

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF AUGUST 21, 2019

BOARD MEMBERS IN ATTENDANCE: Lola Beatlebrox, Puggy Holmgren, John Hutchings, Jack Hodgkins, Tana Toly

EX OFFICIO: Bruce Erickson, Laura Kuhrmeyer, Caitlyn Barhorst, Mark Harrington

Director Erickson requested that the Board nominate a Chair Pro Tem to facilitate the meeting this evening.

MOTION: Board Member Hodgkins nominated Lola Beatlebrox to preside over the meeting this evening. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Chair Pro Tem Beatlebrox assumed the Chair.

ROLL CALL

Chair Pro Tem Beatlebrox called the meeting to order at 5:00 p.m. and noted that all Board Members were present except Douglas Stephens and Randy Scott who were excused.

ADOPTION OF MINUTES

August 7, 2019

MOTION: Board Member Homgren moved to APPROVE the minutes of August 7, 2019 as written. Board Member Hodgkins seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Director Erickson introduced Tana Toly, the newest member to the Historic Preservation Board.

Director Erickson reported that the HPB is scheduled to hold their regular meeting on September 4th; however, that meeting may need to be rescheduled due to the Miners Day Holiday if Board Members are out of town that week. The

Planning Department will email the Board with the exact meeting date once a final decision is made.

Board Member Holmgren disclosed that she sits on the HPCA Board with Rhonda Sideris, the applicant for 22 Prospect Avenue. However, she did not believe that would affect her ability to discuss and vote on the agenda item this evening.

REGULAR AGENDA

- V.A. 839 Woodside Avenue – Historic District Design Review
Historic Preservation Board Review for Material Deconstruction of a
Landmark Historic Site – The Applicant is proposing to rehabilitate of the
Landmark Historic Site following the Material Deconstruction of the non-
historic concrete foundation; non-historic retaining walls; non-historic
doors; non-historic and Historic siding; non-historic roof material; non-
historic porch; non-historic steps; non-historic chimney; Historic and non-
historic windows; and Historic shed.
(Application PL-19-04131)

Planner Laura Kuhrmeyer reviewed the application as outlined in the Staff report. She presented the tax photo from 1940 and a current photo. The garage existed in the 1940 photo. The applicant was proposing to do a material deconstruction to primarily remove retaining walls, patios, and a small non-historic addition on the backside of the house that was added after 1940. The roof is proposed to remain as is and to be modified slightly in the rear where the addition will be removed to tie into the new addition. It is unclear whether the chimney is historic because it is obscured by a tree in the 1940 tax photo. However, the chimney is referenced on the HSI Form and the applicant has no plans to remove the chimney.

Planner Kuhrmeyer pointed to a small red line indicating where the non-historic addition would be removed across the back. She stated that the foundation is not original and was probably added when the garage foundation was added beneath the house. The applicant was proposing to remove the existing foundation under the garage for the lower level, and lift the house to add a new foundation underneath that will expand to create a bigger footprint.

Planner Kuhrmeyer thought the porch was likely rebuilt and expanded. Further investigation will be done at the building permit stage; however, conditions were added to require that if historic materials are discovered at that time, those materials need to be maintained or replaced in kind.

Planner Kuhrmeyer noted that no mechanical, utility, or electrical changes were proposed at this time. There are no historic doors remaining on the house. The applicant was proposing to replace the front door and all the other doors with something that would be seen historically in the District. Planner Kuhrmeyer stated that there are a total of 10 window openings and only two are historic. The applicant had agreed to allow an independent window evaluation specialist to assess the windows to determine whether they can be restored or rehabilitated or if they needed to be replaced. That was also added as a condition of approval.

Planner Kuhrmeyer noted that the Material Deconstruction Review Checklist was included in the Staff report.

Board Member Holmgren thought the application was straightforward. She referred to page 25 of the Staff report and noted that the Summary Recommendation shows the designation as a Significant structure. However, under the Topic Section it shows the designation as Landmark. Planner Kuhrmeyer clarified that it is a Landmark Structure.

Chair Pro Tem Beatlebrox opened the public hearing.

There were no comments.

Chair Pro Tem Beatlebrox closed the public hearing.

Board Member Hodgkins agreed that the Material Deconstruction request was straightforward and self-explanatory in the Staff report. He wanted to know if the proposed addition meets the current LMC; specifically, the roof pitch requirement and the siding. Planner Kuhrmeyer replied that the roof pitch requirement is only for the first 20-feet from the front façade. The proposed addition is outside of that area and is not required to meet the roof pitch. Mr. Hodgkins questioned why it was not required because it faces the street. He did not believe it was in keeping with the vernacular of Old Town. Planner Kuhrmeyer understood that the original proposal was more of a flat roof and the applicant decided to pitch it slightly.

Planner Caitlyn Barhorst stated that this has been reviewed by the Design Review Team and by a Preservation Consultant. It is under the height limit and the addition is more modest in scale and the massing is broken up. The design takes into consideration all of the requirements for transitional elements and it has gone through the stages of being approved per the design.

