



**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD MEETING
MARSAC MUNICIPAL BUILDING
COUNCIL CHAMBERS
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH
MINUTES OF SEPTEMBER 6, 2023**

BOARD MEMBERS IN ATTENDANCE: Randy Scott - Chair, Lola Beatlebrox, Puggy Holmgren, Jack Hodgkins (attended virtually), Alan Long (attended virtually)

EX OFFICIO MEMBERS: Rebecca Ward, Assistant Planning Director; Caitlyn Tubbs, Senior Historic Preservation Planner; Dave Thacker, Chief Building Official; Mark Harrington, City Attorney

1. ROLL CALL

Chair Randy Scott called the meeting to order at 5:00 p.m. A roll call was conducted.

2. MINUTES APPROVAL

A. Consideration to Approve the Historic Preservation Board Meeting Minutes from July 5, 2023.

MOTION: Board Member Beatlebrox moved to APPROVE the Historic Preservation Board Meeting Minutes from July 5, 2023. Board Member Long seconded the motion.

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

B. Consideration to Approve the Historic Preservation Board Meeting Minutes from August 2, 2023.

MOTION: Board Member Holmgren moved to APPROVE the Historic Preservation Board Meeting Minutes from August 2, 2023. Board Member Beatlebrox seconded the motion.

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

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Assistant Planning Director, Rebecca Ward, reported that a Joint Session was to be held with the Historic Preservation Board and Planning Commission on October 4, 2023. The Joint Session would include a discussion about the temporary winter balcony enclosure.

Senior Historic Preservation Planner, Caitlyn Tubbs, reported that on July 25, 2023, the Planning Department issued an Emergency Work Waiver Letter for stabilization of the Alliance Watchman's Caretaker Cabin. The structure was starting to sink into the hillside and emergency work was needed to stabilize the foundation. The work had been completed and the structure now has concrete footings so it was no longer sinking.

Planner Tubbs reported that the Fiscal Year 2024 Historic District Grant Program Application cycle had opened. Following feedback from the Historic Preservation Board, it was determined that there would be a rolling system. The first application cycle of 2024 will close in November. The second cycle would open up in December.

5. REGULAR AGENDA

- A. **161 Park Avenue - Material Deconstruction - The Applicant Seeks Material Deconstruction Approval to Lift a Landmark Historic Structure, Construct a Basement and New Foundation, Construct a Rear Addition, and Construct a Detached Accessory Building in the Rear Yard. PL-22-05333.**

Planner Tubbs presented the Staff Report and explained that the application was for Material Deconstruction to lift a Landmark Historic Structure, construct a basement and new foundation, construct a rear addition, and construct a detached accessory building in the rear yard. The Historic Preservation Board took a site visit to 161 Park Avenue prior to the start of the Historic Preservation Board Meeting. The site visit allowed Board Members to look at the materials proposed to be deconstructed as well as the structure.

161 Park Avenue was designated on the Park City Historic Sites Inventory as a Landmark Historic Site. It was built in 1887 and is within the Historic Residential – 1 Zone. Planner Tubbs reiterated that the applicant was requesting approval for Material Deconstruction to lift the historic structure and construct a basement, new foundation, and rear addition. As part of the Material Deconstruction request, the existing front porch would be deconstructed, the structure would be lifted, the new foundation and basement would be constructed, and the structure would be set back down. The front porch would be reconstructed and the rear addition would be built at that time.

161 Park Avenue is considered a corner lot with frontage on Park Avenue as well as the 2nd Street stairs public right-of-way. Although the right-of-way had not been improved beyond the stairway, it was still considered a secondary point of perspective. As a result, there were multiple facades of the building that were visible from the public right-of-way. Planner Tubbs reported that the first component of the Material Deconstruction request was to lift the historic structure after deconstructing the existing front porch. Per the Land

Management Code, buildings could be lifted for a maximum of 45 days once the permit is in place. That lift could be extended one time for up to 30 days with written findings from the Planning Director and the Building Official.

The second component of the application was the proposed transitional element. Planner Tubbs shared an image with the Board for reference. The solid walls were the existing historic walls. There was a hatched portion that showed where a historic wall once was but had since been removed. On the rear of the historic house, there is a 1970s addition where there was once an uncovered rear porch. At some point after 1947, it was enclosed. It was believed this was done in the 1970s based on Building Permit records. The applicant was looking to attach the proposed addition to the non-historic addition. There would be minimal impacts to the roof form or the remaining historic material. Planner Tubbs shared the Sanborn Maps from 1889, 1900, 1907, 1929, and 1941. Those maps illustrated how long the rear porch had been uncovered before being enclosed.

