

NOTICE OF MEETING
HISTORIC PRESERVATION COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Historic Preservation Commission of the City of St. George, Washington County, Utah, will hold a regular meeting at the City Hall Conference Room, 175 East 200 North, St. George, Utah on Wednesday, **March 15, 2023**, commencing at **12:00 p.m.**

The agenda for the meeting is as follows:

CALL TO ORDER

1. **NEW CITY HALL BUILDING AT 61 S MAIN STREET**
A presentation of the new City Hall building and parking garage to be built at 61 S. Main Street
2. **DEMOLITION OF A SIGNIFICANT HISTORICAL BUILDING**
Consider a request to demolish a significant historical building – The Pymm House - located at 44 East Tabernacle
3. **MINUTES**
Consider approval of the October 19, 2022, January 24, 2023, and February 15, 2023, meeting minutes.

ADJOURN

Reasonable Accommodation: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance if you have special needs.



HISTORIC PRESERVATION COMMISSION AGENDA REPORT: **03/16/2022**

The Pymm House Demolition Demolition of a Significant Historical Bldg (Case No. 2023-HPC-001)	
Request:	Consider a request to demolish the Pymm House
Applicant:	Matthew Metcalf
Representative:	Matt Glendenning
Location:	44 East Tabernacle
General Plan:	COM (Commercial)
Zoning:	C-4 (Central Business District Commercial)
Land Area:	Approximately 0.05 acres



BACKGROUND:

The applicant is seeking to demolish the Pymm House which is a significant historic structure located in the Arts District at 44 East Tabernacle Street. The Pymm House was originally used as the St. George Post Office and the home for the Pymm family. Since the post office changed locations, this building has been used for various commercial purposes. This request will also include the demolition of the structure to the east of the Pymm Houses located at 50 East Tabernacle Street. This structure does not have historical significance. It was constructed long after the Pymm House was built and made to look as if it is connected to the Pymm House. Both buildings have gone through many renovations over the years. However, it has been determined that the renovations to the Pymm House have completely replaced the exterior façade of this building.

On February 16, 2022, the applicants brought forth a proposal to reconstruct the façade of the Pymm House to make it match historical pictures. In addition, the applicants proposed to remodel 50 E. Tabernacle building by removing the current façade and replacing it with a more contemporary look, keeping the two buildings separate. The applicant's request was granted, and over the last year the applicants have been working on uncovering the layers inside the Pymm House to be able to restore it.

After intensive investigation, the applicant has determined that once the façade is removed, the remaining structure is in a state of disrepair and present health and safety risks to the building occupants, adjacent buildings, and pedestrians in close proximity. Due to these issues, the applicant would like to change their original plan and are now seeking to demolish the Pymm House and construct a new 2-story office building in the place of both buildings on Tabernacle Street. Please refer to the applicant's narrative and photos for more details on this project.

In Section 10-13E-3H of our City Code allows for a 120-day waiting period of the demolition of any significant historical structure. The purpose of the waiting period is to allow the Commission time to find a means of preserving the building. However, the commission may reduce this waiting period where the owner would suffer extreme hardship, not including loss of profit, unless a reduction in the required period were allowed. Ultimately, the owner has the right to demolish this structure after the 120-day period ends.

Please refer to the following section of the Arts District Overlay (10-13E-3H):

Notice of Alteration: While a site nominated for the National Register of Historic Places shall be subject to federal and state regulations affecting the same, properties designated as landmark sites pursuant to this chapter may be demolished, materially altered, remodeled, relocated or put to a different use only after one hundred twenty (120) days' written notice of the owner's proposed action has been given to the commission. During this one hundred twenty (120) day period, the commission may negotiate with the owner of the landmark and with any other parties in an effort to find a means of preserving the property. The commission may reduce the waiting period required by this section in any case where the owner would suffer extreme hardship, not including loss of profit, unless

a reduction in the required period were allowed. On the other hand, where application for landmark site designation has been submitted to the planning commission and before decision by the city council, the commission may cause an additional waiting period to be imposed prohibiting demolition, material alteration, remodeling or relocation until there has been action of nonrecommendation by the planning commission or action by the city council.

RECOMMENDATION:

Staff recommends this Commission chooses one of the following two options:

1. The Commission may determine they would like to pursue preservation of this historic structure until the 120-day waiting period is up. If no measures are found, the owner has the right to demolish their property at the end of the 120-day waiting period.
2. The Commission may determine the structure is in a state of disrepair and the risk to the building occupants, adjacent buildings, and pedestrians in close proximity is too great; and therefore, approve the request to demolish as soon as possible.

EXHIBIT A
Applicant's Narrative



Matt Metcalf Architecture, PLLC
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(435) 229-6849

APPLICATION TO THE HISTORIC PRESERVATION COMMISSION FOR DEMOLITION OF A HISTORIC BUILDING(S) IN THE CITY OF ST. GEORGE, UTAH

Overview:

This project consists of two parcels:

- A. SG-246 located at 44 E. Tabernacle St, historically known as the Pymm House.
- B. SG-247 located east/adjacent to the Pymm House at 50 E. Tabernacle St. This property appears to have been constructed in the last 50 years and has since been joined to the Pymm House via a set of double doors on the east wall of the Pymm House.

We are proposing the demolition of both buildings and the new construction of a single, 2-story building in their place. The proposed new construction has been designed to fit with the character and scale of the existing buildings and architecture found on Tabernacle Street.

Narrative:

The historic Pymm House was originally used as the post office for St. George. It has since been used primarily as a retail space, most recently as a yoga studio. The adjacent building (SG-247) appears to have been constructed more recently, possibly in the 70's-80's based on the CMU wall construction and contemporary truss design. It is not considered of historic significance.

Careful, selective demolition has been carried out on the interior to expose the original adobe walls and roof structure and evaluate what, if anything could be salvaged and/or preserved. Asbestos abatement was also carried out.

Based on investigation of the existing building as well as historic photographs, it is believed that the current façade has been completely rebuilt in the last 50 year and is not true to the original design, scale, materials, and character of the original. It has been found that much of the historic features of value or note original to the Pymm house have been lost due to previous renovations and alterations. The only remaining original architectural features are in a state of disrepair and present a health and safety risk to building occupants, adjacent buildings, and pedestrians. Their description, documentation, and condition are provided below:

Adobe walls

The original adobe walls have been exposed and found to be severely damaged and deteriorated. Multiple patches and repairs can be seen on all surfaces. As the walls are unreinforced masonry they do not meet current building codes and present a risk to health and safety for building occupants and adjacent tenants. After evaluation by a structural engineer (McNeil Engineering) it was determined that to bring the building to current code requirements a steel moment frame would need to be constructed to handle sheer and seismic loads. In this scenario the adobe walls would no longer be visible and the steel moment frame would become the new structure for the building. The adobe walls would have no function and be a liability due to their mass and weight in a seismic event.



Patch and infill at Cappriotti's wall. Large holes and damage to the walls are also visible.



Deteriorating adobe wall at base. Large portions of plaster are missing from several areas and pose a safety risk when they fall from the walls.



North façade has been replaced. Note the contemporary construction materials 2x4 stud walls, OSB sheathing, and contemporary vinyl windows and door. If original, this wall would have been lathe and plaster over adobe construction. Windows would have been wood with true divided lites.



Plaster damage including rusted lathe. Metal lathe would not have been present in the original Pymm house. Buildings of that area would likely have used horse or other hair mixed with the plaster to give it stability.



Loose stacked stone at the south wall. This stone would need to be repointed at a minimum to be safe for occupancy.

Stacked Stone Foundation

The original stacked stone foundation is visible in the crawl space below the Pymm House. These stones are loose laid without a mortar or any steel reinforcing as would have been common when the original building was constructed. There appears to have been a demising stone wall that was disassembled roughly in the center of the crawl space. For new construction, the stone wall adjacent to Cappriotti's will remain so as to not disturb any existing structures to remain. We are planning on adding a new concrete foundation wall to stabilize the stone and provide a foundation for the new building that meets current code.