Board Member Hodgkins asked about the siding. Planner Barhorst replied that it is a modern take on a modular siding material with the metal. She thought the metal would be an appropriate addition to tie into the metal roof.

Chair Pro Tem Beatlebrox asked the Staff to comment on how the rear addition and the historic building are separated from each other. Planner Kuhmeyer explained that this application was submitted prior to the new Design Guidelines changes; therefore, the transitional element was reviewed under the 2009 Design Guidelines. She pointed to a small connection that attaches the addition to the historic building.

Board Member Hutchings asked if the addition was flush on the back of the house. Planner Kuhmeyer replied that a portion of it was flush and pointed to where the addition would be attached. She noted that it had already been modified because of the existing non-historic addition on the back.

MOTION: Board Member Hutchings moved to APPROVE the Material Deconstruction at 839 Woodside Avenue pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Staff report. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 839 Woodside Avenue

1. The property I - located at 839 Woodside Avenue in the Historic Residential (HR-1) zoning District.
2. The Site is designated as Landmark on the Historic Sites Inventory (HSI).
3. On January 22, 2019, a complete Plat Amendment application was submitted to combine two standard size lots from the Snyder's Addition Park City Survey. On April 4, 2019, the City Council approved the Plat Amendment (Ordinance 2019-16). The 839 Woodside Avenue Plat Amendment was recorded on July 19, 2019 (Entry No 1114405).
4. On April 25, 2019, the Planning Department received a complete Historic District Design Review (HDDR) application for the property at 839 Woodside Avenue.
5. The HDDR application has not yet been approved as it is dependent on the HPB's Review for Material Deconstruction of portions of the Landmark Historic Site.
6. The Structure was constructed between circ. 1889 and 1900. The Historic Site Form has identified this site's era of historical significance as the Mature Mining Era, 1894 to 1930.
7. The house first appears on the 1889 Sanborn Fire Insurance Map as a simple, one-story T/L cross wing cottage style house with an east-west (front-rear) facing gable and south (side) facing gable with a single-story shed roof front porch.
8. The first known photograph of the house was taken as part of the circ. 1940 tax assessment. The photograph shows drop novelty wood siding, fence, and stairs leading to the front entry porch.

9. In the 1900 Sanborn map, two small accessory structures can be seen at the rear of the house, one on the northwest corner and one on the southwest corner of the property. Both accessory structures were expanded between circ. 1900 and 1907 and then remained the same until the 1941 Sanborn map.
10. Between circ. 1889 and 1900, the porch on the northwest side (rear) of the house was expanded to the full length of the house.
11. The lower level garage appears in the 1941 Sanborn map but may have been built much earlier.
12. Prior to now, the rear porch was enclosed and an addition to the south (rear) of the Historic Structure was constructed with a shed roof. The front porch was also extended east toward the street and the shed roof extended to cover it.
13. The applicant is proposing to remove the non-Historic addition in the rear. The applicant also proposes to lift the Historic structure, remove the existing garage foundation, construct a new full basement and garage foundation, and add an addition to the rear of the historic home. The proposed scope of work mitigates any impact that will occur to the Historic significance of the Site.
14. The concrete and stacked railroad tie retaining walls at the front property line is to be removed and replaced with a new retaining wall. The existing railroad tie retaining wall in the rear yard is to be removed to allow for the new addition structure in the rear.
15. The applicant proposes to leave the existing roof structure with the exception of a modification at the rear to tie into the new addition structure. The applicant is not proposing to alter the Historic roof form.
16. The existing brick masonry chimney is to remain.
17. The applicant is proposing to remove twenty-three linear feet (23') of material on the south (rear) wall of the Structure for the construction of an addition.
18. The applicant is proposing to construct a new foundation with a basement addition and garage entrance. The construction of a new foundation is required for the restoration of the Structure.
19. The existing porch is to be inspected by the Contractor to determine if it can be braced for lifting of the home or if it should be removed and reconstructed. The Historic Preservation Planner shall review prior to any Historic materials being removed.
20. Should any Historic material be discovered while deconstructing the porch, The Physical Conditions Report and Preservation Plan shall be amended to document the condition of the porch structure and provide an updated scope of work to the satisfaction of the Historic Preservation Planner.
21. There are no existing Historic mechanical, electrical or utility systems. The Contractor will evaluate the operable condition of the existing mechanical, electrical, and plumbing systems to determine what can be reused.
22. The garage and front entry doors are non-historic and are to be removed and replaced with new doors of historic style.

23. The existing, historic entry door on the north façade is damaged and will be replaced with a new door of similar style.

24. There are a total of ten (10) window openings, two (2) of which are historic. All windows have been replacement at a time outside the Historic period. The Physical Conditions Report notes the eight (8) existing non-historic windows are in good condition and will remain. The two historic windows on the east (front) façade have been painted shut. The Applicant will work with the Historic Preservation Planner to determine if the two (2) historic windows can be restored. If the windows cannot be restored, new windows to match the style and dimensions will be approved by the Historic Preservation Planner prior to installation.

