



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
October 4, 2023**

The Planning Commission of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online with options to listen, watch, or participate virtually. Click here for more information.

1. ROLL CALL

2. MINUTES APPROVAL

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

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. PLANNING COMMISSION & HISTORIC PRESERVATION BOARD JOINT WORK SESSION

- 5.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 City Council on Prospective Changes to the Program. GI-22-00487
(A) Possible Recommendation to City Council on a Date to be Publicly Noticed

6. REGULAR AGENDA

- 6.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
(A) Public Hearing; (B) Action

7. WORK SESSION

- 7.A. **2024 Preservation Awards** - The Historic Preservation Board will Review Proposed Nominations for the 2024 Preservation Awards.

8. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**



**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 is 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

Historic Preservation Board and Planning Commission Staff Report



Subject: Temporary Winter Balcony Enclosures
Application: GI-22-00487
Author: Caitlyn Tubbs, Senior Planner
Date: October 4, 2023
Type of Item: Joint Work Session

Recommendation

(I) Review the Temporary Winter Balcony Enclosure Pilot Program, and (II) forward a formal recommendation to the City Council.

Summary

HCB	Historic Commercial Business
HPB	Historic Preservation Board
HPCA	Historic Park City Alliance
LMC	Land Management Code
PCHS	Park City Historical Society
PCMC	Park City Municipal Corporation

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

In 2014, the City Council initiated a pilot program to allow balcony enclosures on non-historic buildings along Main Street in the Historic Commercial Business Zone between November 15th and April 30th annually. The lifespan of this pilot program was initially set at 3 years. The program is currently set to expire April 30, 2024.

On March 7, 1979, Park City's Main Street was listed on the [National Register of Historic Places](#). The Historic Character of Park City is one of the core values of the [Park City General Plan](#) ("General Plan"). Goal 15 of the General Plan is to "[p]reserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts for future generations." Goal 16 of the General Plan is to "[m]aintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors."

The General Plan acknowledges that historic preservation requires consideration of local businesses' needs to retain vibrancy. The General Plan Community Planning Strategy 16.4 is to "[w]ork with the Historic Park City Alliance (HPCA) and the Park City Historical Society (PCHS) to address the needs and concerns of local business owners."

The pilot program was proposed by a local business in 2014 to increase seating capacity during the winter months and to allow temporary balcony enclosures to replace tents. Only one property has requested a Temporary Winter Balcony Enclosure with

details provided in the Analysis Section below.

Since the pilot program was first introduced, staff has consistently voiced concerns as outlined in the Analysis Section below. Staff continues to find that the enclosure of balconies along Main Street, even temporarily, has a detrimental impact on the historic character of Main Street.

Background

The following table outlines the background of the Temporary Winter Balcony Enclosure pilot program:

June 7, 2023	The Historic Preservation Board reviewed the Planning Commission's feedback on the Pilot Program and requested a joint session with the Planning Commission to conduct a site visit and provide feedback to the Planning Staff for a prospective recommendation to the City Council. (Staff Report, Minutes, p. 3)
December 15, 2022	The City Council held a work session to review the pilot program and heard the Historic Preservation Board's and the Planning Commission's feedback. The Council asked the Historic Preservation Board and Planning Commission to return with a formal recommendation of the program for its consideration. The Council stated its support of extending the pilot program by an additional year to allow enough time for this discussion. (Staff Report, p. 15; Minutes, p. 2)
October 12, 2022	The Planning Commission held a work session to review the pilot program and give input. Some Commissioners supported the continuation of the program while others opined there was not enough benefit to the general public for it to continue. All members of the Commission agreed that the seasonal removal requirement needs more enforcement. (Staff Report; Minutes, p. 5)
September 7, 2022	The Historic Preservation Board held a work session to review the pilot program and give input. Staff reiterated concerns raised at prior meetings. The HPB expressed support for the continuation of the temporary enclosure of balconies on non-historic structures. The HPB did not support expanding the pilot program to allow for year-round (permanent) enclosures. (Staff Report; Minutes, p. 2)
November 7, 2019	The City Council approved an updated agreement for Riverhorse on Main's Temporary Balcony Enclosure. This

	agreement was terminated on April 30, 2020. (Staff Report, p. 459; Minutes, p. 12)
October 11, 2018	The City Council extended the pilot program for another five years and approved a one-year agreement to allow the enclosure of Riverhorse on Main's balcony over the public pedestrian right-of-way. (Staff Report, Minutes, p. 10)
November 3, 2016	The City Council affirmed support of the three-year pilot program and approved a one-year agreement to allow the temporary enclosure of the Riverhorse on Main's balcony over the pedestrian public right-of-way. (Staff Report; Minutes, p. 13)
January 7, 2016	The City Council enacted Ordinance No. 16-01, amending the Land Management Code to accommodate Temporary Winter Balcony Enclosures on non-historic buildings facing Main Street in the Historic Commercial Business (HCB) Zoning District from November 15, through April 30. (Staff Report, p. 83; Minutes, p. 5)
January 7, 2016	The City Council launched a three-year pilot program for the temporary winter enclosure of balconies on non-historic buildings facing Main Street. These balcony enclosures were to be allowed from November 15 through April 30. (Staff Report, p. 93; Minutes, p. 8)
December 9, 2015	The Planning Commission voted 5 – 2 to forward a <u>negative</u> recommendation to the City Council regarding amendments to the Land Management Code to accommodate Temporary Winter Balcony Enclosures. The Planning Commission expressed the following concerns: • If the temporary enclosure was constructed as a semi-permanent structure, why not consider a year-round enclosure? • Balcony enclosures severely detract from the historic character and integrity of the Main Street Historic District, block views of neighboring historic structures, and change the mass and scale of the historic commercial district in opposition to the General Plan and historic preservation goals. • Balcony enclosures do not add to street vibrancy like summer dining decks. • Balcony enclosures do not comply with Utah's adopted State Energy Code and will increase the carbon

	footprint in opposition to the General Plan and City goals. (Staff Report, Exhibit F; Minutes, Exhibit G)
June 25, 2015	The City Council conducted a work session on Temporary Winter Balcony Enclosures and provided direction to staff to move forward with a three-year pilot program for non-historic buildings on Main Street. Community members raised concerns about the energy required to heat temporary enclosures. (Staff Report, p. 22; Minutes, p. 3)
March 4, 2015	The Historic Preservation Board provided input on potential amendments to the Land Management Code and Design Guidelines for Historic Districts and Historic Sites to allow temporary enclosures on non-historic balconies in the Historic Commercial Business Zoning District for buildings facing Main Street. (Staff Report, Exhibit D; Minutes, Exhibit E)
January 7, 2015	The Historic Preservation Board conducted a work session on Winter Balcony Enclosures. The staff report outlined the following concerns: • Enclosure of balconies, even temporarily, changes the historic character of Main Street. • Enclosure of balconies substantially alters the architectural design of the building and the rhythm and pattern of the streetscape. • Enclosure of balconies substantially alters the visual character of the original building in shape, roof design, projections, recesses, and solid-to-void ratio. • Balcony enclosures detract from historic details and materials. • Balconies are not designed to meet the requirements of interior spaces and enclosures may require substantial structural changes and reconstruction. The Historic Preservation Board continued the discussion to March. (Staff Report, Exhibit B; Minutes, Exhibit C)
November 13, 2014	The City Council conducted a work session on Winter Balcony Enclosures. Staff expressed the following concerns: • Impact on the Historic Integrity of Main Street • International Building Code requirements for fire safety

	and snow loads • Show shed issues • Increased use of sewer and water • Increased parking demands • Increased strain on City resources and staff time for reviewing and monitoring the enclosures • Enclosures prohibited in the Land Management Code and Design Guidelines for Historic Districts and Historic Sites and would require amendments. Some Councilmembers agreed there would be impacts, but most were in support of exploring a pilot program. (Minutes, Exhibit A)
September 18, 2014	A community member proposed that the City consider a Winter Balcony Enclosure program on Main Street to promote expanded winter use. The City Council supported scheduling the proposal for a future discussion. (Minutes, p. 4)

Analysis

On September 7, 2022, the Historic Preservation Board reviewed the Temporary Winter Balcony Enclosure Pilot Program and voiced their support of the continuation of the Pilot Program, but expressed the desire for balcony enclosures to remain temporary only. The Board also stated there was no appetite to expand the Pilot Program to allow for temporary balcony enclosures on Historic Structures. Additionally, the Board was supportive of addressing design and Historic District compatibility concerns within the required annual encroachment agreement, to be negotiated with the City Council.

Following a discussion on October 12, 2022, the majority of the Planning Commission (4 – 3) were not in favor of continuing the Temporary Winter Balcony Enclosure Pilot Program. The minority who were supportive of continuing the Program stated the current standards and seasonal enforcement needed to be more robust. The Planning Commission also expressed concern that the Pilot Program has been in effect since 2016 and to date only one entity has utilized it, stating there is not adequate public benefit to continue the Program. The Planning Commission was unanimously against expanding the Pilot Program to allow a permanent, year-round, enclosure.

Planning Staff returned to the Historic Preservation Board on June 7, 2023, for an additional work session to discuss the Planning Commission's feedback and to begin working on a formal recommendation of the Program to the City Council. The Historic Preservation Board requested Staff organize a joint session with the Board and the Planning Commission to conduct a site visit along Main Street, consider the Program, and provide feedback on a possible recommendation together.

The Planning Staff is looking for feedback from the Historic Preservation Board and Planning Commission to craft a recommendation of the continuance or discontinuation of the Pilot Program to forward to the City Council. The Planning Commission maintains its support for the discontinuation of the Program overall, while the Historic Preservation Board is open to the continuation of the Program. The Historic Preservation Board and Planning Commission each have consistently expressed a desire to only allow temporary enclosures on non-historic structures and to maintain the seasonal requirement that the enclosure be taken down each year. Each body has also expressed a desire for stronger design regulations and enforcement measures. Following the review of prior discussions and conducting a joint session with both bodies, the Planning Staff is interested to hear if the sentiments regarding the Program remain the same or if opinions have changed. Staff will return before both bodies with a draft recommendation to be forwarded to the City Council for their consideration.

Preserving the Historic Character of Park City is one of the core values of the 2014 Park City General Plan ("General Plan"). Goal 15 of the General Plan is:

Preserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts for future generations.

Objective 15A – maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.

Objective 15B – Maintain character, context, and scale of local historic districts with compatible infill development and additions. Community Planning Strategy 15.8 is to periodically review newly constructed infill projects for suitability and compatibility of infill development within the Historic Districts. "Identify issues that threaten the aesthetic experience of the districts and refine the Design Guidelines and/or LMC based on findings. The aesthetic experience should be measured from the pedestrian experience at the street frontage. In addition, the influence of site design and architecture should be analyzed in the review."

Goal 16 of the General Plan is:

Maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors.

Objective 16E – "[e]ncourage all infill, additions, and building alterations on Main Street to be compatible with existing Landmark and Significant Buildings."

Community Planning Strategy 16.4 – “[w]ork with Historic Park City Alliance (HPCA) and the Park City Historical Society to address the needs and concerns of local business owners.”

The LMC implements the goals and policies of the General Plan, including allowing development in a manner that encourages the preservation and integrity of the Historic Districts in the unique urban scale of original Park City¹. The Winter Balcony Enclosure pilot program was initiated in the HCB Zoning District. The purposes of the HCB District include²:

- Preserving the cultural heritage of the City’s original business, governmental, and residential center,
- Facilitating the continuation of the visual character, scale, and streetscape of the original Park City Historic District.
- Encouraging pedestrian-oriented, pedestrian-scale development,
- Minimizing the impacts of new development on parking constraints of Old Town,
- Minimizing the impacts of commercial uses and business activities, including parking, access, deliveries, service, mechanical equipment, and traffic in residential neighborhoods.
- Maintaining and enhancing the long-term viability of the downtown core as a destination for residents and tourists by ensuring a business mix that encourages a high level of vitality, public access, vibrancy, activity, and public/resort-related attractions.

Land Management Code (LMC) [§ 15-2.6-3\(E\)](#) regulates balconies that project over the Main Street public pedestrian right-of-way in the Historic Commercial Business Zoning District. City Council must review any proposed balcony construction, enlargement, or modification that extends over the Main Street public pedestrian right-of-way. Before 2016, balcony enclosures were prohibited. However, on January 7, 2016, the City Council enacted [Ordinance No. 16-01](#), amending [LMC § 15-2.6-3\(E\)](#) to initiate a pilot program to allow for temporary balcony enclosures on non-historic buildings facing Main Street annually from November 15 through April 30. To date, only one property owner has installed a Temporary Winter Balcony Enclosure – Riverhorse on Main Street at 540 Main Street. The pilot program is set to expire in April 2024 and City Council has requested the Historic Preservation Board and Planning Commission review the program and provide a formal recommendation on its continuation or modification.

The pilot program outlines the following:

- There may be times when it is not appropriate to construct a Temporary Winter Balcony Enclosure on a non-historic building due to unique conditions, including but not limited to health and safety concerns, as found by the Planning Director or Chief Building Official.

¹ [LMC § 15-1-2](#)

² [LMC § 15-2.6-1](#)

- The Temporary Winter Balcony Enclosures and the balcony should respect the architectural style of the building.
- The Temporary Winter Balcony Enclosures should retain existing balcony railings to achieve a design consistent with open balconies and maintain the character of the original building.
- The existing exterior wall of the building may not be removed seasonally to accommodate the enclosure.
- The Temporary Winter Balcony Enclosures must not block existing door and window openings on neighboring buildings.
- Temporary Winter Balcony Enclosures should consist of clear glazing set in window frames that generally match the mass, scale, and materials of those used for the glazing frames of the building.
- Sunscreens are permitted and should only be used in times of extreme sun but should not be obtrusive.
- The balcony must be situated so as not to interfere with pedestrian movement on the sidewalk.
- The Temporary Winter Balcony Enclosures must have direct access to the restaurant's dining area.
- Temporary Winter Balcony Enclosure designs must address snow shedding.
- Any changes to the exterior façade of the building, proposed changes to the existing balcony, or construction of a new balcony shall be reviewed by staff as part of the Historic District Design Review. New balconies extending over the City right-of-way will require approval of the City Council.
- The construction of any temporary tents should be approved through an Administrative Conditional Use Permit for up to fourteen (14) days. Free-standing tents will not be considered the same as balcony enclosures.
- No signage is allowed on any Temporary Winter Balcony Enclosures.
- Any new Temporary Winter Balcony Enclosures will require a building permit.
- Temporary Winter Balcony Enclosures will only be permitted from November 15th through April 30th.

When the pilot program was proposed, staff voiced concerns which have been outlined in the linked staff reports and summarized below:

- *Staff's professional opinion is that the enclosure of this space – even temporarily during the winter months – changes the historic character of the Main Street Historic District as a whole.*
- *The enclosure of balcony spaces substantially alters the architectural design of the building, the light and shade of the building design, and the rhythm and pattern of the streetscape.*
- *The visual character of the original building (historic or non-historic) will be substantially altered due to changes in its overall shape, roof design, projections, recesses, and solid-to-void ratio.*
- *The enclosure of the balconies detracts from the historic "Western" appearance of Park City's Mining Era Main Street.*

- *The appearance of balconies over the sidewalks adds appeal and interest to the rhythm and patterning of the Main Street Historic District; these enclosures change the massing of the structure and create the perception of a second floor extending beyond the plane of the façade and over the City right-of-way.*
- *By extending beyond the front plane of the façade, these seasonal balcony enclosures block the views of neighboring historic buildings when looking up or down Main Street.*
- *Park City's Main Street is characterized by in-line facades with limited breaks in their massing.*
- *Building over the balconies breaks the well-articulated street wall along the sidewalk and disrupts the continuity of the street wall.*

On July 8, 2022, the Planning, Building, Engineering, Public Works, and Sustainability Departments met to evaluate and discuss the pilot program. Staff continues to voice the same concerns raised previously. The enclosure impacts the historic character and integrity of Park City's Main Street Historic District, presents snow-shedding concerns, and increases water, sewage, and parking demands. Additionally, while the pilot program allows for temporary enclosure of balconies on non-historic buildings, the enclosure impacts adjacent Historic Structures, requiring attachment to and removal from historic materials.

