

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MARCH 1, 2017

BOARD MEMBERS IN ATTENDANCE: Douglas Stephens, Lola Beatlebrox, Cheryl Hewett, Puggy Holmgren, Jack Hodgkins, Randy Scott, David White

EX OFFICIO: Bruce Erickson, Anya Grahn, Hannah Tyler, 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

February 1, 2017

Board Member Holmgren referred to page 3 and changed Douglas Stephen to correctly read Douglas **Stephens**. On page 20, she changed Stephen Douglas to correctly read, **Douglas Stephens**.

MOTION: Board Member Holmgren moved to APPROVE the minutes of February 1, 2017 as corrected. Board Member Scott seconded the motion.

VOTE: The motion passed unanimously.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Planner Anya Grahn reported that at their February meeting the Board of Adjustment reviewed and denied a variance for a height exception in the Historic District. They also reviewed an appeal of the Determination of Significance for the Star Hotel and found that it should remain listed as significant.

Planner Grahn announced that the request for proposal for the artist selection had closed on Friday. They received three proposals and the Staff would review the proposals and provide an update at the next meeting.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

1. 732 Crescent Tram – Determination of Significance on Additions to the historic house (Application PL-16-03370)

Planner Grahn stated that 732 Crescent Tram is currently listed as a Landmark Structure, and it is eligible for the National Register of Historic Places.

Planner Grahn reported that the owner had submitted a Determination of Significance application. The HPB would only be looking at the additions to the house this evening and trying to determine whether or not the additions are historically significant and should remain. The applicant understands that should they choose to move forward and demolish those additions if the HPB determines that they are no historically significant, they would have come back for a Historic District Design Review. As part of the material deconstruction the HPB could approve removing the additions.

Planner Grahn reiterated that the building is listed as Landmark on the HSI. It was found to be National Register Eligible with the sum of its parts, which included the additions being reviewed this evening.

Planner Grahn commented on the options for review and determination of the additions. One, is to say that it is associated with the Mature Mining Era, which makes the additions historically significant. They could say the additions are historically significant because they are associated with Carl Winters, a person of interest in the community. If they find that is true, the question is whether the additions are important because of their association with Carl Winters, or whether other buildings in town better reflect the contributions Carl Winters made to the community. She named the Park City High School as an example. Planner Grahn remarked that a third option would be to find that the additions are historically significant because of their design and construction.

Planner Grahn reviewed the development history. Based on the physical evidence that was found inside the building, as well as the age of the materials and how they were constructed, it is evident that one-room building was built on this site in 1904. By 1907 the building was expanded into a hall-parlor rectangular form that faced north. The addition that created an L was added about the same time. The L-shape remained through 1929.

Planner Grahn stated that Carl Winters purchased the house in the 1920s. His daughter remembers that at the time of the purchase it contained a kitchen, bathroom, a dining room, front room and one bedroom. Mr. Winters rebuilt the kitchen, but it is unclear whether it was renovated or if it was torn down and rebuilt. Regardless, the kitchen area kept the original footprint of the hall-parlor. She presented a photo from 1941, which is similar to what the house looks like today. The Staff believes the gable is part of the original single-cell. She pointed

to L-shape that was added in 1907, and the additions that were added by Carl Winters in the 1920s. Planner Grahn stated that Carl Winters also added another extension off the back, the stairwell to access the upstairs addition, a bathroom area, and a cellar. The Staff was unsure when the porch showing in the 1941 photograph was added. Planner Grahn noted that the porch did not show up in the Sanborn maps; however, as they have experienced with other projects, the Sanborn maps are not always accurate.

Board Member Hodgkins wanted to know how they could tell that the original house was a single-cell. Planner Grahn replied that it was based on the materials they could see walking through the house versus the series of additions.

Planner Grahn presented the front elevations and the side elevation as seen from Crescent Tram. The green color was the area of the single-cell, the red was the kitchen area, the yellow were the areas they believe Carl Winters added. She pointed to the extension to the 1907 L, and the upstairs addition.

Planner Grahn stated that the HPB needed to review all the information and determine whether or not the additions meet the criteria for Landmark or Significant. She noted that the applicant was considering demolishing the additions. Planner Grahn requested that the Board provided specific feedback on the kitchen because it was difficult to determine when it was built.

Tom Peek, the property owner, stated that a full interior demo was done to look at the framing, the newer wood versus the traditional, and where the walls are new and where the floor carries through. He remarked that the hillside crushed down and he was unsure when that occurred. A lot of things had fallen off the hill and crushed the C-section. The E piece, which was a root cellar, has a lot of rock on the roof. Mr. Peek was motivated to stabilize the building. A major concern is that the structure is uninsurable because the building has not been able to be occupied for over 15 years. That was his motivation for the timeliness of this determination.

Jonathan DeGray, the architect, stated that the different sections are very apparent from the interior demo. It meshes well with the Sanborn maps and the idea that Carl Winters added the additions during his ownership. Mr. DeGray referred to page 49 of the Staff report that was on the screen and noted that it was from the 1912 photo of town. It showed the form of the house in its mining era appearance. The owner would like to take the house back to that appearance, realizing that the Mining Era ended in 1930. Carl Winters moved into the house in 1926 and by 1941 the additions had occurred. Mr. DeGray took the position that the additions were not contributory to the Mining Era. They were a hodgepodge of additions, particularly the addition to the roof. He thought the roofline was an abomination to the 1917 and earlier historic form. Mr. DeGray

believed that was true of additions D and B. They would like to see those additions removed because of their condition and the way they interact with the building. He clarified that the owner had no dispute with addition C, the main body of the building, that was shown in green and blue colors, because they reflect the historic form. Mr. DeGray pointed out that there was no porch in the photograph he had shown, and he assumed that Carl Winters had added the porch.

Mr. DeGray stated that there was no dispute that Carl Winters is an important figure. He lived in the house for 12 years. He is noted as an educator; however, he should not be noted as a carpenter. It is not good throughout and he encouraged the Board members to visit the building if they had any questions. Mr. DeGray pointed out that it does not reflect the Mining Era, which is the main focus. He thought the Winters School and Library Building was a great monument to his Mr. Winters contribution to the town.

Board Member Hodgkins asked for the purpose of this determination, since the applicant would have to come back to the HPB to get the demolition approved. He wanted to know the benefit of determining whether or not the portions identified as A, B, C and D are historic and should be part of the listing.

Planner Grahn explained that the applicant had requested the determination of significance so the HPB could decide whether or not the additions are historically significant. The determination will help the applicant make decisions as they move forward with their plans to rehab the house. They do not want to spend time and energy developing plans and moving forward with redevelopment of the site without knowing what portions of the house are significant and would remain.

Mr. DeGray commented on the determination of whether the house would remain Landmark or Significant. The house is Landmark now, and according to the Staff report, even if the additions are removed the structure would still remain Landmark. He clarified that the owner was comfortable with the Landmark designation and whatever they propose to do, it would still remain a Landmark structure.

Planner Grahn suggested that the Board review each addition separately. She noted that A was the addition that Carl Winters built sometime between the 1920s and 1940. The Board needed to determine whether or not that particular addition meets the criteria for Landmark designation. Planner Grahn stated that the house is at least 50 years old. It maintains its original location, design, setting, materials and workmanship. It has not been altered or modified. However, the challenge is whether it is considered to be historically significant; and whether the additions contribute to an era or person of significance in the community. Another consideration is whether it maintains the distinct characteristics reflective of the time period or method of construction of a notable

architect or master craftsman. Planner Grahn explained that Park City did not have notable architects or master craftsman. Therefore, they should look at whether or not it reflects the construction methods of the time period it was built.

The Staff requested that the HPB discuss these issues because it has been a challenge for Staff.

Board Member Beatlebrox asked about the actual construction in portion A. Mr. DeGray replied that it was a 2' x 4'. The original single cell is a flat 1' x 12'.

Chair Stephens stated that there was no question that the structure is over 50 years old. He asked the Board to address the Carl Winters issue and whether the fact that it was Mr. Winters' home is a significant issue.

Board Member Beatlebrox believed there was no doubt that Mr. Winters is an important, historic figure in Park City. The photo on page 49 was taken before additions A and E. Planner Grahn replied that looking at it from another direction, it was before A, B, D, E and the porch.

Board Member Hodgkins understood that the photo shown was what the house looked like when Mr. Winters purchased it. Planner Grahn answered yes.

Board Member Beatlebrox stated that if that was the only part remaining, it would still be a Landmark building.

Board Member Hewett stated that Carl Winters would not be a consideration in her decision making.

Board Member Holmgren stated that the building behind her carries his name and she believed that was a better tribute to Mr. Winters than this house.

Board Member White stated that Carl Winters was not part of his decision.

Board Member Hodgkins thought the association with Carl Winters added to the history but it was not significant. The original house remains with or without the additions Mr. Winters had added. Mr. Hodgkins did not believe the additions contribute to the reason why Mr. Winters is significant to Park City.

Chair Stephens called for comments on whether Addition A is significant and meets the criteria.

Board Member Hewett assumed that if the Board was only looking at the house that was built in 1926, they would probably think it was Significant because it is over 50 years old and it was built with the methodology that was current at that time. For her personally, that piece is important.

Chair Stephens understood that when this house was put on the HSI as a Landmark site, it was put on as it currently exists. Planner Grahn replied that he was correct.

Board Member Hodgkins had two issues with Portion A. One is that it was typical for these types of additions to be added to these buildings. This addition was done over 50 years ago and it was done in the Mining Era as well. Secondly, this part of the addition can be viewed from a public right-of-way. He did not believe that was true of the other two pieces. Planner Grahn agreed. The other two pieces are tucked behind the house and are less visible.

Board Member Holmgren thought the portions colored in purple, green, and red were the basic house. Board Member Hewett asked if Board Member Holmgren was saying that Addition A was not important. Board Holmgren clarified that she did not believe it was important.