Staff recommended that the Historic Preservation Board review the proposal, conduct a public hearing, and consider approving Material Deconstruction for 161 Park Avenue.

Chair Scott opened the public hearing. There were no comments. The public hearing was closed.

Board Member Beatlebrox believed the application was straightforward. It was her understanding that the small projection on the south side would be removed because it is not historic. That was something the Board Members heard during the site visit. Board Member Hodgkins was confused about the windows that were referred to in the Meeting Materials Packet. There was reference to 16 windows. It stated that eight were original but that none of the windows were original. Planner Tubbs clarified that there were 16 historic openings but none of the windows that are currently in place have historic window materials. Board Member Beatlebrox asked if there was engineering for the lift. Planner Tubbs reported that engineering for the stabilization of the home and the site would be required for Historic District Design Review ("HDDR") approval.

Chair Scott also thought the application seemed straightforward. He noted that Board Member Stephens had been on the site visit and asked about the front porch roof. In the historic photographs, it appeared to be straight rather than gabled. He was not sure whether it was required that the applicant bring it back to the historic form. Photographs were shown for reference. Based on the historic photos, in 1897, there was no front porch at all. A porch and staircase were added there around the 1920s. Planner Tubbs referenced the Sanborn Map from 1907. She explained that the area where the front porch currently sits was uncovered in 1907 and shown as covered in 1929.

Board Member Hodgkins believed that the Historic Preservation Board was starting to see additions that were void of transitional elements. It seemed as though additions were allowed to be attached to the historic structure and there was no transition between the two. In his opinion, a transitional element should allow the addition and the historic structure to stand apart yet still be connected. More projects were coming through the Historic Preservation Board that he felt were void of transition.

There was discussion regarding transitional elements. Board Member Beatlebrox noted that for this particular application, non-historic elements were being removed to create an obvious break between the historic home. She believed there would be a transitional element because there was an indentation proposed. In this case, she believed there would be a clear difference between the historic structure and the addition. Board Member Hodgkins did not necessarily see how a small indentation would be a transition.

Planner Tubbs clarified that it would be attached to a non-historic addition. There is a provision in the Land Management Code that if an addition is proposed to be attached through an existing non-historic addition, the transitional element requirements are not required. The applicant included a transitional element in this case even though it is connected to a non-historic addition that was already existing on the site. Planner Tubbs noted that there were a few provisions in the Code. For instance, if the footprint of the proposed addition is less than 50% of the footprint of the existing historic structure, a transitional element will not be required. There were instances where transitional elements were not required. Board Member Hodgkins thanked her for the additional information about the requirement exceptions and transitional elements.

MOTION: Board Member Beatlebrox moved to APPROVE the Material Deconstruction for Portions of 161 Park Avenue, according to the following:

Findings of Fact

1. 161 Park Avenue is a Landmark Historic Structure on Park City's Historic Sites Inventory and is also known as the Joseph Foster House.
2. The home was originally constructed c. 1887 and has an uncommon form most closely resembling a saltbox.
3. In 1984, 161 Park Avenue was listed on the National Register of Historic Places as part of the Park City Mining Boom Era Residences Thematic District.
4. On August 2, 2022, the Applicant submitted a Historic District Design Review Pre-Application to discuss a potential addition to the Structure.
5. On August 10, 2022, the Applicant submitted a Plat Amendment Application to consolidate multiple parcels into a single Lot of Record.
6. On November 9, 2022, the Planning Commission held a public hearing and forwarded a positive recommendation of the amended plat to the City Council.
7. On December 8, 2022, the City Council held a public hearing and approved the Plat Amendment (Ordinance No. 2022-46).

8. On May 17, 2023, the 161 Park Avenue Plat Amendment was recorded with the Summit County Recorder's Office (Entry #1204654).
9. On June 21, 2023, the Applicant submitted a full Historic District Design Review application for the proposed addition.