Since the LMC was amended to establish the pilot program, in 2019, the [Design Guidelines for Historic Commercial Infill Construction](#) were adopted. The Guidelines, outlined in LMC [§ 15-13-9](#), include the following for non-historic commercial structures in the Historic Districts and do not support Temporary Winter Balcony Enclosures:

- New infill commercial buildings shall differentiate from historic structures but shall be compatible with historic structures in materials, features, size, scale, proportion, and massing to protect the integrity of the Main Street Historic District as a whole. The massing of new infill commercial buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the site.
- Scale and height of new infill commercial structures shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites.
- Size and mass of a structure shall be compatible with the size of the site so that site coverage, and building bulk and mass are compatible with Historic Sites within the Streetscape or character area.
- New construction activity shall not physically damage nearby Historic Sites.
- New infill commercial buildings shall reinforce visual unity within the context of the Historic District but also the context of the Streetscape or character area. The specific context of the Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and

neighboring Historic Sites to reinforce existing rhythms and patterns.

- Structures shall be located on a site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, and alignment along the street.
- All Streetscape or character area elements should work together to create a coherent visual identity and public space. The visual cohesiveness and historic character of a site shall be maintained using complementary materials.
- Historic height, width, and depth proportions are important in creating compatible infill, and the new design shall reflect the historic mass and scale of commercial buildings in the Historic District.
- The size and mass of a new infill commercial building, about open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Historic District.
- Building features such as storefronts, upper-story windows, cornices, and balconies shall be aligned with similar historic building features in the Historic District.
- New balconies shall be visually subordinate to the new building and shall be minimally visible from the primary public right-of-way.
- A new balcony shall be simple in design and compatible with the character of the Historic Districts. Simple wood and metal designs are appropriate for commercial structures. Heavy timber and plastics are inappropriate materials.
- An addition shall be visually subordinate to the existing building and shall be compatible with the scale of the historic buildings in the Streetscape or character area.

Due to the inherent conflicting provisions between the enclosure of balconies along Main Street and the Guidelines, amendments to the Design Guidelines for Historic Commercial Infill Construction would be required to continue the pilot program.

Since the pilot program was initiated in 2016, only one property has installed a Temporary Winter Balcony Enclosure: Riverhorse on Main. The entrance to Riverhorse on Main is through 540 Main Street, a Landmark Historic Structure ([Historic Site Form](#)). Riverhorse then extends along the upper level of 530 Main Street to the south, which is not a historic structure. The Balcony Enclosure extends from this portion of the restaurant. The abutting property to the south is the Park City Museum at 528 Main Street; another Landmark Historic Structure ([Historic Site Form](#)). As a result, although the balcony for Riverhorse on Main is not on a historic building, it requires a connection to two Landmark Historic Structures.



Figure 1: Images from Google Maps showing Riverhorse on Main before and after balcony enclosure.

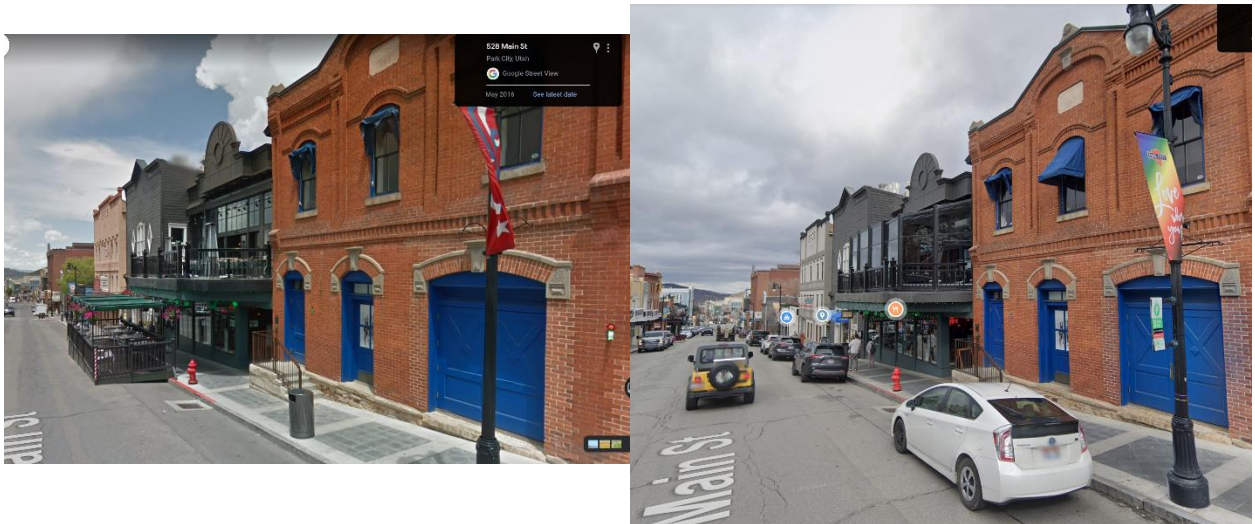


Figure 2: Images from Google Maps showing Riverhorse on Main before and after balcony enclosure, oblique view showing massing projecting over pedestrian public right-of-way.



Figure 1: 1995 photograph showing the open balcony.



Figure 2: Photograph showing open balcony and neighboring Landmark Structure at 528 Main Street. Second story facade of building is shown to sit behind the facade planes of the abutting Landmark Structures.

Department Review

The Planning Department and City Attorney's Office reviewed this report.

Public Input

Beyond public input attached in previous reports, staff did not receive any public input at the time this report was published. Public input published in prior reports has been compiled in Exhibit H.

Exhibits

Exhibit A: November 13, 2014 City Council Minutes

Exhibit B: January 7, 2015 Historic Preservation Board Staff Report

Exhibit C: January 7, 2015 Historic Preservation Board Minutes

Exhibit D: March 4, 2015 Historic Preservation Board Staff Report

Exhibit E: March 4, 2015 Historic Preservation Board Minutes

Exhibit F: December 9, 2015 Planning Commission Staff Report

Exhibit G: December 9, 2015 Planning Commission Minutes

Exhibit H: Prior Public Input

**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
November 13, 2014**

Page | 2

Council member Beerman has attended many Mountain Accord meetings. Stated that the December 3rd Community Outreach meeting has been postponed until early January. Live PC Give PC killed it and he is very proud of the community for raising over a million dollars.

2015 Legislative Update

Matt Dias spoke to the Council gearing up to the upcoming Legislative session. Spoke to the platform he created in the staff report discussing transportation, land use. Mayor and Council feel that the framework is a great idea and feel comfortable with the outline presented to Council. Dias stated that he did not want to look into the crystal ball but feels that there will be a push for transportation as well as the usual hot topics of clean air, health care. Discussed a proposed resolution that he will be bringing back to Council next week. Council member Beerman stated that he got a preview of the proposed transportation tax stating that it will be a very broad definition of transportation with this bill. He inquired about what the tax would mean to Park City. Dias stated that he will have a better number next week following the kickoff meeting. Council member Simpson inquired if this money will stay within our City. Dias stated that a city-wide option is available and he will have more information next week as well. Simpson inquired if there is any LGBT movement this time as the door was closed on those bills last year awaiting the Supreme Court ruling. Dias stated that anything is possible. Dias will be bringing back updates at each Council meeting until the close of the session.

Temporary Winter Balcony enclosure discussion

Planner Grahn stated that in September 2013 the Riverhorse approached the City regarding winter balcony enclosures. Staff is not in favor of the temporary winter enclosures as they would interrupt the view along Main Street as well as cause possible damage to the historic structures. Grahn outlined the LMC and International Building Code that would be against permitting these temporary enclosures. John Allen, Building Department, stated that he can agree that there is not a desire for the tent structures, as well as being unsightly they have energy efficiency deficits. Mayor Thomas feels that this winter program would be redesigning Main Street for the winter season and he agrees with Staff.

Council member Matsumoto stated that she does not have a problem with the dining decks and stated that there are only 5 restaurants with decks and they may not all want to participate and would be inclined to a shorter period of time. She also thanked staff for the wonderful report but does not see this as a negative aspect. Council member Peek stated that he feels that it will change the architectural pattern of Main and feels with the snow load impacts would be too great. Council member Henney stated he agrees with Matsumoto and would like to think that staff could make certain adjustments to make this work. Council member Simpson agrees with the Mayor. Council member Beerman agrees with Matsumoto and Henney and feels that there is not an impact and feels that during the summer there are large umbrellas up that interrupt the vibe and flow and also remembers the hurdles we had with the summer decks. Allison Butz spoke for the HPCA stating that they do not have a problem with adding square footage to the restaurants during the winter season.

Mayor Thomas spoke to the structural design and snow load issues of the property. Allen stated that each deck would have to go through a design review. Mayor Thomas stated that even with

**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
November 13, 2014**

Page | 3

a pilot program it would still impact the character of Main Street. Council member Simpson stated that she feels that this will be a lot of pain for not a lot of gain. Council member Matsumoto stated that she does not feel it should be allowed up year-round and looks at health and safety as a paramount issue and would suggest the HPCA take a look at this item but is still in favor. Sintz suggested a compromise that would allow the restaurants to keep the tents up for longer than the currently allowed 14 days to allow for more seating during the winter season. Council agreed that the proposed enclosures looked nicer than the tents. Mayor and Peek spoke again to the architectural load.

Seth Adams, Riverhorse, stated that he has worked with architects and have looked at the snow load and fire codes. They are looking at just adding time through the ski season and would like to give a different perspective to our visitors. Spoke to the impact to the adjacent buildings as well as the process of taking the structure up and down.

Kasey Crawford, business owner, spoke to the tent structure stating that it detracts from the appeal of Main Street.

Mike Sweeny took this from a perspective as a business owner and stated that he supports creative and innovative ideas to bring people into Main Street.

Mayor Thomas expressed his continued concern regarding this item. Foster spoke to the items staff will bring back a proposed lease agreement and a policy program as well as a read from the HPCA and the Historic Preservation Board as well as building guidelines.

Main Street Employee Parking Initiative

Blake Fannesbeck, Public Works Director; Brian Anderson, Transportation and Allison Butz, HPCA spoke to the parking initiative stating that this has been an evolving plan to better serve our parking issues. Fannesbeck stated that the Task Force that included HPCA members as well as staff looking at peak hour/peak day data to develop a final recommendation for Council. Fannesbeck recognized the parking problem apparent in Park City. Outlined the recommendations stating that they looked at China Bridge proposing 6 hours per vehicle instead of the current 6 hours per space where they have identified spot jumping in the garage.

Council member Henney thanked staff for looking at resolving actual parking issues. Fannesbeck outlined the changes for the China Bridge Pass with increased fee and restrictions on Friday and Saturday reserving the current restrictions during Sundance and Arts Fest. Council member Simpson stated her concerns with the transferrable pass and will exacerbate the problem. Council member Peek stated that in his mind the goal is to free up parking for visitors and feels that if there are problems then the task force should be able to change those restrictions. Council member Henney stated that he feels this is an appropriate step to help mitigate the issue. Fannesbeck outlined the transportation system that will help encourage people to use the bus routes and the shuttle service. Mayor Thomas thanked staff and looks forward to the item coming back in a future meeting.

Introduction of new Park City Mountain Resort Chief Operating Officer Bill Rock

Mike Gore introduced Bill Rock as the Chief Operating Officer of Park City Mountain Resort sharing that the Council and Community will find his involvement outstanding. Gore asked the record to reflect that Bill brought the snow storm this evening. Rock thanked Gore for the great introduction and is very excited to be in the Community. Stated that his family is so excited to



Historic Preservation Board Staff Report

Subject: Temporary Winter Balcony Enclosures
Author: Anya Grahn, Historic Preservation Planner
Department: Planning Department
Date: January 7, 2014
Type of Item: Work Session

Summary Recommendations:

Staff recommends the Historic Preservation Board (HPB) review staff's analysis of the proposed balcony enclosures over the Main Street right-of-way during the winter months (November through April) as well as proposed Design Guidelines, and the HPB make recommendations to City Council.

Topic/Description:

The Riverhorse on Main wishes to construct a temporary, seasonal enclosure on their balcony that would provide additional restaurant space during the winter months (November 1st through April 30th). They believe other restaurants on Main Street would also benefit by having the ability to enclose their balconies, and the Riverhorse has proposed that City Council develop a seasonal program similar to Street Dining on Main—the dining deck program.

Background:

On September 18, 2014, Seth Adams of the Riverhorse presented to City Council his concept for a winter balcony enclosure program. The applicant requested that property owners be permitted to enter into a lease agreement with the City for the enclosure of balcony space above the City right-of-way (ROW). This program would be similar to Street Dining on Main's summer dining decks. Staff met with City Council on November 13, 2014, to discuss this program and expressed their concern for these balcony enclosures; City Council directed staff to meet with the HPB for feedback on this program.

There are approximately twenty-one (21) balconies on Main Street that extend over the City ROW. Of these, seven (7) are constructed on historic buildings, but only one (1) balcony is historic (361 Main Street). Land Management Code (LMC) 15-2.6-3 requires that no balcony projecting over City ROW may be erected, re-erected, located or relocated, enlarged, or structurally modified without first receiving approval from City Council. LMC 15-2.6-3(D) specifically states that "Balconies . . . may not be enclosed." Should City Council decide to pursue a seasonal balcony enclosure program, the LMC will need to be amended to allow for temporary balcony enclosures. Property owners are required to provide insurance for their balconies.

Outdoor dining is a conditional use in the Historic Commercial Business (HCB) District for restaurants. Any outdoor dining must be approved through an Administrative Conditional Use Permit (Admin-CUP). Riverhorse and Wahso both have Admin-CUPs

for their outdoor dining for summertime balcony dining. No other restaurants currently have approvals.

The following chart outlines the location, historic designation, and existence of Admin-CUPs for the existing balconies:

Business Name:	Address:	Use:	Historic Designation:	Admin CUP for Outdoor Dining
TMI	255 Main St	Multiple	Not Historic	No
Red Banjo Pizza	322 Main St	Restaurant	Landmark	No
Berkshire Hathaway Home Services	354 Main St	Real Estate	Significant	No
Burns Cowboy Shop	361 Main St	Retail	Landmark	No
Woodbury Jewelers	421 Main St	Retail	Not Historic	No
Flannagans	438 Main St	Restaurant	Landmark	No
Robert Kelly Home	449 Main St	Retail	Significant	No
501 on Main	501 Main St	Restaurant	Not Historic	<i>Under review</i>
The Expanding Heart	505 Main St	Retail	Not Historic	No
The Cunningham Building	537 Main St	Office	Not Historic	No
River Horse	530-540 Main St	Restaurant	Landmark (Balcony is on the addition)	Yes
Quicksilver	570 Main St	Retail	Not Historic	Yes
Wahso	577 Main St	Restaurant	Not Historic	Yes
Gaucha/Above Condo	591 Main St	Retail/Residential	Significant	No
Destiny	608 Main St	Retail	Not Historic	No
Montgomery Life Fine Art	608 Main St	Retail	Not Historic	No
Condos	613 Main St	Residential (2 nd level)	Not Historic	No
Condos	614 Main St	Residential (2 nd level)	Not Historic	No
Summit Sotherby's International Realty	625 Main St	Residential/Realty	Not Historic	No
Bahnhof Sport	639 Main St.	Retain	Not Historic	No
Town Lift Condominiums	693 Main St	Commercial/Residential	Not Historic	No
Caledonian Hotel	751 Main St	Commercial	Not Historic	No

Analysis:

A balcony is a platform that projects from the wall of a Building and is enclosed by a railing, parapet, or balustrade. It typically does not have a roof. Usually, balconies are incorporated into the design of a building for functional and aesthetic reasons. In some cases, the balcony offsets the massing of the commercial building while embellishing the façade of the structure with additional architectural detailing. The balcony is one of the most visible elements of the building and significantly contributes to the style, appearance, and relationship of the structure to the streetscape.