Board Member Hodgkins asked if the goal was to bring all houses back to the original two-room form. He was concerned that determining the addition as insignificant would be setting a precedent of not caring about anything that is added beyond the original house. Aside from this particular house, it relates to what they are trying to establish as a Board.

Board Member Hewett agreed. Based on Mr. Hodgkins' comment, Board Member Holmgren reconsidered and agreed with him.

Board Member Scott asked if Addition A changed the house to a typical hall-parlor style, and whether the addition changed it from a typical structure that would be considered historic. Planner Grahn replied that in this case the addition would not change it in the sense that it was first expanded from a hall-parlor from this area into Addition D, and the back L-wing was added. She believed it was an extension of the back L rear addition.

Chair Stephens noted that historic structures are not defined by architectural type. Planner Grahn replied that it was still important to understand the form and the developer to see how different pieces contribute.

Chair White asked if Mr. DeGray had said that the construction of Portion A was not the same construction as the original house; and that was built of studs, plywood and siding. Mr. DeGray replied that there is no plywood, but there are studs and siding was applied. He stated that the framing of the roof was improved over the years and there is plywood in places on the roof.

Board Member Beatlebrox thought this was a difficult situation. She thought the Staff did a good job showing compliance with the Criteria; however, the

photographs show the original house from 1907, and other photographs show later dates which are over 50 years old. She thought it was similar to the Star Hotel. The question is whether to take it as the façade that exists today, or whether to take it back to the earlier façade because both are historic. Ms. Beatlebrox noted that this applicant could not take the house back to its original because the additions are also Landmark. She understood Mr. Hodgkins comment about setting precedent for additions, but it was a difficult decision.

Mr. DeGray stated that the applicant was looking at the Mining Era form as being the most important. In terms of being over 50 years old, over time that does not mean as much. He thought it was the Mining Era form that makes the most important statement about the house. Some of the additions that blend in seamlessly are what people are used to seeing. However, the roof is an abomination to the historic form and it needs to be removed.

Chair Stephens asked if the stairs going up and the roof addition were the most recent additions. Mr. DeGray replied that it appears to be about the same time period of the 1930s. The photo shows the additions existing between 1930 and 1941. Additions A, B, the staircase going up, and E all seem to be of the same vintage and construction. The joints in the building are not tied in at all.

Director Erickson suggested that the Board remove the pieces that may not be significant, which would be E, the root cellar; F, the second roof; and portion C. If the Board does not feel that these portions meet the criteria of significance, they should remove them from their discussion.

Chair Stephens stated that where portion A seems to be a typical addition to a historic home in the Mining Era, the roof (F) and the stairs up to it appear to be atypical. But if the construction was done at the same time, even though portion F does not fit in with the architecture of what they would typically see in town, he was unsure how they could treat portion A different than F. He understood that the applicant was anxious to move forward, but it was a difficult decision for the Board without actually seeing the house.

Mr. Peek preferred that no one go inside the house because of the liability issue and the lack of insurability of the building. However, it is easy to see the distinct different materials walking through the building. Chair Stephens pointed out that Mr. Peek and Mr. DeGray had the ability to see those things firsthand, but the Board has not had that benefit. He thought they might be going down a path where the construction is typical for Mining Era homes, it is over 50 years old and it meets all the criteria. Without evidence to the contrary, he was leaning in that direction. Chair Stephens understood the concern about the building being unsafe. Mr. Peek suggested that maybe the Board members should walk through the house to see things for themselves; but he was concerned about the stability of the building. Mr. Peek clarified that he was anxious to move forward

because the building is failing on the uphill side and C and E had a rock slide that had blown in the wall on the west side of the house.

Board Member Hewett asked if the roof cellar is considered part of the house. She was not opposed to removing the root cellar.

Board Member Hodgkins thought the front facing area was the most critical. He thought they should be the most concerned about Areas A and F. In his opinion C and E were add-ons on the back structure. Board Member Hodgkins recalled another property that had a root cellar and the Board was comfortable removing it. He thought the primary goal is to preserve the look from the street view. The LMC recommendation for additions is that they pull back separate and apart and they are not seen as part of the original building; and that the original building can be viewed as it would have been viewed historically.

Board Member Beatlebrox asked if the damage done by the rock slide was repairable. Mr. DeGray replied that the wall is gone. It would have to be a replication.

The Board concurred with removing the root cellar.

Chair Stephens called for comments on the roof addition (F), the stairs up to it (B), and addition A. He thought it appeared that the easiest additions came first, which included addition A. He assumed the roof and the stairs were a later addition. If that were the case, he was more likely to say that addition A was historic and significant; whereas, the stairs, addition B, and the roof addition is not. Chair Stephens clarified that he did not have any evidence to support his assumption.

Board Member Beatlebrox remarked that it still meets the criteria. She was sympathetic with wanting to go back to the original 1907 form, but if they pick and choose the additions, they would not have a pure form. Chair Stephens did not believe the Board was being asked to go back to a certain time. They were being asked to determine if the additions are significant and meet the criteria.

Board Member Hodgkins pointed out that even if the additions meet the criteria, the applicant still has the ability to request demolition. Planner Grahn stated that if it meets the criteria it would be treated the same as all Landmark sites, which means it cannot be demolished without being reconstructed.

Board Member Hewett believed it was a matter of interpretation and she suggested that they vote on it piece by piece and see the results.

Mr. Peek thought it would be beneficial for the Board members to visit the property so they would have a better understanding. Chair Stephens agreed. In

the meantime, it would be important to know if the roof addition and the stairs were more recent additions. If that information could be provided it would be very helpful. Mr. DeGray offered to work with the Staff to schedule a field trip. He believed that would answer a lot of their questions.

Planner Grahn suggested that the Board conduct a public hearing and continue this item to April 5th.

Chair Stephens opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, was pleased to hear the Board consider the difference between the original cell and the original Mature Mining structure, and referencing the after 1930 to 1941 because there has been a little bit of this discussion in previous projects, but it has been ignored in some cases. She was frustrated because her impression of the way people lived in this town is that when the Mature Mining Era ended in 1930 people did not leave town. When additions were made after 1930, it was still the Mining Era, but it was the Declining Mining Era and there were still plenty of miners in town. In her opinion, based on what she has learned about the history of this town, reflected not only how people lived in town, but they took what they had and added on to make it work for them. Ms. Meintsma stated that it was how the town survived. She believed that so many of the additions are essential and are important to show how the town evolved to what they have now. She stated that in the Mature Mining Era it was single-wall construction, but in the late 1920s she has seen houses where there were stud walls as opposed to single-wall construction. A stud wall construction does not mean the addition is not relevant or historic. Stud walls were the best way to add on to single-wall construction.

Chair Stephens closed the public hearing.

MOTION: Board Member Holmgren moved to CONTINUE this item to April 5, 2017. Board Member Beatlebrox seconded the motion.

VOTE: The motion passed unanimously.

2. 1323 Woodside Avenue (historic location), 1353 Park Avenue (proposed location) – HDDR – Relocation to a New Site and Material Deconstruction Relocation of the deconstructed Significant single-family dwelling at 1323 Woodside Avenue to a new site at 1353 Park Avenue. The deconstruction of 1323 Woodside Avenue was approved in 2009. Material Deconstruction of a portion of the rear (west) façade. (Application PL-16-03376)

Board Member Scott disclosed that he lives next door to this project; however, he did not believe it would affect his decision.

The project Team introduced themselves for the record. Jonathan Weidenhamer, Economic Development Manager for the City, and the applicant for the City. Craig Elliott with Elliott Workgroup Architecture, the project architect.

Planner Hannah Tyler stated that this item was a review of the relocation of 1323 Woodside to 1323 Park Avenue. The HPB would also be looking at the material deconstruction of 1323 Woodside Avenue this evening.

Planner Tyler noted that this site is listed as Significant on the Historic Sites Inventory. The site is currently vacant. The historic structure was removed from the site in 2009. In 2009 a Notice and Order was issued by the Chief Building Official after finding that this was a dangerous building as defined by the Building Code. Planner Tyler remarked that the Notice and Order stated that the final location of the structure is to be determined as part of the Development Plan with Park City approval. It goes on to define it as the Planning Director or his designee.

Planner Tyler stated that in 2009 a demolition permit was issued for that Significant site and the building was removed from the site. Due to unforeseen circumstances, including the decline in the real estate market, that building was never reconstructed. What currently exists is a vacant site at 1323 Woodside Avenue, but that building is to be reconstructed before anything else can occur at that site.

Planner Tyler noted that in 2013 the Park City Redevelopment Agency ended up purchasing the property. The City is the applicant because it is the owner of 1323 Woodside Avenue. The City is also the owner of 1353 Park Avenue, which is the location of the non-historic fire station.

Planner Tyler reviewed a map to orient the Board members. She overlaid the historic building footprint. She had circled where 1323 Woodside was proposed to be relocated to give some context of what the site would look like if it were to be relocated.

Planner Tyler provided development history on the Woodside Avenue site. She stated that 1323 Woodside Avenue was built in approximately 1925. It does not show up in the Sanborn map until 1929, and it remains unchanged in the 1941 Sanborn map. She indicated a circa 1940 tax photograph, as well as the 2009 photo prior to demolition. She noted that the porch was ultimately enclosed and a portico was added above the front door. However, most of the form remained.

Planner Tyler provided a basic overview of the relocation proposal looking at the Sanborn maps on a larger scale, which enabled the HPB to look at it from the new site as well as the original site. The new site is approximately 220 feet north-northeast of the existing site. It is not being located too far from the original

site, but she thought it was important to note that the current site is located in the Recreation Commercial zone; and not the Historic District. That allows for commercial and recreation oriented development such as condominiums. Planner Tyler stated that 1353 Park Avenue is located in the Historic District.