Material Deconstruction

10. The Applicant proposes the Material Deconstruction of the 140 square foot front porch, lifting of the Landmark Historic Structure, construction of a basement, and removal of 250 square feet of the non-historic siding on the rear exterior walls to accommodate an addition to expand the living area of the home.
11. Additions to Historic Structures shall be considered only on non-character-defining facades, usually tertiary facades.
12. The Historic Preservation Board approved the Material Deconstruction to accommodate an addition and garage, accessed from the front of the property, subject to the Conditions of Approval below.
13. The Findings for "Complies" from the Analysis of Proposal sections of the Staff Report dated September 6, 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. An encroachment agreement may also be required for projects utilizing soil nails that encroach onto neighboring properties.
5. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of Building Permit application.
6. Within five (5) days of installation of the cribbing and shoring, the Structural Engineer will inspect and approve the cribbing and shoring as constructed.
7. Historic Structures which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the Building Permit was issued.
8. 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, they determine it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
9. The Historic Preservation Plan must include a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a Building Permit. Cribbing or shoring must be of engineer-specified materials.
10. The Applicant is responsible for notifying the Planning and Building Departments if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during construction, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring alterations within five (5) days of any relocation or alteration.
11. The Applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request such an inspection will be a violation of the Preservation Plan and enforcement action through the financial guarantee for historic preservation or ACE could take place.
12. The site shall be re-graded so that all water drains away from the Structure and does not enter the foundation.

13. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state.
14. 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.
15. 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.
16. 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.
17. 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.
18. In-line additions shall be avoided

The motion was seconded by Board Member Holmgren.

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

There was discussion about the order of the remaining agenda items. City Attorney, Mark Harrington reminded the Board Members that it was possible to make a motion to reorder.

MOTION: Board Member Beatlebrox moved to REORDER the agenda to hear Item 5(D) before Item 5(B) and Item 5(C). Board Member Holmgren seconded the motion.

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

- D. **1002.5 Norfolk Avenue – Modification to Material Deconstruction and Partial Panelization – The Applicant Proposes Modification to the Historic Preservation Board's October 6, 2021 Approval (PL-21-04761) and Requests Panelization of a Landmark Historic Structure. PL-23-05715.**

Assistant Director Ward presented the Staff Report and explained that the application was for Modification to Material Deconstruction and Partial Panelization at 1002.5 Norfolk Avenue. She noted that Geoff Sloan, Kyle Taylor, and Joshua Kaze were present. The property owner was present as well as Structural Engineer, Cambria Flowers, and Architect, Jonathan DeGray. Chief Building Official, Dave Thacker, was also in attendance. Assistant Director Ward reported that the Board visited the site prior to the Historic Preservation Board Meeting. She explained that the structure was constructed around 1893 as a cross-wing house with a rear addition. It was designated a Landmark Historic Structure on the Park City Historic Sites Inventory. The unique address came from the location. It was on a steep portion of 10th Street between Woodside Avenue and Norfolk Avenue. She shared a map of the area for reference and an image of the site.

The Historic Preservation Board had reviewed the proposal multiple times. Originally, the applicant requested Full Panelization. That was reviewed in August 2021 and it was recommended that the applicant revise the proposed application to Partial Panelization and Temporary Relocation. The Board approved that in October 2021. The applicant came back the next year and requested Deconstruction/Reconstruction of the structure and Full Panelization. That Board visited the site at that time and denied the proposal. The applicant was again requesting Full Panelization. It was last reviewed by the Historic Preservation Board on August 2, 2023, where a request for a site visit was made as well as a request for continuation. A site visit had taken place before the Board meeting.

A photograph of the existing conditions was shared. Assistant Planner Ward explained that for Panelization requests, the Board reviewed the criteria that were outlined in Land Management Code Section 15-11-14. A Licensed Structural Engineer was required to certify that the building could not be moved intact. On July 2, 2023, the applicant submitted a report from Shen Engineers who stated that: "the existing roof was totally removed and the exterior walls were only built with 1x12 vertical planks and they may fall down when it's windy or a little vibrating. The integrity of the house is totally lost."

With Panelization requests, the Chief Building Official needed to find that the building was hazardous or dangerous, pursuant to Section 116.1 of the International Building Code. Only on July 28 and September 28, 2021, the Chief Building Official and Planning Director issued noticed Notices of Official Determination finding that the conditions at that time did not prevent temporarily moving and lifting the structure. However, as the result of work that had been done to remove the roof, which was not in conformance with the Historic Preservation Board approval, on August 31, 2023, the Chief Building Official and Deputy City Manager found the Landmark Historic Structure was hazardous or dangerous.

