opportunities for these structures to be recognized for contributing to the historical integrity of the district as a whole as well as allow greater opportunities for restoration.

Staff also proposes modifying the LMC to incorporate a new designation to LMC-15-11-10(A). The “Contributory” designation will include those structures forty (40) years old or older that are compatible with historic structures and the streetscape in the district due to their mass, scale, composition, materials, treatment, and/or other architectural features that are Visually Compatible to the Mining Era Residences National Register District based on the criteria defined later in this report. A 50 year criteria exists for the designation of Historic sites. The forty (40) year criteria is designed to:

1. Assist in managing inventories of structures that contribute to neighborhood character;
2. Potentially allow structures on this to be eligible for the Historic District Grant program- however, they will not be automatically designated to the Historic Sites Inventory (HSI); and
3. Providing a data (non-regulatory) background for other historical eras in the City for future reference.

Contributory sites will be identified through a survey (not yet completed). These sites will have fewer restrictions than those sites designated on the Historic Sites Inventory (HSI). Contributory sites will not be protected from demolition. Further, Contributory sites will be eligible for grants. Those properties that receive grants will not be eligible for demolition; grant recipients are required to enter into a preservation easement with the City that runs in perpetuity with the land and prevents demolition.

Proposed Changes:

15-11-10. PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community.

(A) CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

(1) LANDMARK SITE. *Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:*

- (a) It is at least fifty (50) years old or has achieved Significance ~~in the past fifty (50) years~~ or if the Site is of exceptional importance to the community; and*
- (b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and*
- (c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:*
 - (i) An era that has made a significant contribution to the broad patterns of our history;*
 - (ii) The lives of Persons significant in the history of the community, state, region, or nation; or*

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman.

(2) **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

(a) It is at least fifty (50) years old (this includes buildings not historic to Park City that were relocated to prevent demolition) or ~~has achieved Significance in the past fifty (50) years if~~ or the Site is of exceptional importance to the community; and

(b) It retains its ~~Essential~~ Historical Form, ~~meaning there are no major alterations that have destroyed the Essential Historical Form as may be demonstrated but not limited by any of the following:~~

(i) It previously received a historic grant from the City; or

(ii) It was previously listed on the Historic Sites Inventory; or

(iii) It was listed as Significant or on any reconnaissance or intensive level survey of historic resources; or

(c) It has one (1) or more of the following:

(i) It retains its historic scale, context, materials in a manner and degree which can be restored to ~~Essential~~ Historical Form even if it has non-historic additions; and 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.

(ii) It reflects the Historical or Architectural character of the site or district through design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District even if it has non-historic additions; or

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

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

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

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

(3) CONTRIBUTORY SITE. Any site, including Buildings (main, attached, detached, or public), Accessory Building, and/or Structure may be designated to the Historic Sites Inventory as a Contributory Site if the Planning Department finds it meets all the criteria listed below:

(a) The structure is forty (40) years old or older (this includes buildings not historic to Park City that were relocated to prevent demolition); and

(b) Expresses design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District; or

(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.

(d) Contributory structures will not require Historic Preservation Board review, but will be processed through the Historic District Design Review (HDDR) process. Contributory structures may be eligible for Historic District Grant funding.

(4) Any Development involving the Reassembly or Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Sections 15-11-14 or 15-11-15 of this code shall remain on the Park City Historic Sites Inventory. Following Reconstruction, the Historic Preservation Board will review the project to determine if the work has required a change in the site or structure's historic designation. and shall be listed as a Significant Site.

3. Designating Sites to the Historic Site Inventory

Currently, the LMC dictates that only Planning Department staff or the property owner may nominate sites to the Historic Sites Inventory (HSI). New Staff policy will be to accept and review nominations from other interested parties for consideration and determination whether to move forward to the HPB for decision. The nominations are then reviewed by the HPB, which then determines whether the nomination meets the criteria to designate the site as Landmark or Significant.

Proposed Changes:

None

4. Historic District or Historic Site Design Review of Demolitions

Staff intends to codify by adding language to the LMC for the Historic Preservation Board Review (HPBR) of demolition permits. HPB shall review all demolition permits for any Landmark or Significant structures including for Routine Maintenance as defined by Section 15-11-12 (A)(3).

5. Relocation and/or Reorientation/Disassembly and Reassembly/Reconstruction

Currently, projects that involve the relocation or reorientation of Historic Building(s) and or Structures, disassembly and reassembly (panelization) of Historic Building(s) and or Structures, or reconstruction of Historic Building(s) and or Structures is reviewed by the Chief Building Official and Planning Director before approval. Staff recommends modifying these sections of the Land Management Code to require Historic Preservation Board review of these modifications.

Proposed Changes:

15-11-13. RELOCATION AND/OR REORIENTATION OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

(A) CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE. In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Historic Preservation Board Planning Department shall find the project complies with the following criteria:

(1) The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or

(2) The Planning Director and Chief Building Official determine that the building is threatened in its present setting because of hazardous conditions and the preservation of the building will be enhanced by relocating it; or

(3) The Historic Preservation Board Planning Director and the Chief Building Official determines that unique conditions warrant the proposed relocation and/or reorientation to a different Site, which include but are not limited to:

(i) The historic context of the building has been so radically altered that the present setting does not appropriately convey its history and the proposed relocation may be considered to enhance the ability to interpret the historic character of the building and the district; and

(ii) The new site shall convey a character similar to that of the historic site, in terms of scale of neighboring buildings, materials, site relationships, geography, and age; and

(iii) The integrity and significance of the historic building will not be diminished by relocation and/or reorientation; and

(4) All other alternatives to relocation/reorientation have been reasonably considered prior to determining the relocation/reorientation of the building. These options include but are not limited to:

(i) Restoring the building at its present site; or

(ii) Relocating the building within its original site; or

(iii) Stabilizing the building from deterioration and retaining it at its present site for future use; or

(iv) Incorporating the building into a new development on the existing site

(B) PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF A LANDMARK SITE OR A SIGNIFICANT SITE. All Applications for the relocation and/or reorientation of any Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site within the City shall be reviewed by the Historic Preservation Board Planning Department pursuant to Section 15-11-12 of this Code.

