



**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD MEETING
MARSAC MUNICIPAL BUILDING
COUNCIL CHAMBERS
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH
MINUTES OF OCTOBER 4, 2023**

BOARD MEMBERS IN ATTENDANCE: Douglas Stephens, Lola Beatlebrox (via Zoom), Puggy Holmgren, John Hutchings, Alan Long, Jack Hodgkins

PLANNING COMMISSION MEMBERS IN ATTENDANCE: Sarah Hall-Chair, John Frontero, Bill Johnson, Henry Sigg, Rick Shand, Christin Van Dine

EX OFFICIO MEMBERS: Rebecca Ward, Assistant Planning Director; Caitlyn Tubbs, Senior Historic Preservation Planner; Planning Technician, Jaron Ehlers; Mark Harrington, City Attorney

1. ROLL CALL

In the absence of Chair Randy Scott, Board Member Douglas Stephens asked that a Chair Pro Tempore be selected to run the meeting.

MOTION: Board Member Holmgren moved to APPOINT Board Member Stephens as Chair Pro Tempore. Board Member Hutchings seconded the motion.

VOTE: The motion passed with the unanimous consent of the Board.

Chair Pro Tem Stephens assumed the Chair and called the meeting to order at 5:00 p.m. He noted that this was a Joint Work Session with the Planning Commission. A roll call was conducted.

2. MINUTES APPROVAL

A. Consideration to Approve the Historic Preservation Board Meeting Minutes from September 6, 2023.

It was reported that neither Chair Pro Tem Stephens nor Board Member John Hutchings were present at the September 6, 2023, Historic Preservation Board Meeting. As a result, both would abstain from the vote to approve the Meeting Minutes.

MOTION: Board Member Holmgren moved to APPROVE the Meeting Minutes from the September 6, 2023, meeting. Board Member Hodgkins seconded the motion.

VOTE: The motion passed with the unanimous consent of the Board, with Board Member Stephens and Board Member Hutchings abstaining from the vote.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Assistant Planning Director, Rebecca Ward, reported that online streaming for the Historic Preservation Board Meeting was not working but the Zoom link was. The Zoom recording will be uploaded after the meeting concludes. Planning Technician, Jaron Ehlers, reiterated that livestreaming through CivicPlus was not working but Zoom was. It was possible for those interested to access the meeting via the Zoom link on the Listen Live page found on the Park City website. There were no additional communications.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. PLANNING COMMISSION AND HISTORIC PRESERVATION BOARD JOINT WORK SESSION

- A. Temporary Winter Balcony Enclosure Pilot Program – The Historic Preservation Board and Planning Commission will hold a Joint Work Session to Review the Temporary Winter Balcony Enclosure Pilot Program that Allows for Non-Historic Balconies in the Historic Commercial Business District to be Enclosed from November 15 through April 30 and Make a Recommendation to the City Council on Prospective Changes to the Program. GI-22-00487.**

Senior Historic Preservation Planner, Caitlyn Tubbs, reported that the Joint Work Session between the Historic Preservation Board and the Planning Commission pertained to the Temporary Winter Balcony Enclosure Pilot Program. The program was enacted by the City Council in 2016. The balcony enclosures were permitted on non-historic structures within the Historic Commercial Business (“HCB”) Zone between November 15 and April 30 each year. The balconies need to be existing. Each year interested property owners need to obtain an Encroachment Agreement from the Council. The program language was shared as enacted in the Land Management Code.

Planner Tubbs reiterated that the Temporary Winter Balcony Enclosure Pilot Program is only permitted in the HCB Zone. She shared an aerial image and explained that the blue sections shown were the HCB Zone. Out of all of the properties in that zone, there were four that complied with the requirements and would qualify for a temporary winter balcony enclosure. So far, one property has utilized the pilot program provisions.

Planner Tubbs reported that the pilot program was originally launched in 2016. It began as a three-year program and was extended a few times. It was set to expire on April 30, 2024. Staff brought the item before the Historic Preservation Board and Planning

Commission multiple times to gather feedback and determine if there was a desire to continue, expand, or alter the program in some manner.