Under the requirements of the Land Management Code, applicants were required to record protections for the historic structure during construction. That included a financial guarantee. Those documents were completed and recorded for the property prior to the initiation of construction. As a result, Staff recommended Condition of Approval #19:

- The applicant removed the roof from the Landmark Historic Structure without appropriate Historic Preservation Board review or approval. The loss of the historic materials and the damage to the Historic Structure shall be compensated for at the

time of financial guarantee release in an amount to be determined and approved by the Chief Building Official and City Attorney's Office.

Staff recommended that the Board review the proposal, conduct a public hearing, and consider approving the request for Full Panelization, subject to conditions.

Board Member Beatlebrox noted that the materials would be removed as panels, stored in a safe place indoors, and the asbestos treatment would be done off-site. Mr. Sloan confirmed this. A Panelization Plan had been supplied to show how the panels would be removed in sections. Mr. Kaze added that the goal was not to cut any of the historic material. That meant the wood that was there would not have any cut marks on it. Board Member Beatlebrox reported that during the site visit, there had been discussions about the site and the desire to mitigate liability. There was a steep entryway and a small area to allow equipment to pass through. Mr. Kaze explained that there had been difficulties obtaining engineering. There were issues with the structure, the angle of the road, the location of the site, and so on. It was difficult to obtain the necessary engineering. It was the life safety, site safety, and neighborhood safety components that were problematic.

Ms. Flowers introduced herself to the Board and clarified that she was not the Structural Engineer of Record for the design. She was a third-party Structural Engineer who was called in at the recommendation of the Chief Building Official. She had been on site twice and the key items in order of priority were the life safety and property safety of the site. When a building was lifted, it was ideally done in a uniform manner, but the process of lifting a building required a discreet setting of various beams in order to hoist the building. Tearing down the roof to prevent hazards had removed the continuity. The failures in the roof had caused the current situation to occur. Additionally, the time delay allowed the elements to impact the rear façade of the building. It had since caved in further. It was evident to those who visited the site that there was a functional problem with lifting the structure. It was not possible to lift the structure and preserve the panels intact.

Mr. Kaze shared additional information about the roof. He explained that the roof itself was not deemed historic in the first findings. When the asbestos remediation from inside of the house occurred, part of that work included taking the ceiling assembly on the inside of the house down. When that work was done, there was structural failure. The house was set up structurally in two components. There was a main gable part of the house, which was the east section of the house, and a rafter system that was holding the roof up on the west side of the house. There was a failure of the structure on the west side. On the main gable side, there was a wood beam that was set through some masonry brick from the front of the house to the back of the house. It was not bearing, so the gable roof was not being supported other than by the counterbalance of the weight itself. The reason for the roof disassembly was that there needed to be workers inside. It was not possible for there to be workers underneath a structure that was not sound. He believed that was what led to the deconstruction of the roof.

Chair Scott opened the public hearing. There were no comments. The public hearing was closed.

Chair Scott noted that Board Member Long and Board Member Hodgkins had been unable to attend the site visit. He explained that the Historic Preservation Board did not generally like the idea of Full Panelization, but it seemed to be the only solution here. It was positive that there were vertical trim pieces at every corner, so it would be possible to panelize, put the trim pieces back up, and in theory, not create any visual harm to the structure in terms of the historical look and feel. There was no other way to save the structure in its current condition than to move forward with Full Panelization. Board Member Holmgren agreed and stressed the importance of saving the historic look.

Board Member Hodgkins asked whether the joints would be made in a historic manner or if the joints would be hidden behind historic material. Mr. Kaze explained that the corner trim pieces essentially covered where the seams would be on the new structure. He reported that there would be seven total panels associated with the project. Board Member Hodgkins asked whether the panels would be full facades. This was confirmed. Images of the structure were shared and the panel sections were noted. Mr. Kaze reiterated that there was a Panelization Plan that showed all of the different panels. The goal was not to have to cut any of the historic materials and for those to remain intact.