Planner Tyler reviewed the 1929 Sanborn Fire Insurance Map, which showed that 1323 was originally part of a series of three single-family dwellings. It was also located next to the Mining Era railroad. In looking at Park Avenue, he indicated a series of single-family dwellings that establish a rhythm and scale on the streetscape. Those building were also located near less density development in the Mining Era railroad location.

Planner Tyler noted that the 1941 Sanborn map remained unchanged. It showed that the original location still had the three single-family dwellings. The proposed location was located in the center of the Mining Era railroad. Planner Tyler presented the 2016 Satellite Image, which showed significant changes overall in both the original and the proposed site. She pointed out that there are zero single-family dwellings on the west side of Woodside Avenue. She stated that 1323 will be one of those dwellings, but currently it was deconstructed. The two dwellings to the south were demolished and replaced with a three or four story condominium. To the north of 1323 Woodside Avenue is the Senior Center. Planner Tyler clarified that because this is in the RC zone, denser development is allowed and there will be denser development located at the Senior Center. The City was proposing affordable housing on that side, which is allowed by Code. Planner Tyler remarked that the non-historic fire station at 1353 Park Avenue does not contribute to the streetscape. Therefore, any redevelopment that occurs, including the demolition, would allow for more compatible infill. She pointed out that the traditional rhythm and scale of the streetscape has been maintained, and most of the structures are single-family dwellings. Planner Tyler indicated an open space in front of 1323 Park Avenue, which was the Miners Hospital and City Park location, and noted that this maintained the historic, open, less dense area that was once the location of the railroad.

Planner Tyler presented an aerial view taken from Park Avenue that was prepared by Elliott Workgroup to show in more context what the relocation would look like. By relocating the single-family dwelling, it would not only be put back into a series of three single-family dwellings as part of the affordable housing project, but it would also be back in a location that is more comparable to its original site.

Planner Tyler reviewed the criteria outlined in the Staff report. Criteria 1 was not applicable because this site is not in the historic District, it is not a Landmark site, or it was already removed from the site. Criteria 2 did not apply because it only pertained to Landmark structures. Criteria 3 was not applicable because the proposed relocation would not abate demolition because the structure was

already removed. The Planning Director and Chief Building Official already found hazardous conditions.

Planner Tyler remarked that the first applicable criteria is that relocation will not negatively affect the historic integrity of the Historic District nor the area of the receiving site. She met with the Design Review Team which included the Consultant and the Historic Preservation Planner. The Staff and the Design Review team found that this would not have a negative effect on the overall integrity of the Historic District. In fact, it will revitalize Park Avenue by replacing an incompatible fire station with a single family dwelling that maintains a historic designation. It will also keep the rhythm and scale moving north on Park Avenue where it has currently been lost, and extend some of that compatibility of the District towards the boundaries.

Planner Tyler noted that the next criteria was not applicable because it is located outside of the District. She stated that for historic buildings located outside of the historic district and its historic context and setting have been so radically altered that the building may be enhanced by a new setting. In doing their analysis, the Staff identified that the original site has lost its context because of that out-of-scale peripheral development. It is no longer associated with the series of single-family dwellings, it is no longer near less dense development and there is no rhythm and scale to the streetscape due to the condos and larger buildings. Planner Tyler remarked that by allowing the building to be moved, it would be placing it in a site that would restore those three items; and it would also allow for more compatible infill at the new site, which would help the District as a whole.

Planner Tyler read the next criteria, "The City Council, with input from the Historic Preservation Board, find that this is a major improvement program outside the Historic District with a substantial benefit. The Staff found compliance with this criteria. Planner Tyler read the definition of substantial benefit. "A substantial benefit is a significant improvement or positive effect that will fill a community need and/or meet a specified City Council goal, and provide considerable economic, financial, or environmental benefits to the community that does not currently exist. She noted that this is a City-owned project and the City Council has given direction for the Economic Development Director to pursue this project as proposed, which includes relocating this historic structure to Park Avenue.

Planner Tyler reiterated that the original site and the proposed site will become affordable housing. This allows the City to create that substantial benefit through affordable housing. In addition, it would be a substantial benefit to the overall district to restore the historic rhythm and scale of Park Avenue by removing the fire station and allowing a historic structure in that location.

Planner Tyler continued with the criteria. "The relocation will result in the restoration of the house, both interior and exterior, in compliance with the

Secretary of the Interior Standards”. She explained that the reconstruction will be executed in a way that will match the historic structure to the best of their abilities based on the documentation they have. They do not have documentation of the interior layout as it was historically. However, based on historic photographs and documentation that the Elliott Workgroup did prior to the demolition, the building will be reconstructed to the Secretary of the Interior Standards on the exterior. The Staff finds compliance with this criterion to the best of their ability because they do not know what the interior layout was historically.

Planner Tyler read the next criteria, “The relocation will result in the revitalization of the receiving neighborhood due to the relocation”. She pointed out that as previously stated, currently the fire station is an out-of-scale structure, and that will be demolished and replaced with a single-family dwelling on that site. It will result in affordable housing and overall revitalization of that section of the streetscape.

The last criteria, “The relocation will result in affordable housing”. The Staff found compliance with this criterion because it will be affordable housing.

Planner Tyler requested that the HPB talk specifically about the relocation before they moved into the materials deconstruction.

Board Member Hodgkins stated that if they allow the reconstruction to occur in the new location, he wanted to know what would prevent the current owner of the site on Woodside to build whatever they want to build on that side. He was concerned that there was nothing to prevent them from ever reconstructing the building.

Jonathan Weidenhamer pointed out that the City owns both sites. There is an approved concept plan and a construction contract to finish the project. In addition, \$40 million was pledged in the Capital Budget to begin the project. He stated that it is one of the City Council’s three top priorities, and the City Council has given direction to proceed.

Board Member Hodgkins clarified that he was not questioning the intent. His question was what would legally prevent the City from carrying out the project. Planner Grahn explained that the structure was demolished a while back and the policies have since changed. Under the new policy, whenever a project is proposed that involves a historic building, a financial guarantee is put in place, and the financial guarantee allows 18 months to complete the work and obtain a certificate of occupancy. Mr. Hodgkins asked if a financial guarantee would be put in place to make sure this new building would be built within 18 months. Assistant City Attorney McLean recalled that when the house was taken down with the intent to be reconstructed, the Staff measured it and did everything

required to make sure it was reconstructed exactly. She pointed out that a structure on the HSI cannot be demolished without a promise to put it back.

Mr. Elliott explained that the land was purchased with an RDA loan with the intent to master plan that whole area. When the demolition was done, Elliott Workgroup provided a preservation plan for the historic building with the intent that it would be reconstructed at a location to be determined in the future. He stated that it was part of the overall master plan that the City Council was moving towards for the entire site. There was a requirement to reconstruct the structure but not a specific date. Mr. Elliott stated that the City eventually purchased that land instead of doing a public/private partnership, and they were executing that plan based on the requirements that were placed on it when the preservation plan was created prior to removal of the building.

Chair Stephens clarified that when the City acquired the property it also acquired the contractual obligations to rebuild the house. Mr. Hodgkins understood that the contractual obligations were on both sides combined. Mr. Elliott replied that both sites are owned by the City. Mr. Weidenhamer explained that the City master planned the entire site together, and the plan was to rebuilt 1323 somewhere in that master plan on one of those two sites. Through the course of that master planning exercise the same side of the street was always conveyed. In every public meeting and master planning exercise, the building always ended up on the east side of Woodside.

Board Member Hodgkins stated that if the requirement was initially to build it on Woodside Avenue, he questioned why they were talking about it now. Director Erickson explained that the requirement is to build it in a location approved by the Planning Director. He understood that Mr. Hodgkins wanted to know if there was a mechanism to ensure that the City tears down the fires station and actually builds the house and affordable housing as opposed to using that money for another another project. Chair Stephens thought that was one of the options the City has as the property owner because the contractual obligation does not have a specific date. He did not believe the Board could consider that issue because they were only being asked to look at relocating the house. Assistant City Attorney McLean stated that if the Board decided that it was appropriate and met the criteria for relocation, they could add a condition of approval stating that no building permit could be issued for the first site without plans for rebuilding the house in the second location. She pointed out that if the Board votes to approve the relocation, there would be a financial guarantee to rebuild the house within a specific time period.

Board Member Beatlebrox stated that if they were looking at affordable housing planning on both sites, she questioned why they would not reconstruct the house in its initial location and put another type of affordable housing where the fire station is located. Assistant City Attorney McLean replied that it would be at the

owner's discretion. Another issue is whether this home is more appropriate on Park Avenue. Mr. Elliott explained that the context of the site as a historic location is compromised by the large condominium projects on either side. That area was zoned RC because of the size of the development around that property. When the City made the original decision, the intent was to rebuild the building in the historic zone and keep it in a scale that is compatible with the existing building. Mr. Elliott clarified that this was the intent from the discussions at that time; however, the City did not identify a specific site at that time.

Board Member Beatlebrox understood that there was a potential to see larger affordable homes on Woodside. Mr. Elliott replied that the RC zoning allows for greater density and height; which is consistent with the condominiums that are already built. Ms. Beatlebrox remarked that moving the house to the proposed area of Park Avenue would make more sense because of the scale and density.

Chair Stephens opened the public hearing.

There were no comments.

Chair Stephens closed the public hearing.

Board Member Holmgren stated that she sits on HPCA and she has had the privilege to hear part of the agenda that is coming forward. She lives at 1209 Park Avenue and she thought it was a good project. She felt very positive about it.

Board Member Beatlebrox had no problems with the relocation as proposed.