Remnants of the demising wall



Stacked stone foundation wall

Flooring and structural floor joists

The subfloor and joists appears to be original, however the flooring is badly worn and has been damaged and patched over many years. It is our hope to salvage some of the flooring and joists if possible to be used in the proposed building. Ideally, we would like to mill the floor joists to be used as the new stair treads.



Existing floor joists with subfloor above

Roof Structure

The original roof structure has been exposed. Our hope when peeling back the layers of additions was to uncover beautiful, original beams and structure that could be left exposed. However, the original roof structure is simply 2X framing, 1X collar ties, and damaged battens above. We explored options of trying to preserve the roof, but the existing structure does not meet modern building codes and would need to be significantly modified to be structurally sound.



Existing roof structure. 2X framing and 1X collar ties are insufficient for the span. Sagging is visible from the exterior.

Recommended Demolition:

After making a good-faith effort to preserve and restore the historic Pymm House, it is our belief that there is not enough architectural features left or of any value that would be worth preserving. Remediations necessary to make the exiting building habitable and safe for occupation would ultimately require the existing structure to be removed, or altered in such a way that no original architecture would be visible.

Proposed Building:

We are proposing a new, 2-story, 4,300 sq. ft. office building to be erected in the place of the two parcels.

1. The proposed building height of 32'-8" is at a scale consistent with adjacent buildings.
2. The design incorporates architectural details and materials found in historic Utah main street design. These elements include:
 - a. Full-brick façade with window soldier course headers, pre-cast concrete sills, and other detailing found in early 1900's architecture.
 - b. Metal window frames with a narrow scale and grid pattern that would have been common in pioneer construction.
 - c. A pre-cast concrete plinth anchors the building design.
 - d. Pre-cast concrete building plaque.
 - e. Steel awning at entry
 - f. Flat roof design that will hide mechanical equipment and no longer shed water onto adjacent buildings.
 - g. Additional proposed exterior materials, colors, and details have been noted on the attached elevations.

We believe this new building will be an attractive addition to Tabernacle Street and complement the existing neighborhood both in its aesthetics and use.

Additional photographs are available upon request and an in-person site visit may also be helpful to understand the condition of the existing building. We would be happy to accommodate any request to help.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matt Metcalf', with a stylized, overlapping flourish at the end.

Architect, Matt Metcalf Architecture, PLLC

EXHIBIT B
Applicant's Illustrations



68 EAST

ELECTRIC THEATER CENTER

ARROWHEAD
GALLERY
ETC.

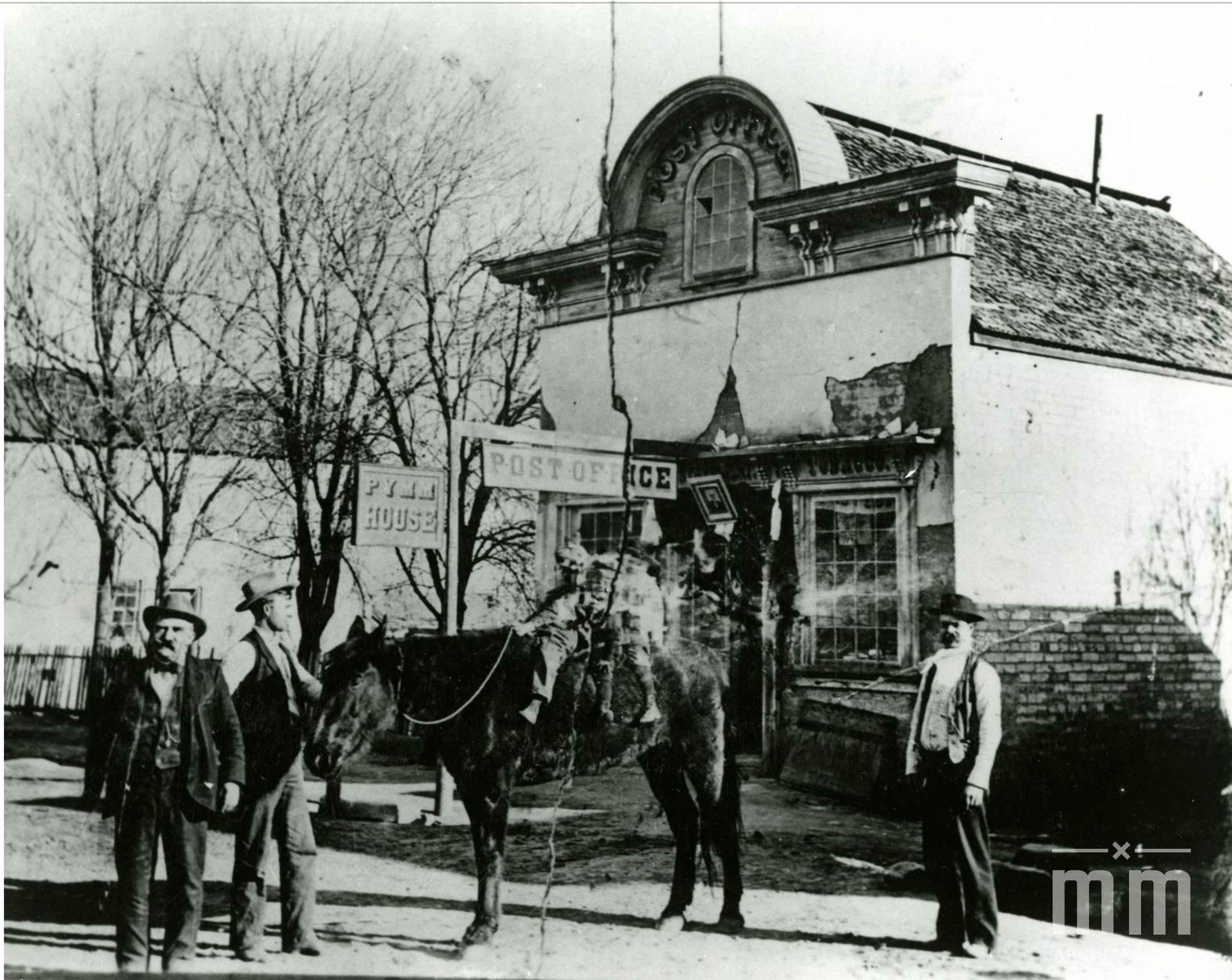
Electric
Theater

SO E TABERNACLE

CAFFEINATI

PHOTO SHOP

D



A1 HISTORIC PYMM HOUSE / POST OFFICE
N.T.S.