25. The HPB found compliance with the following applicable Design Guidelines:

A. Universal Guidelines:

1. A site should be used as it was historically or be given a new use that requires minimal change to the distinctive materials and features. The applicant is proposing to remove the non-Historic site addition and use it as it was historically.
2. Changes to a site or building that have acquired historic significance in their own right should be retained and preserved. The applicant is proposing to remove all non-Historic changes.
3. The historic exterior features of a building should be retained and preserved. The applicant is not proposing to alter any Historic features.
4. Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved. The applicant is proposing to maintain the existing porch.
5. Deteriorated or damaged historic features and elements should be repaired rather than replaced. The applicant is proposing to re-use the salvageable Historic materials. Conditions of Approval were added to ensure the protection of any Historic materials.
6. Features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines.
7. Each site should be recognized as a physical record of its time, place and use. The proposed work does not change the appearance of the site.
8. Chemical or physical treatments, if appropriate, should be undertaken using recognized preservation methods. No chemical or physical treatments are proposed.
9. New additions, exterior alterations, or related new construction should not destroy historic materials, features, and spatial relationships that characterize the size or building. The proposed work complies.
10. New additions and related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored. The proposed work mitigated any impacts on the historic site.

B. Specific Guidelines:

A. Site Design

A.1.1 Maintain existing front and side yard setbacks of Historic Sites. The applicant is not proposing to alter the existing location.

A.1.2 Preserve the original location of the main entry, if extant. The applicant is not proposing to alter the location of the entry.

A.1.3 Maintain the original path or steps leading to the main entry, if extant. The applicant is proposing to construct new steps as the existing steps are non-Historic and unsafe.

A.4.1 Maintain historic hillside steps that may be an integral part of the landscape. The applicant is proposing to construct new steps as the existing steps are non-Historic and unsafe.

A.5.3 The historic character of the site should not be significantly altered by substantially changing the proportion of built or unpaved space. The proposed scope of work will not substantially change these proportions.

B. Primary Structures

B.1.1 Maintain the original roof form, as well as any functional and decorative elements. The applicant is not proposing to alter the Historic roof form.

B.1.2 New roof features, such as photovoltaic panels (solar panels) and/or skylights should be visually minimized when viewed from the primary public right-of-way. These roof features should be flush mounted to the roof. The applicant is proposing three (3) skylights on the south (side) roof and two (2) skylights on the west (rear) roof, all of which are beyond the midpoint and flush mounted to the roof.

B.2.1 Primary and secondary façade components, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways should be maintained in their original location on the façade. The applicant is not proposing to alter the location of any of the above items on the primary façade.

B.2.4 If historic exterior materials cannot be repaired, they should be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material, and finish. The replacement of existing historic material should 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. As conditioned, the proposal complies.

B.3.1 A new foundation should not raise or lower the historic structure generally more than two (2) feet from its original floor elevation. The applicant is not proposing to lift the structure more than two (2) feet from its original floor elevation.

B.3.2 The original placement, orientation, and grade of the historic building should be retained. The applicant is not proposing to change any of these features.

B.4.1 Maintain historic door openings, doors, and door surrounds. The

applicant is not proposing to alter these elements.

B.4.2 New doors should be allowed only if the historic door cannot be repaired. Replacement doors should exactly match the historic door in size, material, profile, and style. The applicant is proposing to replace the non-Historic door, as well as the damaged Historic door, with one that will match what is seen historically in the District.

B.5.1 Maintain historic window openings, windows, and window surrounds. The applicant is not proposing to alter the Historic window openings.

B.5.2 Replacement windows should be allowed only if the historic windows cannot be made safe and serviceable through repair. Replacement windows should exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material. The applicant is proposing to replace the non-Historic windows with ones that will match what is seen historically in the District. The two (2) Historic windows shall be evaluated by a window restoration specialist to determine their potential for restoration prior to replacing them in-kind.

26. The HPB made the following findings with respect to Material Deconstruction Review

Checklist Criterion:

A. Criterion 1: The proposed work is not Routine Maintenance.

B. Criterion 2: The proposed Material Deconstruction is required.

C. Criterion 3: The proposed work does not damage or destroy the exterior architectural features.

D. Criterion 4: The proposed work mitigates any impacts that will occur to the visual character of the neighborhood; Historical significance of the Structure; architectural integrity of the Structure; and structural stability. All proposed Material Deconstruction complies with applicable Design Guidelines.

E. Criterion 5: The proposed work will not compromise the historical importance of other structures on the property and on adjacent properties. The applicant is proposing to remove all non-Historic features.

F. Criterion 6: All non-Historic additions and site features are proposed to be removed and are non-contributory.

Conclusions of Law – 839 Woodside Avenue

1. The proposal complies with the Land Management Code requirements pursuant to 15-2.2 Historic Residential (HR-1) District.

2. The proposal meets the criteria for Material Deconstruction pursuant to LMC 15-11-12.5 Historic Preservation Board Review for Material Deconstruction.