15-11-14. DISASSEMBLY AND REASSEMBLY OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the disassembly and reassembly of Historic Buildings, Structures, and Sites.

(A) CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE. In approving a Historic District or Historic Site design review Application involving disassembly and reassembly of the Historic Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the Historic Preservation Board Planning Department shall find the project complies with the following criteria:

- (1) A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) cannot reasonably be moved intact; ~~or and~~
- (2) The proposed disassembly and reassembly will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
- (3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or
- (4) The Planning Director and the Chief Building Official determine that unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly;

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and The Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.

(B) PROCEDURE FOR THE DISASSEMBLY AND REASSEMBLY OF A LANDMARK SITE OR A SIGNIFICANT SITE. All Applications for the disassembly and reassembly of any Historic Building(s) and/or Structure(s) on a Landmark Site of a Significant Site within the City shall be reviewed by the Historic Preservation Board Planning Department pursuant to Section 15-11-12 of this Code.

If an Application involving the disassembly and reassembly of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the reassembled Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

15-11-15. RECONSTRUCTION OF AN EXISTING HISTORIC BUILDING OR HISTORIC STRUCTURE.

(A) CRITERIA FOR RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE. In approving an Application for Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Historic Preservation Board Planning Department shall find the project complies with the following criteria:

- (1) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; and
- (2) The Historic Building(s) and/or Structure(s) cannot be made safe and/or serviceable through repair; and
- (3) The form, features, detailing, placement, orientation, and location of the Historic Building(s) and/or Structure(s) will be accurately depicted, by means of new construction, based on as-built measured drawings, historical records, and/or current or Historic photographs.

(B) PROCEDURE FOR THE RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE. All Applications for the Reconstruction of any Historic Building and/or Structure on a Landmark Site or a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code. If an Application involving the Reconstruction of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes

relocation and/or reorientation of the Reconstructed Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

6. Definitions

Staff is proposing to modify and add several definitions to the Land Management Code 15-15 Defined Terms in response to these code changes.

Proposed Changes:

Modifications to Existing Definitions:

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

(A) Visual Compatibility. Characteristics of different architectural designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. In addition to the elements effecting Compatibility which include, but are not limited to Height, scale, mass, and bulk of Building, other factors that dictate compatibility include proportion of building's front facade, proportion of openings within the facility, rhythm of solids to voids in front facades; rhythm of entrance or porch projections; relationship of materials and textures; roof shapes; scale of building.

1.66 CONTRIBUTING BUILDING, STRUCTURE, SITE/AREA OR OBJECT. A Building (main, attached, detached, or public), Accessory Building, Structure, Site, or Object that is determined by the Historic Preservation Board to meet specific criteria set forth in LMC 15-11-10. ~~reflects the Historical or architectural character of the district as designated by the Historic Preservation Board.~~ A portion of an existing building, an Accessory Building, Structure, or object may also be considered contributory to the historical significance of a Building or Site if it reflects the Historical or architectural character of the site or district as designated by the Historic Preservation Board.

1.73 DEMOLISH OR DEMOLITION. Any act or process that destroys in part or in whole a Building or Structure. Includes dismantling, razing, or wrecking of any fixed Building or Structures. Excludes Building(s) and/or Structure(s) undergoing relocation and/or reorientation pursuant to Section 15-11-13 of this Code, disassembly pursuant to Section 15-11-14 of this Code, or Reconstruction pursuant to Section 15-11-15 of this Code.

1.74 DENSITY. The intensity or number of non-residential and Residential Uses expressed in terms of Unit Equivalents per acre or Lot or units per acre. Density is a function of both number and type of Dwelling Units and/or non-residential units and the land Area.

(A) In terms of visual compatibility, Density refers to the pattern of clustering residential or commercial structures within a neighborhood and/or District. The pattern is established by the overall mass (length, height, and width) of the structure visible from the Right-of-Way, size of the lot(s), width between structures, and orientation of structures on the site.

New Definitions:

CONTINUITY: *The state or quality of being continuous, as a line, edge, or direction. Factors that dictate continuity within a streetscape include, but are not limited to, mass, scale, and height of buildings; streetscape elements such as sidewalks, curbs, and, paving patterns; and development patterns such as setbacks, orientation of buildings, repetition of porches and entryways.*

RHYTHM AND PATTERN: *The established development patterns established by factors including, but not limited to, the siting of existing structures, including their mass, scale, and height; the spacing of buildings along a streetscape, including setbacks and building sizes; spacing, size and proportion of façade openings, including windows and doors.*

7. Noticing for Demolitions and Designations of Sites

Finally, staff has heard from the Historic Preservation Board, Planning Commission, City Council, and public that there needs to be greater public communication regarding demolitions. The LMC currently requires the following noticing for Designation of sites to the Historic Sites Inventory and Historic District Design Review (HDDR) applications:

Notice Matrix			
<u>Action:</u>	<u>Property Posting:</u>	<u>Courtesy Mailing:</u>	<u>Published:</u>
Historic District or Historic Site Design Review	<p>First Posting: The Property shall be posted for a 14 day period once a Complete Application has been received. The date of the public hearing shall be indicated in the first posting. Other posted legal notice not required.</p> <p>Second Posting: For a 10 day period once the Planning Department has determined the proposed plans comply or does not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal</p>	<p>First Mailing: To Owners within 100 feet once a Complete Application has been received, establishing a 14 day period in which written public comment on the Application may be taken. The date of the public hearing shall be indicated.</p> <p>Second Mailing: To Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning</p>	If appealed, then once 7 days before the date set for the appeal

	notice not required.	Department determines whether the proposed plans comply or do not comply with the Design Guidelines for Historic Districts and Historic Sites and no later than 45 days after the end of the initial public comment period. This establishes a 10 day period after which the Planning Department's decision may be appealed.	
Certificate of Appropriateness for Demolition (CAD)	45 days on the Property upon refusal of the City to issue a CAD; 14 days prior to the hearing before the Historic Preservation Board.	14 days prior to the hearing before the Historic Preservation Board, to Owners within 300 ft.	Once 14 days prior to the hearing before the Historic Preservation Board.