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ARCHITECT STAMP

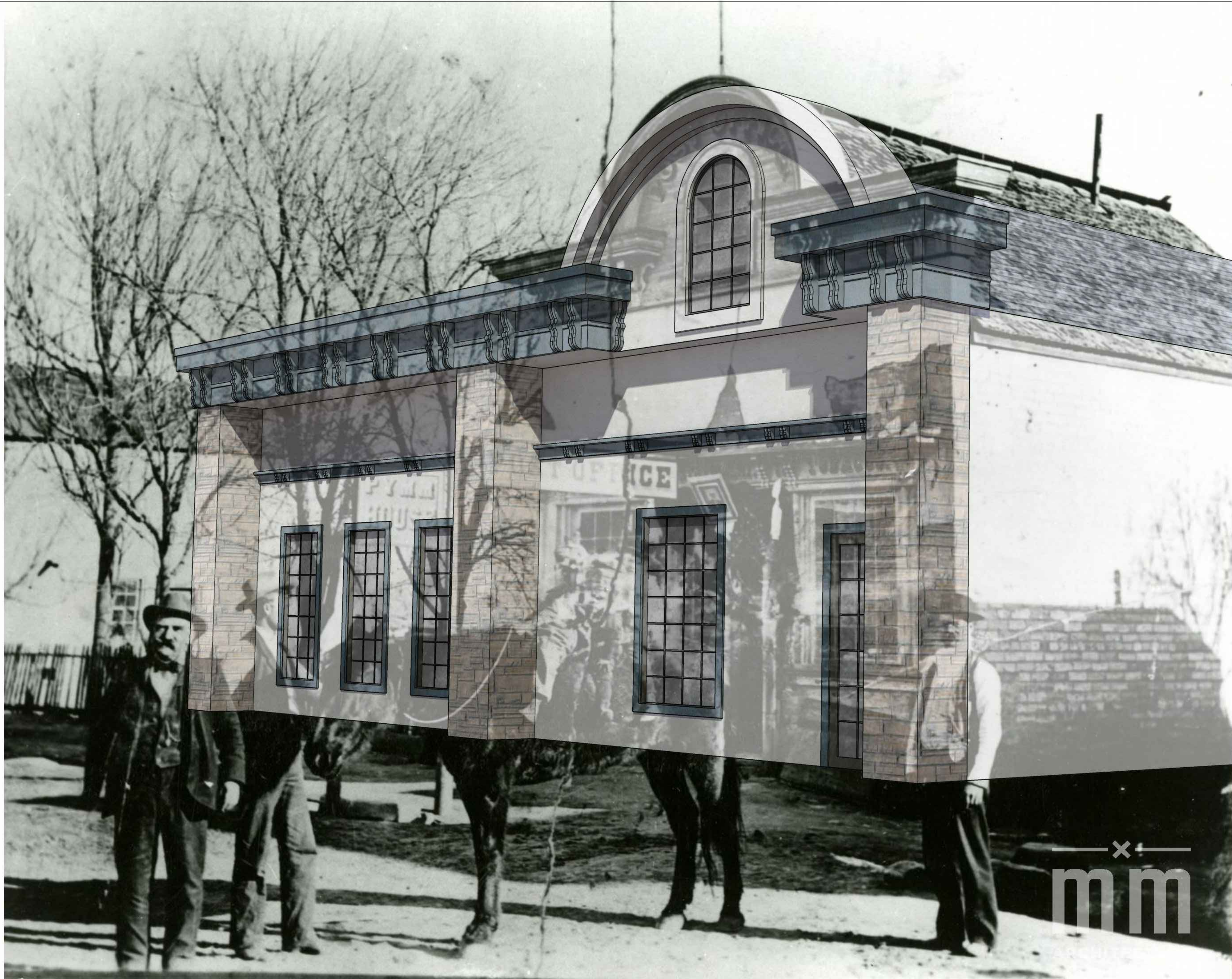
REVISIONS		
No.	Description	Date

PYMM HOUSE
50 E. TABERNACLE ST.
ST. GEORGE, UT 84770

PERSPECTIVE
IMAGES

PROJECT NUMBER	21-017
DATE ISSUED	2021.1.12

A301



ARCHITECT STAMP

REVISIONS		
No.	Description	Date

PYMM HOUSE
50 E. TABERNACLE ST.
ST. GEORGE, UT 84770

PERSPECTIVE
IMAGES

PROJECT NUMBER	21-017
DATE ISSUED	2021.1.12

A302

A1 HISTORIC PYMM HOUSE / POST OFFICE COMPARISON TO CURRENT
N.T.S.

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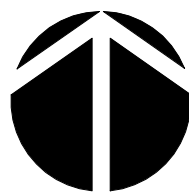
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A



GENERAL NOTES

- A. ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF EXTERIOR SHEATHING, OR GRID LINE U.N.O.
- B. SLOPE ALL LANDSCAPING GRADES AND PAVED AREAS AWAY FROM THE BUILDING AT 5% MIN. FOR FIRST 10'-0" MIN. FROM BUILDING. SLOPE NOT TO EXCEED 8/12
- C. CALL BLUESTAKES @ 1-800-662-4111 PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION
- D. PROVIDE NON-FREEZE TYPE BACKFLOW PREVENTER HOSE BIBS
- E. CONTRACTOR TO FIELD VERIFY DIMENSIONS PRIOR TO COMMENCEMENTOF CONSTRUCTION.
- F. CONTRACTOR TO COORDINATE, PROVIDE, AND INSTALL UNDERGROUND SEWER, POWER, TELEPHONE, CABLE TV, NATURAL GAS, AND WATER LINES TO UTILITY MAINS. COORDINATE LOCATIONS WITH APPROPRIATE TRADES AND OWNER.

KEYNOTES

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50 E TABERNACLE

50 EAST TABERNACLE STREET
SAINT GEORGE, UTAH 84770

NO.	REVISION	DATE

ARCHITECTURAL
SITE PLAN

PROJECT NUMBER	21-017
DATE ISSUED	2022.3.22

1

2

3

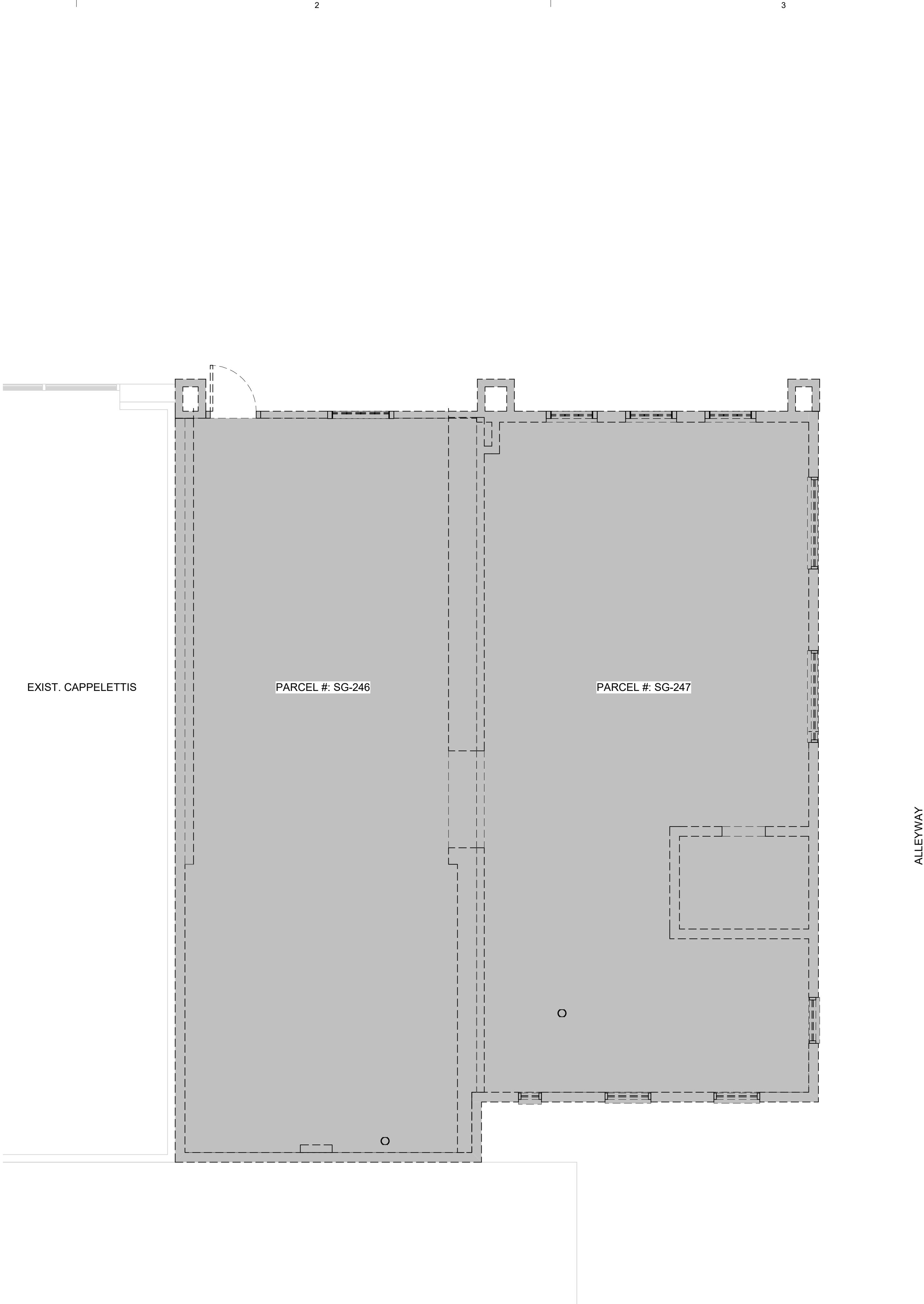
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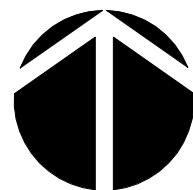
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A1 MAIN LEVEL DEMOLITION PLAN