Conditions of Approval – 839 Woodside Avenue

1. Final building plans and construction details shall reflect substantial compliance with

the HDDR proposal submitted on June 24, 2019. 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. The applicant is responsible for notifying the Planning and Building Departments if changes are made.
3. The current proposal does not include any changes to the roof. However, if once construction has started it is determined that the structure needs to be re-roofed or the roof needs to be reinforced, the following conditions shall apply:
 - a. The applicant shall maintain the original T/L cottage style roof form.
 - b. Should reinforcing the roof structure from the interior not be possible due to the existing condition, the applicant shall schedule a site visit with the Chief Building Official and Planning Director and/or Historic Preservation Planner to evaluate the condition of the roof structure and assess the salvageable Historic material. The applicant shall prove the defects in the roof that prevent the new reinforcing structure to be added from the interior.
 - c. If the scope of work requires a full reconstruction of the roof structure, the applicant shall update the Physical Conditions Report and Preservation Plan to provide documentation of the existing Historic roof structural members highlighting their condition, location, and size.
 - d. The reconstructed roof form shall re-use all salvageable Historic material in their original location, if possible. Where the Historic materials cannot be used, they shall be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material, and finish.
4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or his/her designee prior to construction.
5. Prior to removal of any Historic material, the applicant shall document their location and condition in order to facilitate in their reuse, if applicable.
6. Where the 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. Prior to removing and replacing Historic materials, the applicant shall demonstrate to the Planning Director and Historic Preservation Planner that the materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. No Historic materials may be disposed of prior to advance approval by the Planning Director and Historic Preservation Planner.
7. The Preservation Plan must include a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.

8. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.
9. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.
10. Within five (5) days of installation of the cribbing and shoring, the structural engineer will inspect and approve the cribbing and shoring as constructed.
11. Historic Structures which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the building permit was issued.
12. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties. The applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring alterations within five (5) days of any relocation or alteration to the cribbing and/or shoring.
13. The applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation Plan and enforcement action through the Historic Preservation Financial Guarantee or ACE could take place.
14. Should any Historic material be discovered while deconstructing the porch, The Physical Conditions Report and Preservation Plan shall be amended to document the condition of the porch structure and provide an updated scope of work to the satisfaction of the Historic Preservation Planner.
15. The applicant shall submit for written approval from the Historic Preservation Planner prior to installation of the selected replacement doors.
16. An independent window evaluation specialist will assess and report on the existing window conditions and outline options for rehabilitation or replacement consistent with Design Guideline B.5.1, B.5.2, and B.5.3, to be approved by the Planning Director and/or Historic Preservation Planner.
17. Should the original wood windows not be able to be restored, the replacement windows shall exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.
18. The Historic shed will be structurally stabilized and reinforced from the inside and any historic exterior materials that cannot be repaired shall be replaced with materials that match the original in all respects (scale, dimension, texture, profile, material, and finish).

19. Should it be determined that the Historic shed cannot be structurally stabilized from the inside, the Applicant shall return to HPB for review of the panelization and/or reconstruction of the shed.

V.B. 22 Prospect Avenue – Historic District Design Review
Historic Preservation Board Review for Reconstruction of a Landmark
Historic Site – The Applicant is proposing to Reconstruct the Landmark
Historic shed that collapsed due to age and snow loads. A Notice and
Order has been issued for the collapsed shed.
(Application PL-19-04269)

Planner Barhorst reported that a Notice and Order was placed on the structure by the Chief Building Official. The structure is on the rear of the property facing across the valley. She presented the Sanborn map showing the structure. The construction date was placed around 1900.

Planner Barhorst stated that the structure has never been altered. There have been a few roof replacements over the years that have not worked well. The condition of the structure is the same as shown in the photograph. The applicant was proposing to deconstruct and salvage as much material as possible. The amount of salvageable material will be updated as the structure is taken apart. Planner Barhorst pointed out that the structure rests against a retaining wall and a tree. There are two-stories on the downhill side which makes it difficult to enter the shed.

Planner Barhorst reported that the applicant has submitted an accurate set of plans and everything complies. The Staff recommended approval of the proposed request to reconstruct the shed structure.

Board Member Hodgkins wanted to know who would do the reconstruction. Planner Barhorst replied that Clark Martinez would do the work. He has done most of the mine sites restoration.

Planner Barhorst noted that after the reconstruction was approved for 1057 Woodside, she and Planner Tyler went out with applicant to see what materials could be used and which ones were too deteriorated. She stated that they had already done something similar at 22 Prospect for the top piece of the roof, which is a character defining feature on the entryway. Most of the material is board and batt and most of it was fairly warped. Planner Barhorst reiterated that the applicant intends to save as much as possible.

Chair Pro Tem Beatlebrox commented on the two pictures and understood that one was from the patio and the other was from down below on the hillside. Planner Barhorst replied that she was correct.

Board Member Hodgkins asked if Planner Barhorst would be involved in the deconstruction as well as the determination on materials. Planner Barhorst answered yes. It was also addressed in the conditions of approval.