Balconies traditionally serve as open-air spaces. They are an extension of the interior yet provide a clear transitional space between the private interior spaces and public

exterior spaces of the building. Balconies are an outside room during warm weather and provide a covered entrance to the lower level during adverse weather conditions.

Staff's professional opinion is that the enclosure of this space—even temporarily during the winter months—changes the historic character of the Main Street district as a whole. The enclosure of balcony spaces substantially alters the architectural design of the building, light and shade of the building design, and the rhythm and pattern of the streetscape. The visual character of the original building (historic or non-historic) will be substantially altered due to changes in its overall shape, roof design, projections, recesses, and solid-to-void ratio. On historic structures, the balcony enclosure would obscure and detract from historic details of the balcony and the corresponding historic building. In other cases, balconies that were not originally designed to meet the requirements of interior spaces and enclosures may require substantial structural changes and reconstruction.

Design Guidelines for Historic Districts and Historic Sites

Staff does not believe that the seasonal enclosures of balconies over Main Street complies with the current *Design Guidelines for Historic Sites and Structures*.

Planning Staff's professional opinion is that the enclosure of the balconies detracts from the historic "western" appearance of our Mining Era Main Street. The appearance of balconies over the sidewalks adds appeal and interest to the rhythm and patterning of the Main Street historic district. These enclosures would change the massing of the structure and create the perception of the second floor extending beyond the plane of the façade and over the City right-of-way. By extending beyond the front plane of the façade, these seasonal balcony enclosures would also be blocking the views of neighboring historic buildings when looking up or down Main Street. Park City's Main Street is characterized by in-line facades with limited breaks in their massing. Staff finds that building over the balconies would break the well-articulated street wall along the sidewalk and will greatly disrupt the continuity of the street wall.



Scenario 1. The balcony projects over Main Street adding interest to the street wall overall, but the balcony is also transparent and does not impede the view of the neighboring historic buildings.



Scenario 2. The seasonal enclosure extends over the city right-of-way. On the second level, the enclosure disrupts the continuity of the street wall and blocks the view of the Park City Museum.

The Design Guidelines specify that new additions on historic buildings be visually subordinate to the historic building from the primary public right-of-way, including incorporating rooftop additions that are not visible from the street. The guidelines also recommend that the new addition does not obscure or significantly contribute to the loss of historic materials. Staff finds that these balcony enclosures are a very visible addition to the existing structure, conceal historic building facades, and threaten historic materials.

Staff is concerned that the annual construction and removal of the balcony enclosures will be detrimental to historic building materials. Nails, screws, sealants, and other materials used at connections will leave behind holes, scratches, stains, and other signs of damage on the historic materials that will need to be patched and repaired annually when the enclosure is removed. Staff finds that this will intensify normal wear and tear on historic materials and cause the materials to deteriorate faster.

Staff also finds that the proposed balcony enclosures will visually modify or alter the original building design. The majority of historic buildings with existing balconies already have second-level doors accessing the balcony; however, these doors are not original to the building. Most buildings would not be permitted to add a new door to access their non-historic balcony. As new doors and balconies would not be permitted to be constructed without a Historic District Design Review (HDDR) approval and permission from City Council to construct over the public right-of-way, staff finds that only a limited number of balcony enclosures would be permitted for those decks already existing.

Staff has met with the Legal, Building, Finance, and Engineering Department to identify other issues that will need to be addressed in order to establish this program. These include:

- The applicant must submit a full architectural and engineering plan to the Building Department that addresses energy efficiency, structural loads on the cantilevered deck, emergency egress plans, seating plan, weather proofing, electrical plans, etc. Additional electrical upgrades must be permanent and electrical outlets will need to be concealed from the view of the public right-of-way.
- The applicant will also need to provide a snow shed plan. Snow will need to be retained on the roof and the applicant shall show how the melted snow will be diverted to the public way without draining across the sidewalk.
- Building permits will be required for the assembly and disassembly of the seasonal balcony enclosures.
- Increased water and sewer impact fees will require Snyderville Basin Water Reclamation District sign-off.
- There will be increased fees for business licensing due to the additional square footage.
- Additional fire safety requirements will require approval by Park City Fire District.

- The applicant will assume all liability for the seasonal enclosures and need to provide insurance for the balcony and enclosure.

Is the HPB supportive of the seasonal enclosure of restaurant balconies during the winter months?

Developing a program similar to summer dining decks

In order to accommodate such a program, the Design Guidelines and the Land Management Code (LMC) will need to be amended in order to allow for the temporary, seasonal enclosure of the balconies. LMC 15-2.6-3(D) Balconies should be amended to state:

(D) BALCONIES. No Balcony may be erected, enlarged, or altered over a public pedestrian Right-of-Way without the advance approval of the City Council. Balcony supports may not exceed eighteen inches (18") square and are allowed no closer than thirty-six inches (36") from the front face of the curb. Balconies must provide vertical clearance of not less than ten feet (10') from the sidewalk and may not be enclosed permanently. Temporary seasonal balcony enclosures may be appropriate on some structures. With reasonable notice, the City may require a Balcony be removed from City property without compensating the Building Owner.

If City Council supports temporary balcony enclosures, than Staff recommends altering the following guidelines to specify that these guidelines are not impacted by temporary structures:

Design Guidelines for Historic Sites in Park City:

MSHS1. The proposed project must not cause the building or district to be removed from the National Register of Historic Places. Temporary structures are not subject to review of the National Register of Historic Places.

MSHS8. Temporary winter balcony enclosures are reviewed by the program's criteria and are not addressed by these Specific Design Guidelines.

Design Guidelines for New Construction in Park City's Historic Districts

MSNC1. New construction in the Main Street National Register Historic should be approved only after it has been determined by the Planning Department that the proposed project will not jeopardize the integrity of the surrounding Historic Sites. Temporary structures are not subject to review of the National Register of Historic Places.

MSNC9. Temporary winter balcony enclosures are reviewed by the program's criteria and are not addressed by these Specific Design Guidelines.

Should the HPB believe such enclosures are appropriate along Historic Main Street, staff finds that there need to be some basic guidelines in order to protect the historic

integrity of the Main Street Historic District. Staff is recommending that the HPB review and provide feedback on the following proposed guidelines for balcony enclosures:

General Requirements for Balcony Enclosures

1. The enclosure must be constructed on a balcony on Main Street.
2. There may be times when it is not appropriate to enclose a balcony due to the unique historic character and architectural detailing of the historic building.
3. The applicant must demonstrate that the temporary enclosure will not damage the existing façade and/or side walls with repeated attachment and detachment.
4. The enclosure and balcony should respect the architectural style of the building.
5. The enclosure should retain existing railings in order to achieve a design consistent with open balconies and maintain the character of the original building.
6. The existing exterior wall may not be removed seasonally in order to accommodate the balcony enclosure.
7. The enclosure must not block existing door and window openings on neighboring buildings.
8. Enclosures should consist of clear glazing set in window frames that generally match the mass, scale, and material as those used for the glazing frames of the building.
9. Draperies, blinds, and/or screens must be located in a traditional manner above doors and windows. Draperies, blinds, and/or screens should not be used within the balcony enclosure if they increase the bulk appearance of the enclosure. The use of these must blend with the architecture of the building and should not detract from it. Materials should be high-quality, colorfast, and sunfade resistant.
10. The balcony must be situated so as not to interfere with pedestrian movement on the sidewalk.
11. The enclosure must have direct access to the restaurant's dining area.
12. The design must address snow shedding.
13. Any changes to the exterior façade of the building, proposed changes to the existing balcony, or construction of a new balcony shall be reviewed by staff as part of the Historic District Design Review. New balconies extending over the City right-of-way will require the approval of City Council.
14. The construction of any temporary tents should be approved through an Administrative Conditional Use Permit for up to fourteen (14) days. Free-standing tents will not be considered the same as balcony enclosures.
15. Any new signage will require a Sign Permit application.

Does the Historic Preservation Board approve of these proposed Design Guidelines for Balcony Enclosures? Are there any other Design Guidelines that should be incorporate?

Recommendation:

Staff recommends the Historic Preservation Board (HPB) review staff's analysis of the proposed balcony enclosures over the Main Street right-of-way during the winter months (November through April) as well as proposed Design Guidelines, and the HPB make recommendations to City Council.

Exhibits:

Exhibit A – City Council Staff Report and Minutes

Exhibit B – HPCA input for balcony enclosures

Exhibit C – Additional renderings of proposed enclosure at Riverhorse

Temporary Winter Balcony Enclosures

Board Member Crosby recused herself from this discussion and left the room.

The Staff recommended that the Historic Preservation Board review the Staff's analysis of the proposed balcony enclosures over the Main Street right-of-way during the winter months, November through April, as well as proposed Design Guidelines. The HPB was being asked to make recommendations to City Council.

Planner Anya Grahm reported that the Staff's professional opinion is that the balcony enclosures are a threat to the look and feel of the historic character. Per the definition, a balcony provides coverage when entering from the ground level; and it is also a transitional space between exterior and interior and outdoors and indoors.

Planner Grahm understood that balcony enclosures were only temporary and the plan is to only keep them up for six months during the winter months. However, she was concerned that enclosing the balconies would alter the look and feel of Main Street and take away from the western appearance that exists. It alters the architectural design, the light and shade created by the design of the building, and the rhythm and pattern on the streetscape. Planner Grahm stated that a balcony overall contributes to the visual qualities of the building design. Enclosing the balcony changes the overall form and shape of the building. She was very concerned about enclosing balconies on historic structures because the seasonal removal and construction of the balcony enclosure could damage historic building materials.

Planner Grahm pointed out that the Riverhorse was proposing to enclose the balcony on the new portion of the building; however, their request would result in a program that would encompass all the restaurants on Main Street.

Another issue is that any new balconies would have to go before the City Council for approval. In some instances, if a building were to put on a new balcony, Planner Grahm was unsure whether the Staff would support changing the door and window configurations on the second level so the balcony could be enclosed during the winter season.

Planner Grahm reported that for historic structures the Guidelines are very specific about keeping new additions being subordinate and not being visible in the public right-of-way. Enclosing the balcony changes the form of the building and adds an addition to the front, which is something that would normally not be approved. Planner Grahm remarked that even a roof top addition on a historic building needs to be shielded and not visible. She noted that the Staff report contained a chart showing which balconies were historic and which were not.

Most of the balconies on Main Street are not historic and were added to the historic structure at a later time.

Planner Grahn asked if the HPB was interested in pursuing this program.

Seth Adams from Riverhorse on Main stated that the balcony enclosure they were suggesting would not be on a historic building and it would not connect to any historic buildings. He noted that they have looked at drainage, snow removal and other aspects associated with adding the balcony enclosure. Mr. Adams remarked that it was simply a matter of trying to make the most out of the winter season. The surrounding restaurants have that capability in the summer and he was looking to do that in the winter time. Mr. Adams thought 180 days was a generous time frame because winter is not that long and he specifically wants the balcony for the winter season. He would like the balcony to add to the historical integrity of people being out there in the summer, but adding the balcony for winter use allows people to perceive the historic nature in a way they have never experienced before. Mr. Adams remarked that they waited a long time for this to come before the HPB, and they were looking forward to a favorable opinion in order to compete in a seasonal town. Mr. Adams believed the process would address wind load, fire and other safety aspects and any issues could be worked through with the Fire Marshall and the Building Department.

Mr. Adams presented drawings and photos. He referred to comments about the balcony blocking the view of the Museum. Mr. Adams stated that he works closely with the Museum and he had asked Sandra Morrison to attend this meeting because she was in favor of their proposal. Mr. Adams expressed a willingness to work with any recommendations from the HPB that would allow them to move forward.

Chair Kenworthy pointed out that the Riverhorse has done this in the past. Mr. Adams replied that they are allowed to put up a tent for a two week period up to five times per year, but the tent does not hold up to the weather elements. A semi-permanent structure would give them the ability to ensure that their guests are warm and comfortable on the patio year-round.

Chair Kenworthy understood that the Staff was not looking for a final answer. The question was whether or not the Board thought it was something that should be pursued as policy. Planner Grahn answered yes. If the HPB is interested in pursuing it, it would be looked at as a possible change to the LMC and the Design Guidelines so if this program moves forward the Staff would have a mechanism to evaluate the structures.

Chair Kenworthy asked if the businesses who construct the temporary tents need to obtain approval each time. Director Eddington replied that approval for any tents must be obtained from the Planning and Building Departments.

Chair Kenworthy called for public input.

John Lundell stated that he has been an owner in Park City since 1997 and he has lived in Park City full-time for 12 years. Mr. Lundell was in favor of this proposal for several reasons. According to the Mountain Accord data, Summit County is the second fastest growing county in the Country and like it or not they can expect a lot of growth. Main Street is a particular problem because the businesses on Main Street cannot go up beyond 27' and they cannot go wide because there is no space. Mr. Lundell thought this proposal was a minimally invasive way to allow existing businesses some growth opportunities. A second reason is that outdoor dining has already been approved during the summer months, which is more disruptive to the historic look and feel. An enclosed balcony would be less intrusive. Mr. Lundell stated that by not allowing people to use their decks in the winter penalizes those without a ground floor. From the drawings he saw, it would not be intrusive to the historic atmosphere they were trying to maintain.

Ruth Meintsma, a resident at 305 Woodside, referred to the comments that a balcony tent would be something similar to the summer dining decks. She disagreed with that comment because the summer dining decks engage people with the historic character of the street. An enclosed tent would do the opposite and actually shut off humanity from the street. Ms. Meintsma remarked that summer dining also engages the people on the street with the humanity dining. During the discussions about summer dining, she recalled comments from the City Council about intrusive umbrellas on the street that could compare with the tent. Ms. Meintsma also disagreed with that comment because umbrellas are over people's head while the people are sitting in the open air; whereas the tents would be enclosed. Ms. Meintsma thought the images shown did not give any indication of the feel of what the enclosed balcony would do. She agreed with an earlier comment by Board Member Holmgren that computer images do not show what you need to see. Ms. Meintsma stated that the reasons for enclosing the deck when it is cold outside could be the same argument for summer. Park City has cold nights and there are times when it rains or even snows in July. She was also concerned about setting a precedent for a proliferation of balconies. Ms. Meintsma found it interesting that the historic on each side of the Riverhorse building are slightly proud. She wondered if when that structure was approved some of the Planners had the forethought of setting the building slightly back to show off those historic. She noted that a tent would eliminate that effect where the historic are proud and show themselves off.

Planner Grahn clarified that even though the Riverhorse was the first to bring this forward, the program would be for balcony enclosures up and down Main Street.

Casey Adams stated that Ms. Meintsma was right in saying that the balconies would not be the same as in the summer because it is a winter program. It is also a short timeframe. Ms. Adams thought it would benefit more people than just the Riverhorse because although they all agree that historic Main Street needs to be preserved, people who come to Park City to spend money would be benefitted as well. The Riverhorse was looking out for the people who come to support this town. Ms. Adams remarked that the architects have worked very hard on snow removal and other issues and concerns that have been presented.