1/4" = 1'-0"



GENERAL NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING BUILDINGS AND OTHER INSTALLATIONS THAT ARE TO REMAIN INTACT WHILE PERFORMING THE SPECIFIED WORK. PROVIDE AND MAINTAIN FIRE EXTINGUISHERS ON PROJECT SITE DURING CONSTRUCTION.
2. CONTRACTOR SHALL VISIT THE SITE TO VERIFY EXISTING CONDITIONS AND FIELD VERIFY ALL DIMENSIONS IN FIELD PRIOR CONSTRUCTION. EXISTING CONCEALED CONDITIONS AND CONNECTIONS ARE BASED UPON INFORMATION TAKEN FROM LIMITED FIELD INVESTIGATIONS. CONTRACTOR SHALL MAKE REQUIRED ADJUSTMENTS TO SYSTEM COMPONENTS AS NECESSITATED BY ACTUAL FIELD CONDITIONS AT NO ADDITIONAL COST TO OWNER OR ARCHITECT. REPORT ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL FIELD CONDITIONS TO THE ARCHITECT BEFORE CONSTRUCTION BEGINS.
3. MAINTAIN EXISTING UTILITIES TO REMAIN IN SERVICE AND PROTECT AGAINST DAMAGE DURING DEMOLITION OPERATIONS.
4. PATCH ALL FINISHES TO MATCH EXISTING CONDITIONS. VERIFY MATCH OF NEW FINISH MATERIALS TO EXISTING IN COLOR, TEXTURE, THICKNESS, CUT, ETC. TO SATISFACTION OF OWNER PRIOR TO INSTALLATIONS.
5. ALL DIMENSIONS FOR NEW CONSTRUCTION ARE TO FACE STUD U.N.O.
6. THE CONTRACTOR SHALL COORDINATE DOOR DETAILS AND HARDWARE WITH WALL TYPES, FINISHES, AND EXISTING CONDITIONS.
7. THE GENERAL INTENT OF DETAILS SHALL, IN ALL CASES, BE FOLLOWED AND THE ARCHITECT CONSULTED SHOULD QUESTIONS ARISE.

LEGEND

PATTERN	DESCRIPTION
	EXISTING WALL TO BE REMOVED
	EXISTING WALL TO REMAIN

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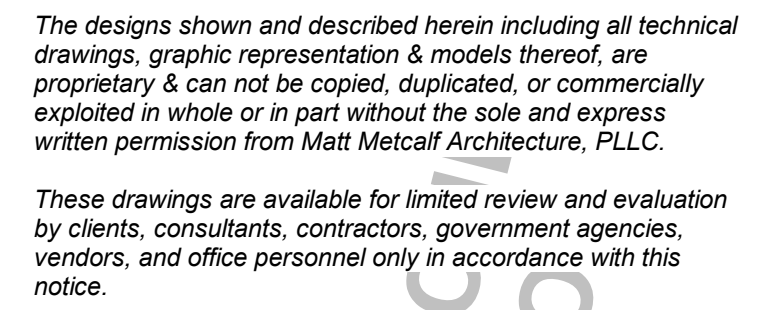
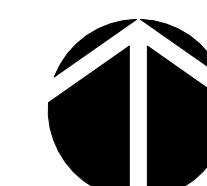
50 EAST TABERNACLE STREET
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NO.	REVISION	DATE

DEMOLITION PLAN

PROJECT NUMBER	21-017
DATE ISSUED	2022.3.22

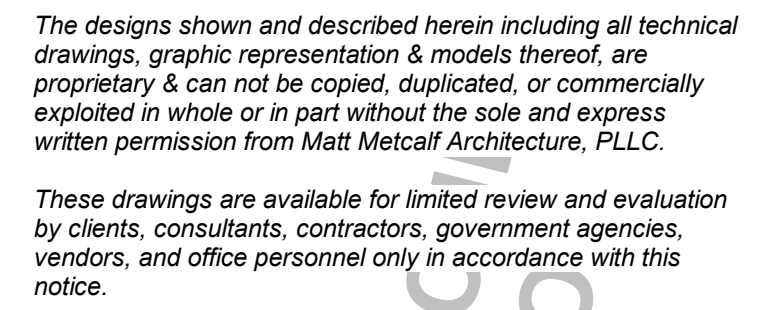
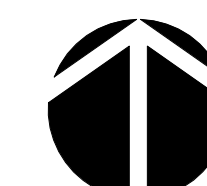
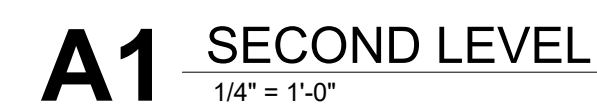
D101



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MAIN LEVEL FLOOR PLAN

A101



50 E TABERNACLE

50 EAST TA
SAINT GEO

REVIEW PURPOSES ONLY
NOT FOR CONSTRUCTION

REVISION	D

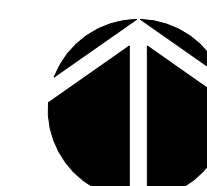
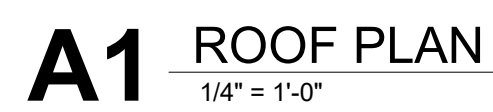
OND LEVEL

NO.	REVISION	DATE

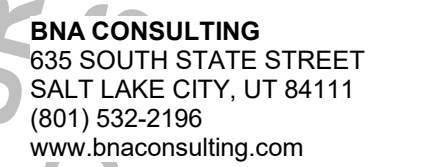
SECOND LEVEL FLOOR PLAN

PROJECT NUMBER	21-017
DATE ISSUED	2022.3.22

A102



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50 EAST TABERNACLE STREET
SAINT GEORGE, UTAH 84770

ROOF PLANS

A150



C1 NORTH EXTERIOR ELEVATION
1/4" = 1'-0"



A1 EAST EXTERIOR ELEVATION
1/4" = 1'-0"

GENERAL NOTES

- PROVIDE FRESH AND COMBUSTION AIR INTAKES AS REQ'D. FOR MECHANICAL SYSTEMS. ROUTE DUCTWORK THROUGH ROOF ASSEMBLY SO AS TO NOT BE VISIBLE FROM FRONT OF BUILDING
- COMBINE ALL PLUMBING VENTS TO MINIMIZE THE NUMBER OF PENETRATIONS THROUGH THE ROOF ASSEMBLY. ROUTE VENT PIPING SO AS TO NOT BE VISIBLE FROM FRONT OF BUILDING
- SLOPE ALL LANDSCAPING GRADES AWAY FROM THE BUILDING 8" FOR FIRST 10'-0" FROM BUILDING

EXTERIOR MATERIALS LEGEND

1	WINDOW GLAZING
2	BRICK GENERAL SHALE "BUCKINGHAM TUDOR"
3	STUCCO SHERWIN-WILLIAMS SW 7019 "GAUNTLET GRAY"
4	WINDOW FRAMES & AWNING DARK BRONZE
5	PRE-CAST CONCRETE