Chair Pro Tem Beatlebrox noted that the Notice and Order to Repair was issued on August 1, 2019. She asked if any notices were issued prior to that Notice and Order and how long the structure has been neglected. Planner Barhorst stated that like many other 120-year-old sheds in town, the structure has never been repaired correctly. In conversations with Code Enforcement, they were unaware of this shed because it is hidden from the street. Chair Pro Tem Beatlebrox asked to what extent the shed will look like it does now as opposed to a new shed building. Planner Barhorst replied that it would be depend on the new materials allowed in the reconstruction. Currently, they encourage more opaque paint finishes or a dark stain to hide the grain. Since the shed is historic, they would allow a raw material that ages with time. Once the applicant applies for reconstruction the plans will go through an HDDR and be reviewed against the updated Design Guidelines, taking into consideration that it should still look old.

Board Member Hutchings asked if there were conditions of approval that address the historic material. Planner Barhorst replied that Conditions 2, 3, 4, 5 and 6 address the different aspects of determining the original profile, sizing, and providing documentation.

Board Member Holmgren stated that when the City changed the Historic District Commission to the Historic Preservation Board, she was on the Board but had to leave because her term was up. At that time the Board created a situation called "Save our Sheds" because so many historic shed were being removed through neglect. Ms. Holmgren thought it would be beneficial to re-start that conversation because sheds are an integral part of Park City's history. Planner Barhorst offered to look at providing an analysis on all the sheds and their condition. Ms. Holmgren recalled that there was a map of all the shed locations and their conditions. It was done at the time the City first started rewriting the LMC.

Chair Pro Tem Beatlebrox stated that her biggest concern is that the shed should not look new. It is important for the shed to retain its character, even though it is not visible from the road. Board Member Holmgren asked if they could add a condition of approval stating that the shed should retain its aged look.

City Attorney Harrington suggested revising Condition #4, to prioritize the retention of the historic look consistent with the Design Guidelines.

Chair Pro Tem Beatlebrox opened the public hearing.

Bill Hummer stated that he owns the property at 28 Prospect Avenue, directly south of 22 Prospect. He has owned his property since 1990 and in the last five years they have witnessed the deterioration of the shed building. It is a beautiful historic building and over the past winters the snow had caused significant damage. Mr. Hummer remarked that the neighbors on Prospect recognize that this shed is one of the best representations of historic architecture in the City. The neighbors encourage the Board to approve this request and that the shed can be reconstructed. Mr. Hummer hoped the property owners and the contractor would allow him to take a couple of boards because they love that piece of property and the shed. Any help the HPB could give to the property owners to restore this building would be supported. Mr. Hummer pointed out that there are 27 properties between Chambers, Prospect and Hillside, and 19 of those properties are historic structures. He believes anything in that corner of the City that can be improved would be a benefit. Mr. Hummer and his wife support this request and he urged the HPB to approve it.

Director Erickson asked Mr. Hummer if the shed was leaning on his tree or if the tree belongs to the owners of 22 Prospect Avenue. It was determined that the shed was leaning against Mr. Hummer's tree.

Chair Pro Tem thanked Mr. Hummer for his comment. She noted that the HPB appreciates the property owners who cherish their own historic homes.

Helena Sideris stated that she lives in the house at 22 Prospect with two other individuals. She emphasized that they have every intention of rebuilding the house to be as close to its historic representation as possible. The request to reconstruct is simply a matter of public safety. Ms. Sideris stated that the primary reason for the delay was trying to find a contractor. They were elated to have the attention from Clark Martinez this summer. Ms. Sideris appreciated the support and asked the Planning Commission to appreciate their request.

Chair Pro Tem Beatlebrox closed the public hearing.

Board Member Toly disclosed that she is friends with the residents of 22 Prospect Avenue; however, their association will not affect her decision on this item.

MOTION: Board Member Holmgren moved to APPROVE the reconstruction of the historic shed at 22 Prospect Avenue, pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended with the revision to Condition #4. Board Member Hutchings seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 22 Prospect Avenue

1. The property is located at 22 Prospect Avenue. The property consists of Lots 6 & 7 BLK 19 Park City Survey.
2. The historic site is listed as Landmark on the Historic Sites Inventory.
3. The house was originally constructed circ. 1889, per the Historic Site Inventory (HSI) Form, and has undergone a series of alterations since.
4. Development on this property has spanned across two (2) of Park City's designated Historic eras, including the Settlement and Mining Boom Era (1868-1893), the Mature Mining Era (1894-1930).
5. The house was built before circ. 1889 by Joseph Durkin. The Durkin family owned the property until 1902. The shed at the rear of the property was constructed during that time. Kate Carpenter was the next owner from 1902-1908 and before circ. 1907 the form of the current house changed to the T cottage form with the wrap-around porch. The Grose family owned the property from 1908-1979. The Cannard family owned it until 2013 when it was transferred to the current owner.
6. On July 29, 2019, the Planning Department received a Historic District Design Review (HDDR) application for the property at 22 Prospect Avenue. The application was deemed complete on July 31, 2019. Approval of the HDDR application is dependent on the Historic Preservation Board's approval of the Reconstruction.
7. The applicant is proposing to Reconstruct the Historic shed on the Landmark site at 22 Prospect Avenue. The existing condition of the shed is poor. The structural members of the shed are compromised, the roof has buckled from the weight of the snow, the exterior siding material is deteriorating, and the building is leaning downhill.
8. The proposal for Reconstruction complies with LMC 15-11-15(A)(1) as the representative of The Chief Building Official made a site visit on April 4, 2019. At that time, the representative of the Chief Building Official observed the conditions of the structures to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code. The site was posted "Do Not Enter- Unsafe to Occupy" due to its general dilapidated and unsafe state on April 4, 2019. The hazardous or dangerous conditions observed included:
9. Due to the instability and collapse of the shed's roof structure system, the extent of the deterioration of the original materials, as well as the health concerns, the safest approach is to Reconstruct the Historic shed.
10. The proposal complies with LMC 15-11-15(A)(2) as the representative of the Chief Building Official found the building to be dangerous. Staff finds it apparent that there are unique conditions, specifically, the structural conditions, physical conditions of the existing materials, and the additional submitted reports by the applicant supporting the dangerous building finding. The Historic Building(s) cannot be safe and/or serviceable through repair.