Chair Kenworthy closed public input.

Planner Grahn reiterated that the question for the Board was whether or not they supported pursuing this program.

Board Member Melville understood that the City Council was asking the HPB for their recommendation. She wanted to know what criteria the Board should use to base their recommendation.

Assistant City Attorney McLean stated that it was actually a policy issue that would require amendments to the LMC and the Guidelines. These discussions were a kick-off from a policy standpoint of whether or not the program was something to consider. Ms. McLean recommended that they look for consistency with the General Plan and their thoughts of the Historic District. Currently, the proposal would not meet the Guidelines or the Code, so they could not use those to aid in their decision.

Mr. Adams stated that he is allowed to have temporary structures on the patio for 70 days a year. However, he could not remove it for one day and put it back up the next day to make it comfortable for his guests. He clarified that he was requesting an amendment to the Land Management Code, and he would follow whatever number of days the City would allow it to stay up if he could create a better atmosphere for his guests than a vinyl tent.

Board Member Melville asked Planner Grahn to show the renderings on Exhibit C. Ms. Melville referred to the picture of the open deck which has a western look. She pointed out that the picture of the enclosed deck eliminates the western look of the street. Ms. Melville remarked that the deck shown is not what the deck currently looks like. She asked Mr. Adams why he would not just build out to the property line to gain more square footage. Mr. Adams explained that it would affect the entrance to the Riverhorse and impact what they do at the top of the stairs. Obtaining this requested approval would change the master plan and the flow of the interior of the restaurant. They would still make the improvements shown, but it would make the cost worthwhile for making those improvements. Ms. Melville asked if the photo with the enclosure was showing exactly what the enclosure would look like. She was concerned about snow loading on the top.

Mr. Adams replied that they have talked about heat trays and guttering the water underneath the sidewalk. Ms. Melville clarified that Mr. Adams would have to do a lot more to create the permanent structure that was shown. She asked if there would need to be pillars on the sidewalk to support the extra weight. Mr. Adams answered no. Board Member Melville understood that in order to make this a permanent structure, they would have to build out more than what was being shown. Mr. Adams reiterated that they would have to have heating and air and gutters, but no additional support would be required.

Board Member Hewett clarified that the enclosure would only be temporary. Mr. Adams answered yes. He explained that it would be a tongue and groove type with aluminum poles and plexiglass windows.

Board Member Melville remarked that it could come off, but the visitors on Main Street during the winter would see it as a permanent structure rather than a temporary structure. If someone came in requesting a new building, she questioned whether the City would allow them to build a permanent structure out over the sidewalk because it would change the view of Main Street significantly. Planner Grahn stated that if the structure was proposed to be permanent it would not be approved because it is built over the City right-of-way and because of the form of the building.

Board Member Melville Ms. Melville stated that her concern is that an open deck has a western mining town look. Enclose the deck and that look is lost. Having that up and down Main Street would create a different look. She asked if the Board was willing to go with a different look for Main Street. Ms. Melville was concerned about setting a precedent. She named the buildings that already have decks and the ones that could build decks. Ms. Melville believed these were different from dining decks. Dining decks are clearly temporary because you can see through them and around them. Ms. Melville stated that because the Building Department would require a dining deck that is enclosed for six months to be built to permanent standards, it will look like the permanent way the building was designed.

Board Member Holmgren stated that she is a strong proponent of the dining decks during the summer, but there was controversy to allow those. She still hears people complain as she walks up and down the street. Ms. Holmgren believed this was another step in the right direction. She thought it was fabulous, particularly the fact that it is all tongue and groove and they have addressed snow removal and other issues. It would only be up for 180 days. She would not care if a visitor thought it was permanent because she knows that by Spring she would be sitting on an outdoor deck.

Board Member Hewett concurred with Board Member Holmgren. She thought it was a good idea and she believed people would look at it as a way to make

something historic current. Ms. Hewett thought people would be able to interpret the difference.

Board Member Holmgren stated that if someone wants to do something that is safe and good looking they should be allowed to do it. She pointed out that all decks go through a design review and they have to be approved. She was not opposed to having more decks. Ms. Holmgren remarked that this was one of the best innovations she has seen in a long time that was good for Main Street.

Chair Kenworthy expressed his appreciation for the independence and the diversity of this Board. It opens his eyes and he hoped it benefits the Staff.

Board Member Beatlebrox did not have a definite opinion either way, but she could see no harm in looking into it further.

Chair Kenworthy disclosed that he is a restaurant owner with a dining deck and for that reason he would decline to make comment.

Board Member White asked if the roof of the temporary structure was glass or plexiglass. Mr. Adams stated that it was designed to be see-through plexiglass or some type of polyurethane. Mr. White stated that if it is see-through glass or plexiglass it would have very little or no snowload. It would have moisture but gutters and downspouts would take care of it. Mr. White stated that if it is metal and glass and they would no longer have to look at the vinyl tents, he favored pursuing it.

Assistant City Attorney McLean stated that because this matter is legislative, Chair Kenworthy could participate. Chair Kenworthy preferred to abstain. Ms. McLean encouraged his comments.

Chair Kenworthy thought it would open up a can of worms that could be looked into down the road. He did not want to be a hypocrite because this type of policy could work to his benefit. Chair Kenworthy understood that during the winter months the establishments are full to capacity and many people are turned away. As long as it is temporary and it looks better than what they are currently allowed to do, he thought it was worth pursuing. Chair Kenworthy thought it would be a slippery slope through the process, but he admires people who come in with different ideas.

Planner Grahn stated that since the majority of the Board were in favor of pursuing it further, they needed to review the changes that should be made and create guidelines for balcony enclosure throughout Main Street.

Board Member Melville understood that the majority rules, but she wanted it clear that she was adamantly against moving forward because it would change the

look of the architecture. She asked if they had consulted with the Historical Consultant to see if it would affect their designation as a Historic District. Planner Grahm stated that she spoke with Corey Jensen and the State Historic Preservation Office and he told her that if it is temporary it would not impact the National Register. Ms. Melville stated that temporary was one thing in terms of the Building Code definition of less than six months. However, temporary in terms of built upon standards and the majority of the visitors who come in the winter seeing a permanent structure attached to the outside of buildings changing the look of the architecture is a different issue. She pointed out that if the structures were permanent it would jeopardize the National Register; therefore it is an architectural change.

Chair Kenworthy personally preferred something closer to 120 days rather than 180 days.

Board Member Holmgren stated that when the City discussed outdoor dining decks guidelines were written on how they should be built. Ms. Holmgren was excited about the decks and she was excited about this next step. She remarked that Park City is historic but they also needed to be realistic.

Board Member Hewett liked the fact that the ceilings would be clear. She thought the timing was good and she had no concerns.

Given the late hour, Planner Grahm suggested that the discussion regarding changes to the LMC and the Design Guidelines for temporary winter balconies enclosures be continued to another meeting. The Board concurred.

Historic District Grant Program – Policy Review

Board Member Crosby returned to the meeting.

Planner Grahm stated that the goal for establishing guidelines is to give the HPB some criteria as a basis for deciding whether a project qualifies for going from Significant to a Landmark status. She reminded the Board that Landmark means the site is National Register eligible and it must be pristine.

Planner Grahm reviewed each guideline.

1. The building shall not have been reconstructed, panelized, relocated, or re-oriented.

In speaking with Ms. Meintsma this evening, Planner Grahm believed there were unique circumstances such as High West where this works and it can remain National Register eligible. However, in the majority of cases it is very rare for a structure to remain on the National Register if it is reconstructed or relocated.



Historic Preservation Board Staff Report

Subject: Temporary Winter Balcony Enclosures
Author: Anya Grahn, Historic Preservation Planner
Department: Planning Department
Date: March 4, 2015
Type of Item: Work Session

Summary Recommendations:

Staff recommends the Historic Preservation Board (HPB) review staff's analysis of the proposed balcony enclosures over the Main Street right-of-way during the winter months (November through April) as well as proposed Design Guidelines, and the HPB make recommendations to City Council.

Topic/Description:

The Riverhorse on Main wishes to construct a temporary, seasonal enclosure on their balcony that would provide additional restaurant space during the winter months (November 1st through April 30th). They believe other restaurants on Main Street would also benefit by having the ability to enclose their balconies, and the Riverhorse has proposed that City Council develop a seasonal program similar to Street Dining on Main—the dining deck program.

Background:

On September 18, 2014, Seth Adams of the Riverhorse presented to City Council his concept for a winter balcony enclosure program. The applicant requested that property owners be permitted to enter into a lease agreement with the City for the enclosure of balcony space above the City right-of-way (ROW). This program would be similar to Street Dining on Main's summer dining decks. Staff met with City Council on November 13, 2014, to discuss this program and expressed their concern for these balcony enclosures; City Council directed staff to meet with the HPB for feedback on this program.

The HPB briefly discussed their interest in seasonal balcony enclosures during the January 7, 2015 meeting, and expressed interest in discussing the topic further during their next meeting.

There are approximately twenty-one (21) balconies on Main Street that extend over the City ROW. Of these, seven (7) are constructed on historic buildings, but only one (1) balcony is historic (361 Main Street). Land Management Code (LMC) 15-2.6-3 requires that no balcony projecting over City ROW may be erected, re-erected, located or relocated, enlarged, or structurally modified without first receiving approval from City Council. LMC 15-2.6-3(D) specifically states that "Balconies . . . may not be enclosed." Should City Council decide to pursue a seasonal balcony enclosure program, the LMC will need to be amended to allow for temporary balcony enclosures. Property owners are required to provide insurance for their balconies.

Outdoor dining is a conditional use in the Historic Commercial Business (HCB) District for restaurants. Any outdoor dining must be approved through an Administrative Conditional Use Permit (Admin-CUP). Riverhorse and Wahso both have Admin-CUPs for their outdoor dining for summertime balcony dining. No other restaurants currently have approvals.

The following chart outlines the location, historic designation, and existence of Admin-CUPs for the existing balconies:

Business Name:	Address:	Use:	Historic Designation:	Admin CUP for Outdoor Dining
TMI	255 Main St	Multiple	Not Historic	No
Red Banjo Pizza	322 Main St	Restaurant	Landmark	No
Berkshire Hathaway Home Services	354 Main St	Real Estate	Significant	No
Burns Cowboy Shop	361 Main St	Retail	Landmark	No
Woodbury Jewelers	421 Main St	Retail	Not Historic	No
Flannagans	438 Main St	Restaurant	Landmark	No
Robert Kelly Home	449 Main St	Retail	Significant	No
501 on Main	501 Main St	Restaurant	Not Historic	<i>Under review</i>
The Expanding Heart	505 Main St	Retail	Not Historic	No
The Cunningham Building	537 Main St	Office	Not Historic	No
River Horse	530-540 Main St	Restaurant	Landmark (Balcony is on the addition)	Yes
Quicksilver	570 Main St	Retail	Not Historic	Yes
Wahso	577 Main St	Restaurant	Not Historic	Yes
Gaucha/Above Condo	591 Main St	Retail/Residential	Significant	No
Destiny	608 Main St	Retail	Not Historic	No
Montgomery Life Fine Art	608 Main St	Retail	Not Historic	No
Condos	613 Main St	Residential (2 nd level)	Not Historic	No
Condos	614 Main St	Residential (2 nd level)	Not Historic	No
Summit Sotherby's International Realty	625 Main St	Residential/Realty	Not Historic	No
Bahnof Sport	639 Main St.	Retain	Not Historic	No
Town Lift Condominiums	693 Main St	Commercial/Residential	Not Historic	No
Caledonian Hotel	751 Main St	Commercial	Not Historic	No

Analysis:

A balcony is a platform that projects from the wall of a Building and is enclosed by a railing, parapet, or balustrade. It typically does not have a roof. Usually, balconies are incorporated into the design of a building for functional and aesthetic reasons. In some cases, the balcony offsets the massing of the commercial building while embellishing the façade of the structure with additional architectural detailing. The balcony is one of the most visible elements of the building and significantly contributes to the style, appearance, and relationship of the structure to the streetscape.

Balconies traditionally serve as open-air spaces. They are an extension of the interior yet provide a clear transitional space between the private interior spaces and public exterior spaces of the building. Balconies are an outside room during warm weather and provide a covered entrance to the lower level during adverse weather conditions.

Staff's professional opinion is that the enclosure of this space—even temporarily during the winter months—changes the historic character of the Main Street district as a whole. The enclosure of balcony spaces substantially alters the architectural design of the building, light and shade of the building design, and the rhythm and pattern of the streetscape. The visual character of the original building (historic or non-historic) will be substantially altered due to changes in its overall shape, roof design, projections, recesses, and solid-to-void ratio. On historic structures, the balcony enclosure would obscure and detract from historic details of the balcony and the corresponding historic building. In other cases, balconies that were not originally designed to meet the requirements of interior spaces and enclosures may require substantial structural changes and reconstruction.

Design Guidelines for Historic Districts and Historic Sites

Staff does not believe that the seasonal enclosures of balconies over Main Street complies with the current *Design Guidelines for Historic Sites and Structures*.

The Design Guidelines specify that new additions on historic buildings be visually subordinate to the historic building from the primary public right-of-way, including incorporating rooftop additions that are not visible from the street. The guidelines also recommend that the new addition does not obscure or significantly contribute to the loss of historic materials. Staff finds that these balcony enclosures are a very visible addition to the existing structure, conceal historic building facades, and threaten historic materials.

Staff is concerned that the annual construction and removal of the balcony enclosures will be detrimental to historic building materials. Nails, screws, sealants, and other materials used at connections will leave behind holes, scratches, stains, and other signs of damage on the historic materials that will need to be patched and repaired annually when the enclosure is removed. Staff finds that this will intensify normal wear and tear on historic materials and cause the materials to deteriorate faster.

Staff also finds that the proposed balcony enclosures will visually modify or alter the original building design. The majority of historic buildings with existing balconies already have second-level doors accessing the balcony; however, these doors are not original to the building. Most buildings would not be permitted to add a new door to access their non-historic balcony. As new doors and balconies would not be permitted to be constructed without a Historic District Design Review (HDDR) approval and permission from City Council to construct over the public right-of-way, staff finds that only a limited number of balcony enclosures would be permitted for those decks already existing.

Staff has met with the Legal, Building, Finance, and Engineering Department to identify other issues that will need to be addressed in order to establish this program. These include:

- The applicant must submit a full architectural and engineering plan to the Building Department that addresses energy efficiency, structural loads on the cantilevered deck, emergency egress plans, seating plan, weather proofing, electrical plans, etc. Additional electrical upgrades must be permanent and electrical outlets will need to be concealed from the view of the public right-of-way.
- The applicant will also need to provide a snow shed plan. Snow will need to be retained on the roof and the applicant shall show how the melted snow will be diverted to the public way without draining across the sidewalk.
- Building permits will be required for the assembly and disassembly of the seasonal balcony enclosures.
- Increased water and sewer impact fees will require Snyderville Basin Water Reclamation District sign-off.
- There will be increased fees for business licensing due to the additional square footage.
- Additional fire safety requirements will require approval by Park City Fire District.
- The applicant will assume all liability for the seasonal enclosures and need to provide insurance for the balcony and enclosure.

Does the HPB wish to see balcony enclosures on both historic and non-historic buildings? Or, would the HPB prefer that the new enclosures be limited to non-historic structures only so as not to increase annual wear and tear on historic materials?