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NO.	REVISION	DATE

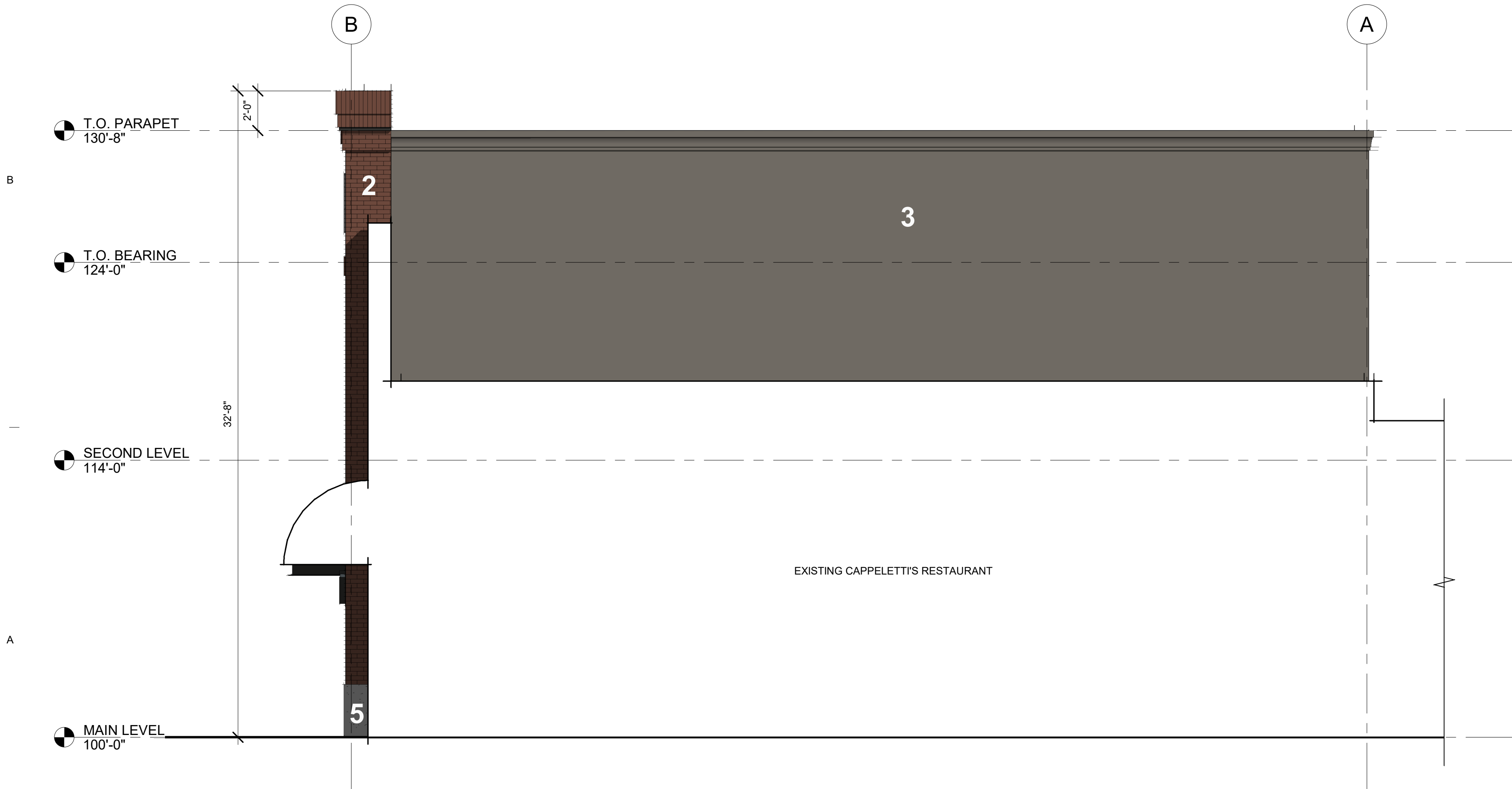
EXTERIOR ELEVATIONS

PROJECT NUMBER	21-017
DATE ISSUED	2022.3.22

A201



C1 SOUTH EXTERIOR ELEVATION
1/4" = 1'-0"



A1 WEST EXTERIOR ELEVATION
1/4" = 1'-0"

GENERAL NOTES

- A. PROVIDE FRESH AND COMBUSTION AIR INTAKES AS REQ'D. FOR MECHANICAL SYSTEMS. ROUTE DUCTWORK THROUGH ROOF ASSEMBLY SO AS TO NOT BE VISIBLE FROM FRONT OF BUILDING
- B. COMBINE ALL PLUMBING VENTS TO MINIMIZE THE NUMBER OF PENETRATIONS THROUGH THE ROOF ASSEMBLY. ROUTE VENT PIPING SO AS TO NOT BE VISIBLE FROM FRONT OF BUILDING
- C. SLOPE ALL LANDSCAPING GRADES AWAY FROM THE BUILDING 8" FOR FIRST 10'-0" FROM BUILDING

EXTERIOR MATERIALS LEGEND

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2	BRICK GENERAL SHALE "BUCKINGHAM TUDOR"
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4	WINDOW FRAMES & AWNING DARK BRONZE
5	PRE-CAST CONCRETE

mm

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50 EAST TABERNACLE STREET

SAINT GEORGE, UTAH 84770

NO.	REVISION	DATE

EXTERIOR ELEVATIONS

PROJECT NUMBER	21-017
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C1 SOUTHEAST PERSPECTIVE

NOTE:
1. PERSPECTIVE VIEWS ARE TO SHOW GENERAL DESIGN INTENT AND SPATIAL VISUALIZATION ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
2. ELEMENTS MAY NOT BE FULLY MODELED OR REPRESENTED IN PERSPECTIVE VIEWS.
3. REFER TO PLANS, ELEVATIONS, SECTIONS, DETAILS, ETC. FOR SPECIFIC INFORMATION REGARDING THE CONSTRUCTION AND ASSEMBLY OF THIS BUILDING.
4. REFER TO FINISH PLAN FOR FLOOR, WALL, CEILING FINISHES, ETC.
5. FINISHES, CASEWORK, HARDWARE, FIXTURES, FURNITURE, ETC. SHOWN IN PERSPECTIVE VIEWS ARE FOR DESIGN INTENT AND SPATIAL VISUALIZATION ONLY.



A1 EAST PERSPECTIVE VIEW



C3 NORTHEAST PERSPECTIVE VIEW



A3 NORTH PERSPECTIVE VIEW

mm

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SAINT GEORGE, UTAH 84770

NO.	REVISION	DATE

PERSPECTIVE VIEWS

PROJECT NUMBER 21-017
DATE ISSUED 2022.3.22



OLD HOPE CHEST

ELECTRIC THEATER

ELECTRIC THEATER CENTER

DOWNTOWN YOGA / PYMM HOUSE

CAPPELETTI'S

DIXIE PHOTO

ENCORE

WELLS FARGO

EXISTING ELEVATION



OLD HOPE CHEST

ELECTRIC THEATER

ELECTRIC THEATER CENTER

PROPOSED BLDG

CAPPELETTI'S

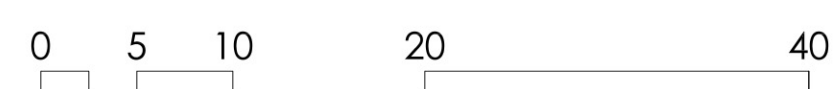
DIXIE PHOTO

ENCORE

WELLS FARGO

PROPOSED ELEVATION

SCALE: 1" = 10'-0"



NOTICE OF MEETING
HISTORIC PRESERVATION COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Historic Preservation Commission of the City of St. George, Washington County, Utah, will hold a regular meeting at the City Hall Conference Room, 175 East 200 North, St. George, Utah on Wednesday, **October 19, 2022**, commencing at **12:00 p.m.**

The agenda for the meeting is as follows:

- PRESENT:** Bob Nicholson, Member
Scott Messel, Member
Allan Carter, Member
Bette Arial, Chair
- EXCUSED:** Rick Atkin, Member
- CITY STAFF:** Carol Davidson, Planner III
Jami Bracken, Assistant City Attorney
Brenda Hatch, Development Services Office Manager

Chair Arial called the meeting to order at 12:10 pm.