There currently is no requirement for staff to post notifications of the HPB's demolition reviews, except in the case of Certificate of Appropriateness for Demolition (CAD)s. however, staff recommends amending the LMC to require a 14-day property posting, courtesy mailing, and published public notice Consistent with the Historic District Design Review and CAD processes.

Proposed Changes:

15-1-21 Notice Matrix

Notice Matrix			
Action:	Property Posting:	Courtesy Mailing:	Published:
<u>Historic Preservation Board Demolition Review</u>	<u>14 days prior to hearing before the Historic Preservation Board</u>	<u>14 days prior to the hearing before the Historic Preservation Board to property owners within 100 feet.</u>	<u>Once 14 days prior to the hearing before the Historic Preservation Board</u>
<u>Designation of Sites to the Historic Sites Inventory</u>	<u>7 14 days prior to hearing before the Historic Preservation</u>	<u>— 14 days prior to the hearing before the Historic</u>	Once <u>7 14</u> days prior to the hearing before the Historic

Determination of Significance ¹	Board	<u>Preservation Board to property owners within 100 feet.</u>	Preservation Board
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8. Demolition Review Checklist

Both the Historic Preservation Board and Planning Commission have directed staff to develop a demolition review checklist. The criterion in this checklist is intended to aid the Historic Preservation Board in their review of demolition permits to promote consistency and prevent arbitrary and capricious determinations. These criteria will not be codified, but rather a policy that can be modified as the HPB continues their demolition reviews.

Proposed Changes:

Staff recommends the following criterion as part of the HPB's Demolition Review Checklist:

- a. Routine Maintenance (including repair or replacement where there is no change in the design, materials, or general appearance of the elements of the structure or grounds) does not require Historic Preservation Board Review (HPBR).
- b. The partial demolition is required for the renovation, restoration, or rehabilitation of the building, structure, or object.
- c. Proposed exterior changes shall not damage or destroy the exterior architectural features of the subject property which are compatible with the character of the historic site and are not included in the proposed scope of work.
- d. The proposed scope of work mitigates any impacts that will occur to the visual character of the neighborhood where demolition is proposed to occur; any impacts that will occur to the historical significance of the buildings, structures, or objects located on the property; any impact that will occur to the architectural integrity of the buildings, structures, or objects located on the property; and any impact that will compromise the structural stability of the historic building.
- e. The proposed scope of work mitigates to the greatest extent practical any impact to the historical importance of other structures located on the property and on adjacent parcels.
- f. Any addition to a Historic Building, Site, or Structure has been found to be non-contributory to the historic integrity or historical significance of the structure or site.

Process

¹ The Determination of Significance application is used for nominating historic structures to the Historic Site Inventory, modifying historic designations, and removing designations.

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

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

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites on October 31, 2015 and published in the Park Record on October 31, 2015 per requirements of the Land Management Code.

Public Input

Public hearings are required to be conducted by the Planning Commission and City Council prior to adoption of Land Management Code amendments. No public input has been received at the time of this report. Staff has noticed this item for public hearings on October 7 and November 18 with the HPB.

Recommendation:

The Planning Department requests the Historic Preservation Board open a public hearing, review the possible Land Management Code amendments, and forward a positive recommendation to City Council.

Exhibits

Exhibit A – Pending Ordinance

Exhibit B – 9.9.15 Planning Commission Minutes

Exhibit C – 10.14.15 Planning Commission Minutes

Ordinance No. _____

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE
SECTION 15, CHAPTER 11 AND ALL HISTORIC ZONES TO EXPAND THE
HISTORIC SITES INVENTORY AND REQUIRE REVIEW BY THE HISTORIC
PRESERVATION BOARD OF ANY DEMOLITION PERMIT IN A HISTORIC DISTRICT**

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

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

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

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

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

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

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

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

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

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

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

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

- (a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and
 - (b) It retains its ~~Essential~~ Historical Form, ~~meaning there are no major alterations that have destroyed the Essential Historical Forms demonstrated by any of the following: it previously received a historic grant from the City; or it has previously been listed on the Historic Site Inventory; or it was listed as Significant or Contributory on any reconnaissance or other historic survey; or despite non-historic additions it retains its historic scale, context, materials in a manner and degree which can reasonably be restored to Essential Historical Form.~~ Major alterations that destroy the Essential Historical Form include:
 - ~~(i) — Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or~~
 - ~~(ii) — Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or~~
 - ~~(iii) — Moving it from its original location to a Dissimilar Location, or~~
 - ~~(iv) — Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right of Way.~~
 - (c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:
 - (i) An era of Historic importance to the community, or
 - (ii) Lives of Persons who were of Historic importance to the community, or
 - (iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.
- (3) Any Development involving the Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Section 15-11-15 of this code shall remain on the Park City Historic Sites Inventory and shall be listed as a Significant Site.

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

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

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

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

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

PASSED AND ADOPTED this ____ day of September, 2015.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

City Recorder's Office

Approved as to form:

Mark D. Harrington, City Attorney

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stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure to the west and the non-historic structure to the north.

7. This approval will expire on September 9, 2016, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.

8. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.

9. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade, except that retaining walls in the front yard shall not exceed four feet (4') in height, unless an exception is granted by the City Engineer per the LMC, Chapter 4.

10. Modified 13-D residential fire sprinklers are required for all new construction on this lot.

11. The driveway width must be a minimum of ten feet (10') and will not exceed twelve feet (12') in width.

12. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.

13. Construction waste should be diverted from the landfill and recycled when possible.

14. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

CONSIDERATION OF AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE

SECTION 15, CHAPTER 11 AND ALL HISTORIC ZONES TO EXPAND THE HISTORIC SITES INVENTORY AND REQUIRE REVIEW BY THE HISTORIC PRESERVATION BOARD OF ANY DEMOLITION PERMIT IN A HISTORIC DISTRICT AND ASSOCIATED DEFINITIONS IN CHAPTER 15-15. (Application PL-15-02895)

Interim Planning Director Erickson noted that this item was noticed for a public hearing this evening.

