



**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD MEETING
SUMMIT COUNTY, UTAH
MINUTES OF MAY 3, 2023**

BOARD MEMBERS IN ATTENDANCE: Randy Scott-Chair, Lola Beatlebrox, Puggy Holmgren, Alan Long, Douglas Stephens, John Hutchings

EX OFFICIO MEMBERS: Gretchen Milliken, Planning Director; Caitlyn Tubbs, Senior Historic Preservation Planner; Tricia Lake, Assistant City Attorney

1. ROLL CALL

Chair Randy Scott called the meeting to order at 5:00 p.m.

2. MINUTES APPROVAL

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

MOTION: Board Member Beatlebrox moved to APPROVE the Meeting Minutes from April 5, 2023. Board Member Stephens 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

Senior Historic Preservation Planner, Caitlyn Tubbs, reported that the historic garage at 69 King Road collapsed a few weeks ago. Per City ordinance, Staff was required to notify the Historic Preservation Board that an Emergency Work Historic District Design Review ("HDDR") Waiver Letter was issued for relocation of the collapsed materials onto the abutting site. This would ensure that the private driveway was not blocked. Those materials would be relocated and the City would continue to work with the property owner to rehabilitate the structure.

Board Member Beatlebrox asked for information about Thaynes Canyon. Planner Tubbs explained that there are no current plans but a meeting was scheduled to discuss next steps. There were no additional Staff communications or disclosures.

5. **CONTINUATIONS**

- A. **317 Ontario Avenue - Material Deconstruction - The Applicant Seeks Approval for Material Deconstruction of a Portion of a Significant Historic Structure to Facilitate the Construction of an Addition. PL-22-05451.**

Planner Tubbs reported that the request was to continue the item to the June 7, 2023, Historic Preservation Board Meeting. She explained that there had been a noticing issue. The applicant at 317 Ontario Avenue was requesting Material Deconstruction at the rear of the structure to facilitate the construction of an addition. Due to the previously mentioned noticing issue, Staff recommended that the matter be continued.

Chair Scott invited public input. There were no comments.

MOTION: Board Member Stephens moved to CONTINUE 317 Ontario Avenue, Material Deconstruction (PL-22-05451) to the June 7, 2023, Historic Preservation Board Meeting. Board Member Holmgren seconded the motion.

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

6. **WORK SESSION**

- A. **Historic District Grant Program Discussion - The Historic Preservation Board will Discuss the Historic District Grant Program and Provide Feedback Regarding the Eligible Projects, Application Form, and Funding Sources.**

Planner Tubbs reported that the Work Session item related to the Historic District Grant Program. During the April 5, 2023, Historic Preservation Board Meeting, the Board suggested revising the administration of the grant program and asked Staff to conduct research. The suggestion was to incorporate Staff review, Staff approval, and Staff level disbursement of funds for grant requests that were \$24,999 or less. The Board could review and approve grant requests that were \$25,000 or more. That would coincide with the Preservation Easements since Preservation Easements were required when grant awards are given in excess of \$25,000. During the previous discussion, the Historic Preservation Board asked Staff to conduct research and look into what it would take to change the administration of the grant program.

Currently, there is one source of funding that is awarded once each year. Staff reviewed the applications and forwarded recommendations to the Historic Preservation Board. After that, the Historic Preservation Board selected awardees to recommend to the City Council. The City Council was ultimately responsible for awarding the final amounts. If the Historic Preservation Board was to take over awarding of grants in

excess of \$25,000, the City Council would need to amend the City Policy. The policy states that any monies awarded by the City in excess of \$25,000 requires City Council approval.

Board Member Stephens wondered if it would be possible for proposals of less than \$25,000 to be reviewed and approved by the Historic Preservation Board without City Council approval. Planner Tubbs explained that if there was only one award and it does not exceed \$25,000, it could be awarded by the Historic Preservation Board. The entire lump sum of the Historic District Grant Program had to be taken to the City Council because the collective total exceeded \$25,000.