1. LANDMARK REHABILITATION

Consider a request to modify the exterior of a significant historical building – The Orson Pratt House located at 76 W. Tabernacle

Carol Davidson presented the following:

Justin Brewer, Property Manager of Green Gate Village

Carol Davidson – The structure that needs a new roof is on the National Register of Historic Landmarks, not on our local landmark list. The roof is leaking. It is in really poor condition. They are wood shingles that have been there for a while. All of the other buildings have the same shingles except the Bentley house has a portion of the roof asphalt shingles. The got bids for both wood and asphalt. The wood is a lot more expensive. We are talking about what options this Commission would recommend. In the rehabilitation guidelines of our code, it only says that the roofs must be in a neutral or muted brown or gray. Carol talked about the Secretary of the Interior's standards for the Treatment of Historic Properties. The whole roof would need to be changed in this case as none of it can be saved. The recommendations from different government bodies are included in the agenda packet. I tried to do research to see what kind of roof was on it originally, but these have been there quite a while.

Justin Brewers – The current roof is between 30 and 40 years old. The roofer who installed it stopped by about a year ago, but he doesn't do that anymore. It was installed in the 70's or 80's. The color of shingles that we show will eventually go dark in time like the other roof tops there.

Chair Ariel – My understanding is that homes were brought in from other areas to this. I am wondering if we treat them with our guidelines since it is now a neighborhood.

Discussion on where the homes came from.

Scott Messel – There is definitely a look and a feel there and need to preserve it. It really does need to be repaired. We have to be careful and not do the fake historic on it. It would be preferred that we would like to see the same materials, true to what it is. I am in huge favor of them repairing the roof. I don't think the asphalt shingles are appropriate on this building, or in the rest of the building. I am in favor of moving the request forward but only with the wood shingles. I can see that the asphalt may give the appearance to kind of look like wood, but it's not.

Alan Carter – The problem with a manufactured product is that there is too much consistency in it. If we go with asphalt shingles then eventually the whole project will be asphalt shingles. A roof you can tell instantly that it isn't wood. We would have one in the middle of all this with a different material and then the others would follow.

Scott Messel – I know that asphalt and wood shingles require more maintenance, the wood needs to be oiled. I think that these buildings in Green Gate need to be replaced with the wood shingles even though it is more expensive.

Bob Nicholson – Did they give you an estimate on how long the wood shingles would last?

Justin Brewer – They said 10-15 years without any maintenance. The asphalt are a 25-to-30-year product. The cost for the wood over the same amount of time is significantly more.

Bob Nicholson – I think you would want to check with the state because if you put the asphalt shingles on you may lose your historic designation. I know that they receive a 20% tax write off for National Historic Designated buildings. I've heard that it's probably one of the best Federal Tax breaks. I don't think that PEG would want to lose that. I don't know if Don Hartley is at the state still, but you could contact them.

Carol Davidson – I don't think so, Roy Jensen is the one I have been in contact with.

Bob Nicholson – He would be the one you would want to contact. Kirk Huffaker too.

Scott Messel – Kirk Huffaker was with the Heritage Foundation up in Salt Lake which is a different entity other than the State Historical Society. They were in the carriage house in Memory Grove. They were the stewards of that building. He is one of the foremost historic architectural authorities in the state.

Bob Nicholson – That group, the Heritage Foundation give out low interest loans. Very low interest rates.

Chair Ariel – We kind of have costs versus integrity of jewel that we have. That once modified ceases to be a jewel.

Alan Carter – It starts a slope you can't get off of.

Chair Ariel – The Brigham Young home was built in the 1870's and this is even older than that.

Bob Nicholson – Yes, 1862.

Alan Carter – Yes, it was January of 1862.

Bob Nicholson – Orson Pratt is one of the very earliest.

Chair Arial – People are just flooding here to see our history. They love it and they love the historic downtown that we have. But it has got to be historic.

MOTION: Scott Messel made a motion to recommend approval of the roof being replaced and the necessary upgrades to the roofing structure but that it must be the wood shake shingles.

SECOND: Alan Carter

Bob Nicholson – Can I ask about a possible amendment on that motion? If they met with the State Historic Division Architect Cory Jensen and they found a suitable non wood product the board would reconsider? We recommend the wood, but if the State Architectural Historian feels good about another material then we could reconsider that.

Scott Messel – I’m ok with that.

Alan Carter – I’m ok with that.

AYES: (4)

Bob Nicholson, Member

Scott Messel, Member

Allan Carter, Member

Bette Arial, Chair

NAYS: (0)

Motion Carries

Alan Carter – Orson Pratt was the foremost theologian in the LDS church. He wrote so much including much of the Pearl of Great Price.

Carol Davidson - This is the last remaining structure with his name on it.

Chair Arial – I think we need to talk about the other buildings, I walk through there every day and it is looking shabby.

Justin Brewer – We got approval, we had bids at \$70,000 originally we gave the go ahead and the contractors ghosted us. We have bid it out again and the lowest bid we had was \$170,000.

Bob Nicholson – Was that bid for the railings?

Justin Brewer – Yes, the all the wood and to be in the right way.

Chair Arial – Are we leaving it to you (the applicant) to contact the state?

Carol Davidson – I will call Cory after this meeting.

Discussion on different types of shingles available.

Bob Nicholson – I would contact Utah Heritage Foundation in Memory Grove in Salt Lake. They are not a government organization, but they give low interest loans.

2. MINUTES

Consider approval of the August 31, 2022, meeting minutes.

MOTION: Scott Messel made a motion to recommend approval of the August 31, 2022, minutes.

SECOND: Bob Nicholson

AYES: (4)

Bob Nicholson, Member

Scott Messel, Member

Allan Carter, Member

Bette Arial, Chair

NAYS: (0)

Motion Carries

ADJOURN

MOTION: Scott Messel made a motion to adjourn at 12:43.

AYES: (4)

Bob Nicholson, Member

Scott Messel, Member

Allan Carter, Member

Bette Arial, Chair

NAYS: (0)

Motion Carries

NOTICE OF MEETING
HISTORIC PRESERVATION COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Planning Commission of the City of St. George, Washington County, Utah, will hold a **Historic Preservation Commission** meeting in the Administrative Conference Room, 175 East 200 North, St George, Utah, on **Tuesday, January 24, 2023**, commencing at **4:00 p.m.**

PRESENT: Commissioner Emily Andrus
Commissioner Steve Kemp
Commissioner Nathan Fisher
Commissioner Ben Rogers
Commissioner Austin Anderson
Commissioner Lori Chapman
Bob Nicholson, Historic Preservation Commission
Bette Arial, Historic Preservation Commission
Scott Messel, Historic Preservation Commission
James Sullivan, Hillside Review Board
Dave Black, Hillside Review Board
Russ Owens, Hillside Review Board
James Dotson, Hillside Review Board
Jeff Mathis, Hillside Review Board

CITY STAFF: City Manager John Willis
Public Works Assistant Director Wes Jenkins
Deputy City Attorney Jami Bracken
Planner III Carol Davidson
Planner III Mike Hadley
Planner III Dan Boles
Development Office Supervisor Brenda Hatch

EXCUSED: Rick Atkin, Historic Preservation
Alan Carter, Historic Preservation

Chair Steve Kemp called the meeting to order. Commissioner Anderson led us in the Pledge of Allegiance.

1. BOARDS AND COMMISSIONS TRAINING

Jami Brackin presented the Open Meetings training. The training covered Open Meetings, GRAMA and Ethical issues. She presented a Power Point presentation covering the following topics.

Public Meeting v. Public Hearing
Closed Meetings
Conduct & Decorum
Case Law
GRAMA
Ethics Act

Historic Preservation Minutes

January 24, 2023

Page 2 of 2

Municipal Officers & Employees Act
Utah Public Officers' & Employees Act
Conflict of Interest

Open Meetings, GRAMA & Other Stuff

Training for the St. George Planning
Commission and other Committees

January 24, 2024

Jami R. Brackin

Deputy City Attorney

What We Will Cover

1. Open Meetings
2. GRAMA
3. Ethics



OPEN & PUBLIC MEETINGS



Purpose

52-4-102. Declaration of public policy.