In June 2023, when Staff held a Work Session with the Historic Preservation Board, the Board requested that a Joint Work Session be held between the Historic Preservation Board and the Planning Commission. That was the reason for the current Work Session.

The only property that had utilized the provisions of the Temporary Winter Balcony Enclosure Pilot Program was 540 Main Street. Planner Tubbs shared sample images to show the property with the balcony enclosure and without the balcony enclosure. Images of a temporary tent were shared, which had previously been utilized on the same property during the winter dining season. There had been some questions from the Board and Commission about whether those tents were still permitted. Planner Tubbs confirmed that tents were permitted with annual permits. There had been discussions about the aesthetics of temporary tents versus temporary balcony enclosures.

Since the inception of the program in 2016, Staff have shared concerns about enclosing balconies along Main Street. It was the professional opinion of Staff that balcony enclosures detract from the overall western appearance of Main Street and impact the historic character of the Main Street Historic District. Additionally, the balcony enclosures result in changes to the overall shapes, roof designs, projections, recesses, and solid-to-void ratios. The visual character of the original building was changed with the enclosure. Planner Tubbs also noted that the street wall was broken as a result of enclosures. There was a larger amount of solid space in the public right-of-way, which altered the pedestrian experience. Lastly, she explained that Staff was concerned that attachment or construction methods could cause damage to historic materials.

During prior Work Sessions, the feedback Staff received from the Historic Preservation Board indicated that the Board was generally supportive of continuing the program temporarily. The Historic Preservation Board was also supportive of incorporating a design review that utilized the currently adopted design regulations. However, multiple Board Members had expressed concerns in the past that the current enclosure was too contemporary for the setting. There were additional concerns expressed about temporary tents and the overall impact of those temporary structures on the Main Street Historic District. There was no support for permanent or year-round enclosures.

During prior Work Sessions, the feedback Staff received from the Planning Commission indicated that there was split support for the program. The majority of Commissioners wanted to discontinue the pilot program while those in support wanted there to be stronger guidelines and stronger enforcement measures. At the Planning Commission level, there was no desire to expand the program to allow for permanent enclosures. Additionally, the Planning Commission pointed out that the program had only been utilized by one property, which meant there was not a lot of public interest in the program. The Commission had concerns about the design standards for tents, yurts, and alp englobes, and was interested in revisiting those requirements should the program move forward.

Planner Tubbs presented a list of questions to the Historic Preservation Board and Planning Commission. The intention was to have a joint discussion and receive feedback. Staff asked for a formal recommendation about the pilot program so that could be shared with the City Council, as previously requested. The first question was as follows:

- Does the Historic Preservation Board or Planning Commission want to allow permanent enclosures of non-historic balconies in the Main Street District?

Neither the Historic Preservation Board Members nor the Planning Commissioners present were supportive of permanent enclosures. A question was raised about what would happen if there was a fire inside a building and whether those sitting on the balcony would be able to exit safely. Planner Tubbs explained that when one of the balcony enclosures was approved through the Encroachment Agreement with the City Council, there was a Building Permit required. As part of that, there was a fire review and inspection.

There was discussion about the other three properties that could participate in the Temporary Winter Balcony Enclosure Pilot Program if desired. Planner Tubbs reported that the other three properties that were eligible for a balcony enclosure included 352 Main Street, 501 Main Street, and 577 Main Street. The City had not heard from any of the other potential applicants and only 540 Main Street currently participates in the program. She noted that the City had heard from Historic Park City Alliance and the owner of 540 Main Street. Both were in support of continuing the program and continuing the use of the balcony enclosure at Riverhorse on Main, located at 540 Main Street.

Board Member Beatlebrox believed the square footage of the balconies needed to be considered. Planner Tubbs did not have the exact square footage available but offered to obtain that information and report back. Commissioner Frontero wondered why that was significant. Board Member Beatlebrox explained that during the last discussion on the matter, it was noted that the significant square footage made it advantageous for the property owner to have balcony seating available.