Planner Tubbs explained that if the Historic Preservation Board wanted to pursue a policy change, Staff would communicate with the City Council and determine whether the change was supported. She noted that the Historic Preservation Board also suggested a modification to the grant cycle to include a rolling or continuous application window. Alternatively, there could be bi-annual or semi-annual awards cycles so applicants would not have to wait an entire calendar year between grant cycles.

Following the previous Historic Preservation Board discussions, Staff met with members of the Finance Team on April 19, 2023, to discuss the proposed changes. The Finance Team did not have any major concerns and was supportive of an amendment to the grant cycle timeline. Their primary concern pertained to the current setup. Planner Tubbs explained that the City currently awards grant money in one fiscal year and then pays out the disbursements the following fiscal year. The Finance and Budget Teams were somewhat concerned about the possibility of the City awarding more funding than was actually available in the pot to pay out at the end of the year.

Pros and concerns were reviewed. Planner Tubbs reviewed them with the Board as follows:

- Pros:
 - Discussing grant possibilities early in the approval process;
 - Seasonal training and outreach opportunities;
 - Additional advertising opportunities; and
 - Changes to the standards or processes could be more quickly addressed and implemented if the grant cycle was not a full year in length.
- Concerns:
 - Anticipation of applications or needs;
 - Additional Staff resources needed (training and time); and
 - Transparency concerns, since Staff would be recommending, reviewing, approving, and disbursing funds for applications under \$25,000.

Assistant City Attorney, Tricia Lake discussed transparency. If there was a recommendation that policy changes be made, she suggested that there be a

recommendation to bifurcate Staff so there was one planner to handle the grant approval or denial and a separate planner to handle the application.

Board Member Stephens was not sure that the Historic Preservation Board wants to turn everything over to Staff. The intention was to prevent applicants from needing to wait a full year for the application cycle. It would be possible for Staff to bring an application to the Historic Preservation Board for consideration at the next appropriate meeting. He still felt it was important for the Historic Preservation Board to review the grant applications, but there was a desire to alter the application process somewhat.

Board Member Hutchings wondered if there were discussions at the last Historic Preservation Board Meeting about not having the City Council review items \$25,000 or above. Board Member Beatlebrox denied this. Board Member Hutchings felt that the City Council should have the opportunity to review those applications as well. Other Board Members agreed since it was a significant financial request.

Board Member Beatlebrox thought the initial proposal was to better assist applicants. For instance, there may be a desire to upgrade windows and make them more historic, however, the associated costs were much higher. Applicants who are hesitant to spend the additional money for preservation and restoration could consider applying for the grant program. At the next scheduled Historic Preservation Board Meeting, an applicant could request money to support that need from the Historic District Grant Program. That was what she thought Board Member Stephens had proposed rather than shifting approvals for items \$24,999 or under to a Staff level or removing City Council approval. It was more of an incentive tool to encourage preservation of best practices. Board Member Stephens added that this change would create a rolling grant process.

Board Member Holmgren felt it was important that the applicants remain involved in the process. Some of the previous applicants asked for money but did not provide a lot of details. Board Member Stephens pointed out that a rolling grant process would make it easier to ask for additional details from applicants. Chair Scott noted that there was another benefit that was discussed during the last meeting, which was that the applications would not be received all at one time. That made it easier to remember the details and keep the information fresh. That being said, Staff resources need to be addressed. Planner Tubbs explained that what was being described by the Board currently would result in less workload for Staff than what was previously interpreted.

Chair Scott shared a scenario with Staff where an application was submitted in August and there was an opportunity to do preservation work. If the applicant went through the application process and was approved, he wanted to understand when the funding would be received by the applicant. Planner Tubbs explained that currently, the grants were awarded at the end of the year. The awardees had a year and a half to complete the work, send proof of completion, and then ask for the funding to be disbursed. The current method spanned multiple fiscal years. The pots of money that were available to use for the Historic District Grant Program did not roll over. As a result, the money

could not be earmarked and saved to be disbursed later. Board Member Stephens pointed out that encumbered funds were obligated by the City to be disbursed. There could be an encumbered fund amount that had not actually been disbursed yet. He understood that any unencumbered money would not roll over.