MOTION: Board Member Holmgren moved to APPROVE the Panelization of the Landmark Historic Structure at 1002.5 Norfolk Avenue, according to the following:

Findings of Fact

Background:

1. 1002.5 Norfolk Avenue is a one-story cross-wing house built around 1893.
2. 1002.5 Norfolk Avenue is a Landmark Historic Structure on the Park City Historic Sites Inventory.
3. On May 12, 2021, the Applicant submitted a Historic District Design Review (HDDR) Application proposing full panelization.
4. The Historic Preservation Board (HPB) first reviewed full panelization of the Landmark Historic Structure on August 4, 2021, and discussed the challenges of the site, but did not support panelization. The HPB approved Material Deconstruction of a portion of the rear façade to accommodate an addition, but continued the discussion of possible partial panelization and shifting the Landmark Historic Structure to accommodate construction.
5. On October 6, 2021, the Historic Preservation Board (HPB) approved temporary relocation and partial panelization of 1002.5 Norfolk Avenue to accommodate a proposed addition.
6. The Applicant requested a modification to the approval for deconstruction and reconstruction or full panelization. On September 7, 2022, the HPB denied the applicant's modification request.

7. The Applicant again requests the HPB consider modifying the approval to allow for full panelization. The HPB reviewed the proposal on August 2, 2023, and continued the discussion to September 6, 2023.
8. On September 6, 2023, the HPB visited the site.

Panelization

1. The Official, Planning Director, and Building and Planning Staff visited 1002.5 Norfolk Avenue.
2. The Chief Building Official and Planning Director determined that this unique condition and the quality of the Historic Preservation Plan warrant the proposed panelization.
3. The Historic Preservation Board approved panelization of the Landmark Historic Structure.
4. On July 2, 2023, Shen Engineers, Inc. completed an updated report finding "[t]he integrity of the house is totally lost." This report notes that "the existing roof was totally removed."
5. The Applicant removed the roof contrary to the HPB's approval.
6. Removal of the roof impacted the structural integrity of the Landmark Historic Structure.
7. On August 11, 2023, the Chief Building Official met with the Applicant on-site to evaluate the current condition of the building.
8. On September 1, 2023, the Chief Building Official and Deputy City Manager found the Landmark Historic Structure to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code.
9. The Applicant proposes panelizing nine panels.
10. On May 17, 2023, the 161 Park Avenue Plat Amendment was recorded with the Summit County Recorder's Office (Entry #1204654).
11. On June 21, 2023, the Applicant submitted a full Historic District Design Review application for the proposed addition.

Conclusions of Law

1. The proposal complies with Land Management Code § 15-11-14 Disassembly and Reassembly Of A Historic Building Or Historic Structure.

Conditions of Approval

1. The Applicant is responsible for notifying the Building and Planning Departments 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 the Planning Director's review and approval/denial in accordance with the applicable standards prior to construction.
3. Where the Historic exterior materials cannot be repaired, they shall be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material, and finish. Prior to removing and replacing Historic materials, the applicant shall demonstrate to the Planning Director and Historic Preservation Planner that the materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. No Historic materials may be disposed of prior to advance approval by the Planning Director and Historic Preservation Planner.
4. The Historic Structure shall be returned to original grade following the construction of a foundation. When the original grade cannot be achieved, generally no more than six inches (6") of the new foundation shall be visible above final grade on the primary and secondary facades. The site shall be re-graded so that all water drains away from the Structure and does not enter the foundation. A plinth, or trim board at the base of the Historic Structure, shall be added to visually anchor the Historic Structure to the new foundation.
5. The Applicant shall update the Historic Preservation Plan, subject to the Chief Building Official and Planning Director's approval, within 30 days of this approval.
6. Panelization shall be done using recognized preservation methods.
7. The Applicant shall complete measured drawings of the structure or element to be disassembled/reassembled.
8. The Applicant shall submit a thorough photographic survey of the interior and exterior elevations as well as architectural details of the structure, including site and location views from all compass points, exterior elevations, and interior elevations of each room.
9. Written plans detailing the disassembly and reassembly steps and procedures shall be completed and approved by the Planning and Building Departments.