Commissioner Sigg assumed that a balcony was differentiated from a rooftop. Planner Tubbs confirmed this. She noted that the provisions apply to second-floor balconies but not to rooftop dining areas or ground-level dining areas. Commissioner Shand believed the enclosure extended into the City right-of-way. A rooftop would be within the envelope of the building. Planner Tubbs explained that typically the rooftops are within the building envelope but there are rare instances where buildings are constructed over property lines and portions extend into the public right-of-way. Any encroachment into the right-of-way requires an Encroachment Agreement.

The next two questions for Board Members and Commissioners were read aloud:

- Would the Planning Commission and Historic Preservation Board recommend that the pilot program continue in its current capacity and be reviewed at a later date?
- Would the Planning Commission and Historic Preservation Board recommend that the temporary enclosure continue as a permanent, not pilot, program?

Planning Commission Chair, Sarah Hall, noted that the Planning Commission has already made a recommendation on the matter. A question was raised about connections made to historic materials. Planner Tubbs noted that the owner of Riverhorse on Main was present at the Joint Work Session. It would be possible to ask about the connections. The Commissioners asked about the seasonality of the Temporary Winter Balcony Enclosure Pilot Program. Planner Tubbs reported that there is a seasonal component to the approval. After the most recent Encroachment Agreement of 2019, the COVID-19 pandemic hit. There was different guidance given on enforcement measures at that time. Now that the pandemic was more controlled, the provisions were being looked at.

Chair Pro Tem Stephens asked what the Planning Commission's recommendation was. Planner Tubbs reported that there was split support for the program. She believed the vote was 4-to-3. The majority of the Commissioners favored the discontinuation of the program. Those who were still in support desired stronger design guidelines and enforcement measures. Chair Pro Tem Stephens wanted to see the program either become a permanent program or end. He did not necessarily believe it made sense to have a long-term temporary program. If it were to become a permanent program, he believed there should be stronger rules and regulations determined.

Board Member Holmgren has been in favor of the Temporary Winter Balcony Enclosure Pilot Program since the beginning. She preferred the balcony enclosure to a tent. She did not believe the continuation of the program would take away from Main Street. She lives in Old Town and works on Main Street. As a result, she was very familiar with the area. Ultimately, Board Member Holmgren believed it would be best to have a permanent seasonal program in place rather than a temporary one.

There was agreement that the program should become permanent or end. The tent look was not ideal, and it would be better to implement some strict guidelines about what the balcony enclosures looked like. It was noted that the program could have stricter, more defined standards. Board Member Hodgkins agreed with many of the comments shared. He did not believe the balcony enclosure detracts from the historic buildings that 540 Main Street abuts.

Commissioner Van Dine agreed that a decision needs to be made about the future of the program. It did not make sense for a pilot program to continue indefinitely. Having more control over what the design regulations were made sense. She understood from a business perspective that there was a desire to accommodate more people during the winter months, but there needed to be a fine or something similar to ensure that the temporary balcony enclosures were taken down by the pre-determined date.

Commissioner Frontero believed the temporary balcony enclosure was not compliant because it is bolted to the brick buildings. In addition, it is not compliant because the enclosure was not taken down in time. It seemed to him that the one applicant who utilizes the program is doing so in a non-compliant manner. Also, the fact that only one restaurant decided to participate in the program was of concern. It is not popular and exists to accommodate one business on Main Street. For those reasons, he was not supportive of the program continuing.

Board Member Beatlebrox referenced some of the previous Historic Preservation Board discussions and noted that 540 Main Street has a larger balcony than most buildings. This makes it more advantageous for the property owner to participate in the program. When thinking about the temporary summer decks on Main Street, they are far more intrusive than the temporary balcony enclosure. There are several businesses that increased their footprints in the summer with temporary structures. As a result, it seemed fair to allow the temporary enclosure to be used. There was discussion about the temporary structures being seen during the summer months.

Commissioner Sigg did not believe this was something that needed to be revisited repeatedly. He felt there should be some sort of permanent policy in place. Design guidelines are important. He was opposed to adhering anything to adjacent buildings. Board Member Long was opposed to any commercial enterprise trying to create more business at the expense of the aesthetics of Park City, whether it was permanent or temporary. He did not believe this scenario was a fair trade-off for the City. The intention was to preserve the character and the feel of the Main Street Historic District.