Developing a program similar to summer dining decks

In order to accommodate such a program, the Design Guidelines and the Land Management Code (LMC) will need to be amended in order to allow for the temporary, seasonal enclosure of the balconies. LMC 15-2.6-3(D) Balconies should be amended to state:

(D) BALCONIES. No Balcony may be erected, enlarged, or altered over a public pedestrian Right-of-Way without the advance approval of the City Council. Balcony supports may not exceed eighteen inches (18") square and are allowed no closer than thirty-six inches (36") from the front face of the curb. Balconies must provide vertical clearance of not less than ten feet (10') from the sidewalk and may not be enclosed permanently. Temporary seasonal balcony enclosures may be appropriate on some structures. With reasonable notice, the City may require a Balcony be removed from City property without compensating the Building Owner.

If City Council supports temporary balcony enclosures, than Staff recommends altering the following guidelines to specify that these guidelines are not impacted by temporary structures:

Design Guidelines for Historic Sites in Park City:

MSHS1. The proposed project must not cause the building or district to be removed from the National Register of Historic Places. Temporary structures are not subject to review of the National Register of Historic Places.

MSHS8. Temporary winter balcony enclosures are reviewed by the program's criteria and are not addressed by these Specific Design Guidelines.

Design Guidelines for New Construction in Park City's Historic Districts

MSNC1. New construction in the Main Street National Register Historic should be approved only after it has been determined by the Planning Department that the proposed project will not jeopardize the integrity of the surrounding Historic Sites. Temporary structures are not subject to review of the National Register of Historic Places.

MSNC9. Temporary winter balcony enclosures are reviewed by the program's criteria and are not addressed by these Specific Design Guidelines.

Should the HPB believe such enclosures are appropriate along Historic Main Street, staff finds that there need to be some basic guidelines in order to protect the historic integrity of the Main Street Historic District. Staff is recommending that the HPB review and provide feedback on the following proposed guidelines for balcony enclosures:

General Requirements for Balcony Enclosures

1. The enclosure must be constructed on a balcony on Main Street.
2. There may be times when it is not appropriate to enclose a balcony due to the unique historic character and architectural detailing of the historic building.
3. The applicant must demonstrate that the temporary enclosure will not damage the existing façade and/or side walls with repeated attachment and detachment.
4. The enclosure and balcony should respect the architectural style of the building.
5. The enclosure should retain existing railings in order to achieve a design consistent with open balconies and maintain the character of the original building.
6. The existing exterior wall may not be removed seasonally in order to accommodate the balcony enclosure.
7. The enclosure must not block existing door and window openings on neighboring buildings.
8. Enclosures should consist of clear glazing set in window frames that generally match the mass, scale, and material as those used for the glazing frames of the building.
9. Draperies, blinds, and/or screens must be located in a traditional manner above doors and windows. Draperies, blinds, and/or screens should not be used within the

balcony enclosure if they increase the bulk appearance of the enclosure. The use of these must blend with the architecture of the building and should not detract from it. Materials should be high-quality, colorfast, and sunfade resistant.

10. The balcony must be situated so as not to interfere with pedestrian movement on the sidewalk.
11. The enclosure must have direct access to the restaurant's dining area.
12. The design must address snow shedding.
13. Any changes to the exterior façade of the building, proposed changes to the existing balcony, or construction of a new balcony shall be reviewed by staff as part of the Historic District Design Review. New balconies extending over the City right-of-way will require the approval of City Council.
14. The construction of any temporary tents should be approved through an Administrative Conditional Use Permit for up to fourteen (14) days. Free-standing tents will not be considered the same as balcony enclosures.
15. Any new signage will require a Sign Permit application.

Does the Historic Preservation Board approve of these proposed Design Guidelines for Balcony Enclosures? Are there any other Design Guidelines that should be incorporated?

Recommendation:

Staff recommends the Historic Preservation Board (HPB) review staff's analysis of the proposed balcony enclosures over the Main Street right-of-way during the winter months (November through April) as well as proposed Design Guidelines, and the HPB make recommendations to City Council.

Exhibits:

Exhibit A – City Council Staff Report and Minutes

Exhibit B – HPCA input for balcony enclosures

Exhibit C – Additional renderings of proposed enclosure at Riverhorse

2. The existing house structure located at 316 Woodside Avenue does not comply with all of the criteria for a Landmark Site as set forth in Land Management Code (LMC) Section 15-11-10(A)(1). The structure does not meet the criteria for landmark designation as it is not eligible for the National Register of Historic Places due to post 1941 alterations that have damaged and obliterated significant character-defining features of the historic structure.

WORK SESSION

Temporary Winter Balcony Enclosures

Board Member Crosby recused herself and left the room.

Planner Grahm reported that the Riverhorse had approached the City Council about the possibility of creating a seasonal balcony enclosure program. In November the City Council requested feedback from the Historic Preservation Board. The HPB had a brief discussion but tabled further discussion due to the late hour.

Planner Grahm stated that currently there were a few conflicts with balcony enclosures in the Design Guidelines. The Guidelines are strict about new additions being visually subordinate to historic buildings when viewed from the public right-of-way. The Staff is concerned that annual construction and removal could be detrimental to historic building materials and intensify wear and tear. They also believe that the proposed balcony enclosures visualize and alter the original building design. Additional concerns include energy-efficiency, snow shedding of shed roofs on to Main Street, the seasonal assembly and disassembly, increased water and sewer impact fees to name a few.

Planner Grahm asked whether the Board was comfortable with having seasonal balcony enclosures on both historic and non-historic buildings, or whether it should be limited to non-historic buildings given the amount of wear and tear of attaching and removing temporary structures.

Chair Kenworth asked Planner Grahm to define the current tent situation that the City allows for these balconies. Planner Grahm stated that currently if someone wants to put up a tent on their balcony during the winter months it goes through Administrative Conditional Use Permit process. The applicant is allowed to up a tent for a two-week period. She recalled that one applicant can have five Administrative CUPs for a total of 70 days combined. The tent should be taken down between each CUP or the owner will be fined.

Board Member Holmgren recalled that the temporary structures have to be built as though they were permanent. Planner Grahm answered yes. Ms. Melville asked about the balcony itself. Planner Grahm remarked that in some cases the

balcony itself may need to be upgraded for structural supports. She believed it would have to be reviewed on a case by case basis because each building is unique and different.

Board Member Melville stated that in her personal opinion it putting up and taking down a permanent enclosure on a historic façade would be very detrimental. She was opposed to allowing enclosures on historic structures. Ms. Melville stated that she was also generally opposed to balcony enclosures on newer buildings because the enclosures visually modify and alter the original building design. She also thought the enclosures would have an impact on the historic district. Planner Grahn stated that it would not impact the historic district because the enclosures would be seasonal. If they were to permanently enclose balconies there would be an issue with the National Register. She noted that the State Historic Preservation Office was adamant that temporary structures do not get considered for the National Register. Ms. Melville stated that at least visually it would alter the Historic District. Planner Grahn agreed.

Chair Kenworthy pointed out that the tents that are currently allowed also alter the visual. He asked the representatives from Riverhorse to offer their opinion.

Seth Adams with Riverhorse thought the tents were much more of a detriment to the visual appearance. He did not put up a tent this year and he was lucky the weather was nice. However, they would like to have the ability to use the balcony all the time, which was why they were making this request. Mr. Adams did not believe the enclosure impacted the visual integrity of what people on the street see walking on Main Street. Mr. Adams remarked that one of the objectives for the enclosure is to get people out on the deck to look up and down Main Street.

Chair Kenworthy asked Mr. Adams if the building was historic. Mr. Adams stated that where the balcony is was not historic. The entrance of the Riverhorse on the Main Street level is historic. Chair Kenworthy asked what percentage the business would increase with the enclosure. Mr. Adams estimated 10%. He clarified that it allows them to take the waiting space in the restaurant and convert it into seats. The balcony would be used to corral people in order to create more dining space inside the restaurant, but there would not be tables on the balcony. Chair Kenworthy asked if the enclosure was needed for six months. Mr. Adams answered no. He thought December 15th through April 15th would be sufficient.

Board Member Melville referred to page 295 of the Staff report and noted that the balcony was currently curved and the building façade is further back. She understood that Mr. Adams was proposing to rebuild the balcony to square it up. He replied that this was correct. Squaring up the corners would add a few square feet to the size. The reason was to make the temporary structure fit

better. Ms. Melville understood that they were also proposing to bring the façade out further than where it currently sits. Mr. Adams replied that it would only be the corners beneath the archway.

Board Member Melville clarified that the building shown on page 296 with the enclosure would not be allowed to be constructed as a permanent structure. Planner Grahn answered yes. If the Riverhorse was to propose this permanently it would not be supported by the Guidelines. Planner Grahn pointed out that Mr. Adams is the only one who has proposed the enclosure, but they need to look at it holistically in terms of how it could be managed up and down Main Street.

Board Member White noted from the table on page 277 of the Staff report that only three properties wanted this type of structure. Planner Grahn explained that the Staff looked at who on Main Street has an Administrative CUP, which is required for outdoor dining in the summer. Of all the businesses on Main Street only three do, and one was under review last year. Mr. White asked if the businesses that said no could change their mind. Director Eddington answered yes. He pointed out that the three identified were the ones who have applied for an Administrative Conditional Use Permit. The rest would have that ability. Director Eddington stated that there were 15 non-historic structures out of 21 shown on the table.

Board Member Melville assumed other buildings could build a balcony as well. Director Eddington stated that they could but they would need permission from the City Engineer to encroach over the public right-of-way. Planner Grahn noted that balconies need City Council approval because they do extend over the City right-of-way. Director Eddington agreed that with City approval more balconies could be built on Main Street if they apply for an Administrative CUP for outdoor dining.

Board Member White how many properties would have to do structural work in order to enclose their balconies. Director Eddington stated that the Staff had not done that analysis, but he assumed that most would require some type of structural work for both historic and non-historic structures. Mr. White asked if the same applied for tents. Director Eddington believed the tents still needed to meet load capacity for the number of people. However, that situation was different than connecting a new structure to a building. The temporary structure would have more connections and structural challenges to the existing façade, but the requirements for load capacity would be about the same.

Chair Kenworthy asked how this would affect Grappa. They were not on the list but they put up tents all the time on their patio. Director Eddington replied that this was only for balconies. Chair Kenworthy noted that TMI was not listed but they have outdoor dining. He names others that were not listed.

Board Member White clarified that the only visual example they have is for Riverhorse. Director Eddington stated that Riverhorse was the only application they had received. Board Member Holmgren thought it needed to be determined on a case by case basis. Mr. White thought the temporary structure looked better than a white tent. However, he was apprehensive about putting glass and steel temporary structures on historic buildings. Planner Grahm stated that the Staff had drafted guidelines to address the issues and to be consistent when applicants come in with an application for a balcony enclosure. The guidelines would also ensure that they protect the look and feel of Main Street.

Board Member White thought it was obvious that whether it was a tent or an enclosure these structures would not go away. Planner Grahm explained that if someone has a balcony on Main Street and they wanted something more permanent than a tent for the winter months, they could apply for that type of enclosure. She stated that the Staff would treat the process similar to the dining deck program except that it would be a winter balcony enclosure program. Mr. White clarified that each structure would be reviewed on a case by case basis. Planner Grahm answered yes, but guidelines need to be in place for consistency.

Board Member Beatlebrox asked if the guidelines on page 280 of the Staff report were enforceable. Planner Grahm replied that it was an issue they needed to discuss.

Planner Grahm reiterated her earlier question about limiting enclosures to new buildings versus historic buildings, or whether it should be allowed on all structures.

Board Member Holmgren did not believe they should delineate between old and new. Board Member Melville disagreed. She thought it would be even worse if they were allowed on historic buildings. Board Member Beatlebrox agreed. Board Member White concurred with Ms. Melville and Ms. Beatlebrox. He was not comfortable putting that type of temporary structure on a historic building.

Planner Grahm summarized that the answer was No on historic structures but Yes on non-historic buildings. Board Member Melville stated that she was generally opposed to the structures on any building on Main Street at this point.

Planner Grahm read proposed language to the LMC to say that, "Balconies may not be enclosed permanently. Temporary seasonal balcony enclosures may be appropriate on some structures." She thought that gave some leeway for structures where the Staff did not believe it would be appropriate. Chair Kenworthy understood that this would only pertain to the ones on public pedestrian right-of-ways. Planner Grahm answered yes. Board Member Holmgren asked how the language ensures that the enclosures would not be

allowed on historic buildings. Planner Grahn stated that additional language could be added to exclude historic structures. Ms. Melville suggested specifying non-historic buildings.

Chair Kenworthy stated that the Flanagan's Building is a Landmark historic building and he would never want to see a temporary structure on it for any reason. He noted that the balcony is probably 99% over a public right-of-way which would eliminate the opportunity. Since it was his building he was very comfortable not having the enclosure.

Planner Grahn reviewed the proposed revisions to the Design Guidelines for the Main Street District as outlined on page 180 of the Staff report. She noted that new construction is everything that was not designated as historic on the HSI.

The first guideline addressed historic sites in Park City. She added, "Temporary structures are not subject to review of the National Register of Historic Places" which is true by the national Park Service.

She added a new Guidelines, "Temporary winter balcony enclosures are reviewed by the programs criteria and are not addressed by these specific Design Guidelines."

Board Member Melville questioned why they would say it was not addressed by the Design Guideline. Planner Grahn stated that the Staff thought it was better to have a separate set of guidelines for review because it is less confusing than having them incorporated into the Design Guidelines. Director Eddington clarified that there were so many conflicting guidelines relative to a new temporary structure that it would not work well and could cause confusion. Planner Grahn noted that summer dining decks have a separate set of guidelines. This would fall under that category.

Chair Kenworthy stated that Flanagan's has a dining deck and they have to go through the requirements and permitting process. From his point of view and a business standpoint, they are providing a customer service. He understands that there is opposition to dining decks and he respects those opinions. However, in a situation like the Riverhorse it allows the owner to provide customer service in a resort town and people enjoy the dining decks on the street. Contrary to popular belief they do not make a lot of money from dining decks, but the reward is happy customers. Chair Kenworthy remarked that in granting his request, Mr. Adams would be able to provide an operational solution in a historic building to improve customer service. Chair Kenworthy thought six months was too long and would prefer a four-month time frame. He thought it was important to balance historic preservation with the ability to provide better customer service.

Board Member Holmgren understood from previous conversations that Mr. Adams was addressing the issues of snow shedding and removal and other safety factors. She thought this was positive for Main Street. It is a piece of magic and people who experience it will never forget it. Ms. Holmgren felt strongly that they should allow this to happen. However, she agreed that the time limit should be less than six months. She felt positive that this was brilliant, new and innovative for Historic Main Street and she would like to see it approved.

Mr. Adams favored a shorter time period as well. He would be comfortable if the winter was 180 days.

Planner Grahn reviewed the proposed guidelines for balcony enclosures and requested feedback from the Board on each one.

1) The enclosure must be constructed on a balcony on Main Street. There would be no balconies on Swede Alley or any side streets.

The Board pointed out balconies that already exist on Swede Alley. They noted that the Caledonia is on a side street and they have a balcony. Chair Kenworthy thought it would be difficult to limit it to Main Street. Planner Grahn suggested that they eliminate the guideline.

2) There may be times when it is not appropriate to enclose a balcony due to the unique historic character and architectural detailing of the historic building. Planner Grahn noted that the guideline no longer applied based on their discussion and the decision not to allow it on historic buildings.

The Board discussed whether or not the guideline could apply to non-historic structures. Planner Grahn suggested changing the language to say, "...due to unique conditions or circumstances" to address unforeseen situations where enclosing a balcony may cause life/safety issues. The Board concurred.