Mr. Erickson commented on the draft Staff reports for possible additions to the means and methods for addressing historic structures that are contributory to the District but do not meet the level of Significant or Landmark Sites. He reiterated that he had also received the list of agreed on mine sites that are in need of protection. The Staff was crafting new language within the ordinance to make sure that mine sites are identified in subdivisions and MPDs. Mr. Erickson noted that this Item was being continued to October 14th, at which time the Staff would come back with additional information and details. He commented on the importance of hearing from the public this evening and again on October 14th.

Chair Strachan noted that the agenda indicated a continuance to September 23rd, and the Staff report indicated October 14th. Mr. Erickson replied that the correct date was October 14th.

Chair Strachan opened the public hearing.

John Plunkett voiced his support for this legislation. He and his wife moved to Park City 24 years ago. They live at 557 Park Avenue, and over that time they have redone four historic houses in town. Mr. Plunkett understood the difficulties involved in preserving historic structures, but he found it to be worthwhile. Mr. Plunkett stated that he was also speaking on behalf of two neighboring friends and property owners on Park Avenue; John Browning and Linda Cox. They wanted to thank the City for swinging the pendulum back in favor of preservation and being more careful about demolition in particular. Mr. Plunkett noted that Mr. Browning had sent in a letter that he hoped would be included in the next Staff report. Mr. Plunkett read one paragraph from the letter that he thought was important and useful. "Given the economic pressures in a resort town, regulation only of individual buildings will be corrosive. Each year a few of the least architecturally significant houses will be demolished or transformed beyond recognition. Their neighborhood will no longer look as charming or picturesque. Eventually, after some years of erosion Park City's essence could be lost." Mr. Plunkett believed the community shared the concern of not letting that happen. He appreciated the efforts of the City on this matter.

Andy Bern, a 33 year resident of Park City stated that 31 of those years have been in Old Town. Mr. Bern expressed his support for the expansion of the Historic Sites Inventory in

Old Town. He is against demolition of Historic Properties such as 569 Park Avenue. As a neighbor he knows many people who put a lot of time, money and their hearts into preserving these historic houses. Mr. Bern noted that many of his neighbors, including Mr. Plunkett, are primary residences. They were not secondary homeowners who purchased the home with the idea of maximizing their square footage for financial gain by demolishing the house and putting two buildings in its place. Mr. Bern stated that he was just a neighbor looking out for his neighbors. He appreciated the City for the Ordinance to preserve Historic Buildings and for being against demolition.

Sandra Morrison with the Park City Historical Society and Museum, offered support from the Historic Society and Museum and the Board of Trustees, and thanked the Staff and City Council for taking the step of broadening the definition of historic districts and the Historic Sites Inventory, and also for allowing the Historic Preservation Board to review all of the requests for demolition, especially the panelizations and deconstructions.

Mr. Erickson stated that Anya Grahn and Hannah Turpen were the Planners who had done the real work on this project. Neither of them was in attendance this evening, but they both deserved all the credit.

Mike Sweeney had read the Staff report and he thought it was well-written, pithy and right to the point, and it was easy to understand. It was one of the best Staff reports he has read. Mr. Sweeney wanted to express that comment and he assumed it would be passed on to Anya and Hannah because they had done a great job.

Chair Strachan closed the public hearing.

Commissioner Thimm noted that the Staff report mentioned a concern regarding the definition of demolition. He asked if there was a proposed new definition for demolition. Mr. Erickson replied that it was a convoluted situation. The question of the definition of demolition came up during a joint meeting between the City Council and the HPB. The Planning Staff proposed using the definition of demolition from the International Building Code, which is the document used by the Building Department. That proposal failed because the IBC does not have a definition of demolition. The Staff then reached out to OSHA and ANSI, the American National Standards Institute. OSHA recommended the ANSI definition of demolition. It is a broad sweeping, more rigorous definition and the City will use it in the LMC update. It covers many of the elements being covered under the ordinance regarding historic structures.

Chair Strachan suggested that the Staff also look at the definition of demolition used by other jurisdictions. Mr. Erickson stated that they were currently looking at Truckee, California, Edgartown, Massachusetts, Monroe, Ohio, Denver, Colorado, and Aspen,

Colorado. Chair Strachan suggested that they add Crested Butte to the list. Mr. Erickson remarked that they were pulling resources from the locations he named and they would also look at Crested Butte.

Commissioner Joyce asked if the ordinance had any impact on the issue of demolition by neglect. Mr. Erickson replied that they were re-writing the Demolition by Neglect section of the ordinance to make it broader and more affirmative. Currently, there is a theoretic prohibition of demolition in the LMC Historic District section. The language is badly written and they have taken language from other jurisdictions to improve Demolition by Neglect. Commissioner Joyce asked if it would apply to the broader inventory. Mr. Erickson stated that it would apply to the homes that are considered contributory, as well as the listing of mine structures that would be added to the List of Historic Sites.

Commissioner Phillips asked if a property owner would have to submit a plan for demolition and panelization when they go before the Historic Preservation Board. Mr. Erickson replied that it was a change in the making. Currently, the owner is not required to submit a plan for the first determination by the HPB because they have no idea what is inside the building. He believed that was a weak spot and the change would require a preliminary plan for demolition when it first goes to the HPB. It would give the HPB an idea of what could happen and it would make it easier to notify the public on potential options such as panelization or removal of exterior materials.

Mr. Erickson stated that giving more "demolition" authority to the HPB would give them a better knowledge of what to expect. However, with the HPB also sitting as an appeal body, it is not a good idea to have the HPB review final designs.

Commissioner Phillips remarked that in the past he has made comments that it would be helpful if there was more predictability when panelizations are approved to keep people informed. Mr. Erickson stated that demolition plans are vigorously reviewed during the HDDR process, but it is still based on the caveat that a structural engineer was willing to stamp the drawings. A second factor is not having knowledge of what is inside the walls. Mr. Erickson assumed the Planning Director would have the authority to authorize minor demolitions and exploratory work inside the building that would not affect the interior or structural integrity. For example, an exploratory could not be done around a window, but they could do it from inside the building to look for steel in the masonry.