Commissioner Johnson suggested the program be allowed to continue for another five years as long as the design guidelines are adhered to, and everything remains in compliance. After that, there could be additional discussions about whether the program should be permanent or ended. He noted that the anchoring was removed from the two historic structures, which was positive. There was a desire to see consistent compliance with the pilot program regulations.

Commissioner Shand noted that he is a new member of the Planning Commission and was not involved with the original discussion on the Temporary Winter Balcony Enclosure Pilot Program. It seemed that most people on the Historic Preservation Board and most on the Planning Commission are not in favor of permanent structures. Some were agreeable to extending the program to allow for temporary structures. There was currently only one business using the temporary structure, but the issue seemed to be that it was not a temporary structure as it was not taken down by April 30. Perhaps what should be discussed was the fact that the business had been allowed to have a temporary enclosure, but it had become a more permanent enclosure. He wanted to understand why the temporary balcony enclosure had not been taken down on time. Chair Pro Tem Stephens felt that was something for Code Enforcement to address.

Chair Pro Tem Stephens felt the Historic Preservation Board needed to look at the Temporary Winter Balcony Enclosure Pilot Program in terms of how it impacts preservation and the historic structures on Main Street. Issues of economics were better left to the City Council than the Board. He asked that when a recommendation is made the Board Members consider what the Board was intended to do. He believed it was important to think about design guidelines. In his view, the design guidelines should not be different for a temporary structure than for a year-round structure. If it is not possible to meet the guidelines, this might indicate that the program should end.

Planner Tubbs shared information about temporary tent structures. She reported that tents were allowed as temporary structures and could remain for six weeks with a permit. It is normally handled through an administrative permitting process. Staff received feedback from both the Historic Preservation Board and the Planning Commission involving concerns about the standards for tents and yurts. If both groups want to give direction to Staff to look into them further, that could be done. It was noted that the majority of the Commission previously asked to revisit temporary tent structures.

The next question posed to the Board and Commission was as follows:

- If the program becomes a permanent fixture, meaning there would be seasonal enclosures, but the program would be permanent within the City, what would the ideal design review process look like moving forward?

Chair Pro Tem Stephens believed it would make sense for there to be the typical Historic District Design Review (“HDDR”) process. Consistency was necessary. Planner Tubbs posed one final question to the Board and Commission, which was as follows:

- Have any sentiments changed upon hearing comments and feedback from other Board Members or Commissioners?

Planner Tubbs believed that based on the feedback received, the majority of the Historic Preservation Board and Planning Commission were comfortable moving forward with a formal recommendation to continue the program as a permanent fixture with the seasonality component included. Chair Pro Tem Stephens did not necessarily want to recommend that as he felt it might make sense to address that question at a City Council level. It seemed that no one wanted this to continue as a pilot program, but he was not certain whether that meant it should become permanent or end. There were a lot of different factors involved, which included the design review process.

Board Member Beatlebrox wondered if it would be helpful for the Board to review a set of guidelines at the next Historic Preservation Board Meeting. It might be better to react to something concrete. Planner Tubbs stated that it was something Staff could share if that was the direction the Historic Preservation Board preferred.

Planner Tubbs reported that a Work Session was held with the City Council in December 2022. The Council asked that the Historic Preservation Board and the Planning Commission forward a recommendation about whether the City should continue to allow the temporary enclosed balconies. However, if there was additional information that was needed to continue the discussions, that could be obtained. Board Member Beatlebrox noted that the recommendation to the City Council could state that guidelines were being explored for a seasonal program. Chair Pro Tem Stephens was not sure why the design guidelines would differ from the HDDR process.

Assistant Director Ward explained that when the City Council initiated the pilot program, the Code was amended. The process for the temporary winter balcony enclosure already exists within the Code and includes the permitted dates for the temporary enclosure. The Design Guidelines were addressed separately through the Encroachment Agreement. She wondered if there was a desire to reference the HDDR process and expand the language to include other temporary structures. Chair Pro Tem Stephens thought it made sense. Currently, the guidelines only come into play because of the encroachment onto City property. He felt those should apply to all properties.