11. The proposal complies with LMC 15-11-15(A)(3) as the applicant has worked with staff to develop an accurate set of plans for the Reconstruction. The Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.
12. The proposal complies with LMC 15-11-15(B) as on July 29, 2019, the Planning Department received a Historic District Design Review (HDDR) application for the property at 22 Prospect Avenue. The application was deemed complete on July 31, 2019. Approval of the HDDR application is dependent on the Historic Preservation Board's approval of the Reconstruction.
13. Staff and the Design Review Team find that Reconstructing the Historic Structure will not significantly change the context of the site, nor diminish its historical significance. The shed is a contributing feature of the Landmark Site.
14. The specific techniques for Reconstruction will be approved as a part of the Historic District Design Review and Building Permit. A plan highlighting what historic material will be salvaged will be submitted prior to the approval of the application.
15. A Financial Guarantee will be required prior to Building Permit issuance. The Financial Guarantee will require that the shed be reassembled within 18 months of Building Permit issuance. A Building Permit must be issued within one (1) year of approval of the Historic District Design Review application.
16. The structure is not threatened by demolition.

Conclusions of Law – 22 Prospect Avenue

1. The proposal complies with the Land Management Code 15-11-15 Reconstruction of an Existing Historic Building or Historic Structure.

Conditions of Approval – 22 Prospect Avenue

1. Final building plans and construction details shall reflect substantial compliance with the HDDR proposal received on July 29, 2019. 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 the 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. Prior to removing and replacing historic materials, the applicant shall demonstrate to the Planning Director and Project Planner that the materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. No historic materials may be disposed of prior to advance approval by the Planning Director and Project Planner.
3. The applicant shall salvage and reuse any and all serviceable Historic Materials. The applicant shall demonstrate the severity of deterioration or existence of defects by showing the Planning Department that the historic

materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition prior to disposal.

4. As the shed is Deconstructed, the applicant shall identify and analyze different siding profiles to determine the original siding profile. The applicant shall work with the Planning Department to approve determination of the original siding material, to prioritize the retention of the historic look consistent with the Design Guidelines. The applicant shall salvage and reuse any original siding materials that can be made safe and/or serviceable through repair.

5. Where the severity of deterioration or existence of material defects requires replacement, the new wood siding materials shall match the original in design, dimension, texture, material, and finish. The applicant shall demonstrate the severity of deterioration or existence of defects by showing the Planning Department that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.

6. Prior to approval of the Historic District Design Review application, the applicant shall submit a site plan identifying the storage location of the salvageable materials from the Historic shed.

7. Per LMC 15-11-9 the Planning Department is authorized to require that the applicant provide the City with a financial guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.

V.C. Land Management Code (LMC) Amendments – Regarding Historic Preservation in 15-11 including amendments to the following sections: 15-11-2(C) Terms and Qualifications of Members; 15-11-8(A) Staff Assistance; and 15-11-12.5 Historic Preservation Board Review for Material Deconstruction. All references to Utah Heritage Foundation will be updated to reflect their new organizational name of Preservation Utah. The Historic Preservation Board Review process for Material Deconstruction will be updated as directed by City Council. (Application PL-19-04232)

Planner Barhorst stated that the Board would be reviewing two sections of LMC Amendments this evening.

The first amendment changes all the references to Utah Heritage Foundation to reflect their new organization name of Preservation Utah. The draft ordinance shows the change being made twice.

The second item for review would amend the HPB review process for material deconstruction.

Planner Barhorst stated that the City Council had directed the Staff to evaluate the process for the HDDR applications in an effort to return to a faster administrative level process on certain items. Planner Barhorst remarked that

she and Planner Tyler worked together to draft an amendment. She noted that currently, the removal of any material on any historic site; even non-historic materials, must be approved by the HPB. The Staff looked at the process more thoroughly and it was broken into Administrative review and HPB review. An Administrative review would include the Planning Director or his/her designee reviewing routine maintenance at an administrative level. For example, a proposal to re-roof without changing the historic roof form. Other items include chimney repair or placement of historic wood features such as repairing porch columns, etc. Planner Barhorst stated that conditions of approval would be added to make sure the element could not be repaired and needed to be replaced. Administrative review would also include removing or replacing non-historic features.