Planner Grahn read the language as revised, "There may be times when it is not appropriate to enclose a balcony on a non-historic building due to the unique conditions or circumstances".

Board Member Beatlebrox asked if they needed to define unique circumstances. Planner Grahn stated that currently the Planning Director and Chief Building Official are the ones who determine a unique circumstance and she thought they should make that determination for the enclosures as well. The Board agreed.

3) The applicant must demonstrate that the temporary enclosure will not damage the existing façade and/or side walls with repeated attachment and detachment.

Planner Grahn stated that this guideline was no longer necessary based on their earlier decision.

4) The enclosure and balcony shall respect the architectural style of the building. Planner Grahn clarified that even on new buildings they would not want something that did not match what exists or keep with the theme. The Board agreed.

Chair Kenworthy suggested that they prohibit signage. Planner Grahn asked if they wanted to prohibits signs completely or whether they should include language stating that any new signage will required a sign permit application. The Board unanimously wanted signage prohibited for the temporary enclosures.

5) The enclosure shall retain existing railings in order to achieve a design consistent with open balconies and maintain the character of the original building. She asked if the Board agreed that the railings should not be removed.

Director Eddington suggested that they keep the railings on the balconies to keep it looking like a balcony. The Board agreed.

6) The existing exterior wall may not be removed seasonally in order to accommodate the balcony enclosure. The Board agreed.

7) The enclosure must not block existing door and window openings on neighboring buildings. The Board agreed.

8) Enclosures should consist of clear glazing set in window frames that generally match the mass, scale and material as those used for the glazing frames of the building itself. The Board agreed.

9) Draperies, blinds and/or screens must be located in a traditional manner above doors and windows. Draperies, blinds and/or screens should not be used within the balcony enclosure if they increase the bulk appearance of the enclosure. The use of these must blend with the architecture of the building and should not detract from it. Materials should be high quality, color-fast and sun fade resistant.

Planner Grahn stated that she had borrowed the guideline from Vancouver, where they have balcony enclosures on condo buildings. The concern is that when people drape the interior of the glass, it appears to be bulky and heavier, and less open. She was unsure whether that would occur on Main Street, but the language could protect it from occurring.

Board Member Beatlebrox suggested saying that draperies, blinds or screens are not required. Board Member Holmgren preferred not to allow them at all. They would still want people to be able to look in or look out.

Mr. Adams stated that the only reason he would consider a blind would be the hour or two as protection from the blinding sun. Other than that he could see no reason to have them.

Board Member Holmgren did not favor the concept at all. The Board discussed potential language to address the issue of blocking the sun like Mr. Adams had suggested, but not using them as a barrier.

Board Member Beatlebrox suggested language to say, "Sun screens permitted and should be used only during times of extreme sun and should not be obstructive." The Board was comfortable with that language.

10) The balcony must be situated so as not to interfere with pedestrian movement on the sidewalk. The Board agreed.

11) The closure must have direct access to the restaurant's dining area. The Board agreed.

12) The design must address snow shedding.

Board Member Melville asked where in the language it says that a building permit is required and it must comply with Building Department requirements.

Planner Grahn stated that if they add language indicating that a building permit is required, the Building Department would make sure it complies with the International Building Code. The Board favored adding language regarding the building permit.

13. Any changes to the exterior façade of the building, proposed changes to the existing balcony, or construction of a new balcony shall be reviewed by Staff as part of the Historic District Design Review. New balconies extending over the City right-of-way will require approval of the City Council. The Board agreed.

14. The construction of any temporary tents should be approved through an Administrative Conditional Use Permit for up to fourteen (14) days. Free-standing tents will not be considered the same as balcony enclosures.

Planner Grahn clarified that tents would still be treated as tents and balcony enclosures would be a separate program.

15. Any new signage will require a Sign Permit application.

Planner Grahn noted that this guideline was no longer necessary because signage was addressed in a previous guideline where the Board agreed to prohibit signage.

In terms of the time frame for having the enclosure, The Board agreed on four months. Director Eddington preferred to have specific dates and suggested December 15th to April 15th.

Mr. Adams noted that the time frame for summer dining decks was 180 days. Board Member Beatlebrox thought 120 days was sufficient. Director Eddington pointed out that dining decks have specific dates so everyone knows when they are allowed to go up and when they have to come down.

Chair Kenworthy suggested a maximum four month window between December 1st through April 30th. Director Eddington asked if they wanted to limit it to four months. Mr. Adams stated that personally he would like to put it up right after Thanksgiving and take it down when PCMR closes.

Board Member White suggested November 15th to April 15th. Director Eddington recommended specifying dates and not talk about a four month limit. It would be consistent for everyone and it would make it easier for Building and Code Enforcement to monitor.

The Board was comfortable with a November 15th to April 15th time frame.

Chair Kenworthy thanked Mr. Adams for his input.

The meeting adjourned at 8:47 p.m.

Approved by _____
John Kenworthy, Chair
Historic Preservation Board

Planning Commission Staff Report

Subject: Main Street Balcony Enclosure Amendments
Author: Anya Grahn, Historic Preservation Planner
Project Number: PL-15-03021
Date: December 9, 2015
Type of Item: Legislative – LMC Changes

Summary Recommendations

Staff is requesting that the Planning Commission open a public hearing, review the possible Land Management Code amendments regarding balcony enclosures on Main Street, and consider forwarding a positive recommendation to City Council.

Description

Project Name: LMC Amendment to permit temporary enclosure of balconies, not to exceed 180 days (November 15th- April 30th)
Applicant: Planning Department
Proposal: Revisions to the Land Management Code

Proposal

City Council wishes to develop a pilot program to allow Main Street restaurateurs to construct temporary, seasonal enclosures on their balconies that would provide additional restaurant seating space during the winter months (November 15th through April 30th). The pilot program would be available only to those balconies directly attached to restaurant space on non-historic structures. Staff has collaborated with the Building, Planning, Engineering, Finance, Sustainability, and Legal Departments to develop a pilot program proposal for the 2015-2016 winter season. Balcony enclosures may be constructed starting on November 15th and must be removed no later than April 30th; the duration of the balcony enclosures shall not exceed 180 days.

In order to move forward with the pilot program, the Land Management Code (LMC) needs to be amended to permit the temporary enclosure of balconies. Staff requests that the Planning Commission review staff's proposed modifications to the LMC and forward a positive recommendation to City Council. Any design guideline amendments for the balcony enclosures will be adopted through a City Council resolution amending the Design Guidelines for Historic Districts and Historic Sites (June 19, 2009).

Purpose

The purpose of the Historic Commercial Business (HCB) District:

- (A) preserve the cultural heritage of the City's original Business, governmental and residential center,
- (B) allow the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,

- (C) facilitate the continuation of the visual character, scale, and Streetscape of the original Park City Historical District,
- (D) encourage the preservation of Historic Structures within the district,
- (E) encourage pedestrian-oriented, pedestrian-scale Development,
- (F) minimize the impacts of new Development on parking constraints of Old Town,
- (G) minimize the impacts of commercial Uses and business activities including parking, Access, deliveries, service, mechanical equipment, and traffic, on surrounding residential neighborhoods,
- (H) minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and
- (I) support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.
- (J) maintain and enhance the long term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

Background

On September 18, 2014, Seth Adams of the Riverhorse presented to City Council his concept for a winter balcony enclosure program. Riverhorse hopes to imitate the success of their tent's use during special events by constructing a temporary (not to exceed 180-days) enclosure on the balcony from November 15th through April 30th that would promote winter-time use. The temporary enclosure would add approximately 350 square feet of restaurant space on their balcony and seat approximately twenty (20) patrons, or about five (5) tables of four (4).

Staff met with City Council on November 13, 2014, to discuss creating a Winter Balcony Enclosure program, similar to that of the Street Dining on Main's summer dining decks. City Council directed staff to meet with the Historic Preservation Board (HPB) for feedback on this program. Staff met with the HPB on January 7 and March 4, 2015, to discuss necessary changes to the Land Management Code (LMC) and Design Guidelines in order to accommodate the winter balcony enclosure program. The input provided by the HPB is reflected in the attached staff reports and exhibits.

Staff strongly recommended that the balcony enclosures not be permitted as staff found the enclosures would detract from the look and feel of Historic Main Street; however, the majority of City Council and the HPB found the enclosures to be an aesthetic improvement to the white tents currently used during the winter months. Further, City Council and the HPB found that the balcony enclosures would maintain the high quality of customer service and support for increased seasonal occupant loads of Main Street restaurants.

Staff has moved forward with developing a pilot program for the 2015-2016 Winter Season which would permit balcony enclosures only on those balconies facing Main Street that are on non-historic structures and directly attached to restaurant space. Thus far, staff has found that only Riverhorse on Main is interested in constructing a balcony enclosure. This year's pilot program will occur from January through April

following changes to the LMC. Following the removal of the balcony enclosures on April 30th, staff will assess the merits and challenges of the program and review these with City Council in May.

Analysis

Balconies are defined by the Land Management Code (LMC) as a platform that projects from the wall of a building and is enclosed by a railing, parapet, or balustrade. There are approximately twenty-one (21) balconies on Main Street that extend over the City ROW. This program would only allow enclosures to be constructed on those balconies directly attached to restaurant space on non-historic structures that are not designated on the Historic Sites Inventory (HSI). Currently, only three (3) restaurant balconies would be eligible for the pilot program.

Outdoor dining is a conditional use in the Historic Commercial Business (HCB) District for restaurants. Any outdoor dining must be approved through an Administrative Conditional Use Permit (Admin-CUP). Riverhorse and Wahso both have Admin-CUPs for their outdoor dining for summertime balcony dining. No other restaurants currently have approvals. For more information, please review the Analysis section of Exhibit 3--6.25.15 City Council Report.

Current Balcony Requirements

The Land Management Code (LMC) 15-2.6-3 requires that no balcony projecting over City ROW may be erected, re-erected, located or relocated, enlarged, or structurally modified without first receiving approval from City Council. LMC 15-2.6-3(D) specifically states that "Balconies . . . may not be enclosed." Because City Council has directed staff to move forward with the pilot Winter Balcony Enclosure program, the LMC will need to be amended to allow for these temporary, seasonal balcony enclosures. Property owners are required to provide insurance for their balconies.

Current Temporary Structure Requirements

The LMC defines a temporary improvement as a structure built or installed, and maintained during the construction of a development, or during a special event or activity and then removed prior to release of the performance guarantee. Staff finds that the proposed balcony enclosures meet the definition of a temporary improvement, BUT extend beyond the duration of construction activity or a special event or activity as currently allowed by code. The winter season is not a special event.

LMC 15-4-16(A)(4) limits temporary structures, such as tents, to a duration no longer than 14 days and for more than five (5) times per year on the same property or site, unless a longer duration or greater frequency is approved by the Planning Commission consistent with the Conditional Use Criteria or as approved by City Council as part of a Master Festival. The intent of this provision in the code was to allow events to run together if necessary, but each 14 day period would count toward the total allowed amount of five (5) times per year, or 70 days total. This limits temporary structures, such as tents, from standing indefinitely by allowing them to stand for only 70 days per

year. The Planning Commission, however, may currently approve a longer duration or greater frequency through a Conditional Use Permit (CUP).

The Land Management Code (LMC) was revised to address the duration of temporary structures in 2009. At that time, there were several temporary structures located on hotel properties in town that had been approved as temporary structures, but were left standing in virtual perpetuity. To ensure this trend would not continue, new duration parameters were adopted in 2009.

There have been instances where a temporary structure has been approved to stay up for greater than 14 days, such as the 2013 Planning Commission approval of a CUP at the Montage allowing construction of temporary structures for up to 15 times per year of which 4 structures were allowed for a maximum of 60 days due to the high frequency of weddings and outdoor parties.

Required Changes to the Land Management Code (LMC)

During the November 2014 and June 2015 City Council work session and the January and March 2015 HPB work sessions, staff expressed concern that the proposal was in direct opposition to the current LMC, and the LMC does not make exception for temporary, seasonal structures. The LMC needs to be amended in order to accommodate an exception for temporary, seasonal structures. Staff proposes that LMC 15-2.6-3(D) Balconies be amended to state:

(D) BALCONIES AND TEMPORARY WINTER BALCONY ENCLOSURES.

(1) No Balcony may be erected, enlarged, or altered over a public pedestrian Right-of-Way without the advance approval of the City Council. Balcony supports may not exceed eighteen inches (18") square and are allowed no closer than thirty-six inches (36") from the front face of the curb. Balconies must provide vertical clearance of not less than ten feet (10') from the sidewalk and may not be enclosed permanently. With reasonable notice, the City may require a Balcony be removed from City property without compensating the Building Owner.

(2) Temporary Winter Balcony Enclosures may only be permitted on existing balconies on structures which are not on the Historic Sites Inventory. Temporary Winter Balcony Enclosures are only permitted from November 15th through April 30th on balconies facing Main Street.

Note: Language was added to the existing LMC section. No language was eliminated.

Application Process for Pilot Program

Those restaurants intending to construct a temporary, seasonal balcony enclosure will be required to complete an Administrative Conditional Use Permit (Admin-CUP). This is a one-time application that runs with the land. Much like the summer Dining Deck program, applicants will only be required to re-apply for the Admin-CUP if substantial changes are made to their balcony enclosure. Temporary structures, per the

International Building Code (IBC), are limited to a 180-day duration, and, so, staff has limited the balcony enclosures to November 15th through April 30th to ensure that the enclosures are not considered permanent under the IBC.

The applicant will also be required to obtain a building permit for the balcony enclosure. This will allow the Building Department to ensure that the enclosure meets the International Building Code (IBC) and addresses such issues as:

- Lighting and ventilation
- Engineering for live loads, wind, roof capacity
- Fire safety
- Drainage and snow shedding on public right-of-way (Main Street)
- Energy efficiency
- Recalculations for increased occupancy loads will impact sanitation facility requirements, upgrading the design of existing occupancy loads,
- Adequate heating and ventilation

Staff has also discussed additional concerns with our internal Development Review Committee. Staff finds that the balcony enclosures should not further aggravate parking demands as the balconies are already in use during the summer for outdoor dining. The Building Department will also address increased water usage and requirements for the increased occupancy loads at the building permit stage. Further, no new signage may be installed on the balcony enclosure.

The balcony enclosure would have to be constructed as a semi-permanent structure in order to meet the International Building Code. Further, the Building Department will require annual building permits for installation and removal of the enclosures. Each property has its unique challenges and the enclosures will need to be reviewed on a case-by-case basis.

Any modifications to existing buildings or balconies to accommodate the balcony enclosure will be reviewed through a Historic District Design Review application subject to the Design Guidelines and Land Management Code.

Unlike the summer dining decks, City Council will not require a lease agreement with the property owner for the construction of the Temporary Winter Balcony Enclosure. The only fees associated with the Winter Balcony Enclosure will be the one-time Admin-CUP and annual Building Permits for installation and removal of the enclosures. Staff will work with the applicants at the time of the application to ensure that any existing balconies have a recorded encroachment agreement with the City Engineer's Office, if one does not already exist.

Good Cause

Planning Staff finds there is good cause for these LMC amendments as City Council has expressed interest in pursuing a pilot Winter Balcony Enclosure program. The pilot program will run from January through April 2016. Following removal of any balcony enclosures on April 30th, staff will evaluate the success of the program and return to City Council in May with a summary of the program, evaluating its merit and challenges at

that time. City Council may then decide whether or not to continue the program as a pilot program or make it full-time.

Department Review

This report has been reviewed by the Planning, Building, Engineering, and Legal Departments.

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites on November 25, 2015, and published in the Park Record on November 21, 2015 per requirements of the Land Management Code.