Planning Commission Chair Hall noted that the Planning Commission had not forwarded a recommendation to continue the pilot program. Her understanding was that the Historic Preservation Board wanted to forward a recommendation to continue the program in some manner. Planner Tubbs explained that the City Council wanted a recommendation from both the Historic Preservation Board and Planning Commission as to whether the City should continue to allow the enclosed balconies temporarily. Right now, that Code has been enacted. If the recommendation was that the City should not allow the enclosures, that direction was needed to amend the Code. If the recommendation was that the use should be allowed to continue with some additional design standards, the code would need to be amended to include those design standards.

Planning Commission Chair Hall wondered if the purpose of the Joint Work Session was to reach a consensus about the recommendation. City Attorney, Mark Harrington, explained that the City Council wanted more formality in the recommendation. There was a desire to have clarity about the desires of the Board and the Commission as well as for a formal vote on the Temporary Winter Balcony Enclosure Pilot Program. The Historic Preservation Board asked for an opportunity to speak to the Planning Commission to better understand their perspective. He believed that had been done. Attempting to address all temporary structures could complicate matters as it seemed there was a broad level of consensus about the pilot program. He cautioned those present from aligning the recommendation with any desire to tighten the design guidelines for temporary structures in general. Specificity would be preferable.

Attorney Harrington suggested that the Board and Commission decide whether there was a desire for the Temporary Winter Balcony Enclosure Pilot Program to continue. If so, he asked them to consider whether there was a desire for the balcony enclosure to be more aligned with the design guidelines. It was important to answer the main questions rather

than consider additional items, such as temporary structures within the City. The Planning Commission needed to determine whether the majority was still against the program or whether the majority was now more aligned with the position of the Board. If there was a certain degree of consensus, it would be possible to vote during the meeting.

Planning Commission Chair Hall believed this was a policy decision. It would be possible for the Board and Commission to review the background information, but it would ultimately be up to the City Council to make the final policy decision. Since no new information had been shared since the last meeting, she was not sure that another vote on the matter was needed from the Planning Commission. She reminded those present that the Planning Commission had already made a recommendation on the program. It was ultimately a negative vote, but a close vote, and she felt that vote should stand.

Discussions were had about whether an additional vote should take place. Chair Pro Tem Stephens pointed out that this was a Joint Work Session and normally there were no votes conducted during a Work Session. Attorney Harrington explained that the vote would involve direction to Staff. There were questions about where everyone stood on the issue. Planning Commission Chair Hall asked if there was a desire to stop the pilot program, continue the pilot program, or allow for a permanent seasonal program. Assistant Director Ward clarified that currently, the pilot program was in the Code. If the recommendation was to end the pilot program, and Land Management Code would need to be amended. The question was whether to leave the Land Management Code as it was or amend the language accordingly. Additional discussions were had about a vote.

Board Member Holmgren wondered if it was an issue to refer to the program as a pilot program. She believed that was bothering a lot of people. Assistant Director Ward stated that the City Council had continued the pilot program through April 30, 2024. If there was a desire to leave the code as it was but place another deadline on the program, that was something that could be added to the language. For example, in five years, there could be a reevaluation of the program. If the recommendation was to end the pilot program and continue to allow the use seasonally, the Code could remain as is.

Attorney Harrington explained that feedback was needed from the Historic Preservation Board and the Planning Commission. Chair Pro Tem Stephens believed the City Council wanted guidance with regard to the Land Management Code as well as the Encroachment Agreement. Attorney Harrington noted that if there was a clear consensus to make the program permanent, there could be a longer-term Encroachment Agreement. With the pilot program, the owner needed to come back and ask for permission annually.

Board Member Hodgkins asked if more properties could qualify for the temporary balcony enclosures. Attorney Harrington noted that four properties currently could take advantage of the program, but only one did at the moment. Only the four properties could participate unless the terms were modified. Those present further discussed whether a motion was necessary and how to approach the motion. Attorney Harrington suggested that the

motion language focus on the potential continuation of the program, subject to seasonality and approved design guidelines.