Planner Tubbs explained that the primary concern from the Financial Team was that the money pledged did not roll over and there was no guarantee that that same level of funding would be available in the accounts when awardees asked for their money. The money had been pledged, but if the applicant did not ask for their check within that same fiscal year, the City did not have a guarantee that the future amounts in those accounts would match what had been awarded. Board Member Stephens pointed out that this could be an issue whether the grant process stayed the same or changed.

Planning Director, Gretchen Milliken, confirmed that the funds did not carry over. That was the reason the Finance Team was in favor of the proposal to have rolling application cycles. The proposed change could potentially be less risky. Board Member Beatlebrox asked what would happen if an applicant did not complete a project. Board Member Holmgren noted that there had been previous discussions about a sunset clause and potential extension requests. Board Member Stephens believed the rolling application process might solve some of those potential issues.

Another sample scenario was shared where almost all of the funds for the grant program in the current fiscal year had been used. There was still some money left but an application would not be finished before the end of the fiscal year. Board Member Stephens believed it would still be possible for the Historic Preservation Board to start the review process. The awarded funds could be postponed until the next funding cycle and prioritized. The process could be fine-tuned instead of there being hard cut-off dates. Planner Tubbs believed that was a potential solution to the funding issue. The Board further discussed encumbered, unencumbered funds, and awarded grant money.

Board Member Stephens wondered if the City was contractually obligated to provide the funding once the grant is awarded. He wanted to understand if it was possible to legally tell an applicant that the money would not be awarded if it was not collected by a certain date. Planner Tubbs explained that there was a requirement to provide proof that the work had been completed, along with the invoices and W9. The Grant Agreement, Trust Deed Note, and the Trust Deed would be provided and the awardee would fill those out. Those were recorded with the County and then the check was issued. An approval letter was sent explaining that a certain amount of funding had been awarded, but there was no contract in place until the work was done.

Director Milliken understood the confusion that was expressed about the encumbered funds. She noted that there could be additional discussions with the Finance Team for clarity. Planner Tubbs reported that there had not been a situation where there was no funding available when an applicant came to ask for the check. Sometimes, an applicant decided against moving forward with a project, and the funds were forfeited.

As a result, there is sometimes a bit extra at the end of the season. However, it was important to avoid a situation where there was not enough.

Board Member Stephens believed that applicants should have a certain timeframe to obtain a Building Permit. If the Building Permit was not received within a certain period of time, the grant would be forfeited. Planner Tubbs explained that this could be incorporated into the Conditions of Approval. It would even be possible to state that there needed to be an inspection every three months to keep the permit active. Board Member Stephens was not sure the inspections were necessary as that would require additional Staff time. That being said, obtaining the Building Permit made sense.

Planner Tubbs noted that there was an additional question from Staff. There was an intention to utilize the Historic District Grant Program as an incentive for preservation best practices, but the Design Guidelines were also intended to achieve that. She wondered whether the Historic Preservation Board would be interested in reviewing the Design Guidelines. Chair Adams pointed out that someone who knew about alternative forms of materials and construction techniques would need to be present during those discussions. That being said, there could be a Work Session discussion on the matter.

Chair Scott asked if there was anything the Historic Preservation Board needed to do to shore up how much was allocated throughout the year. He wanted to know if goals or maximum amounts per quarter should be determined. Board Member Beatlebrox believed there was difficulty related to the RDAs and the funding there. Board Member Stephens explained that money could not be obligated in excess of what was available. He referenced additional funding. If members of the public saw more improvements being made to the historic buildings in Old Town, there would be an opportunity to return to the City Council to ask for additional funding for preservation in the area. Part of the money was coming from the General Fund and the work being done was very visible.

Planner Tubbs reported that the Finance Team was supportive of the Historic Preservation Board's request for a rolling application cycle. It reduced the risk of promising a certain amount of money and not having that in the account when the check was requested. She explained that there would be additional discussions between Staff and the Finance Team. Board Member Stephens wondered whether the changes being discussed would move to City Council for approval. Planner Tubbs believed that the proposal would fit within the current purview.