Chair Strachan stated that once a historic structure is torn down its gone. He understood that the City makes people post a bond, but he wanted to know if they were exploring other preventative options to address those who disregard the law and the community and are willing to forfeit their bond to demolish a structure. Mr. Erickson noted that the City is allowed to charge a fine. Chair Strachan remarked that a fine does not replace the historic

structure. Mr. Erickson agreed, and noted that another drawback is that the fine could not be any higher than the State fine, which is not significant. He stated that the Staff was exploring the issue and the Legal Department was also working on other options.

City Attorney Harrington stated that it was a balancing act. Traditional criminal and civil penalties can do as much harm as good because they are more imbedded in a strict weighing of the Building Code and Dangerous Building Code. They typically do not want those options invoked in this situation. Mr. Harrington remarked that the City is limited in what they can do affirmatively. He commented on one property was in the process until the City successfully prosecuted an administrative enforcement action. However, it still had implementation problems and the owner would lose part of their bond because of it; but it was still better than where it was prior to that. Mr. Harrington remarked that each situation is very specific and it is not always a developer trying to take advantage and maximizing. Some issues are truly discovered during exploratory demolition and legitimate modifications have to be made. Mr. Harrington believed they would eventually see those field adjustments get a higher public review. It is appropriate and they would see proposals to that effect.

Mr. Harrington stated that the discussion has not focused on the deliberate decisions that the former Planning Director and Preservation Consultant made in evoking amendments to the second tier of historic significant structures. It was increased at that time with the idea that they would be more encouraging of more significant alterations as part of the balance. Mr. Harrington remarked that the phrase "bringing the pendulum back" is accurate and they were seeing a reaction to that permissiveness that was not supported at a policy level. How far back they should go must be weighed carefully. The biggest challenge has been keeping things fair given the surrounding development. Mr. Harrington believed the City Council, the Planning Commission and the HPB were aware of the problem. As much as they want to hold everyone now to the same restrictions that were put in place in the past, they faced new challenges in terms of how far they could go due to State restrictions. Mr. Harrington stated that the Staff was drafting proposals and he hoped they could be evaluated without indicting the former Staff, because what was done in the past was a deliberate attempt that just missed the mark.

Mr. Harrington believed they would see an equally important discussion with the City Council for an increased incentive in terms of funding. It must be a dual approach. It cannot just be done at the regulatory level.

Chair Strachan asked if there was criminal liability currently. Mr. Harrington stated that there could be, but it is a misdemeanor and the burden is difficult because most cases are evidentiary. The ordinance could be amended, but it would not solve the problem. Mr. Harrington believed that the City taking control of the materials at the outset, having more

oversight and dedicating the resources necessary to make sure that the approval given is implemented will be more effective; however, it will also require large resource allocations. One question will be whether to designate a City holding facility for materials. He noted that it was the approach used for High West. In order to secure the Department of Interior approval to keep the building on the list, the City had to commit to being the holding facility. He suggested that the City might have to do that more broadly, but it would come with a big price tag for the public. The flip side is how much to subsidize private developments. Mr. Harrington believed subsidies are necessary, and additional tax abatements and other things could be considered to further subsidize. The challenge is finding the balancing point.

Commissioner Campbell commented on the reference to tax abatement. He recalled that the Planning Commission had discussed that approach on another project and former Planning Director Eddington had said that it was difficult to do in Utah. That was an issue he wanted to learn more about in the future because if it is a tool they would be able to propose it. Mr. Harrington explained that tax credits have not been used or implemented in Utah as they have in other states. However, in terms of local property taxes he believed there was some latitude to do that, but it is a step that faced policy opposition in the past. Mr. Harrington remarked that the Grants are easier to administer because it is an affirmative way to enable the desired end result. Commissioner Campbell understood that it was a decision for the City Council, but he would like to know in general if there were positive incentive aspects and whether it was a tool they could recommend. He personally favored offering an incentive to help achieve the end result as opposed to threatening jail if it is done wrong.

Mr. Erickson stated that the pending ordinance has a time frame and the Staff was pushing to meet the deadline. In addition, they were also working with the City Finance Department to devise a mechanism of funding and financing and looking at the budget for Fiscal 2017. There were RDA funds and other opportunities to help subsidize.

Commissioner Phillips stated that he was having a hard time understanding the 1975 date. Mr. Erickson explained that the year 1975 was established in the pending ordinance to fix a date that was 40 years previous. Historic structures are 50 years, and the Staff wanted a 10 year window to make sure they catch every potential historic structure or structures that had modifications after the 50 year threshold but before the 40 year threshold. Mr. Erickson stated that it has been revised to a 40 year floating threshold from current date. He pointed out that the 1975 date would eventually be replaced with a 40 year threshold to see if it meets the test of being a historic site.

Commissioner Thimm asked what would be meaningful to a particular structure during the 40 to 50 year period. Mr. Erickson was unsure specifically; however, the direction in the

ordinance was to be rigorous and cast a wide net to catch something that may be historic in a home that had been reconstructed in that period. There may be historic features or a historic foundation that meets the test of history. Mine structures could also slide into that realm. Commissioner Thimm asked if a person could be limited to what they could do to a building on their property within that ten year period. Mr. Erickson answered no; not unless something is determined to be historic consistent with the City regulations. He explained that the 40 year threshold is the identification criteria that alert the Staff to make sure there are no historic elements.

Planner Whetstone noted that there were three criteria. Some of the qualifying criteria are the ones they were proposing to revise, especially the one about retaining historic form. There is also criteria on whether or not it is important to the historic era. Mr. Erickson stated that it was a policy question they were still wrestling with. Mr. Harrington remarked that it was a temporary catch-all. The second component is public information and review, and making sure there is a second set of eyes on these determinations rather than just having one person in the Planning Department make the determination. Everything goes to the HPB pending these revisions. The only change to the criteria is the increase in eligibility.

Commissioner Campbell stated that because of the publicity he has been stopped at the store and other places by people wanting to comment on the ordinance. He thought a lot of people misunderstood the intent and believed that no structure could ever be torn down if it was older than 1975. The reality is that structures must be reviewed by the HPB to determine whether or not they could be torn down. Mr. Erickson clarified that the criteria had not changed for demolitions or tearing down, but the net for looking at demolitions had grown. No one would be restricted from tearing down anything older than 40 years to the 50 year threshold, but it must be looked at first. The main philosophy is to make sure an additional Board of educated eyes is watching over the Historic District in addition to the Staff and the Planning Commission. Commissioner Campbell thought it was important to make sure the public has that understanding when this is noticed. He believed they would get less pushback if the public understood that demolitions would not be prohibited; but it would require a mandatory review.