MOTION: Board Member Hodgkins moved to CONTINUE the Temporary Winter Balcony Enclosure Pilot Program, with no recommended changes to the Land Management Code, requesting that Staff return with revised permanent temporary historic district guidelines for seasonal structures. Board Member Holmgren seconded the motion.

VOTE: Board Member Holmgren-Aye; Board Member Beatlebrox-Aye; Board Member Hutchings-Aye; Board Member Long-Nay; Board Member Hodgkins-Aye; Board Member Stephens-Aye. The motion passed by 5-to-1.

Planning Commission Chair Hall was not typically in favor of rehashing the same conversation without new information. She asked that Staff summarize the question being asked of the Planning Commission so a vote could be taken on the matter. There was discussion on whether there was a desire to continue the program. If the majority wanted there to be a sunset clause or revisitation in the next five years, that could be included in the motion language and the recommendation to the City Council. Planning Commission Chair Hall asked if the Commissioners wanted to see the seasonal balcony enclosure continue. If so, she wanted to know whether there was a desire for that to be a pilot program or permanent within the Land Management Code. Commissioner Frontero had not heard any new information. As a result, he still believed it was appropriate to end the pilot program and amend the Land Management Code. Commissioner Van Dine agreed with the comments shared by Commissioner Frontero.

Commissioner Sigg did not believe it should continue as a pilot program but felt it should be permanent with guidelines. To him, a pilot program was something experimental in nature. To continue it as a pilot program did not make sense to him. Planning Commission Chair Hall asked if he wanted to see the seasonal enclosures continue. Commissioner Sigg thought that the Historic Preservation Board was the appropriate body to evaluate that. His concern related to encroachment into the City right-of-way. He asked for a minute or two to further consider his position.

Commissioner Shand believed the Land Management Code should remain as it was. He was not opposed to a revisitation in five years so it could be reevaluated. There was not a desire to see a tent on any of the balconies. Commissioner Shand pointed out that there are only four buildings where a seasonal balcony enclosure is possible. He looked at the other buildings besides Riverhorse on Main and thought it was acceptable for those buildings to have approved seasonal enclosures. In general, he was in favor of leaving the Land Management Code and was not opposed to a revisitation timeline.

Commission Johnson wanted to stick to his original position and discontinue the program. After listening to some of the comments shared, he believed there was some flexibility. He thought it would be possible to continue the program for another five years. However, making the program permanent was not something he supported. Having some sort of

revisitation was warranted in this instance. He reiterated that he was willing to be slightly more flexible given all of the comments that had been shared by others. Commissioner Frontero asked Attorney Harrington about how to best proceed. He questioned whether a sunset clause could be added. Attorney Harrington stated that it could be built into the Encroachment Agreement, or an amendment could be codified. It could be requested that the City Council extend the program for a longer period of time.

Attorney Harrington reported that there was a Code allowance. The only annual aspect of the process was the Encroachment Agreement. Commissioner Sigg was in favor of extending the program for a longer period of time and revisiting it at a later date. Planning Commission Chair Hall noted that the current Land Management Code allows for seasonal enclosures. It seemed that Commissioner Sigg agreed with the condition that Commissioner Johnson suggested previously, which was to continue the program for another five years based on an Encroachment Agreement.

Planning Commission Chair Hall believed there were three Commissioners in favor of continuing the seasonal enclosures with a proposal to add a five-year revisitation of the program. There seemed to be two Commissioners in favor of discontinuing the program.

MOTION: Commissioner Sigg moved to continue the Temporary Winter Balcony Enclosure Pilot Program, with a proposal that there be a five-year revisitation of the program. Commissioner Shand seconded the motion.

VOTE: Commissioner Johnson-Aye; Commissioner Shand-Aye; Commissioner Sigg-Aye; Commissioner Frontero-Nay; Commission Van Dine-Nay. The motion passed 3-to-2.

6. REGULAR AGENDA

A. 71 Daly Avenue Material Deconstruction – The Applicant Seeks Material Deconstruction Approval to Remove Approximately 375 Square Feet of Siding Material to Facilitate Construction of a Rear Addition. PL-22-05309.