Board Member Hewett stated that she had no problems with the relocation; however, she recalled another situation where a property owner made the case that they were being surrounded by condominiums and wanted some relief from that. At that time the Board did not allow the change in designation. She suggested a mechanism in the future that would allow the Board to approve moving other houses if it was appropriate.

Chair Stephens remarked that the difference between this situation and the situation Ms. Hewett referenced is that this house is not in the Historic District. Board Member Hodgkins pointed out that another factor is that the house in this situation no longer exists.

Board Member White was comfortable with the relocation. Park Avenue is the Main entry to the historic district and the house would be located within the historic district in an area where the surrounding structures will be more compatible. In his opinion, another benefit would be eliminating the eyesore of fire station.

Board Member Scott supported the relocation. He echoed Board Member White. The City Park area is one of the main entryways to Park City. He thought eliminating the fire station was additive to what they were trying to accomplish.

Board Member Hodgkins had no problems with the relocation. However, he preferred to see this house rebuilt before anything could be built on the Woodside Avenue lot.

Chair Stephens agreed with his fellow Board Members. He thought the corner of Park Avenue and Deer Valley Drive makes a statement about their commitment to the historic District. Replacing the fire station with a historic home is a positive addition and supports their commitment to the Park, the recreation area, the Miners Hospital, and the restoration on the left.

Planner Grahn asked if the Board wanted to add a condition of approval about reconstructing the house. Board Member Hodgkins requested that they add the condition of approval. Chair Stephens stated that if they were going to place that condition on the approval, it should also have some flexibility because it is a big project with many parts. He thought the applicant should have the ability to request an extension if necessary.

Planner Grahn drafted a condition of approval to read, "No building permit will be issued for 1323 Woodside Avenue until a building permit has been issued to reconstruct the historic house at 1353 Park Avenue location". The Board was comfortable with the condition as drafted.

MOTION: Board Member Hodgkins moved to approve the Relocation of the Significant single-family dwelling at 1323 Woodside Avenue to a new vacant site at 1353 Park Avenue, based on the Findings of Fact, Conclusions of law, and Conditions of Approval as amended. Board Member Scott seconded the motion.

VOTE: The motion passed unanimously.

1323 Woodside Avenue – Material Deconstruction

Planner Tyler reported that the applicant was proposing to remove a non-historic shed addition, as well as a portion of the rear wall. She pointed out that the Board should look at this as a reconstructed building in its historic form.

The Staff supported the requested removal because it was not visible from the public right-of-way, and the applicant was removing a non-historic addition.

The Board had no questions or comments regarding the non-historic shed addition and the rear wall.

Planner Tyler stated that the applicant was also requesting to remove a chimney. She noted that typically they do not allow the material deconstruction of the chimney because it is a character defining feature of many of the roofs. Oftentimes the Staff requests that the applicant reconstruct a faux because it does not have to be an active chimney. Planner Tyler clarified that in this case the Staff was only asking the applicant to reconstruct the brick portion of the chimney, but not the large stovepipe shown in the tax photo. Mr. Elliott stated that there was evidence of a fireplace in there but it was a flu and it obviously failed in some way and the piece was added on top. When they did the documentation, the brick chimney was there but in reconstructed pieces. The top half was a different piece, and at the time was determined not be of any importance. However, he was not opposed to putting it back on if the Board preferred.

Chair Stephens opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, was happy about the chimney. It was mentioned in the finding of fact and all the pictures said it was non-historic and would be removed. She stated that chimneys disappear on houses because it is difficult to reproduce a chimney in a house that is redesigned. She could not imagine working around or removing a historic chimney while trying to replace the roof. She referred to the images on page 68 of the Staff report and stated that if the chimney was not there it would look like the house was missing an element. Ms. Meintsma thought the applicant's efforts to keep the chimney was admirable and exceptional.

Chair Stephens closed the public hearing.

MOTION: Board Member Beatlebrox moved to APPROVE the material deconstruction of the non-historic shed addition and a portion of the rear west façade of the Significant single-family dwelling. Board Member Scott seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1323 Woodside Avenue - Relocation

1. The applicant, Park City Municipal Corporation, is proposing to relocate and reconstruct the "Significant" single-family dwelling at 1323 Woodside Avenue to the new vacant site of 1353 Park Avenue as a part of Phase I of the larger Woodside Park Affordable Housing Project.

2. The proposed vacant relocation site at 1353 Park Avenue is located in the Historic Residential Medium-Density (HR-M) Zoning District.
3. The original site at 1323 Woodside Avenue is located in the Recreation Commercial (RC) Zoning District.
4. This new site (1353 Park Avenue) is approximately 200 feet north-northeast from the original site (1323 Woodside Avenue).
5. The Historic single-family dwelling located at 1323 Woodside Avenue is listed as “Significant” on the Historic Sites Inventory (HSI). According to Summit County records, the single-family dwelling was constructed ca. 1925. According to the Park City HSI, the single-family dwelling is significant to the Mature Mining Era (1894-1930).
6. The single-family dwelling at 1323 Woodside Avenue first appears on the 1929 Sanborn Fire Insurance Map. The single-family dwelling remained unchanged in the 1941 Sanborn Fire Insurance Map.
7. The first known image of the property at 1323 Woodside Avenue is a tax assessment photograph taken ca. 1940 (Figure 2).
8. On November 15, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property at 1333 Park Avenue. After working with the applicant on the materials of their submittal, the application was deemed complete on January 25, 2017. The HDDR application is still under review by the Planning Department.
9. The former non-historic Fire Station will be demolished (currently located at 1353 Park Avenue), thus making 1353 Park Avenue a vacant site.
10. On January 29, 2009, a Notice and Order to vacate and remove the Historic single-family dwelling located at 1323 Woodside Avenue was issued by the Park City Chief Building Official and recorded at the Summit County Recorder’s Office. The Park City Chief Building Official found that the single-family dwelling at 1323 Woodside Avenue was a dangerous building as defined in Section 302 of the Uniform Code for the Abatement of Dangerous Buildings.
11. On April 29, 2009, a Demolition Permit was issued by the Park City Building Department after the architectural documentation had been completed and submitted. The Demolition Permit was for the removal of the single-family dwelling from the site in order to fulfill the reconstruction.
12. Due to unforeseen circumstances, including the 2009 real estate/stock market decline, the single-family dwelling has not yet been reconstructed.

13. In 2013, the Park City Municipal Corporation Redevelopment Agency purchased the property at 1323 Woodside Avenue with the intent of fulfilling the requirements of the Notice and Order for reconstruction of the single-family dwelling.
14. The Historic structure will retain its use as a single-family dwelling and there would be a total of three (3) single-family dwellings in a row abutting Park Avenue within Phase I of the Woodside Park Affordable Housing Project.
15. The reconstruction will be based on measured drawings that were drafted prior to the removal of the “Significant” single-family dwelling in accordance with the 2009 Notice and Order.
16. The relocation will comply with the required fifteen foot (15’) Front Yard Setback and five foot (5’) Side Yard Setback, as dictated by the Historic Residential (HR-M) zoning district, described in Land Management Code (LMC) 15-2.4-4.
17. The Notice and Order states “Final location of the structure is to be determined, as part of the development plan, with Park City approval by the Park City Planning Director and/or his designee.”
18. Based on the language in the Notice and Order and the context of the original site, the relocation will not negatively impact the designation of the Historic District as a whole and will maintain a compatible setting with the historic setting, as the original site’s context has been altered by peripheral non-historic and out-of-scale development.
19. The historic context of the building has been so radically altered that if the building were to be reconstructed at its original site, the setting would not appropriately convey its history because of incompatible infill on the west side of Woodside Avenue within the contextual area which has compromised the density and scale of the site.
20. Woodside Avenue within the contextual area lacks historic rhythm and scale of the streetscape.
21. The present setting on Woodside Avenue within the contextual area does not appropriately convey the history of the site as the historic single-family dwellings that were once located on the west side of Woodside Avenue have been demolished and replaced with a large condominium building.
22. There are zero (0) single-family dwellings located on the west side of Woodside Avenue within the contextual area.

23. The proposed location on Park Avenue conveys a character similar to that of the historic site, in terms of scale of neighboring buildings, materials, architecture, style, period, height, mass, volume, use, geography, and location of the structure on the lot as well as neighborhood features.

24. The proposed location on Park Avenue maintains a relationship with a pocket of less dense development located at Miner's Hospital and City Park which was once the site of the mining era railroad. The relationship between the proposed site and the lack of density on the east side of Park Avenue creates an association with the history of the historic structure at its original site because the mining era railroad also ran just north of 1323 Woodside Avenue.

25. Because this is a City-owned project, City Council has provided direction to pursue the development as proposed. On October 20, 2016, staff (the Woodside Park Affordable Housing Project Team) requested and was given direction by City Council to pursue the Historic District Design Review and supplemental applications for the affordable housing development including the relocation of 1323 Woodside Avenue to 1353 Park Avenue as proposed.

26. Affordable housing is a Substantial Benefit to the community.

27. The exterior of the structure will be reconstructed in compliance with the Secretary of the Interior's Standards for Reconstruction.

28. The addition of two (2) single-family dwellings at 1353 Park Avenue will revitalize the streetscape and create a cohesive development within the Historic District.

29. If the single-family dwelling were relocated to 1353 Park Avenue, the vacant site at 1323 Woodside Avenue would become a future affordable housing development location and the new site at 1353 Park Avenue would become an affordable housing development location.

30. The relocation will result in the reconstruction of the single-family dwelling in the Historic Residential-Medium Density (HR-M) Zoning District while allowing for denser development to occur at 1323 Woodside Avenue in the Recreation Commercial (RC) Zoning District for affordable housing.

31. The proposal to relocate the historic single-family dwelling complies with LMC 15-11-13 Relocation and/or Reorientation of a Historic Building or Historic Structure. There are unique conditions that warrant the relocation of the historic single-family dwelling to the new site as the context of the building's setting has been so altered that its present setting does not convey its history.