Public Input

Public input is outlined in the attached staff reports and minutes of previous Historic Preservation Board and City Council meetings. No new public input was submitted for the Planning Commission at the time of writing this report.

Process

Amendments to the Land Management Code require Planning Commission recommendation and City Council adoption. City Council action may be appealed to a court of competent jurisdiction per LMC § 15-1-18.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Recommendation

Staff is requesting that the Planning Commission open a public hearing, review the possible Land Management Code amendments, and consider forwarding a positive recommendation to City Council.

Exhibits

Exhibit 1—Ordinance (will include Exhibits redlining each LMC Section that is being amended)

Exhibit 2 – Winter Balcony Enclosure Informational Sheet

Exhibit 3 – 6.25.15 City Council Report

Exhibit 4 – 6.25.15 City Council Minutes

Exhibit 5- Riverhorse Proposed Balcony Enclosure Plans

Chair Strachan asked if the Commissioners had concerns with the language in the proposed changes to the LMC. There were no concerns or changes. Chair Strachan noted that the language needed to be changed to reflect the new boundary lines.

Chair Strachan opened the public hearing.

Mike Sweeney had read through the document and he complimented Planner Whetstone on a fabulous job. He thought the wordsmithing was clear and concise and he did not have any issues with it. Mr. Sweeney stated that he always thought his property on the west side of Main Street was commercial, and it was built that way for a reason. They did not put commercial on the top of the plaza. They essentially donated property to the City in the sense of protecting the view corridor by never building on the deck. Mr. Sweeney wants it to remain as it exists today and he was comfortable with the Code changes.

Chair Strachan asked if Mr. Sweeney had an issue with the boundary line change. Mr. Sweeney answered no.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a positive recommendation to the City Council regarding LMC Amendments to Zoning Chapters 2.5, 2.6 and Chapter 15, according to the Findings of Fact and Conclusions of Law in the draft ordinance, and as amended to include 820, 875 and the Main Street side of 804 in the vertical zoning per the discussion this evening. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

3. Land Management Code Amendments in Chapter 15-2.6-3(D) – Main Street Balcony Enclosures to allow Main Street restaurant owners to construct winter enclosures on balconies of non-historic buildings from November 15th – April 15th which will allow winter dining on those enclosed decks.
(Application PL-15-02031)

Planner Grahn reported that over the past year the Staff has been working with the City Council and the Historic Preservation Board to determine whether or not it was appropriate to enclose Main Street balconies over the winter months. All parties found that it was appropriate. Planner Grahn noted that the history of their discussions was outlined and documented with Exhibit in the Staff report. The intent is to create a pilot program to enclose the balconies with temporary but semi-permanent structures to replace white tents from November 15th through April 30th, and not to exceed 30 days. However, to do so requires an amendment to the Land Management Code.

Planner Grahm noted that the proposed changes were outlined on page 372 of the Staff report. The Staff requested that the Planning Commission review the changes and forward a positive recommendation to the City Council.

Commissioner Campbell asked if others besides Riverhorse were requesting this. Planner Grahm replied that it was only Riverhorse at this time. The balcony enclosure would have to be directly accessible to the restaurant space and; therefore, other than Riverhorse only Waso and 501 Main Street could currently meet that requirement.

Chair Strachan asked Planner Grahm to summarize the input from the HPB and the City Council. Planner Grahm stated that the first concern was whether or not it was appropriate on historic buildings, because removing and constructing the temporary structures creates a lot of wear and tear. Therefore, it was decided to limit it only to balconies that were on non-historic buildings. Planner Grahm reported that the HPB had mixed reactions, but the majority of the Board felt it was an improvement from the white tents that remain up all winter. The HPB was not concerned that the balcony enclosures would appear permanent and misleading to people viewing Main Street in the winter months. They also thought it would help enhance the level of customer service and the restaurant experience.

Commissioner Joyce understood that this was being proposed as a trial program. He noted that currently a CUP can be applied for to leave up a temporary structure for 180 days. He asked why the Staff was proposing a zoning change instead of the current CUP process. Planner Grahm replied that under the CUP process a structure could not be left up for 180 consecutive days. The applicant would come to the Planning Commission to have a tent approved for up to 14 days five times a year, or 70 days. She noted that exceptions have been made for some of the resorts to leave tents up for a longer period during the summer time for weddings, etc. Planner Grahm pointed out that the a balcony enclosures is different because it is attached to the building and not a freestanding tent.

Commissioner Joyce thought it was unusual to be making a zoning change for a trial. He thought a better approach would be to allow the same exception under the CUP that is made for wedding tents during the summer.

Assistant City Attorney McLean replied that the Code does not allow for balcony enclosures; therefore, it would not be allowed under the current CUP process. The only way for this temporary program to move forward is through a Code change.

Chair Strachan wanted to know if they would have to amend the Code again if they determine that the trial period is not successful. Ms. McLean explained that the City

Council could decide not to allow balcony enclosures in the right-of-way; or they could implement another Code change to reverse it.

Commissioner Worel questioned how the City Council could make that decision if it was allowed by Code. Ms. McLean understood that if someone applied for a balcony enclosure they would need an encroachment agreement. Planner Grahm explained that most of the balconies already encroach over the right-of-way and require an encroachment agreement. Some have an agreement and others do not. However, when people come in to make changes to their balcony, they are required to get an encroachment agreement if they do not already have one. Planner Grahm remarked that the City Council also has to review any changes to balconies regardless of whether it is a new balcony or a modification to an existing balcony. It also requires an HDDR by the Planning Department.

Planner Grahm explained that for the purpose of the pilot program, the process will be to do an Administrative CUP, which is consistent with the summer dining deck program. The CUP would run with the land but they would be required to apply for a building permit to construct it and to demolish it every year. It would involve two building permits. She pointed out that if someone came in with a request to enclose their balcony, they would get an encroachment agreement with the City at the same time.

Commissioner Thimm understood that an applicant would have to obtain CUP approval for the enclosure, put up the enclosure and take it down. He asked if the applicant would be covered under the same CUP to put it up again the next year. Planner Grahm replied that they would not have to reapply for the CUP but they would have to apply for new building permits. Chair Strachan asked about the encroachment agreement. Planner Grahm believed that the encroachment agreement also runs with the land. Ms. McLean explained that encroachment agreements are generally licenses which can be revoked at any time.

Commissioner Phillips asked if the CUP would expire with the trial period. Ms. McLean stated that the Staff could phrase it to have a sunset for the conditional use. Planner Grahm favored a sunset because they would want the opportunity to revoke balcony enclosures if it does not work out.

Commissioner Joyce asked if the Planning Department and the Historic Preservation Board were comfortable with enclosed balconies. Planner Grahm stated that the Planning Department was not in support. However, the HPB liked the idea because it was an improvement over white tents. The HPB supports it from the standpoint of aesthetics. Commissioner Joyce remarked that if white tents are the problem, he did not believe it made sense to fix the problem by allowing balcony enclosures. The City Council has put historic preservation as one of the top six priorities. There is a view walking down Main Street and they have tried to preserve that view. One balcony enclosure breaks the view

and changes everything. Commissioner Joyce remarked that everything he read about enclosing balconies states that they are not part of the historic look, they block off other buildings, and they should not be done. He referred to documents on page 413 of the Staff report showing that the Planning Department was opposed when this idea was previously presented. He pointed out that what was being presented this evening was the same exact plan. The only difference is that the City Council has now decided to try it.

Commissioner Joyce stated that if these things are not good because it hurts their historic image, making them temporary does not change anything. He believed that a permanent enclosure could be made to look more historic and fit in better than a plastic temporary enclosure. He pointed out that as proposed the balcony enclosures are only temporary, but they are allowed to be up during the four most important months in Park City. Those are the peak months with all the tourists. Commissioner Joyce noted that this proposal was being driven by one restaurant who fundamentally wants to accommodate 20 additional people for dinner. He thought it was counter to not only his view, but how the Planning Department viewed it and initially thought it should not be allowed. Commissioner Joyce was unsure at what point the City decided to give in to one constituent, because it was counter to everything the City has done to try to preserve the Main Street corridor.

Commissioner Phillips agreed with Commissioner Joyce, and added that it would also be an “energy hog”.

Commissioner Joyce was surprised when he read the minutes that the HPB was concerned about patrons being turned away from the restaurant during the peak season, and that was their logic for approving balcony enclosures. As a Board that is supposed to be preserving the historic character and mining heritage of Park City, he could not understand why the HPB would find this acceptable.

Planner Grahn stated that the Staff raised many of the same issues when they met with the Building Department. They also had concerns that it would look like the plexiglass tent on the Blue Plate Diner in Salt Lake. Planner Grahn remarked that the Planning Department has been working with Riverhorse and the enclosure will be glass and steel to blend in with the design of the buildings. Commissioner Joyce asked where there were other glass and steel buildings along Main Street. He questioned whether a glass and steel building would be approved under the current design guidelines. Planner Grahn clarified that if a balcony enclosure is requested it would have to compliment and be consistent with the design of the building. Since Riverhorse is already a steel and glass building, an enclosure would fit in better than if it was attached to a wood frame building.

Director Erickson clarified that the opinion of the HPB was that a balcony enclosure was aesthetically better than a white tent. He noted that it was an ongoing discussion with the

HPB and the City Council. Mr. Erickson suggested that the Planning Commission forward their opinion to the City Council to be considered when the Council makes the final decision. He noted that this was a difficult issue for the Planning Department because their mission is to preserve the street. Mr. Erickson pointed out the Staff's previous recommendation and he stood by the former Planning Director's recommendation. He emphasized that the Staff was following direction from the City Council to come up with a compromise for allowing enclosures.

Chair Strachan stated that he agreed with Commissioner Joyce substantively. However, he has never viewed his role on the Planning Commission to be looking at what is historic and what is not. He does not have the skill set or the knowledge to say one way or another whether a temporary structure fits with the form and feel of historic Main Street. Chair Strachan stated that from a planning perspective he did not believe balcony enclosures should be allowed. He was concerned that allowing one would open the door for many more.

Commissioner Joyce wanted to know why permanent balcony enclosures would not be allowed if temporary enclosures are allowed. If balcony enclosures are acceptable, why would they have to be removed in April. In his opinion it would be better to allow the owners to build a nice enclosure that fits in better, is insulated, and has good snow shed.

Director Erickson explained that the planning argument for taking down the enclosures is that during the summer the balconies would obscure the view of the other buildings and disrupt the rhythm and pace of the second floor. Mr. Erickson acknowledged that it could also be a reason for not allowing enclosures during the winter.

Chair Strachan thought it was a policy decision that the City Council would make. He did not believe it was an issue for the Planning Commission or a Code issue. He was not opposed to sending a recommendation to the City Council, recognizing that the Council decides what could occur on Main Street.

Commissioner Campbell asked if the Planning Commission could forward a neutral recommendation. Chair Strachan replied that it the vote had to be aye or nay or a continuation.

Chair Strachan opened the public hearing.

Seth Adams, representing the Riverhorse, clarified that the Riverhorse originally approached the idea for a permanent balcony enclosure; however, that was rejected because it is over City property and the City did not want something permanent in the right-of-way. That created the situation for a temporary enclosure for 180 days. Mr. Adams

noted that they do not have the capability for deck dining during the summer because they do not have a Main Street spot on the street. For that reason, they approached it as a winter time enclosure because they need it more in the winter. Mr. Adams noted that the enclosure would be built by a very reputable company. It was designed to be built as a permanent enclosure, but it was be redesigned to allow it to be put up and taken down. Mr. Adams remarked that it would be well-built and would not look cheap. His preference would be to leave it up 365 days, but since that was not an option he was willing to accept a temporary time period so they could prosper as a restaurant and accommodate larger crowds during the peak season.

Ruth Meintsma, a resident at 305 Woodside, focused on the energy issue related to the enclosures. She commented on an interview with Matt Abbott earlier that day where he spoke about the City's current effort towards zero carbon footprint. The City was also moving forward with sensitive issues such as outdoor fire pits and wood fireplaces. Ms. Meintsma did not believe the proposed balcony enclosures accomplish what the City is trying to accomplish. She had researched solariums and greenhouses, which was the closest she could find similar to what was being proposed, and they are very energy inefficient. Ms. Meintsma referred to language on page 5 of the Staff report which states, "A building permit will insure that the enclosure addresses energy efficiency". She thought that was vague and asked if standards or specific criteria would be adhered to. Page 6 of the Staff report under significant impacts states that there are no significant environmental impacts; however Ms. Meintsma did not believe they know at this point whether there would be environmental impacts. Ms. Meintsma referred to Exhibit 1 of the ordinance, and noted that the fourth Whereas states, "The City's goals include sustainability". This structure does not necessarily accomplish sustainability. The ninth Whereas states, "This amendment is consistent with the General Plan." Ms. Meintsma questioned whether it was consistent with the General Plan. She believed there were still a lot of unanswered questions that they could not know at this point. Ms. Meintsma referred to Item 10 which states that the design must address snow shedding. She pointed out that if the enclosure on the Riverhorse sheds at all it would shed on to the sidewalk. She thought aggressive snow melt should be included in the energy efficiency evaluation of the structure. Ms. Meintsma referred to number 19, materials, and thought it needed to go further than just materials that complement the existing structure. She suggested that the criteria should be a material that actually accomplishes a certain level of energy efficiency.

Mike Sweeney, stated that as a person sitting in the audience who has done a lot of permitting in front of the Planning Commission, he was offended by the outrage that Mr. Adams with the Riverhorse would build a "crappy" building. Mr. Sweeney did not believe that was fair.

Commissioner Joyce agreed and he apologized to Mr. Adams and Mr. Sweeney. Commissioner Joyce clarified that his frustration was more with the City not allowing a nice permanent structure that would meet normal development guidelines; and instead allowing one that must meet difficult requirements of being temporary and having the ability to be pulled apart and packed up. Commissioner Joyce stated that if Mr. Adams was allowed to build a permanent structure he was confident that he would build something that was nicer, solve more engineering problems, be better insulated to address energy concerns, and look better on the historic street. He acknowledged that he had used a poor choice of words.

Mr. Sweeney stated that with all the concerns about energy and everything else is involved for this type of structure, the Riverhorse was doing their best and using the best technology available. He understood that the Riverhorse is not the most energy efficient, and there are other buildings in the community that are less energy efficient than what the Riverhorse was trying to accomplish. Mr. Sweeney referred to Commissioner Joyce's comment about the historic district and whether or not it was acceptable to have balconies on Main Street. He stated that Main Street has had balconies since for as long as he could remember.

Commissioner Joyce stated that he was aware that balconies are allowed on Main Street and clarified that his comment related to enclosed balconies.

Mr. Sweeney remarked that if the real issue is enclosed balconies, he believed that in the 1800s people put up something to enclose their balconies to protect themselves.

Brian Markenan stated that he was an architect in town who was helping Mr. Adams move this request through the process. Mr. Markenan understood that energy was an issue for everyone. Since Mr. Adams would be paying for that energy, he was motivated to build and complement that building. Mr. Markenan pointed out that this was a pilot program to determine what will and will not work for the City and the Riverhorse. He remarked that snow shedding would be remedied. The enclosure will have a low pitch to avoid fast slides into the street. It would be held a foot and a half to two feet from the edge of the balcony so a lot of the snow will dump on the side. A lot of snow will melt off and they will be dealing with the runoff of the roof in a much different way than snow just sliding off. Mr. Markenan stated that they anticipate using cleats and snow bars to hold back much of the snow. He pointed out that it was not a cheap structure. It is an engineered metal and glass building with a polycarbonate top that will withstand snow loads. It is also built to IBC standards. Mr. Markenan stated that they have been working with the Building and Planning Departments and he felt they had come to a good place for this trial.