10. Structures shall be disassembled in the largest workable pieces possible.
11. To ensure accurate reassembly, all parts of the Building, Structure, or element shall be marked as they are systematically separated from the Structure. Contrasting colors of paint or carpenter wax crayons shall be used to establish a marking code for each component. The markings shall be removable and shall be made on surfaces that will be hidden from view when the Structure is reassembled.
12. Important architectural features of a Historic Building or Structure shall be removed, marked, and stored before the Structure or element of the Structure is disassembled.
13. The process of disassembly of a Historic Structure shall be recorded through photographic, still, or video.
14. Wall panels and roof surfaces shall be protected with rigid materials, such as sheets of plywood when there is a risk of damage during the disassembly/storage/reassembly process.
15. Disassembled components, trim, windows, doors, wall panels, roof elements, etc. shall be securely stored on-site in a storage trailer or off-site in a garage/warehouse/trailer until needed for reassembly.
16. The original orientation and siting shall be replicated as closely as possible.
17. New foundations and additions shall follow the Design Guidelines.
18. The Landmark Historic Structure must be reassembled in the original form, location, placement, and orientation.
19. The Applicant removed the roof from the Landmark Historic Structure without appropriate HPB review or approval. The loss of the historic materials and the damage to the Historic Structure shall be compensated for at the time of financial guarantee release in an amount to be determined and approved by the Chief Building Official and City Attorney's Office.

The motion was seconded by Board Member Beatlebrox.

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

- B. Mining Resources of Park City Multiple Property Submission Nomination to National Register of Historic Places – The Historic Preservation Board will Review the Draft National Register of Historic Places Nomination for the Mining Resources of Park City Multiple Property Submission and Forward a Recommendation to the Utah**

State Historic Preservation Office for Consideration on September 21, 2023. GI-23-00503.

Planner Tubbs presented the Staff Report and explained that the City was notified that an individual submitted a nomination for multiple properties to the National Register of Historic Places. This would fall under the Mining Resource of Park City Utah, Multiple Property Submittal. There was a phone call with the State Historic Preservation Office ("SHPO") earlier that afternoon to receive clarification about what a Multiple Property Submittal was versus a District Designation. Planner Tubbs reported that a Multiple Property Submittal was done as a collective study of multiple resources that on their own would not be eligible for nomination. Those were then eligible as part of a collective. It is often utilized as a tool to support future nominations of individual sites to the register.

The Multiple Property Submittal covered dozens of mining resources within Park City, ranging from prospecting sites to some further developed mine sites. If approved, the sites and structures listed on the Multiple Property Submittal would not be automatically designated to the National Register of Historic Places. There would need to be future applications for those individual sites or structures if desired. Some of the effects of listing a property on the National Register of Historic Places included the following:

- Provides opportunities for Federal preservation grants;
- Provides opportunities for Federal investment tax credits;
- Honorary recognition.

Planner Tubbs read the following language, which stated: "Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting." This meant that if there was a site within Park City and the owner chose to demolish it, there would need to be a City process. Following that process, there would not need to be any additional processes or procedures with the Federal government. Planner Tubbs shared information about the nomination process:

- Nomination submitted to the Utah SHPO;
- SHPO notifies property owners and local governments. Comments are received;
- SHPO reviews nominations and comments (September 21, 2023);
- SHPO recommendation is submitted to the National Park Service;
- Nomination is reviewed by the Keeper of the National Register of Historic Places;
- National Parks Service makes listing decisions within 45 days.

Planner Tubbs explained that the second step in the process was currently underway. After speaking to the SHPO, since the Multiple Property Submittal was not a direct nomination of an individual site, there had not been notifications sent to the impacted property owners for the sites listed. The Planning Department had sent out courtesy notices to those owners to inform them about the discussions at the Historic Preservation Board level. Comments had been received from several owners, who had questions and

concerns about the proposed Multiple Property Submittal. The Historic Preservation Board was charged with reviewing all of the proposed nominations that fell within Park City boundaries. The scope of review asked the Board to do the following:

- Review the submitted Multiple Property Submittal and provide commentary to the Utah SHPO on the completeness and accuracy of the nominations.

Planner Tubbs noted that the Historic Preservation Board was an advisory third party that could provide local knowledge of the sites. In the Staff Report, there was a copy of the proposed nominations as well as the evaluation sheet. The evaluation sheet was provided to the City by the SHPO. In reviewing the Multiple Property Submittal, the Board was asked to review and respond to three different criteria, which were as follows:

- Criteria 1: The site must be at least 50 years old;
- Criteria 2: The site must retain its architectural integrity;
- Criteria 3: The site must be historically significant in at least one of the following:
 - Association with important events;
 - Association with significant persons;
 - Architectural significance, or;
 - Archaeological significance.