MOTION: Commissioner Joyce moved to CONTINUE the ordinance amending the Land Management Code, Section 15, Chapter 11 in all Historic Zones to expand the Historic Sites Inventory to October 14th, 2015. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

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The Park City Planning Commission Meeting adjourned at 6:20 p.m.

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Director Erickson stated that this District is under constant review by the Historic Main Street Business Alliance and the two organizations managed by the City Council. It is an ongoing, constant review. Director Erickson noted that the three to five year period would allow enough time to gather evidence without being too long. Commissioner Phillips agreed with the comments made by his fellow Commissioners. He believed the amendment was in line with the intention of the General Plan.

Commissioner Worel echoed the comments of her fellow Commissioners. She thought it would be helpful to get more strategic information on why this all came to be the way it is. Commissioner Worel appreciated the comment by Mike Sweeney in regards to needing more definitions. She noted that page 96 of the Staff report talks about abandonment of buildings. She asked if someone has a business license and only open three months a year, whether the remainder of the year would be considered abandonment. Assistant City Attorney McLean stated that it would depend on the use. However, if the owner has an active business license for three weeks of the year it would not be considered abandonment. Commissioner Worel noted that it would not protect from all the dark spaces on the street. Ms. McLean stated that dark spaces would be a separate conversation. Commissioner Worel was still not clear on what would constitute abandonment. Chair Strachan believed that abandonment would be the intent to abandon the use. Ms. McLean remarked that abandonment has to do with being grandfathered in. An existing non-conforming use is allowed to continue until it is abandoned for 12 months. She pointed out that there is no way to equate that an empty building was not a use. Ms. McLean stated that the question has been raised in the past and there is a large concern by the Main Street Merchants regarding those dark spaces. She was unsure how a City could tell someone that they must have an active business inside of their building. Commissioner Worel thought there could be a way but this was not the time to discuss it.

MOTION: Commissioner Band moved to CONTINUE the Land Management Code Amendments regarding vertical zoning storefront regulations in Chapter 15-2.5-2, Chapter 15-2.6-2 and the associated definitions in Chapter 15-15 to November 11, 2015. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

7. **Consideration of an ordinance amending the Land Management Code Section 15, Chapter 11 and all historic zones to expand the Historic Sites Inventory and require review by the Historic Preservation Board of any demolition permit in a historic district and associated definitions in Chapter 1515. (Application PL-15-02895)**

Director Erickson reported that the information the Planning Commission was seeing for the first time was reviewed by the City Council and the Historic Preservation Board in a joint meeting a month ago. It was also reviewed in detail at the last HPB meeting.

Planner Grahn requested that the Planning Commission provide input and direction on what was being proposed. She noted that redlines have not been proposed to the LMC but the Staff would come back with those redlines.

Planner Grahn commented on six topics for discussion as outlined in the Staff report.

- 1) Historic Designations. The Staff was proposing to add a third category called Contributory and it would be for building over years old.
- 2) Define Demolition and modify the LMC definition to include the ANSI definition, which also includes dismantling, razing or wrecking.
- 3) Demolition Permit Review. The HPB has been reviewing demolition requests.
- 4) Noticing requirement for demolition reviews. Currently there is no noticing requirement and the Staff was proposing to be consistent with the requirements for the Historic District Design Review in that 14 days prior to the hearing they would post a property notice on the site, as well as send a mailing notice.
- 5) Demolition by Neglect.
- 6) Criteria for Visual Compatibility.

Following the discussion this evening, Planner Grahn requested that the Planning Commission continue this item to November 11th.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Director Erickson clarified that there was a distinction between the LMC changes and the Historic District Design Guideline changes. The distinction was in the visual compatibility section. If the Planning Commission chose to bifurcate due to time constraints, he preferred that they focus on the Land Management Code amendments since those were under the pending ordinance.

Planner Grahn commented on the change under Historic Designation to add the third category of "Contributory". The criteria for Contributory was defined on page 166 of the Staff report.

Commissioner Phillips noted that the Staff report indicated that Contributory sites would be identified through a survey that was not yet completed. He asked when that survey would be completed. Planner Grahn replied that the Staff would set the criteria and the categories. CRSA was currently conducting an intensive level survey of Old Town and the City was looking at hiring another firm to do a reconnaissance level survey of buildings that were identified as contributory. The Staff believed that approximately 113 buildings need to be surveyed. Once they have the survey results the Staff will determine whether they fall under Landmark, Significant or Contributory. Planner Grahn explained that Contributory sites would be listed on a separate list and would not be designated to the Historic Sites Inventory. If an owner receives grant funds for a Contributory building, it would be moved over and protected on the Historic Sites Inventory.

Commissioner Joyce understood that someone interesting in purchasing a historic house would know that the house was considered Contributory before buying it rather than finding out when they want to remodel or do an addition. Planner Grahn replied that he was correct. However, the challenging part is that the 40 year mark keeps moving and the list would be updated periodically to make sure everything is captured.

Chair Strachan asked if it was incumbent upon the owner to find out if the structure is on the list or whether it would show on a title report. Director Erickson stated that it would not come up on a title report. He believed it would be part of the normal due diligence that anyone should do when purchasing property.

Commissioner Band assumed that the Board of Realtors would create a form for it. She had sent the information to the Board of Realtors so they would be aware of what to expect. She thought it would be similar to the addendum that was done for soils.

Director Erickson stated that at a minimum they want to make sure they have an Inventory. The City was not interested in regulating unless a component of a historic building can be redone or a grant is awarded. They also want to make sure they have a record of history after the mining area to present day. That was the reason for the floating 40 year mark. Director Erickson remarked that the types of structures that are Contributory provide the opportunity to a better job of defining neighborhood character because they contribute to the neighborhood.