Planner Barhorst reported that the HPB would review the removal of historic materials to accommodate new additions, new construction, or structural upgrades. She referred to the redline ordinance on page 175 of the Staff report and noted that the HPB review would be triggered by the removal of anything that was approved for material deconstruction, such as removal of a rear wall to accommodate an addition, lifting a structure, adding a basement, reconstruction, etc.

Director Erickson stated that anything that the Planning Director or the HPB review would still remain consistent with the Design Guidelines. He emphasized that the review criteria would not change. The only change would be the people doing the review.

Planner Barhorst presented a summary of what the HPB would review for approval and the current checklist. Any application would still be reviewed under the Design Guidelines. Page 174 of the Staff report contained an example of how an Administrative level review would be conducted for replacing historic windows that were deemed beyond repair by a window specialist. She noted that the windows would be evaluated based on the Design Guidelines criteria rather than the material deconstruction checklist.

Board Member Hutchings had concerns about the overlap between Items A and B in terms of material deconstruction. He understood that the intent is for material deconstruction to be reviewed by the Board, and the Administrative items listed in Item A are more repair and maintenance issues that should be reviewed more expeditiously. Mr. Hutchings asked if plan is to reserve all material deconstruction for the HPB. Planner Barhorst answered no. Mr. Hutchings asked if removing a historic window would be considered material deconstruction. Planner Barhorst answered yes. Planner Barhorst clarified that removal of a historic window would be reviewed at the Administrative level if it was only for repair.

City Attorney Mark Harrington stated that the ordinance uses the term “replacement” or “maintenance”. He believed the focus was on removal of historic materials that would not be replaced or maintained. Removal of historic materials to accommodate a significant alteration or a connection would also come to the HPB. If someone was replacing an existing historic window without affecting the wall or other materials, that could be reviewed and approved by the Staff. Planner Barhorst agreed. The difference is that it was not a permanent removal. She clarified that replacement and repair would be approved at the Administrative level consistent with the Design Guidelines. HPB would review the permanent removal of materials. Mr. Harrington explained that replacing the roof and was looking for approval on the roofing material, that would be done at the Staff level. If an applicant wanted to alter the roof for an addition, that would come before the HPB for review.

Board Member Hodgkins did not believe the language indicated that intent because of the word “or”. He understood that the Staff could approve a removal without a replacement. Planner Barhorst noted that the Ordinance states “The replacement or repair of the following...” under Item A. Under Item B it states “removing or replacing”.

Chair Pro Tem Beatlebrox read from A 1. “The Planning Director or his designee shall review the following: Routine maintenance, including but not limited to.... replacement or repair of the following.” She remarked that replacement of a historic window is not routine maintenance unless there was a plan to put it back in. In her opinion, that would be routine maintenance. Chair Pro Tem Beatlebrox stated that removing a historic window and replacing it with something else should come to the HPB for approval. Board Members Hutchings did not believe it would come to the HPB based on how the language was written. Planner Barhorst did not believe the Staff had addressed that level of a project. She provided an example. If a historic wood window needed to be repaired for whatever reason, a specialist would assess the condition of the window. If the specialist determines that the existing historic window could not be repaired, it would be replaced in-kind with a wood window, which is consistent with the Design Guidelines. However, if the HPB wanted to review items of that level, the Staff could add that to the HPB review section.

City Attorney Harrington stated that they could easily replace the word “replacement” with “repair” in subsection 2 and add “historic door or window replacement” at the end of 2 a. for HPB review.

Board Member Hodgkins was not comfortable saying that a complete replacement was routine. Planner Barhorst agreed that the language was not clear and it could create issues. Chair Pro Tem Beatlebrox pointed out that typically the HPB does not review routine maintenance items. She was

concerned that historic windows could be lost if they are not reviewed by the HPB.

Board Member Hutchings preferred to have the Board review any removal of historic material and limit the Administrative review to routine maintenance. Planner Barhorst noted that an HDDR is not currently required for routine maintenance that follows the Design Guidelines. Something such as reroofing a historic structure is currently reviewed and approved Administratively. Mr. Hutchings thought doors and windows should require more review than a roof or chimney that only needs to be repaired.

Board Member Holmgren was comfortable with everything except for the language "Replacement or Repair" in item 1(a) iv. Board Member Hutchings thought the word "Replacement" should also be removed from 1b. Chair Pro Tem Beatlebrox pointed out that 1b addressed non-historic features. Mr. Hutchings felt that would be opening the door to interpretation of historic. Board Member Holmgren agreed.

Planner Barhorst stated that currently non-historic structures and sites, and minor routine maintenance and minor alterations are waived from the HDDR process. She outlined a list of specific items that do not require an HDDR. Mr. Hutchings thought they could expand the list by removing "minor" and other qualitative phrases and leave it as routine maintenance. Mr. Hutchings suggested removing the word replacement in 1(a) iv. He also suggested revising 2(a) to say the removal of all historic material.