- (1) The Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business.
- (2) It is the intent of the Legislature that the state, its agencies, and its political subdivisions:
 - (a) take their actions openly; and**
 - (b) conduct their deliberations openly.**

When Is It Applicable

52-4-201. Meetings open to the public -- Exceptions.

- (1) A meeting is open to the public unless closed under Sections 52-4-204, 52-4-205, and 52-4-206.
- (2)
 - (a) A meeting that is open to the public includes a workshop or an executive session of a public body in which a quorum is present, unless closed in accordance with this chapter.

...



NOTICE

24 hours prior to the meeting by posting:

1. On the Utah Public Notice website
2. Providing Notice to newspaper or correspondent.
3. City Hall (Principal offices)



NOTICE

Notice must include:

1. Date, Time, Place and Agenda (with reasonable specificity to notify the public as to the topics)

What about agenda materials?



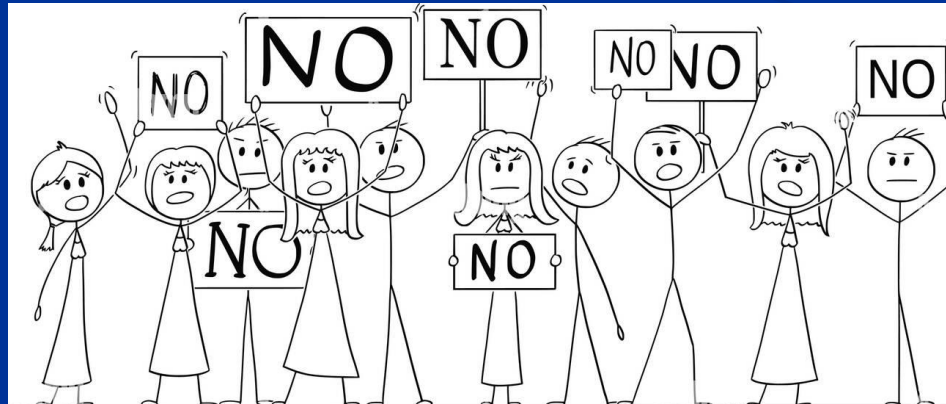
Public Meeting v. Public Hearing

Public Meetings

- Quorum of the public body
- 24-hour notice
- Public input MAY be taken but not required if comments are NOT re items on the agenda

Public Hearing

- Held during Public Meeting
- Must have 10-14 days' notice
- Comments re particular agenda item



What about....

Electronic Meetings

Allowed by Ordinance

Special Meetings

Allowed with Notice

Emergency Meetings

Allowed with Notice to the body

Closed Meeting

Allowed for appropriate reasons



City of St. George
Legal Dept.

CLOSED MEETINGS

Public Meeting may be CLOSED to discuss:

- Character & competence or health of an individual
- Collective Bargaining
- Litigation
- Real Property and water transactions
- Investigations of criminal conduct

Must have quorum present and a 2/3 majority vote to close.

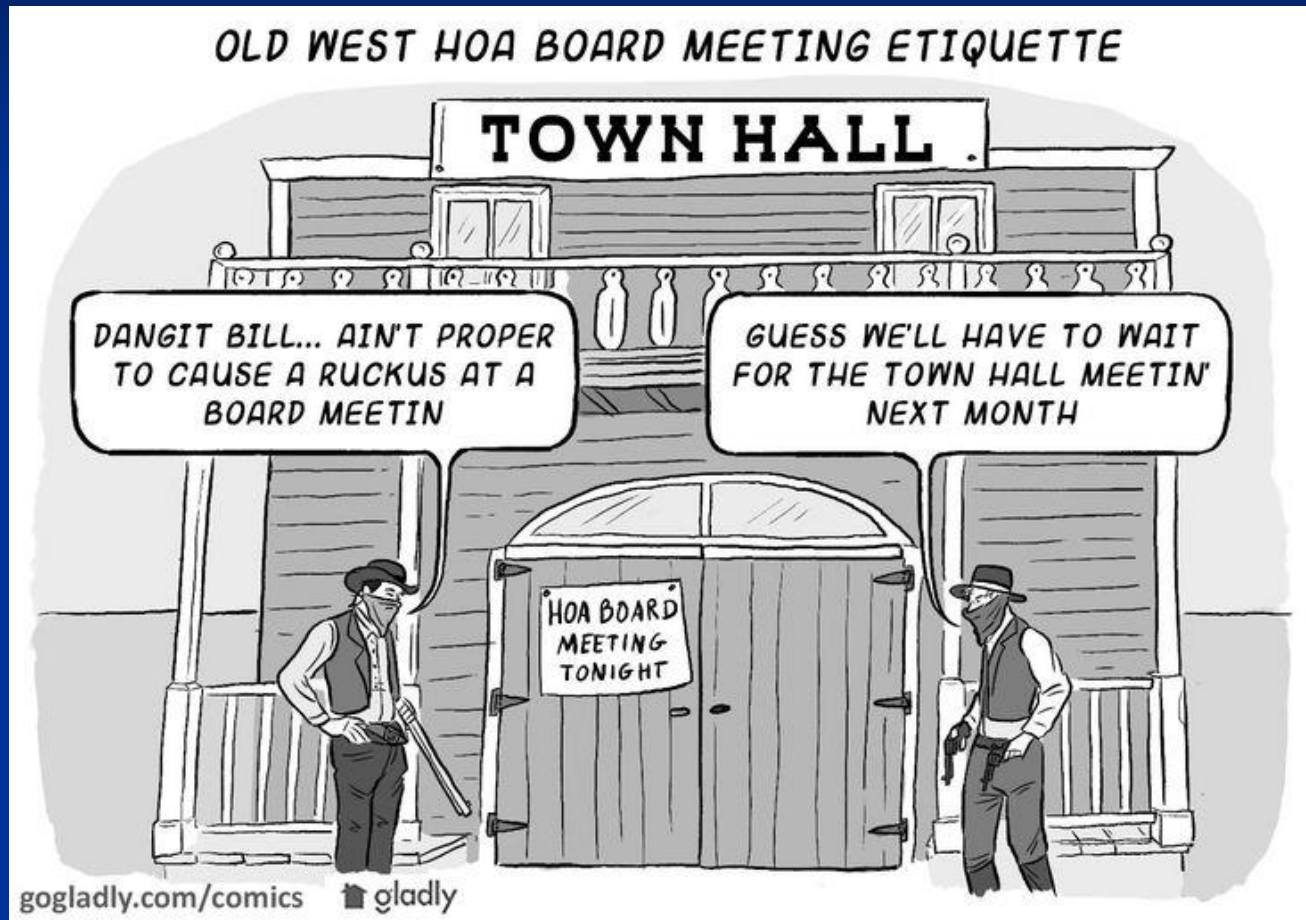
CLOSED MEETINGS (cont)

May not be used to:

- Interview applicant for elected positions or to fill vacant position;
- Approve any ordinance, resolution, rule, contract, or appointment; or
- Vote on any issue (other than to reopen)



Conduct & Decorum



Conduct & Decorum

Member of the body

May be expelled upon
2/3 majority vote

Member of the public

May be expelled upon
2/3 majority vote; OR
Police may arrest for
disorderly conduct.

MINUTES

CS232576



MINUTES

Must Include:

- Date, time, place, & members present & absent;
- The substance of all matters discussed;
- Names of citizens providing comment at public hearing AND the substance of their comments;
- Any matter the body wants to be entered into the record; and
- Record of all votes taken.
- Materials submitted at meeting

RECORDING

May be used for minutes;

Must be kept in full and unedited

Work meetings recorded

Closed meetings recorded UNLESS discussing character & competence of an individual.



CASE LAW

REMEMBER!

It is the intent of the Legislature that the state, its agencies, and its political subdivisions:

- (a) take their actions openly; and
- (b) conduct their deliberations openly.



Wallingford v. Moab City,

2020 UT App 12

“...municipalities may not contract around public hearing requirements found in statute or ordinance.”