Conclusions of Law – 1323 Woodside Avenue - Relocation

1. The proposal meets the criteria for relocation pursuant to LMC 15-11-13 and/or Reorientation of a Historic Building or Historic Structure.

Findings of Fact – Material Deconstruction

1. The applicant, Park City Municipal Corporation, is proposing to relocate and reconstruct the “Significant” single-family dwelling at 1323 Woodside Avenue to the new vacant site of 1353 Park Avenue as a part of Phase I of the larger Woodside Park Affordable Housing Project.
2. 1353 Park Avenue is located in the Historic Residential Medium-Density (HR-M) Zoning District.
3. The original site at 1323 Woodside Avenue is located in the Recreation Commercial (RC) Zoning District.
4. The Historic single-family dwelling located at 1323 Woodside Avenue is listed as “Significant” on the Historic Sites Inventory (HSI). According to Summit County records, the single-family dwelling was constructed ca. 1925. According to the Park City HSI, the single-family dwelling is significant to the Mature Mining Era (1894-1930).
5. The single-family dwelling at 1323 Woodside Avenue first appears on the 1929 Sanborn Fire Insurance Map. The single-family dwelling remained unchanged in the 1941 Sanborn Fire Insurance Map.
6. The first known image of the property at 1323 Woodside Avenue is a tax assessment photograph taken ca. 1940 (Figure 2).
7. On November 15, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property at 1333 Park Avenue. After working with the applicant on the materials of their submittal, the application was deemed complete on January 25, 2017. The HDDR application is still under review by the Planning Department.
8. The applicant is proposing to remove a non-historic shed roof addition on the rear (west) façade. The shed roof addition does not appear on the 1929 or 1941 Sanborn Fire Insurance Maps and based on physical material evidence was constructed outside the Historic period.
9. The applicant is proposing to remove a portion of the rear (west) façade to accommodate the new approximately 167 square foot addition. The rear (west)

façade is Historic, except for where the non-historic shed roof addition is attached.

10. The applicant is proposing to remove the chimney which the applicant states is non-historic. The ca. 1940 tax photograph shows a central chimney with stovepipe; however, the stovepipe was not present prior to the removal in 2009.

11. Staff finds that the removal of the proposed non-historic shed roof addition and a portion of the rear (west) façade will not have a negative impact on the historic structure because the rear (west) façade of the structure is not visible from the Public Right-of-Way; the original Historic form of the structure will still be clearly interpreted after the removal of the proposed materials; and the removal of the non-historic shed addition will enable a clear delineation between the rear of the Historic structure and the new approximately 167 square foot addition because the new addition will not encompass the southwest corner of the Historic form.

12. Staff finds that the removal of the chimney is not appropriate as this is visible from the Right-of-Way and is a character defining feature of the historic roof form.

Conclusions of Law – Material Deconstruction

2. The proposal complies with the Land Management Code requirements pursuant to the HR-M District and regarding material deconstruction.

Conditions of Approval – 1323 Woodside Avenue Relocation and Material Deconstruction

1. Final building plans and construction details shall reflect substantial compliance with the HDDR proposal stamped in on November 15, 2016 and December 1, 2016. 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. Any deviation from approved Material Deconstruction will require review by the

Historic Preservation Board.

4. No building permit will be issued for 1323 Woodside Avenue until a building permit has been issued to reconstruct the historic house at 1353 Park Avenue location.

3. 1333 Park Avenue – HDDR Material Deconstruction - Removal of non-historic materials on the Significant single-family dwelling.
(Application PL-16-03378)

Planner Tyler stated that this item was just for the material deconstruction of non-historic material, as well as repairs to the foundation at 1333 Park Avenue. This was the same City project that was discussed for affordable housing. The structure is designated as Significant on the Historic Sites Inventory.

Planner Tyler noted that the structure first appears on the 1907 Sanborn map; and it was much different than how it appeared in 1929. When CRSA conducted the intensive level survey, they believed that it was reconstructed between that time frame. They also believe there is a chance that the historic form is still in the core of the building. However, the 1929 Sanborn map reflects more of what is seen today.

Planner Tyler reviewed the materials deconstruction for the east/front elevation. She stated that in the 1990's this single family dwelling was rehabilitated, and the windows were removed and replaced in the original openings with non-historic windows. The applicant was proposing to remove the windows and put in historically accurate windows in terms of materials. The applicant also needs to make repairs to the foundation and remove the non-historic porch concrete landing. She asked if the Board had any issues with the east/front elevation. The Board had no questions or comments.

Planner Tyler reviewed the north elevation and noted that the windows would be removed from the window openings and replaced with compatible windows in terms of material. The foundation on the north elevation needed to be repaired as well. The Board had no comments or questions.

Planner Tyler reviewed the south elevation, which included window removal and repairs to the foundation. On the west elevation, the applicant was proposing to remove a non-historic railing for the back porch, remove the non-historic door and non-historic window, and make repairs to the foundation.

The Board had no comments or questions.
Chair Stephens opened the public hearing.

There were no comments.

Chair Stephens closed the public hearing.

MOTION: Board Member Beatlebrox moved to APPROVE the material deconstruction of non-historic materials and repairs to the Significant single-family dwelling at 1333 Park Avenue, pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

Assistant City Attorney McLean disclosed that the Legal Department worked out of that house for about a year while the Marsac Building was being renovated.

Finding of Fact – 1333 Park Avenue

1. The property is located at 1333 Park Avenue. The property is located in the Historic Residential Medium-Density (HR-M) Zoning District.
2. The historic site is listed as Significant on the Historic Sites Inventory (HSI).
3. According to Summit County records, the single-family dwelling was constructed ca. 1905.
4. According to the Park City HSI, the single-family dwelling is significant to the Mature Mining Era (1894-1930).
5. The single-family dwelling first appears on the 1907 Sanborn Fire Insurance Map as a simple hall-parlor type house with a rear addition, which was likely a shed addition.
6. The 1929 Sanborn Fire Insurance Map show additions to the south and west of the structure. These additions occurred sometime between 1907 and 1929 (during the Mature Mining Era).
7. The single-family dwelling remained unchanged in the 1941 Sanborn Fire Insurance Map.
8. There is no tax photograph for this property from ca. 1940.
9. According to the Intensive Level Survey, the overall form and materiality remains intact, and the structure retains its Historic form. Though alterations to the original form and style have been made, such alterations occurred during the Period of Significance, the Mature Mining Era (1894-1930).

10. On November 15, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the property at 1333 Park Avenue. After working with the applicant on the materials of their submittal, the application was deemed complete on January 25, 2017. The HDDR application is still under review by the Planning Department.

11. The applicant is proposing to remove the non-historic windows, the non-historic rear metal railing, the non-historic concrete porch landing and stairs, and make repairs to the structurally compromised foundation.

12. Staff finds that the removal of the proposed non-historic materials will assist in restoring the single-family dwelling to its Historic Form because the existing non-historic materials are incompatible and/or beyond repair.

Conclusions of Law – 1333 Park Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-M District and regarding material deconstruction.

Conditions of Approval – 1333 Park Avenue

1. Final building plans and construction details shall reflect substantial compliance with the HDDR proposal stamped in on November 15, 2016 and December 1, 2016. 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. Any deviation from approved Material Deconstruction will require review by the Historic Preservation Board.

4. A structural engineer shall be responsible for creating a cribbing plan prior to the house being supported from the interior for the installation of the new concrete foundation. Within five (5) days of installation, the structural engineer will inspect and approve the cribbing as constructed. If the cribbing is to be relocated or altered at any time during the construction of the foundation, the

structural engineer shall create and approve a new cribbing plan. The structural engineer shall re-inspect and re-approve the cribbing within five (5) days of any relocation or alteration to the cribbing.

5. Historic buildings which are lifted must be returned to the completed foundation within 45 days of lifting the building. Failure to do so will be a violation of the Preservation Plan and enforcement action through the financial guarantee for historic preservation could take place. 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 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.

6. The Preservation Plan must include a review and stamp by a licensed and registered structural engineer on the proposed cribbing or shoring methods. If the contractor makes a revision to the cribbing or shoring plan, the structural engineer must approve the change in writing. Cribbing or shoring must be of engineered materials. Screw-type jacks for raising and lowering the building are not allowed. The owner (or through its agent or the contractor) is responsible for notifying the Planning Department if changes are made.

4. 422 Ontario Ave – Material Deconstruction –Significant designation. The applicant is proposing panelization of the historic house and the following material deconstruction: c.2008 concrete retaining wall and non-historic boulder wall; non-historic wood fence; 1950s concrete walls and exterior staircases; c.1941 steel pole and horizontal wood board retaining wall; non-historic barbed wire fence; c.1941-1949 additions to the original c.1906 cross wing; c.1941-1949 roof forms and original c.1906 roof form; post-1950s asbestos and cement shingle siding; c.1906 floor structure and rubble stone foundation; c.1941-1949 porches; c.1970s doors; and c.1970s and 1980s window openings and replacement windows.
(Application PL-15-02819)

Planner Grahn believed this was the first time the HPB had reviewed a panelization project. She pointed out that 422 Ontario is the mint green house with aluminum siding. The house evolved and remained primarily the same through 1941. There was evidence of fires at this site, and by 1907 the cross wing was constructed. There was a one-story addition off the back. Based on the physical evidence found in the building, the Staff believes it was a porch rather than an addition, or possibly a porch that was enclosed into an addition. Planner Grahn stated that a number of additions were made by the Sorensen's after 1941, which created the appearance that exists today. And addition was

put on the north side of the house between 1941 and 1949. The porch, or possibly the one-story addition off the back, was enclosed in the 1970s. A new roof was put on, and there was also asbestos shingle siding and later cement shingle siding. There were metal handrails and porch posts, and a metal roof was first documented in the 1958 tax card.