There was discussion regarding the application process and format. It was noted that applicants could be asked to provide a self-score based on the rubric that was developed with the Historic Preservation Board. During the Historic Preservation Board discussion, the applicant could explain why they gave their application that score.

Planner Tubbs reviewed the Eligible and Ineligible Projects list. She explained that the items included on the table were determined during the previous Work Session on the

matter. She asked Board Members to review the information and make sure everything was correct. The Eligible and Ineligible Projects were as follows:

- Eligible:
 - Repairing/restoring/replacing windows;
 - Repointing masonry;
 - Repairing or restoring roofs;
 - Reconstructing historic porches; and
 - Restoring historic features.
- Ineligible:
 - Acquisition costs;
 - New additions;
 - Re-roofing;
 - Painting interior or exterior;
 - Interior remodeling/new finishes; and
 - Electrical, plumbing, insulation, or mechanical systems upgrades.

It was suggested that there be an eligible column only. Anything that did not fall into that category would not be eligible for consideration. Planner Tubbs reported that the ineligible list would remain internal and the eligible list would be advertised.

7. **REGULAR AGENDA**

A. **445 Park Avenue - Material Deconstruction - The Applicant Seeks Approval for Material Deconstruction of a Portion of a Landmark Historic Structure to Facilitate the Construction of an Addition. PL-22-05133 (Continued from April 5, 2023 Meeting).**

Planner Tubbs presented the Staff Report and explained that 445 Park Avenue was a Landmark Historic Structure on the Park City Historic Sites Inventory. The applicant was seeking approval for the Material Deconstruction of approximately 225 square feet of siding material on the rear of the house and approximately 92 square feet of the roof in order to facilitate the construction of a new addition. The home was somewhat unique in the Historic District because it had a projecting gable. However, a 2016 Intensive Level Survey, conducted by CRSA, found that it was fairly close to the original construction. It was quite old and contributed to the structure.

The subject property was located in the Historic Residential (HR-1) District. Planner Tubbs explained that the proposal was to lift the Historic Structure, construct a new basement and foundation, replace the home on top of that, and build the rear addition. Existing conditions photographs were shared as well as example images of the proposed conditions. The existing and proposed rear elevations were presented.

As part of the project, the applicant was also proposing to remove the single-car garage that sat out front. It was not shown on any of the Sanborn Maps dating from the late

1880s through the 1940s. As a result, it was likely constructed between the 1960s and the 1980s. There was minimal architectural character or decoration associated with the single-car garage. It was clad in vinyl siding. The garage was also not identified on the 1984 Nomination Form or 2016 Intensive Level Survey. Planner Tubbs explained that the Historic District Design Guidelines encouraged developments that did not interrupt the streetscape or visual flow from one structure to another. On the streetscape, the eye went right to the garage. Staff believed the garage did not contribute to the historic character of the site or the neighborhood and could be removed.

Board Member Holmgren asked about a letter received from a neighbor who stated that the single-car garage was on their property. Planner Tubbs confirmed this. Currently, the garage was 0-3 feet away from the property line. There would need to be some discussions between the applicant and the neighboring property owner. Board Member Stephens did not believe the garage was being considered by the Historic Preservation Board because it was not included in any of the surveys. He thought that the Planning Department had the authority to make the decision about the garage. Planner Tubbs confirmed this but wanted to make sure the information was on the record.

Staff recommended that the Historic Preservation Board review the Material Deconstruction request, conduct a public hearing, and consider approval. Some of the Conditions of Approval from the Final Action Letter were reviewed with the Board. Board Members asked about the Encroachment Agreement that was mentioned. Planner Tubbs explained that the Encroachment Agreement was for work within five feet of a property line. Since the garage sat so close to the adjoining property line, if it was removed, there would need to be an Encroachment Agreement with that neighbor. Additionally, an Encroachment Agreement was required for soil stabilization.