Commissioner Joyce thought the term “Contributory” was vague. He noted that A-frames are part of the ski culture in Park City and pre-1975, but there is no interest in preserving them. Director Erickson explained that the ski era buildings are contributory in terms of mass and scale, but not particularly for the A-frame design. For example, if someone was looking for a new home in and they see five homes in the neighborhood that are the same size, that would be the neighborhood compatibility for how large the new home could be. Director Erickson clarified that at this point they were not regulating ski era homes, but they want to be able to tell that story 30 years from now. If A-frames go away at least they would be documented.

Commissioner Joyce stated that his question was more about the limitations of what they will allow people to do with Contributory structures. He gave the example of owning an A-frame that was on the list. Planner Grahn explained that the A-frame structure would be evaluated by Staff and reviewed by the HPB. Commissioner Joyce was concerned about going down the path of preserving structures that were previously determined not worth saving.

Commissioner Band asked if the HPB could prohibit someone from tearing down their A-frame structure. Commissioner Phillips pointed out that just like the Planning Commission the HPB Board changes over time and in five or ten years they might be trying to decipher what was intended. Commissioner Phillips was concerned that the process left the door open for more opinionate discretion.

Planner Grahn stated that the Staff intends to create demolition review criteria that the HPB could apply so everyone is treated equally. The Staff would be working with the HPB to define specific criteria to make sure it is a fair review process.

Commissioner Band wanted to know if the HPB would have the purview to deny demolition of a Contributory home. She noted that the Planning Commission was being asked to discuss this issue, but it was difficult without seeing the criteria to understand what could or could not be done. Commissioner Band stated that the process of going through the City for anything is extremely onerous and she was concerned about adding another layer. She agreed with most of what was in the pending ordinance, but she struggled with the idea of Contributory structures because it was very vague.

Commissioner Worel concurred. She was bothered by the vagueness when she read the Staff report. Commissioner Joyce thought the language, “rhythm and pattern of the streetscape” was particularly vague. Commissioner Band was not in favor of leaving anything vague or arbitrary. The HPB review should not be a subjective process. If they establish that the HPB could not keep someone from demolishing a Contributory structure, she questioned why it would go before the HPB. Director Erickson stated that it would be

the same reason that someone would go before the HPB for a Landmark or Significant Site. It is a public decision-making process that is not left to the Staff.

Director Erickson stated that the Staff did not intend to make the language vague; however rhythm, scale and compatibility are terms of art in their profession. The Staff would come back with greater definition on those terms, along with a proper set of criteria. Director Erickson noted that there were only 113 homes to be evaluated and if they do not meet the established criteria they would not be listed.

Commissioner Campbell pointed out that the list would grow every year because of the floating 40 year mark. Commissioner Phillips stated that the citizens should not have to worry from year to year whether their structure might be listed as Contributory.

Assistant City Attorney McLean stated that from a legal standpoint it would be helpful for the Staff to address the Contributory Site. She pointed out that in order to qualify the site would have to meet items A through E on page 166 of the Staff report. She read from Item B, which states that it has to be contributing to the Mining Era Residences National Register District. She interprets that to mean that it would not be just any house. It must be contributing. She asked the Staff to clarify that statement. Ms. McLean felt it was important to recognize that what was being proposed would not prevent demolition of any contributory structure unless it received a grant from the City.

Commissioner Thimm asked if the category of contributory lined up with the contributory definitions that are part of SHPO and part of the National Register. Planner Grahn replied that the answer was yes and no. She explained that SHPO is based on the National Register. The Landmark buildings in Park City are National Register eligible or considered National Register eligible because they are located within the District and contribute. Significant buildings would most likely fall into the Contributory category based on a Reconnaissance level survey. The new Contributory category was more in response to the pending ordinance in trying to review and capture some of the buildings that are not clearly defined by Landmark and Significant.

Director Erickson stated that this was benchmarked across other Districts ranging from Breckenridge to Crested Butte to Denver to San Francisco to Salt Lake City. In most cases they have a category like Contributory. He clarified that the Park City Staff did not invent this category.

Commissioner Thimm pointed out that every year another building becomes 40 or 50 years old. He assumed there would be a survey to actually establish that and he wanted to know how often surveys would be conducted. Planner Grahn replied that currently they only looked at buildings that were 1975 and younger. She noted that in ten years those building

would be 50 years old and some may be National Register eligible. The question is whether they want to save the 40 year old buildings that were built in the 1980s. That is a decision that the community will have to make.

Commissioner Campbell questioned how something that was built in the 1980s would contribute to the Mining Era. Planner Grahn replied that it would depend on how the structure was designed. Commissioner Band stated that it was more about the story of the town. Director Erickson remarked that a replicate building could be contributory to the District and not be eligible for demolition because it received grants. Planner Grahn pointed out that if a Landmark or Significant structure was not allowed to be demolished but the City allowed reconstruction or panelization, it would remain on the Historic Sites Inventory rather than be listed Contributory. Director Erickson stated that if someone wanted to build a structure in 2015 to match a miner's home, it would probably be designated as Contributory 40 years from now.

Commissioner Joyce read from page 167 of the Staff report under Demolition Permit Review, "The purpose behind this provision is to create a vehicle for reviewing and approving the demolition (as defined above), panelization, reconstruction, rotation....of structures that are 40 years or older that are in the H District or identified as historic." He understood that any structure that was already historic would have gone through this review without the pending ordinance. The only new piece is the Contributory designation. Planner Grahn replied that he was correct. She explained that prior to this pending ordinance a panelization or reconstruction project on a Landmark or Significant structure would have been reviewed and approved by Staff. Under this pending ordinance the HPB would make that determination rather than the Chief Building Official or the Planning Director. Commissioner Joyce originally understood that nothing in the process would prevent someone from demolishing a contributory building. However, from Planner Grahn's explanation it appears that the HPB would approve or deny demolition, which means the HPB could prevent a demolition. Director Erickson agreed that the HPB could deny a demolition; however, they would have to work harder to deny at the contributory level.