In the Analysis Table in the Staff Report, it was found that the nominations all met Criteria 1. Criteria 2 was more difficult because a number of the sites had suffered extensive damage and vandalism over the years. Additionally, not all of the original site features or structures were still standing. That being said, the ones that were currently standing expressed historic character and integrity. As for Criteria 3, the mining sites were associated with important events and significant persons. There was also architectural significance. Staff did not agree with the finding that there was archaeological significance to the sites. Per the National Register bulletin of how to apply the criteria for evaluation, which was included in the Meeting Materials Packet, archaeological significance was typically applied to archaeological districts and sites, but could only apply to buildings or structures if those provided vital archaeological information. Due to the extensive damage that had occurred, this was unlikely.

Planner Tubbs asked the Board if the historic integrity of the sites and structures listed on the Multiple Property Submittal was there. Chair Scott believed the integrity was met but noted that there was some deterioration. Board Member Beatlebrox wondered if the Board Members needed to visit the various sites to answer the questions. Planner Tubbs explained that the answers would be based on Board Member knowledge as locals of Park City. The scope of the review was limited to what was provided within the nomination form. The Board was considered an unbiased third party.

Board Members Beatlebrox and Holmgren agreed that the historic integrity of the sites and structures was there. Board Member Hodgkins agreed but wondered if the Board would review the questions one by one and provide answers or whether there were Staff recommendations to consider. Planner Tubbs explained that the Historic Preservation

Board was charged directly by the SHPO to review the nomination and provide feedback. As a result, Staff did not have a recommendation.

Chair Scott believed that based on the information provided, it was possible to check the box on integrity, description, significance of context, facts and sources, as well as supporting materials. The approach was consistent with every structure included in the application. Board Member Beatlebrox was very impressed with what had been presented. The supporting materials were thorough. Planner Tubbs wondered if there were any components of the proposed nomination that the Board thought were incomplete or might need additional information. Board Member Holmgren was impressed with everything that had been included including the maps and diagrams.

Board Member Beatlebrox asked about the comments made by the property owners. Planner Tubbs reported that there were a variety of owners ranging from the local resorts to other large-scale utilities in the area. Board Member Hodgkins wanted to know if any of the property owners had objections. Planner Tubbs explained that the feedback from property owners regarding the Multiple Property Submittal was essentially that they were not aware of it before the courtesy notices had been sent out. The property owners wanted to have a bit more information before a decision was made. The properties listed on the Multiple Property Submittal were not individually listed. As a result, the notice to property owners had not gone out to the sites and there was no objection period for those sites. She reiterated that the City sent out courtesy notices about the discussion.

There was discussion regarding the Multiple Property Submittal process. Chair Scott thought it was important to weigh the pros and cons. He was in favor of there being ways to register historical sites outside of Park City declaring them historic sites. That being said, the actual process was important as well. He felt that everyone needed to be involved in that. Board Member Beatlebrox wanted to understand what the impact would be on property owners. Board Member Hodgkins noted that objections from property owners would need to be shared with the SHPO rather than the Historic Preservation Board.

Board Member Hodgkins disclosed that he spoke to the Utah SHPO in December and put them in contact with an individual. Chair Scott explained that the Board could make a recommendation based on the application. He believed the application was very thorough. Board Member Hodgkins felt it was important to determine whether the application was missing anything. Chair Scott noted that he had highlighted certain portions from the Meeting Materials Packet. He read a specific section of the language:

- The proposed Multiple Property Submittal is intended to “provide the basis for evaluating and nominating properties to the National Register of Historic Places in the future and encourage local efforts to preserve mining resources based on their continuing contribution to a community’s identity.” If approved, this nomination would not automatically designate each of the mining resources referenced therein; it would be utilized as a tool to support future site-specific nominations.

Based on that language, Chair Scott believed the Board was being asked to determine whether the sites were of interest and worth having future conversations about. Planner Tubbs explained that the Multiple Property Submittal is a tool for individual sites that would not be considered robust enough for a nomination on their own. The collective mining resources of Park City would be presented in this case, supporting an individual site as an important component of the collective group of resources. Chair Scott stated that some of the sites had deteriorated. However, taken in context with all of the other sites, there was a story that was historic and indicated a need for protection.

Board Member Beatlebrox wondered if the designation would prevent an owner from removing a structure. This was denied. Planner Tubbs reported that it would only prevent the removal or the destruction of the site through a project that was funded Federally. Outside of that, designation on the National Register of Historic Places was purely honorific. The Federal government relied on local jurisdictions to look at the more detailed preservation components and set forth design guidelines and preservation standards. If an owner wanted to remove one of the sites from the register, they would be able to do that, but would still need to go through the City process for deconstruction or demolition. That was already a process that had been adopted in code.