Board Member Stephens believed the Encroachment Agreement for the garage would be easily obtained. That being said, the Encroachment Agreement for soil stabilization could be more difficult to obtain. The neighbors may not be supportive of that. He stated that there were other ways to retain that without doing soil nails, but it would require a different type of structure. He believed that was more of a Building Department issue than a Historic Preservation Board issue. In addition, he did not want to make the process onerous for the property owner and force an Encroachment Agreement. If they could not obtain one, there were other possible options to consider. Other Board Members agreed so that Condition of Approval would be removed.

Discussions were had about the Condition of Approval related to panelization. Board Member Stephens did not believe it needed to be there. Planner Tubbs explained that the Condition of Approval could be removed if desired by the Board. There was a standard for panelization that a Structural Engineer needed to evaluate the building and claim that it was not stable enough to be lifted in one piece. It was determined that the panelization condition would be removed from the Conditions of Approval list.

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

Board Member Beatlebrox asked about the access to the rear of the property for the purposes of building the addition. She wanted to know if there was enough space to move equipment in. Planner Tubbs reported that the architect believed there was enough space to navigate the required equipment around the structure, especially once it had been lifted. It was not anticipated that neighboring lots would need to be used, aside from the one to the north where the single-car garage was currently located. The Board further discussed the application and the scale of the proposed addition.

MOTION: Board Member Beatlebrox moved to APPROVE the Material Deconstruction for portions of 445 Park Avenue (PL-22-05133), according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact:

1. 445 Park Avenue is a Landmark Historic Structure on Park City's Historic Sites Inventory.
2. The home was originally constructed c. 1880 and is a 1.5-story Hall-Parlor style house.
3. In 1984, 445 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 January 4, 2022, the Applicant submitted a Historic District Design Review Pre-Application to discuss a potential addition to the Structure.
5. On January 3, 2023, the Applicant submitted a full Historic District Design Review application for a proposed addition.

Material Deconstruction:

6. The Applicant proposes the Material Deconstruction of a portion of the existing roof and the rear exterior wall to accommodate an addition to expand the living area of the home and provide an attached garage.
7. Additions to Historic Structures shall be considered only on non-character-defining facades, usually tertiary facades.
8. 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.

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. 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 Applicant must obtain Historic District Design Review approval prior to the issuance of a Building Permit.
5. An Encroachment Agreement may be required prior to issuance of a Building Permit for work conducted five feet or less from a lot line or having the potential to encroach on another property.
6. 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.
7. The new foundation shall not raise or lower the Landmark Historic Structure more than two feet from its original floor elevation.
8. The Historic Site 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.
9. The site shall be re-graded so that all water drains away from the Structure and does not enter the foundation.
10. 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.

11. The form, material, and detailing of a new foundation shall be similar to foundations of nearby structures.
12. Historic foundations shall not be concealed with masonry, block, plywood panels, corrugated metal, or wood shingles.
13. The Applicant shall complete a Historic Preservation Plan, subject to approval by the Chief Building Official and the Planning Director prior to the issuance of a Building Permit.
14. 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.
15. The Applicant shall submit a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to the issuance of a Building Permit. Cribbing or shoring must be of engineer-specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.
16. 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.
17. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he/she/they determine that it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties. The Applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring alterations within five days of any relocation or alteration to the cribbing and/or shoring.
18. The Applicant shall also request an inspection through the Building Department following the modification to the ribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation

Plan and enforcement action through the Historic Preservation Financial Guarantee or ACE could take place.

19. 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.
20. The addition shall be visually subordinate to the Historic Structure when viewed from the primary public Right-of-Way.
21. In-line additions shall be avoided.
22. The Applicant shall re-use any salvageable removed original siding material to replace areas of damaged siding on the remainder of the Historic Structure.

Board Member Holmgren seconded the motion.

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

8. ADJOURN

MOTION: Board Member Hutchings moved to ADJOURN the Park City Historic Preservation Board Meeting. Board Member Holmgren seconded the motion.

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

The Historic Preservation Board Meeting adjourned at 6:03 p.m.

Approved by _____

Randy Scott, Chair
Historic Preservation Board