Planner Tubbs presented the Staff Report and stated that the application was for Material Deconstruction at 71 Daly Avenue. The property was recognized as a Significant Historic Structure on the Historic Sites Inventory. It was constructed in the 1900s and is located within the HR-1 Zoning District. She shared a photo of the subject structure. In 2006, the structure was originally as far to the east on the rear of the lot as possible and was a few feet from the foot of the slope. In 2006, the property owner received approval to construct a new foundation in front of the structure in order to relocate it mid-way on the lot. She shared an additional aerial photo to indicate the new location.

The applicant requested Material Deconstruction of a portion of the siding. Planner Tubbs received clarification from the applicant that the 300 square feet of siding on the rear of

the structure would remain. She shared an image with the Board and explained that the area outlined in red would remain in place and be on the interior of the proposed addition. It would be painted, refinished, and utilized as an interior accent wall. The proposal was for the Material Deconstruction of approximately 20 square feet of siding in the rear to facilitate the installation of a new doorway to access the addition. The siding in the area was generally in good condition. There was some peeling paint, but the wood itself had not splintered or rotted in any way.

Additionally, the homeowner was looking to replace the doors and windows on the property. None of the existing windows or doors were original or historic to the structure, but all of the openings outlined in the presentation materials were. Staff recommended that the Historic Preservation Board review the proposal, conduct a public hearing, and consider approving the requested Material Deconstruction for 71 Daly Avenue.

Board Member Hutchings asked if the footprint of the current foundation would remain the same for the addition. Planner Tubbs reported that the applicant proposed to utilize the existing foundation for the addition. While the same foundation was proposed to be used, the interior floor plan of the proposed addition had changed from what was originally contemplated. Board Member Hodgkins believed that during previous discussions, the Board was told that the addition would not be visible from the street. He questioned whether that was still accurate. Planner Tubbs stated that the addition would be visible from the street since there would be a portion that extended above the ridgeline of the historic house. She referenced the proposed third-story pop-up section.

Board Member Hodgkins asked about the windows and doors that were proposed to be replaced. He understood that those were not historic but wanted to know how old they were. Planner Tubbs reported that those were from the 1970s and 1980s. She looked at those and it did not appear that the windows and doors had historic integrity. That being said, the openings themselves within the walls were original in location and size. As a result, those would be required to be maintained as the work moved forward.

Chair Pro Tem Stephens opened the public hearing.

Richard Eyre reported that he has a landmark home next to the subject property. The original plans required there to be no visibility from the street, and he was concerned that it was proposed to change. It was important to pay attention to the details of the windows. He was curious about how to participate in the process as he wanted to encourage the City to protect the building as much as possible. Chair Pro Tem Stephens believed that would involve working with Planning Staff during the HDDR process. Planner Tubbs could share details about that process following the Board Meeting. Mr. Eyre noted that none of the neighbors in the immediate area received a notice about the proposed changes. Notice was only given when the sign went up on the property. Chair Pro Tem Stephens suggested reaching out to the Planning Department about that.

There were no further public comments. The public hearing was closed.

MOTION: Board Member Hutchings moved to APPROVE the Material Deconstruction for portions of 71 Daly Avenue, which was 20 square feet, as well as the removal of the non-historic windows and doors, consistent with the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 71 Daly Avenue is a Significant Historic Structure on Park City's Historic Sites Inventory.
2. The home was originally constructed c. 1900 and is a T/L Cottage form.
3. In 1984, 71 Daly Avenue was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District.
4. On May 16, 2023, the Applicant submitted a full Historic District Design Review application for the proposed addition.
5. The Applicant proposes the Material Deconstruction of approximately 20 square feet of wall framing to facilitate the construction of a rear addition to expand the living area of the home.
6. Additions to Historic Structures shall be considered only on non-character-defining facades, usually tertiary facades.
7. The Historic Preservation Board approved the Material Deconstruction to accommodate an addition to the rear of the Significant Historic Structure, subject to the Conditions of Approval below.
8. The Findings for "Complies" from the Analysis of Proposal sections of the Staff Report dated October 4, 2023, are incorporated herein by reference.