Planner Grahn stated that Hamilton Easter was the current owner they were proposing to restore the house more to its historic appearance as seen in the Sanborn maps. Planner Grahn outlined the Engineers report. The house is typical of old town. The roof joists and floor joists are failing. She remarked that the single-wall construction buildings consist of plank and horizontal siding. Removing one of the elements creates a loss of rigidity of the structure. The building does not have footings or foundation.

Planner Grahn stated that the Chief Building Official has looked at this and the concern is mostly based on the location of the building. It is at the top of the hill, and if the house is lifted and raised it would sit higher on the hill with the street below. In the event of a strong wind it could fall into the street, which would not only damage the historic house but also creates a health and safety issue. Planner Grahn reported that the applicant was proposing to panelize the building, and they believe they could panelize all eight panels of the original house.

Planner Grahn reviewed the criteria for disassembly and reassembly. The first is that the structural engineer has to certify that the house cannot be reasonably moved intact. The structural engineer has confirmed that if the building is lifted it would be wobbly and structurally unsound, and it would create a dangerous situation. The second is that it must comply with at least one of the following: a) the proposed disassembly and reassembly will abate demolition. In this case, the applicant finds that they can preserve all eight panels of that original T-shape cottage, which is rarely seen with panelization projects. b) The Chief Building Official has found it to be a hazardous or dangerous building. Planner Grahn noted that the house was gutted in 2015 in an effort to do exploratory demolition. The house is not habitable and meets the definition of a hazardous building. c) The Historic Preservation Board must determine, with input from the Planning Director and Chief Building Official, that there are unique conditions. Planner Grahn stated that in this case, one of the greatest unique conditions is the problematic site. She pointed out that there were also physical conditions in terms of temporarily lifting or moving the building. The structural engineer found that this would be difficult because the house is in poor condition. It is a compact site and moving a building around is difficult during the construction phase.

Planner Grahn stated that the applicant had looked at other alternatives, but in the end they found that this was the best way to preserve the greatest amount of material.

Planner Grahn requested that the Board make a determination on the panelization before moving forward on the material deconstruction.

Bill Mammen, the project architect, stated that the owners want to preserve the history of this building, and this is the best way to do that.

Board Member Hodgkins asked if the City has inspected the site. Planner Grahn answered yes. When the applicant first approached the City in 2015, she and Chad Root, the Chief Building Official, walked around the building with the applicant and the preservation consultant. She recalled that they visited the site again when the building was gutted to really look at the systems and how it all went together. Planner Grahn stated that it is typical Old Town single-wall construction. The location on the site and where the house is perched on the hillside was very concerning to the Chief Building Official. Mr. Hodgkins understood that the intent is to restore the house and not to change windows or add other dimensions. Mr. Mammen replied that there were no historic windows left.

Planner Grahn suggested that they wait to talk about the specific changes when they talk about the deconstruction.

Chair Stephens recalled that there was original siding, and laid over that siding was the brick asphalt siding, which was covered by vinyl siding. In the process of putting on the brick or vinyl siding, he assumed the corner boards and trim pieces were removed around the windows and casings. Mr. Mammen replied that they had not yet taken it back. Chair Stephens was not concerned with the panelization itself, but when the panels are put back the details are usually lost. Even though the corners are probably already gone, he would like to see it replaced with what would have been put up in that historic period.

Mr. Mammen stated that they had only exposed the southwest corner, and the corner trim is gone. He suspected that was true everywhere. Mr. Mammen remarked that all the window trim is gone as well. They would have to historically recreate window trim, corner trim, and the porch trim. He pointed out that any material decoration on the house was gone.

Board Member White asked if the applicant had considered reconstruction rather than panelization. Mr. Mammen replied that it was talked about, but the Staff pushed them in the direction of panelization. Mr. White assumed they would remove the non-historic material before they panelize. Mr. Mammen replied that he was correct. Mr. White commented on the importance of protecting the panels once they are removed.

Board Member Holmgren clarified that this was a Significant site and not Landmark. Planner Grahn replied that it was not Landmark primarily because of

the changes to the house. Mr. Holmgren agreed with Mr. White and questioned why replication would not be better than panelization since it is not Landmark. Planner Grahn stated that the goal is to save as much of the historic material as possible. She pointed out that after further deconstruction and exploratory demo they may change their mind and come back to the HPB. However, at this time the Staff is confident that the non-historic siding materials could be removed and the panels could be stabilized and stored.

Board Member Beatlebrox felt positive about the proposal.

Chair Stephens opened the public hearing.

There were no comments.

Chair Stephens closed the public hearing.

Planner Grahn reviewed the material deconstruction. She noted that a number of non-historic site improvements were made sometime after the 1940s. Concrete steps in the backyard lead up to the parking area where the Sorensen's used to park. There were barbed wire fences, wood fences, and layers and layers of repairs and site work. Planner Grahn noted that the stacked stone retaining wall is historic and the applicant proposed to maintain that wall.

Planner Grahn commented on the non-historic additions. She reiterated that the Sorensen's made a number of additions between 1941 and 1949, which was outside of the Mature Mining Era that ended in 1930. The additions modified the shape and form of the house. She presented photos showing the changes and how they evolved. She pointed out the additions that the applicant was proposing to remove.

The Staff found that the additions do not contribute to the historic integrity of the house. They were built after the Mature Mining Era and detract from the historic house, which is partially why it was designated Significant and no Landmark.

Planner Grahn stated that the existing roof is corrugated galvanized metal roof panels. The roof is in poor condition and the joists have been compromised. Because the house will be panelized and taken down, the roof will be rebuilt using the existing measurements and what they find underneath. Planner Grahn pointed out the additions and changes that occurred to the roof over time.

The Staff found that taking down the roofing is necessary in order to restore the 1906 roof form.

Planner Grahn noted that the exterior walls have a number of siding materials covering them and those will be removed. They will try to restore as much of the

wood siding as possible. Planner Grahn remarked that a condition of approval was added stating that the applicant would work with Staff to make sure they were not discarding any historic materials that could be reused.

Planner Grahn noted that there was stacked stone but not a foundation. The floors are warped. That would all be rebuilt. A new structure would be built as well and the panels will go on top of it. There are two front porches on this house. One is on the 1941 and 1949 addition. That addition is not historic and can be removed, and the porch would be removed with it. The second porch is located on the 1906 cross wing. The materials are no longer there and the porch floor is concrete. A number of alterations were likely made at the same time the addition went in. The applicant will restore what they believe is the original appearance of the porch with wood posts, wood decking and railings.

Planner Grahn noted that there are two door openings on the house and pointed to what she believed was the original door opening. None of the doors have the original doors. Windows are in the same location. Most of the original window openings on the original cross wing have been altered. A lot of the window dimensions have changed to accommodate new windows. The applicant will be relying on ghost lines to make sure those windows are restored as they were historically.

Planner Grahn pointed to a shed that was not designated as historic. It is covered in the same non-historic materials as the house. The applicant believed there may be wood siding beneath it, and they were proposing to rehab the shed as well. Planner Grahn clarified that the Board did not need to make a determination on the shed since it was not historic.

The Staff recommended that the HPB conduct a public hearing and move to approve the material deconstruction at 422 Ontario Avenue.

Board Member Beatlebrox asked if the determination that an addition is non-historic is based on the materials that were used. Planner Grahn replied that it is based on when they believe it was built, which is outside of the Mature Mining Era. The house was designated as Significant for contributing to the Mature Mining Era, and they could argue that the additions and modifications detract from the original building that has gained historical significance.

Chair Stephens opened the public hearing.

Ruth Meintsma referred to a statement in the Staff report about the south side yard on the stacked stone retaining wall. The last sentence reads, "The Staff finds that any material deconstruction of the wall is necessary."

Planner Grahn explained that if there is any temporary deconstruction of the wall, it will be necessary in order to stabilize the wall and put it back together. She clarified that it would not be removed permanently.

Ms. Meintsma thought better wording would be "...finds that no material deconstruction is necessary". Planner Grahn replied that the Staff considers material deconstruction as everything in Exhibit A, which sometimes means temporarily taking things apart. She offered to revise the Finding of Fact to say that fixing the wall is more routine maintenance. Ms. Meintsma did not think they needed to change the Finding. She just wanted clarification.

Ms. Meintsma referred to Condition of Approval #2 and noted that in the past a lot of historic material was lost when it could have been repaired because it was left to the discretion of the contractor. That was a weak point in preservation and now it must be reviewed by the Planner. Ms. Meintsma noted that the Condition says "...prior to replacement" and she wondered how that compared to the same statement saying "...prior to removal". She commented on times when historic material has been removed before the Planner had a chance to review it. She asked if it meant the same thing, or whether the language should be revised to say "prior to removal".

Planner Grahn agreed that "prior to removal" was better wording.

Regarding Condition #2, Ms. Meintsma asked if the Planners have the power to make the determination and put it in writing. For example, in details such as siding, could the Planner be specific on what portions could be removed.

Planner Grahn believed the Planner would have that power; but if not, it would go to the Planning Director.

Chair Stephens closed the public hearing.

Chair Stephens supported Ms. Meintsma's comments about changing "prior to replacement" to "prior to removal".