Board Member Hodgkins thought the application was strong. He was supportive of what had been presented. Other Board Members expressed their support as well. Board Member Beatlebrox noted that in the list of next steps, there were numerous opportunities for comments and feedback. Planner Tubbs explained that the property owners could share comments, objections, or support, directly to the SHPO. Planner Tubbs clarified that when a nomination to the National Register of Historic Places is considered for a specific site, the SHPO provides a notice to the impacted property owner. In this case, since it was not an individual listing or site nomination, no notifications had gone out. There was no forum for the property owners to object to the nomination. They would need to wait until the individual sites themselves moved forward to the nomination if that occurred. It was reiterated that the City had sent out courtesy notices to owners.

Board Member Beatlebrox asked if a motion needed to be made. This was denied. Planner Tubbs asked the Board to go through the form provided by the SHPO. Feedback or comments could be shared about the items, including any that were lacking in detail. For the Multiple Property Submittal, it sounded like there were no current concerns. The Board Members thought everything was filled out well and there were a lot of exhibits included. Planner Tubbs reported that no hearing was needed. It was an internal review in a public meeting. As for next steps, once the form is signed by Chair Scott, a digital copy will be sent to the SHPO. After that, a hard copy of the form would be submitted as well.

Attorney Harrington suggested the Board make a motion to confirm the recommendation.

MOTION: Board Member Hodgkins moved to RECOMMEND the Multiple Property Submittal to the Utah SHPO. Board Member Holmgren seconded the motion.

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

C. Little Bell Mine Nomination to National Register of Historic Places – The Historic Preservation Board will Review the Draft National Register of Historic Places Nomination for the Little Bell Mine Site and Forward a Recommendation to the Utah State Historic Preservation Office for Consideration on September 21, 2023. GI-23-00500.

Planner Tubbs presented the Staff Report and explained that Little Bell Mine was moving forward with an individual nomination to the National Register of Historic Places. The property owner had been notified. The effects of listing were as follows:

- Provides opportunities for Federal preservation grants;
- Provides opportunities for Federal investment tax credits;
- Honorary recognition.

In July 2023, an individual submitted a nomination for the Little Bell Mine site to the Utah SHPO. The office had notified the property owner as well as Park City Municipal. SHPO was soliciting comments on the proposed nomination for the Little Bell Mine site prior to their office review on September 21, 2023. Following that review, the SHPO was anticipated to forward that to the National Park Service. The nomination would then be reviewed by the Keeper of the National Register of Historic Places. Following that review, the National Park Service would make a decision within 45 days. The scope of review asked the Historic Preservation Board to review the proposed nomination and consider all of the required criteria, as adopted by the National Preservation Act of 1966.

In reviewing the proposed nomination, Staff found that the site was at least 50 years old. The site had lost all but one of the original structures. Staff also found that the site was historically significant, with an association with important events. It was a component of the collective mining history of Park City, which had a direct impact locally and on a State and regional level. Additionally, it was associated with significant persons and retained architectural significance, because the utilitarian form and design of The Ore Bin was still reflected. There were not a lot of opportunities for findings of archeological significance due to The Ore Bin being open to the elements and the site having been vandalized.

Planner Tubbs shared the comment form that was provided by the SHPO. The SHPO was looking for Board comments with regard to the integrity of the site, description, significance and context, facts and sources, as well as the supporting materials. All of that was exhibited within the proposed nomination. Chair Scott believed the site checked all of the boxes. Other Board Members agreed with that comment. Planner Ward informed those present that Hannah Tyler from Deer Valley was attending virtually. Ms. Tyler confirmed that Deer Valley was supportive of the nomination for Little Bell Mine.

Planner Tubbs wondered whether there were components that the Board felt were missing from the current nomination. This was denied. Board Members believed that the nomination was thorough and there was a lot of information provided.

MOTION: Board Member Hodgkins moved to RECOMMEND the Little Bell Mine nomination to the Utah SHPO. Board Member Beatlebrox seconded the motion.

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

6. ADJOURN

MOTION: Board Member Holmgren moved to ADJOURN the Historic Preservation Board Meeting. Board Member Beatlebrox seconded the motion.

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

The Historic Preservation Board Meeting adjourned at approximately 6:38 p.m.

Approved by _____
Randy Scott, Chair
Historic Preservation Board