Commissioner Joyce thought it was important to be clear to the public that under this ordinance a new category of buildings will be required to go through an approval process. Commissioner Band noted that one change with the ordinance is that panelization is considered demolition. Planner Grahn replied that panelization has always been considered demolition, but what is new is that the pending ordinance states that any demolition as defined by the International Building Code requires HPB review. She explained that under the IBC demolition can mean scraping the lot, panelizing or reconstruction. It can also mean cutting a 4" square for a dryer vent because the wood in that 4" square is being demolished.

Director Erickson offered to come back with additional clarification. Commissioner Campbell stated that if the HPB has to work harder to prevent a demolition of a contributory building, he wanted to know what “work harder” means. Commissioner Thimm concurred.

Commissioner Thimm stated that based on his work he was familiar with designations at the 50 year mark. He wanted to know how demolition from 40 to 49 years was different from the year 50. Planner Grahn felt the Staff needed to work on clarification because most of the Landmark and Significant structures are 100 years old. She offered to come back with suggestions to help clarify that process. Commissioner Joyce wanted to know what happens to a 40 year old building that is listed when it becomes 50 years old. Commissioner Worel asked if it would be reviewed again at the 50 year mark. Commissioner Thimm assumed that at the 50 year mark there would be a new survey that might change the designation of a Contributory building to Significant. He thought the process was nebulous as currently proposed. Commissioner Thimm recalled from how it was presented at a previous meeting that there was no change in what happened to a building from year 40 to 49, other than to identify it. He thought it now sounded like the HPB would be reviewing those structures and that review could allow a provision for denial. He believed that was a significant change from what was originally discussed. Commissioner Thimm could not say whether it was right or wrong because it was not clear.

Assistant City Attorney stated that the Staff purposely decided not to put in the redlines because they did not want to spend time redlining Code without knowing what the Commissioners would or would not support. She suggested that Planner Grahn ask questions that would help her bring back the redlines to the Planning Commission.

Planner Grahn commented on the Demolition Permit Review. She stated that currently under the pending ordinance, if a structure is 40 years or older, the HPB was reviewing any materials being removed from a structure, as well as scraping the lot, panelizing, or reconstructing. The Staff met with the HPB to hear their input. Planner Grahn stated that the HPB would like to continue reviewing items that are 40 years or older, but they do not want to review demolition of materials that are not on the historic portion of the structure such as materials from a newer addition.

Commissioner Band was not opposed, but she felt that once an addition goes through the Historic Design Review and is added to the historic structure, the entire structure then becomes historic and should be looked at as a whole. Commissioner Thimm that Commissioner Band’s thinking was consistent with SHIPO in that once a building is designated the changes are the evolution of that building.

Planner Grahn noted that the Historic Preservation Board does not do Design Review. Therefore, the HPB only looks at removal of materials and they do not have a say in what material goes back in its place.

Commissioner Joyce could not understand why the HPB would look at everything over 40 years old regardless of whether it was on the Contributory list or the HSI. He wanted to know the reason for adding the extra step on buildings that were already determined to be historically insignificant. Planner Grahn stated that buildings that were potentially historic were slipping through the cracks, which is one reason for the pending ordinance. The Staff will be relooking at strengthening the Design Guidelines to make sure the HPB has something to compare a demolition to. Director Erickson explained that the HPB has other roles and responsibilities, including preservation of historic neighborhoods. The reaction from the City Council and the public was that neighborhoods were being destroyed because buildings were being demolished, and even the non-historic buildings contributed to the neighborhood. For that reason the City tasked the HPB with protecting the neighborhood in conjunction with other LMC designated authorities.

Chair Strachan used the example of a house that goes through the analysis because it is 41 years old and it is deemed not contributory and completely insignificant. Two years later the owner decides to tear it down he then has to go through another process before the HPB and risk that the HPB could make a different determination. Chair Strachan could not understand why they needed the second process when the structure was already determined to be insignificant and a non-issue.

Chair Strachan stated they should either review all the demolition requests or create criteria for a Contributory structure, but it should not be both. An owner should not have to go through the process twice. Commissioner Band concurred. If the concern was structures slipping through the cracks then every demolition in the Historic District should go through a review process and they should eliminate the Contributory survey. Commissioner Worel agreed.

Chair Strachan was concerned about a slippery slope where the HPB could arbitrarily decide what was contributory because it would be impossible to define the criteria as specifically as they would like without using subjective terms. Commissioner Campbell agreed because what the HPB understands now could be interpreted differently by another HPB Board ten years from now. Commissioner Phillips reiterated that it was one of his biggest concerns.

Planner Grahn thought the Planning Commission had raised good questions and it was something the Staff needed to keep working through.

Commissioner Thimm asked if he was correct in assuming that there was still no definition for demolition. Planner Grahn stated that page 166 of the Staff report contained the definition from the LMC. However, the Staff was proposing to modify that definition to include more about dismantling, raising and wrecking, and to also make clear that it is not part of the CAD process. The revised definition would come back as part of the redlines.

Planner Grahn summarized that the Planning Commission wanted the Staff to clear up the vagueness, provide clarification on the 40 to 50 year process, and to create clear criteria. Chair Strachan also wanted them to revisit the idea of making someone goes through an HPB review twice.

Commissioner Band commented on Demolition by Neglect. She was in favor of strengthening the language, but she questioned how peeling handrails and trim contribute to demolition by neglect. Commissioner Joyce stated that he was trying to figure out how he would apply Demolition by Neglect in terms of what they were asking people to do to the mine sites. He asked for clarification at the next meeting regarding how this affects the mine sites and what Talisker or Vail would be required to do and what the penalty would be if they did not comply.

Director Erickson stated that a topic for another meeting would be Certificates of Appropriateness for Demolition versus Demolition by Neglect versus Building Abatement.

Commissioner Campbell commented on the fact that so many people are not aware of this ordinance and what it means. He asked if it was possible to create publicly searchable registry on the Park City website where a current homeowner or a perspective buyer could quickly find out where their house or potential purchase falls on the list. He thought it was important to publicize the new Contributory category and have the criteria easily displayed.

MOTION: Commissioner Thimm moved to CONTINUE the LMC Amendments concerning Historic Preservation to November 11, 2015. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 8:55 p.m.

Approved by Planning Commission: _____