MOTION: Board Member Holmgren moved to APPROVE the panelization of 422 Ontario Avenue, and the material deconstruction of non-historic and non-contributory materials at 422 Ontario Avenue, pursuant to the following Findings of Fact, Conclusions of Law and Conditions of Approval as amended by revising Condition #2 to say "prior to removal". Board Member White 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 site is designated as Significant on the Historic Sites Inventory.
3. Based on Sanborn Fire Insurance maps and historic research analysis, the house was likely constructed c.1906 by Amelia and Theodore Neimuth. The house first appears on the 1907 Sanborn Fire Insurance Map as a cross-wing with partial-width front porch and rear addition. This rear addition may have originally served as an open porch, but was enclosed by 1907. The overall form of the house remained unchanged through 1941.
4. Elden —Shortyll (1907-1998) and Ella Sorensen (1918-2009) purchased the house in 1941. Between 1941 and 1949, they constructed a side-gable addition to the north half of the historic cross-wing and relocated the front door from the north-south stem wing of the historic house to the addition. When the addition was constructed, a new roof form was built over the addition and historic house, so that only the gables of the historic c.1906 cross-wing were visible. The Sorensen's also clad the house first in asbestos shingle siding (prior to 1958) and then later cement shingle siding, rebuilt the porches with concrete foundations and metal and wood handrails, and installed the metal roof.
5. On July 20, 2016, the Planning Department received a Historic District Design Review (HDDR) application for the renovation of the historic house and construction of a new addition at 422 Ontario Avenue; the application was deemed complete on October 17, 2016. The HDDR application is still under review by the Planning Department.
6. The Historic Preservation Board (HPB) approved a request for an exterior exploratory demolition permit under the August 2015 pending ordinance on October 21, 2015.
7. On June 21, 2016, the Board of Adjustment (BOA) granted variances to (1) LMC Section 15-2.2-3 (E), to the required twelve foot (12') side yard setbacks to allow a zero foot (0') setback to the front property line, is hereby granted; (2) LMC Section 15-2.2-3 (H), to the required five foot (5') side yard setbacks to allow a three foot (3') setback to the north property lines, is hereby granted; and (3) LMC Section 15-2.2-5 (A) to the required maximum height of thirty five feet (35') to allow a maximum height of forty-one feet (41') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters is hereby granted.
8. On February 11, 2016, the Planning Commission approved a Steep Slope Conditional Use Permit (SS-CUP) for this project.

9. The proposal to panelize the historic c.1906 cross-wing house complies with LMC 15-11-14 Disassembly and Reassembly of a Historic Building or Structure. Structural Engineer Henry Shen has reported that the house, as existing, would not survive temporary lifting as the exterior walls will not withhold wind, seismic, and gravity loads and the roof and floor joists are operating below capacity; there is no lateral diaphragm for the house. The proposal will prevent the demolition of the historic house and the applicant will preserve eight (8) original wall panels of the historic c.1906 cross-wing form. The Chief Building Official has found that the building is hazardous and dangerous pursuant to Section 116.1 of the International Building Code. Additionally, the Planning Director and Chief Building Official have found that there are problematic or structural conditions preclude temporarily lifting or moving a building as a single unit; the physical conditions of the existing materials prevent temporarily lifting or moving the building and the disassembly and reassembly will preserve a greater amount of historic materials; and all other alternatives have shown to result in additional damage or loss of historic materials.

10. The applicant proposes to remove a c.2008 boulder and concrete retaining wall in the front yard in order to rebuild it as the front wall of the new basement-level garage; staff finds that this wall is non-contributory to the historic integrity and significance of the site. The applicant will repoint an existing stacked stone retaining wall along the south property line that curves behind the house and into the backyard; any material deconstruction associated with the wall is necessary for its restoration. The applicant also proposes to remove a non-historic wood fence in the side yard as well as concrete and board form retaining walls, two sets of stairs, and a barbed wire fence in the backyard that are not historic and do not contribute to the historic integrity or significance of the site.

11. The applicant proposes to remove alterations made by the Sorensen's after 1941 including the 1941-1949 addition to the north of the original cross-wing, an enclosed porch along the rear wall of the historic house, and the roof that was constructed during the 1941-1949 remodel. These additions do not contribute to the historic integrity or historic significance of the structure or site. The material deconstruction is necessary in order to restore the c.1906 cross-wing form.

12. The existing roof consists of a non-historic 1941-1949 roof form that was constructed over the original cross-wing form. The roof consists of corrugated galvanized metal roof panels over plywood sheathing. The structural engineer has found that the roof joists are at 16% capacity of the code. The applicant will use the original roof structure and historic gables to reconstruct the porch. The proposed material deconstruction is necessary for the restoration of the original c.1906 roof form.

13. The original cross-wing house was built using single-wall construction. The exterior of the house is covered in both asbestos siding added in the 1950s and then cement shingles. As part of the disassembly, the applicant will brace the interior of the wall panels with new structure, remove the panels, and then reinstall them atop the new structure. The applicant will remove two layers of non-historic siding and restore the original wood siding. New siding will be milled to match the historic and replaced as necessary. The removal of the non-historic siding materials is appropriate as these do not contribute to the historic integrity or historic significance of the structure and their removal is necessary in order to restore the c.1906 cross-wing's original appearance.

14. The house has no foundation and the floor joists sit directly on dirt and stacks of sandstone. The floor joists have rotted due to slumping, warping, bowing, and their irregular shape. They are only operating at 22% capacity of the required floor load. There is no shear capacity to the floor. The applicant is proposing to reconstruct the existing floor structure and construct a new poured concrete basement foundation. The proposed material deconstruction of the foundation elements is required for the rehabilitation of the building.

15. The front porch on the north half of the house was constructed as part of the addition between 1941-1949. The porch is not historic and the proposed material deconstruction is acceptable as the porch does not contribute to the historic integrity or historical significance of the structure or site.

16. The historic front porch was reconstructed between 1941-1949 as part of the larger renovation of the house. Though it maintains its original location, the materials of the original porch have been replaced by a non-historic concrete slab, wood posts, and even new porch rails. The applicant will reconstruct the original c.1906 wood front porch. The proposed material deconstruction is appropriate as these materials do not contribute to the historic integrity or historical significance of the structure and their removal is necessary to restore the front porch to its original c.1906 appearance.

17. There are two existing door openings on the house—one on the non-historic 1941-1949 addition and the other on the historic house. The door on the north half of the house will be demolished along with the non-historic addition as it is non-contributory to the historic integrity or historic significance of the structure. The door opening on the original cross-wing house will be restored and a new door installed that is consistent with the Design Guidelines. The material demolition of the non-historic door opening and door is appropriate as these modifications do not contribute to the historic integrity or historic significance of the structure and the material deconstruction is required for the restoration of the building.

18. There is a third door opening on the rear elevation of the original cross-wing that was uncovered as part of the applicant's exploratory demolition. The applicant is proposing to restore this door opening and introduce a window-door configuration that is similar to what may have existed historically. The changes will not damage or destroy the exterior architectural features of the subject property which are compatible with the character of the historic site. The proposed scope of work will not impact the visual character of the neighborhood where the material deconstruction is proposed to occur or impact the architectural integrity of the building.

19. There are a total of ten (10) non-historic windows currently in the house. These windows are in fair to poor conditions. The historic wood windows have been lost and the openings have been altered, likely during the 1941-1949 renovation. Staff finds that it is appropriate to remove the non-historic windows on the 1941-1949 addition as these windows do not contribute to the historic integrity or historic significance of the structure. The material deconstruction of the non-historic window openings on the historic house is necessary in order to restore the original c.1906 window configuration.

20. There is a non-historic shed on the northeast corner of the property. This shed is not designated as historic on the City's Historic Sites Inventory. The applicant proposes to remove layers of non-historic siding and restore the original wood siding on the shed. The proposed work will not damage or destroy the exterior architectural features of the subject property that are compatible with the overall character of the historic site.

Conclusions of Law – 422 Ontario Avenue

1. The proposal complies with the Land Management Code requirements pursuant to the HR-M District and regarding historic structure deconstruction and reconstruction.
2. The proposal meets the criteria for relocation pursuant to LMC 15-11-14 Disassembly and Reassembly of the Historic Building(s) and/or Structure(s) on a Landmark or Significant Site.

Conditions of Approval – 422 Ontario Avenue

1. Final building plans and construction details shall reflect substantial compliance with the HDDR proposal stamped in on October 14, 2016. 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 will be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material and finish. Prior to removal, the applicant shall demonstrate to the Historic Preservation Planner that the materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. The Historic Preservation Planner shall approve the replacement in writing.

3. Should the applicant uncover historic window and door openings that were not documented at the time of the Historic Preservation Board's review, the applicant shall schedule a site visit with the Planning Department and determine if the window or door opening should be restored. Any physical evidence of lost historic window and door openings shall be documented to the satisfaction of the Preservation Planner, regardless of plans for restoration.

5. Consideration of an ordinance amending the Land Management Code Section 15, Chapters 2.1, 2.2, 2.3, and 2.5 regarding roof pitches and limiting the use of flat roofs to 30% of the total length of the streetscape façade. (Application PL-16-03352)

Planner Grahn assumed the Board had read the Staff report and understood the background and the reason for proposing the ordinance. She stated that the intent is to find a balance between green roofs, rooftop decks, and flat roofs in Old Town. It is important to preserve the Historic District and to maintain the look and feel.

Planner Grahn recalled that the last time this came before the HPB they directed the Staff to look at the National Trust; which was not as helpful as they had hoped. The Staff report contained links to articles that the Board could read if they were interested.

Planner Grahn stated that one of the goals was to maintain the streetscape. One of the character defining features of the streetscape as it existed historically and as it exists today. The prominent feature are usually the gables.

Planner Grahn commented on the benefits of flat roofs, which includes snow storage, being sustainable, maintaining water runoff, etc. However, they need to look at the design and how it fits with the context of the neighborhood. Planner Grahn remarked that the Staff looked at options. For example, maybe a portion of the house has to have a gabled roof at the street front. That would provide an opportunity for the other portion of the street front to have a flat roof if necessary. The back could also have a flat roof because it would not be visible from the street.