Board Member Hutchings asked if he understood correctly that the City Council had directed the HPB to review this language. City Attorney Harrington explained that the City Council had asked the Staff to look at ways to increase efficiencies in the process and the Staff identified this as a methodology to accomplish that goal. Mr. Harrington understood from the Staff that currently there was an overlap because the Code requires Board review of Material Deconstruction for HDDR reviews that would otherwise be Administrative decisions. The intent is to modify the ordinance to make those consistent because the Staff HDDRs do not go to the Board if they meet the definition of the maintenance standard. The question is whether the Board still wanted to see some things because they are important from a policy perspective and require Board review. Based on their comments, he thought the Board wanted to review window replacement and anything beyond maintenance regarding removal of historic material. Mr. Harrington believed those issues required the Staff to edit the amendments as written.

Planner Barhorst asked if the HPB wanted to see everything related to historic windows, including ones that have been deemed beyond repair by a professional. Board Member Hodgkins stated that he often sees conditions put

on those types of requests. It was not a matter of whether or not it could be done, but rather based on the conditions of how it should be done. Board Member Hutchings remarked that it was more about the unknowns of each individual request. For that reason, he preferred a Board review.

Planner Barhorst reiterated that the direction from the City Council was to streamline the process with the Design Guidelines and have accurate conditions to make sure the applicant does not remove more material than is necessary. The intent was to review that level of the project at the Administrative level.

Director Erickson noted that a section of the Code strongly discourages reducing either the historic character of any of the buildings. Planner Barhorst replied that it was the primary intent of the overall Design Guidelines. Director Erickson thought the section outlined the tiers of review. The applicant has the right to bring in a pre-HDDR application, which allows the Planning Director and the Historic Preservation Planner to review an application at no cost and make a determination on what they are asking. At that level, if the request is minor and consistent with the Design Guidelines, as the Planning Director he can write a waiver. Once they get past that level, the application is thrown into the full system and the authority of the Planning Director is limited. He noted that the minor projects typically do not go the HPB. The HPB sees the larger projects. Additions and removal of the back wall and other things the Board reviews is the bottom threshold that would still remain with the HPB.

Director Erickson stated that the HPB controls the policy level against the Design Guidelines and the Preservation Planner regulates that to the direction given by the HPB. He pointed out that if the Board is not getting what they want with window and door replacements, then the Guidelines need to be changed.

Board Member Hutchings did not think the Board needed to see non-historic materials. However, he wanted to review historic doors and windows.

Chair Pro Tem Beatlebrox opened the public hearing.

There were no comments.

Chair Pro Tem Beatlebrox closed the public hearing.

Director Erickson noted that the HPB was being asked to forward a recommendation to the Planning Commission on the proposed Amendments. The Planning Commission would review the Amendments and forward their recommendation to the City Council. He stated that the HPB could direct the Staff to reconsider the changes per their comments. When this goes to the Planning Commission the Staff would let the Commissioners know that the HPB wanted to review specific items and the Staff recommendation was changed to

accommodate the HPB's recommendation. Director Erickson remarked that the HPB could move to recommend approval in accordance with the Staff direction, and direct Staff to reconsider the replacement of historic doors and windows as a material deconstruction to be reviewed by the HPB.

The Board concurred with the approach outlined by Director Erickson. Mr. Hutchings pointed out that Director Erickson limited the revision to historic doors and windows for Board review. He thought historic wood features and historic site features should also be included. Director Erickson agreed.

Planner Barhorst revised the language to say, "The Historic Preservation Board shall review the removal of historic material". Mr. Hutchings also removed the word "replacement" from 1(a) iv.

In terms of the amendment to the name change to Preservation Utah, Board Member Hodgkins disclosed that he sits on the Preservation Utah Board.

Planner Barhorst stated that the last amendment was updating the language to state that material deconstruction reviews are subject to the following process by including the Planning Director and his/her designee in #3 under Public Hearings and Decisions. Board Member Hutchings wanted to know how the Planning Director or his or her designee would hold a public hearing. Director Erickson stated that under the current process the item is noticed and a public hearing is scheduled at noon. He presides over the public hearing and the Staff takes input from the public. Planner Barhorst clarified that the public hearing is for new construction that has an HDDR application.

MOTION: Board Member Hutchings made a motion to forward a POSITIVE recommendation to the Planning Commission for amending the Land Management Code, consistent with the modified language discussed this evening. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

City Attorney Harrington stated that because this was a legislative matter, if Douglas Stephens and Randy Scott wanted to add their comments to what the Board had discussed, they could submit them to the Planning Department. Mr. Harrington also encouraged the Board to check the Staff report to make sure their comments were accurately reflected. He invited the Board members to attend the Planning Commission and City Council meetings to represent the Board's comments as appropriate.

The Meeting adjourned at 6:16 p.m.

Approved by _____
Douglas Stephens, Chair
Historic Preservation Board

APPROVED 10.2.19