“The grants of power to municipalities make clear that cities may not take action that is “repugnant to law,” id. § 10-8-84(1), or that is “expressly prohibited by law,” id. § 10-9a-102(2).”



Wallingford v. Moab (cont)

One type of requirement that appears in statutes and ordinances, as applicable in certain contexts, is **the requirement that municipalities conduct some of their business in public**, so that the citizens of the municipality may know how the public's business is being conducted. See, e.g., Hutchinson, 624 P.2d at 1121 (stating that “[t]he ultimate limitation upon potential abuses by local governments is the people themselves,” whose “vigilance and sound judgment” restricts and directs “all democratic governments”).



Walker v. Tooele County

(Ruling & Order) 3rd District Court, Case No. 18301487

“The Court concludes that, as a matter of law, the Tooele County Commission’s approval and execution of the Southside Agreement was illegal contract zoning.”

“Tooele County (including members of the [County] Commission) and Southside engaged in **private discussions** that produced the Southside Agreement.” – they had been doing so for 2 years.

“due process demands a new trial when the appearance of unfairness is so plain that we are left with the abiding impression that a reasonable person would find the hearing unfair.”



Summit County v. Hideout

(Order on Amended Motion to Show Cause)

4th District Court, Case no. 200500072

“...Summit County demonstrated a likelihood of success on the merits that **Hideout violated the Open and Public Meetings Act** (“OPMA”), Utah Code Ann. §§ 52-4-101, et seq., by conducting its deliberations about the July Pre-Annexation Agreement, modifications of the July Pre-Annexation Agreement, and the decision to adopt the July Pre-Annexation Agreement outside of the public meeting where the July Pre-Annexation Agreement was adopted.”



Summit County v. Hideout (cont)

“The type of harm that the provisions of that act are intended to guard against are the passage of resolutions or other decisions made by a municipal body without notice to those affected by those decisions. See Utah Code Ann. § 52-4-102 (“It is the intent of the Legislature that the state, its agencies, and its political subdivisions (a) take their actions openly; and (b) conduct their deliberations openly.”)”



GRAMA

63G-2-102. Legislative intent.

- (1) In enacting this act, the Legislature recognizes two constitutional rights:
 - (a) the public's right of access to information concerning the conduct of the public's business; and
 - (b) the right of privacy in relation to personal data gathered by governmental entities.



GRAMA

(2) The Legislature also recognizes a public policy interest in allowing a government to restrict access to certain records, as specified in this chapter, for the public good.



GRAMA

What do I need to provide if requested?

Emails: USE CITY EMAIL ADDRESS FOR ALL CITY BUSINESS

Phone logs: Cell phone logs should be retained for 3 months

Text Messages: All text messages should be retained for 3 months if related to City business.

GRAMA

(Whispers, Calls & Texts)

During the Meeting

Avoid the whispers – open deliberation required

No texting!

No emails!

Outside of the Meeting

No Ex parte communications

No deliberations by calls or texts

Questions should be directed to staff



ALL THOSE IN FAVOR
OF WHAT WE DISCUSSED
IN OUR E-MAIL THREAD
AND AT LARRY'S SON'S
BIRTHDAY PARTY SAY 'AYE'

LANDREN THE LANDMARK
3-16

'Aye'

'Aye'

'Aye'

I

... HAVE
NO IDEA
WHAT'S
GOING ON

WINK
NUDGE

I THOUGHT
THIS MEETING
WAS OPEN?



ETHICS

Municipal Officers' & Employees Act

- | | |
|--|---------------------|
| • Use of office for personal benefit | Prohibited |
| • Compensation for transaction with City | Disclosure required |
| • Interest in business entity | Disclosure required |
| • Investment creating conflict | Disclosure required |

ETHICS

Utah Public Officers' & Employees Act

- Improperly disclosing information Prohibited
- Accepting Gifts Disclosure required + prohibited
- Offering donation for approval Prohibited
- Conflict of Interest Disclosure required



CONFLICT OF INTEREST

Personal investments or pecuniary interest that create conflict between personal interests and public duties

Allowed with proper disclosure

Disclosure of Private or protected information

Prohibited



QUESTIONS?



City of St. George
Legal Dept.

NOTICE OF MEETING
HISTORIC PRESERVATION COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Historic Preservation Commission of the City of St. George, Washington County, Utah, will hold a regular meeting at the City Hall Conference Room, 175 East 200 North, St. George, Utah on Wednesday, **February 15, 2023**, commencing at **12:00 p.m.**

The agenda for the meeting is as follows:

- PRESENT:** Bob Nicholson, Member
Scott Messel, Member
Allan Carter, Member
Bette Arial, Chair
Rick Atkin, Member
- EXCUSED:** none
- CITY STAFF:** Carol Davidson, Planner III
Jami Bracken, Assistant City Attorney
Brenda Hatch, Development Services Office Manager

Chair Arial called the meeting to order at 12:04 pm.

1. RECONNAISSANCE LEVEL SURVEY REPORT

A presentation of the Reconnaissance Level Survey findings from survey conducted in 2022 by Kirk Huffaker of Kirk Huffaker Preservation Strategies.

Kirk Huffaker presented the following:

Kirk Huffaker – We had agreed to survey about 800 properties, we actually surveyed 872. It formed a nice boundary. I think we have achieved that goal.

Kirk presented from a Power Point which will be included in the minutes.

Methodology

Time line

Survey Boundary Map

Evaluation Status

Construction Dates

Building Height

Architectural Style

Construction Materials

Recommendations –

1. Intensive level surveys
2. National Register of Historic Places Nominations – You can nominate a core district but then go back and amend it.
 - a. St. George Historic District

- b. Adobe Buildings of St. George (Multiple property submission)
 - c. Individual Buildings (If not ready for historic district, saves money and time to do historic district.)
- 3. Public Education
 - a. Promotion of the city's guide books
 - b. Plaques for new landmarks
 - c. Walking Tours for general public and school age children
 - d. Recognition through awards
 - e. Make survey data available on the city's website
 - f. Make HPC activities available through the city's website
- 4. Policies & Incentives
 - a. Update ordinance regularly
 - b. Consider if the advisory role is still appropriate for HPC or if the city should implement a COA process
 - c. Move to a standard 50-year rule
 - d. Consider establishing a short-term rental boundary. Maybe it follows the NRHP boundary
 - e. Strongly dissuade illegal demolition or alteration through penalties
 - f. Advise the city on publicly owned buildings
 - g. Consider how the mix of local and national standards best serve the city and work for the HPC
 - h. Design review tools needed, even for an advisory role.
 - i. Keep the 120-day demolition delay
 - j. Take care of the adobe buildings in designation and policy
 - k. Promote use of historic tax credits, at least annually
 - l. Update the survey every 10 years

Rick Atkin – Are we going to talk about the next steps? I would like to see more regular meetings that are more strategic.

Chair Arial – I have spoken to the Mayor and we need to make sure that they are on board with what we want to do.

Kirk Huffinger – The CLG grants come up again in January so you would want to flesh out what that looks like before then.

Bob Nicholson – The 50-year mark is a national standard. It seems that changing that from 50 to 100 was not helpful, they could have just changed the uses.

Carol Davidson – When that vote went through it was not unanimous, and there was discussion that we need to bring the 50 years back.

Discussion continued on what the next steps might be and whether to meet more regularly.

MOTION: Bob Nicholson – motioned that the Historic Preservation Commission would meet on odd months on a Wednesday from noon to 2:00 pm.

SECOND: Rick Atkin

AYES: (5)

Bob Nicholson, Member

Scott Messel, Member

Allan Carter, Member

Bette Arial, Chair

Rick Atkin, Member

NAYS: (0)

Motion Carries

2. Minutes

No motion was made on the minutes, they will be carried to the next agenda.

ADJOURN

MOTION: Scott Messel made a motion to adjourn at 1:25 pm.

SECOND: Alan Carter

AYES: (5)

Bob Nicholson, Member

Scott Messel, Member

Allan Carter, Member

Bette Arial, Chair

Rick Atkin, Member

NAYS: (0)

Motion Carries