Planner Tyler presented three images showing the gabled roof options. The first was a front facing gable and the second was a side facing gable. She pointed out that these structures have less mass than a traditional 27' flat roof. Planner Tyler noted that House C has a flat roof, and it overpowers the single-family dwellings on either side that are 1-1/2 to two stories. She noted that the Planning Department often sees this proposal and it is allowed by the LMC. The Design Guidelines can help reduce some of the mass, but the Staff finds that it is not contributory to the District.

Planner Grahn stated that the Staff looked at definitions on what a rooftop deck could look like. They also looked at the existing Design Guidelines. The alteration they were proposing to the LMC was first of all to make sure that Green Roof is capitalized because it is a defined term that means the roof will be vegetated. She clarified that wording was added to reference that definition. They also said that if it is a green roof; hot tubs, outdoor cooking areas, or seating areas would not be allowed. The roof should only be vegetated and not used as active space. The intent of the flat roof is to promote sustainability. Putting in a green roof and using it as a yard, it becomes an extended living area and would probably be less vegetated.

Planner Grahn remarked that on the streetscape portion of the front façade, the flat roof may not exceed more than 30% of the total length of the front façade. The pitched roof has to extend from a minimum of 12' on the side elevation before becoming a flat roof so it maintains the pitched look from the street. Planner Grahn stated that roof deck was defined as hard surfaced living space. The deck should be located no more than 23 feet above existing grade, which is current with what the LMC currently says as far as where the step occurs on an uphill façade. That would include the height of any required parapets, railings or similar features. Planner Grahn remarked that the Staff limited it to 500 square feet, but they wanted to relook at the square footage and possibly make it a percentage calculation.

Planner Grahn stated that another change was to define a deck as an open structure at least 12" above the ground and can be located anywhere on the property. However, a rooftop deck is defined as an open structure located on the roof framing of a building and above enclosed gross floor area.

The Staff requested input from the HPB on the proposed changes to the LMC.

Chair Stephens commented on the 30% of the flat roof in the front, and asked if that was limited to being a roof, or if it could be a roof deck. Planner Grahn replied that the Staff had not defined it. It could be either, but there was a percentage and a limit on the amount of roof deck. If the primary roof form is flat, it has to be a green roof per Code, which means it must be vegetated. The roof deck could not be the entire roof form. Chair Stephens clarified that he could

have a 10' flat roof front façade that could be a roof deck. Planner Grahn answered yes, as long as the flat area is not more than 30% of the total façade width. Director Erickson noted that it also had to stay below 23', including the deck railings.

Chair Stephens stated that if it is an active roof deck, he would have to put railings on it in order to meet the Building Code, and he thought that defeated the purpose of what they were trying to do. Chair Stephens thought they were making the architecture better in the front, but then compromising it by having an active roof deck with railings. He was less concerned about the back.

Board Member Beatlebrox asked if this proposed change was only for new construction. She was told that it could also apply to historic buildings. Planner Grahn clarified that it would have to be on the addition to a historic building.

Planner Grahn used the image of the front façade to explain how the percentages would be calculated. Director Erickson explained that they were trying to maintain some of the rhythm and scale by looking at the roof pitch dimensions of the historic homes; and assuming that the house may get larger by there is new construction or it is re-orientated to the street. He pointed out that the numbers were not precise because of the variability of the architecture. Director Erickson stated that if the HPB feels that the deck is too great on the street front façade for habitable space, they could direct the Staff to reconsider the calculation.

Director Erickson remarked that the Staff was trying to make the distinction between a Green Roof, capitalized, and a roof deck. A roof deck is designed for habitable space. Non-habitable space would be like the exceptions that are used on bell towers. Director Erickson clarified that green roofs are designed to be non-habitable space, except for maintenance.

Chair Stephens had an issue with the 23'. He pointed out that they could be above the top plate in the gabled part of the house; however, typically a house would not be constructed that way. Chair Stephens did not disagree with it, but he was concerned about unintended consequences. He suggested that if they put the flat roof at the height of the top plate it would have a different look and would probably function better. Chair Stephens asked if there was another way to look at the 23'.

Board Member White shared Chair Stephen's concern. In his opinion, if they put a gable and a flat roof side by side, it would not look right to have the level of the deck higher than the plate line.

Planner Grahn explained that the Staff put this together based on the math. However, the 23' also included the railing. If they subtract three feet, the remaining 20' foot line might actually be lower, and the rail might intersect with

the gable. She offered to look into it further because Mr. Stephens and Mr. White raised a good point. Mr. Stephens suggested that they look at it without it being an active deck.

Mr. Hodgkins pointed out that it could be interior space rather than a deck, in which case the volume is greater. He asked if the railing on a second story is only 3 feet. Mr. White replied that it is 3' on a residential building and 3'6" on a commercial building.

Board Member Scott thought there were examples of homes similar to this on Woodside where a garage was built with an active deck on the front. Board Member Hewett pointed out that it would not be allowed now because the garage would not be allowed to be built that way. She understood that currently the garage must be recessed back from the house. Planner Grahn replied that it is determined on a case by case basis.

Planner Grahn suggested that she and Planner Tyler could do a windshield survey of some of the flat roofs in town, and that might help with the discussion. Chair Stephens did not believe they were seeing a lot of resistance when the flat roof is used as a connecting piece between parts of architecture where it is not higher than the top plate of the highest plate on the structure. He was not saying that it could not be active, and he did not disagree with the 30% rule proposed by the Staff. Chair Stephens thought the Staff should double-check the rule to make sure it does not box them in as far as good design in the future.

Board Member Hodgkins was not pleased about seeing roof decks from the street. However, he was not opposed to a second story deck that someone could walk out to. He believed that was different than a roof deck and should not be defined as a roof deck. It is much lower and does not reach 23'.

Chair Stephens used the example of a roof deck that is basically at grade from the street, but because it is a roof over a lower level on a downhill sloping lot, it would be defined as a roof deck. It would have to be measured out to make sure it was not over the 30%, but it would have had no visual impact from the street because it just looks like a deck. Planner Grahn agreed that they need to make sure they do not disallow those kind of designs. Board Member White thought they should be reviewed on a case by case basis.

Chair Stephens opened the public hearing.

Ruth Meintsma thought this was a good start on addressing flat roofs. She believed the Staff was in the right direction, but to get a better understanding, she suggested that they put additions on the historic images on page 312 of the Staff report to make it more realistic. Ms. Meintsma thought the shading of the flat roof showed the illustration well, but suggested different shading to help make the

point. Ms. Meintsma stated that she was in favor of flat roofs and green roofs for the good reasons, but she understood there needed to be a compromise. She believed the Staff was doing a good job of finding that compromise. Ms. Meintsma referred to page 315, and noted that the language was the Code as it stands. She was always confused because she reads it as the primary roof pitch must be between the primary roof. Therefore, the primary roof has to be at least 7:12 or 12:12. It also says, "A roof that is not part of the primary roof may be below. She always read that as not being able to have a flat roof house. There must be a gable at least 7:12, and the flat roof is secondary. Ms. Meintsma stated that there is a huge house across the canyon from her that is all flat, and she did not understand how the Code was misinterpreted. She thought it needed to be clarified.

Ms. Meintsma had a question on the front façade, "The pitched roof shall stand for a minimum length of 12" on the side elevation". She did not believe the language was clear. She thought it should be 12' from the façade or the right-of-way. Ms. Meintsma commented on a house that was passed a few months ago on Upper Park Avenue. She noted that the Code now requires a 10' setback at 23', and that automatically creates a deck. She thought the 23' works because it is consistent with the Code, except it allows for railings above and beyond. Ms. Meintsma thought the Code was conflicted.

Planner Grahn was certain that 23' was the hard deadline. If someone needs to go above that for a railing, then the floor has to drop. Planner Tyler agreed that there is no exception for railings in height.

On the square footage issue, Ms. Meintsma thought the square footage should be based on a ratio of the lot size. Regarding the definition of decks, Ms. Meintsma suggested adding language clarifying that a rooftop deck is not a green roof.

Board Member White clarified that green roofs can be usable. Some of the green roofs have portions that can be sitting areas with green all around.

Ms. Meintsma understood that this ordinance was trying to change that. She thought it was a confusion that needed to be cleared up.

Chair Stephens agreed. It was what the HPB was trying to do, which is why this item would be continued for further discussion.

Sean Kelleher, a resident at 409 Echo Spur, stated that he was the biggest user of the flat roof. If the Board members wanted to visit his property and walk around the building to see how it all lays out, he would be happy to shovel his roof to expose what is up there. Mr. Kelleher thought the Staff did a good job of trying to mesh the issues that have prevented themselves. He thought it was

important to understand that his houses from the front façade have less mass in the front than they would have otherwise. It would be different if it was a flat lot, but there are very few flat lots left in Old Town. Mr. Kelleher noted that the above grade mass for a steep slope lot, whether it is up or down, will be less for a flat roof house as opposed to the stepping strategy. His concern with the proposed ordinance is that the railing was being considered as part of the overall height. For example, a flat roof like his at 27' above the third floor, and a 3' railing as required by Building Code, which is included in the overall height and requires dropping the third floor ceiling by three feet, it would discourage anyone from doing a green roof because no one will replace three feet of interior space with a green roof. He thought a 3' high railing should be included in the list of exceptions.

Mr. Kelleher thanked Director Erickson and Planners Tyler and Grahn for bringing people in to talk about this.

Chair Stephens asked if this applied only to the HR zone. Planner Grahn answered yes. It would apply to HR-1 and HR-2. Chair Stephens clarified that it did not apply to Main Street. Planner Grahn replied that he was correct.

Planner Grahn requested that the Board continue this item to a date uncertain to allow the Staff time to complete the necessary studies.

MOTION: Board Member Holmgren moved to CONTINUE this item to a date uncertain. Board Member White seconded the motion.

VOTE: The motion passed unanimously.

The meeting adjourned at 7:00 p.m.

Approved by _____
Stephen Douglas, Chair
Historic Preservation Board