Conclusions of Law

1. The proposed addition is located on the tertiary façade of the Historic Structure (LMC §15-13-2(B)(4)(a)(2)).
2. The proposal to construct an addition complies with the requirements set forth in the Historic Residential (HR-1) District (LMC Chapter 15-2.2).
3. The proposal to construct an addition complies with the Design Guidelines for Historic Residential Sites (LMC §15-13-2(B)(4)).

Conditions of Approval

1. The Applicant is responsible for notifying the Planning Department and Building Department prior to proposing any changes to this approval.
2. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for Planning review and approval/denial in accordance with the applicable standards prior to construction.
3. The Applicant must obtain Historic District Design Review approval prior to the issuance of a Building Permit.
4. An encroachment or access agreement is required for work conducted five feet or less from a lot line or having the potential to encroach on another property.
5. The Applicant is responsible for notifying the Planning and Building Departments if changes are made.
6. The site shall be re-graded so that all water drains away from the Structure and does not enter the foundation.
7. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state.
8. Deteriorated or damaged historic features and elements shall be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element shall match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic material safe no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.
9. Should the Applicant uncover historic window and/or 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 opening should be restored. Any physical evidence of lost historic window and/or door openings shall be documented, regardless of plans for restoration.
10. The Applicant shall provide the City with a Financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan prior to the issuance of a Building Permit.

11. The addition shall be undertaken in such a manner that if removed in the future the essential form and integrity of the Landmark Historic Structure could be restored.
12. In-line additions shall be avoided.
13. The Applicant shall provide fire suppression for the Historic Structure and new addition as required by adopted Building and Fire Codes.

The motion was seconded by Board Member Holmgren.

VOTE: The motion passed with the unanimous consent of the Board.

7. WORK SESSION

A. 2024 Preservation Awards – The Historic Preservation Board will Review Proposed Nominations for the 2024 Preservation Awards.

Planner Tubbs shared information about the annual Historic Preservation Awards. The 2024 nominees came from Planning Staff. She reported that members of Staff were asked about projects they have worked on in the Historic District. Staff nominated properties that excel in the field of historic preservation, sustainable preservation, and well-designed infill construction. There were four nominees. Planner Tubbs stated that the matter would return to the Historic Preservation Board at a future meeting.

Next steps were shared with Board Members, which included the Historic Preservation Board selecting the award winner on November 1, 2023. After that meeting, a Request for Proposals (“RFP”) would be issued for artists to commission an art piece of the winning structure. Between December 2023 and January 2024, there would be an Artist Selection Committee that would interview prospective artists and select an artist to create that piece. In May 2024, there would be an award ceremony with the City Council in honor of National Preservation Month. Planner Tubbs reviewed the four nominees:

- Alliance Caretaker’s Cabin:
 - Nominated as an example of sustainable preservation. The cabin had been sitting directly on the ground and was beginning to sag. Materials were starting to rot due to all of the water. Friends of Ski Mountain Mining History in conjunction with the property owner coordinated efforts to shore off the walls and construct new pillar footings underneath so it did not sink further into the ground. The amount of historic material damaged was minimized.
- 909 Woodside Avenue:
 - There was an addition done to the rear of the structure and Staff determined that this was an excellent example of infill construction. From Woodside Avenue, for a significant portion of the width of the lot, it was not possible to

see that addition. Staff thought that had been well executed and well constructed. The historic structure still remained on full display.

- Daly West Headframe:
 - This was a nominee last year, however, Staff still considered this to be an excellent example of well-executed rehabilitation. Although the structure itself had been relocated from the original site, it was still on the same property and still maintained its historic context.
- 901 Woodside Avenue:
 - The property was still under construction, but the methods of construction were gentle towards the historic materials and the structure was on display.

8. ADJOURN

MOTION: Board Member Hutchings moved to ADJOURN the Historic Preservation Board Meeting. Board Member Hodgkins seconded the motion.

VOTE: The motion passed with the unanimous consent of the Board.

The Historic Preservation Board Meeting adjourned at approximately 6:51 p.m.