Commissioner Thimm asked if this type of structure would comply with the State Energy Code. Mr. Markenan was hesitant to say that it complies with the State Energy Code. He

pointed out that it is a stand-alone structure. Commissioner Thimm noted that the Code was a measuring stick in terms of sustainability that is required by the State. Mr. Markenán replied that it was lacking in terms of having an R-49 roof. He suggested the possibility of sliding in different panels in the future.

Chair Strachan closed the public hearing.

Commissioner Campbell did not believe the balcony enclosures would sweep all the way up Main Street, and he did not see it as a gigantic stain on the visual character of Main Street. Chair Strachan noted that some of the Commissioners differed in that opinion. He did not think there would be an abundance of enclosures but he felt certain that the number would increase if the pilot program is passed. Commissioner Campbell suggested crafting the language to limit the number. Commissioner Joyce asked how they could justify allowing it for one non-historic building to serve food and deny it for another person with a non-historic building who wants to enclose their balcony for storage or other uses. Commissioner Campbell thought it would be easy to make that distinction because the vibrancy a restaurant brings to the area benefits everyone. Chair Strachan thought it would put the Staff in a difficult position of saying yes to some and no to others based on vibrancy.

Planner Grahn noted that the City Council was only proposing the pilot program for restaurants. The program would have to be adjusted to expand it to retail, office space, private residences, etc.; and that would require going back to the HPB and the Planning Commission.

Commissioner Joyce remarked that at some level the City was making a judgment of whether or not to allow enclosed decks. Under the current constraints there was a possibility for three and only one was currently interested in doing it. However, once it is approved and the next person wants to enclose their balcony for a different entertainment use, it keeps growing and growing. He thought the decision the City Council should be making is whether or not enclosed balconies are okay. If the answer is yes, they should be allowed to be permanent and done well.

Commissioner Campbell suggested that if the pilot program runs for three years, after that time they could determine whether or not to allow permanent enclosures. He asked if Commissioner Joyce would be more comfortable with that approach. Commissioner Joyce clarified that he personally did not think enclosed balconies belong because they are not part of the Historic Design Guidelines. He thought the decision needed to be consistent. He could not justify saying it was fine for the five prime months but not for the rest of the year. If the City Council thinks enclosed balconies are fine, then they should be allowed all year long or not allowed at all.

Commissioner Phillips wanted to make sure that the CUP would have a sunset date. Assistant City Attorney McLean stated that they could make that recommendation as part of the motion.

MOTION: Commissioner Joyce moved to forward a Negative Recommendation to the City Council on the Main Street balcony enclosure amendments. Commissioner Worel seconded the motion.

VOTE: The motion passed 3-2. Commissioners Joyce, Thimm and Worel voted in favor of the motion. Commissioners Phillips and Campbell voted against the motion.

WORK SESSION

The Planning Commission returned to work session for Annual Legal Training on the Public Meeting Act.

Assistant City Attorney McLean stated that the Open Meetings Act is primarily about the importance of transparency and openness in government so the constituents in the community understand that decisions are being made in the public and not behind closed doors.

Ms. McLean reminded the Commissioners to keep their disclosure forms updated with the City Recorder.

Ms. McLean clarified that "Open" means "in public". State Code requires the Planning Commission to follow the rules and requirements of the Open Public Meetings Act. She noted that the lesser Boards and Commissions follow the Act as well, including the Art Board.

Ms. McLean commented on what constitutes a meeting. For the Planning Commission, it is four members including the Chair. However, it was preferable to have more members than just a quorum making decisions. She thanked the Commissioners for their diligence in attending most meetings. Ms. McLean requested that they contact the Staff if they know they will not be attending to make sure they have a quorum. A meeting cannot be held without a quorum.

Chair Strachan asked the Commissioners to also let him know if they will not be attending; however, he preferred that they use his personal email because he does not check his



RIVERHORSE ON MAIN



RIVERHORSE ON MAIN STREET

Riverhorse on Main brings an elegant experience of the flagship Main Street for locals and visitors alike – guest who come from around the world get a view of Park City like never seen before. The current winter dining program has been a great success – we would like to collaborate with the city to find a way to keep the program year-round. We thrive on promoting historic main street, and since the pandemic we can do that every season with our deck enclosure.



GUESTS & VISITORS

GUESTS

The Riverhorse on Main family hosts visitors from around the world who often want to return – providing a tourism view of the city year round. We entertain locals, tourists, and corporate events – over 100,000 guests per year. This provides additional business for surrounding establishments bringing large events to Main Street year-round.

VISITORS

At Riverhorse on Main, after guests leave dinner with us we make a suggestion where they should go next! Whether it is a visit to the Fine Art Gallery of Park City or a drink after at No Name, our goal is promote businesses that promote us on Main Street.



A hand holding a glass of champagne with a city view in the background. The hand is wearing a watch and rings. The background shows a city street with buildings and a car.

Agreement

We understand that there would need to be changes to code in order for this to occur. I believe other business owners can and will succeed. Changing code or the program will create consistency for everyone on the street.

Our structure will certainly need to be upgraded in order to comply with permanent structure status as opposed to a temporary structure. Riverhorse will commit to providing an enhanced the aesthetic view of main street. This will make our restaurant closer to the our goal of being a green business with upgraded windows and insulation.

The deck is over 5 feet of city property, We propose in some fashion a long term lease over that property, that if at any time it was a problem for city hall Riverhorse would comply with city direction.

Thank you



Thank you for taking the time to review and discuss this proposal – our goal at Riverhorse on Main is to continue to provide an excellent experience to guests that represents Park City Main Street well with an outstanding view.

Thank you!

Historic Preservation Board Staff Report



Subject: 71 Daly Avenue
Application: PL-22-05309
Author: Caitlyn Tubbs, Sr. Historic Planner
Date: October 4, 2023
Type of Item: Material Deconstruction

Recommendation

(I) Review the proposal, (II) conduct a public hearing, and (III) consider approving the requested Material Deconstruction for 71 Daly Avenue subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter.

Description

Applicant: Tiresias Ventures, LLC, represented by Martin Paris
Historic Designation: Significant Historic Structure
Location: 71 Daly Avenue
Zoning District: Historic Residential – 1 (HR-1)
Adjacent Land Uses: Residential, Open Space
Reason for Review: The Historic Preservation Board reviews and takes Final Action on Material Deconstruction requests in accordance with LMC [§15-11-12.5](#).

DRC Development Review Committee
DRT Design Review Team
HDDR Historic District Design Review
HPB Historic Preservation Board
HR-1 Historic Residential – 1 Zoning District
HSI Historic Sites Inventory
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

71 Daly Avenue is designated a Significant Historic Site on Park City's Historic Sites Inventory (HSI). The Applicant seeks Material Deconstruction approval to remove approximately 20 square feet of siding and framing to accommodate a new rear addition to the Significant Historic Structure.

Background

71 Daly Avenue is a Significant Historic Site ([HSI Form](#)) on Park City's Historic Sites Inventory¹ and was constructed c. 1900 on land owned by the Ontario Mining Company. The home is an L-Cottage type Structure and has a Victorian Eclectic architectural style.

¹ LMC [§ 15-11-10\(D\)\(2\)\(d\)](#)

The Structure is noted in the HSI form and the 2016 Intensive Level Survey (Exhibit D) as generally being in good repair. The Structure was originally sited at the eastern end of the Lot but was moved approximately 30 feet to the west during a 2006 renovation (Exhibit E). In 2006, a detached garage constructed after 1941 was also removed. The prior homeowners relocated the Structure and poured a foundation for a proposed addition behind the historic home but abandoned the project around 2006.



The Structure at 71 Daly Avenue first appears on the 1900 Sanborn map. A rectangular Structure is visible on the site in the 1889 map, however, tax cards² indicate the existing home was built between 1899 and 1900; the Structure shown on the 1889 Sanborn Map was likely demolished to make room for the existing cottage. The Structure was unchanged on the Sanborn Maps from 1907 through 1941. In 2006 the home was moved forward (westward) on the Lot by 30 feet to accommodate a new addition to the rear. The Historic Structure now sits approximately in the middle of the Lot.

Figure 1: Sanborn Maps showing 71 Daly Avenue

² See Exhibit D: 2016 Intensive Level Survey



Figure 2: 71 Daly Avenue c. 2005-2006 showing new foundation prior to relocation of Structure.

Analysis

Pursuant to LMC [§ 15-1-8](#), the Historic Preservation Board is the designated land use authority for Material Deconstruction. The Applicant will also be required to obtain HDDR approval prior to submitting for a building permit in accordance with the same Section.

(I) As-Built and Proposed Material Deconstruction.

Material Deconstruction is defined in LMC [§ 15-15-1](#) as *“The disassembly of structures for the purpose of salvaging and reusing as many of the construction materials or building components. In some cases, deconstruction or dismantling may be used to remove non-historic materials from a historic site or structure or to remove those historic construction materials or building components that are beyond repair.”*

The Applicant proposes to remove approximately 20 square feet of framing and siding on the rear of the Historic Structure to accommodate the construction of a transitional element and rear addition. The proposed addition will abut the Historic Structure and the Applicant has stated the area of siding outlined in red (Figure 4) will remain as an internal accent wall. A door between the Historic Structure and the new addition will be installed in the area outlined in purple (Figure 4).

Presently, the Structure is in good condition. The foundation constructed in 2006 is performing well. The siding at the rear of the Structure has suffered some water damage in the location of the proposed addition; the paint is peeling, and the siding appears to have warped, likely due to the



Figure 4: View of rear wall showing siding materials to remain as an interior accent wall (red) and proposed location of interior door (purple).



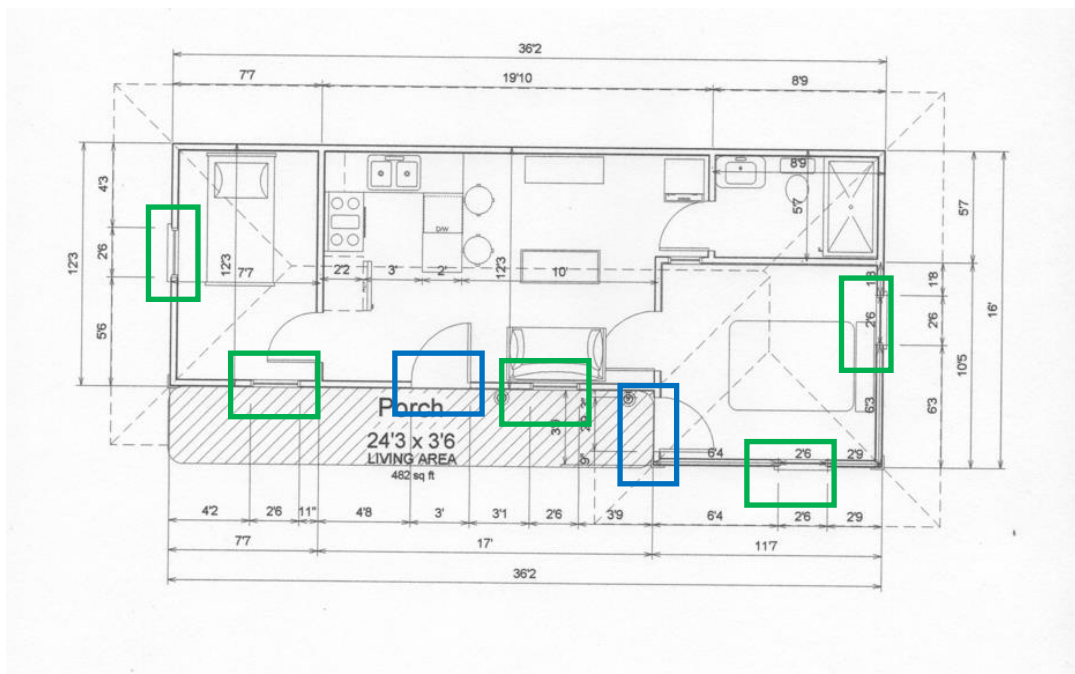
Figure 5: Close-up view of peeling siding



Figure 6: View of rear fascia

many years when the rear of the structure was sited at the foot of the hill and had snow stacked up against it. The fascia underneath the roof eaves has also suffered some water damage and is beginning to bow towards the center of the wall.

The Historic Structure features 5 window openings, all of which are original to the house (marked in green). The existing windows are non-original and non-historic and will be replaced as part of the proposed renovation. The Structure also has 2 door openings (marked in blue), both of which are original to the house. The doors are also non-original and non-historic and will be replaced as part of the renovation.



(II) Financial Guarantee.

Pursuant to LMC [§ 15-11-9](#) a Financial Guarantee is required prior to the issuance of a building permit. The Chief Building Official will determine the dollar amount for the necessary Financial Guarantee and the Applicant will be required to record an encumbrance agreement, or other instrument in a form acceptable to the City Attorney, with the Summit County Recorder's Office. When the work has been completed the Applicant will be responsible for contacting Park City Municipal Corporation to request a release of the encumbrance. Planning Staff will conduct an inspection to ensure compliance with the Conditions of Approval, Historic Preservation Plan, and all other required codes, standards, and ordinances. Staff has proposed a Condition of Approval that the Applicant must provide the Financial Guarantee to the City in a form approved by the City Attorney's Office, and record such with the Summit County Recorder's Office, prior to submitting a building permit application.

(III) The Development Review Committee requires Conditions of Approval.³

³ The Development Review Committee meets the first and third Tuesday of each month to review and

The Design Review Committee (DRC) reviewed this application on September 19, 2023 and provided the following feedback:

- Park City Fire Department (PCFD) – Fire sprinklers may be required in the new construction and for the Historic Structure at the building permit stage. This has been incorporated as Condition of Approval #13.

(IV) The Applicant must obtain Historic District Design Review approval.

In addition to the HPB's decision on Material Deconstruction, the Applicant will be required to obtain Historic District Design Review (HDDR) approval, subject to LMC [Chapter 15-13, Design Guidelines for Historic Districts and Historic Sites](#), and LMC [§ 15-11-9, Preservation Policy](#), prior to submitting a building permit application. Per LMC [§ 15-1-8](#) the Planning Director, or their Designee, is the Review Authority for HDDRs. Staff has proposed a Condition of Approval that the Applicant must obtain HDDR approval for the proposed new construction prior to submitting a building permit application.

Department Review

The Planning Department and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on September 20, 2023. Staff mailed courtesy notice to property owners within 300 feet on September 20, 2023. The *Park Record* published notice on September 20, 2023.⁴

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Historic Preservation Board may approve the Material Deconstruction;
- The Historic Preservation Board may deny the Material Deconstruction and direct staff to make Findings for the denial; or
- The Historic Preservation Board may request additional information and continue the discussion to a date certain or uncertain.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Applicant's Submitted Plans

Exhibit C: Existing Conditions Report and Historic Preservation Plan

provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

⁴ LMC [§ 15-1-21](#)

Exhibit D: 2016 Intensive Level Survey (ILS)
Exhibit E: Building Permit B05-11121



Planning Department

October 4, 2023

Tiresias Ventures, LLC
c/o Martin Paris, Manager
7181 Mira Monte Circle
Las Vegas, NV 89120

NOTICE OF HISTORIC PRESERVATION BOARD ACTION

Description

Address: 71 Daly Avenue

Zoning District: HR-1 Historic Residential

Application: Material Deconstruction

Project Number: PL-22-05309

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: October 4, 2023

Project Summary: Applicant Seeks Approval for Material Deconstruction to Facilitate the Construction of a Basement and Rear Addition.

Action Taken

On October 4, 2023, the Historic Preservation Board conducted a public hearing and approved the Material Deconstruction for portions of 71 Daly Avenue according to 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.

Material Deconstruction



Planning Department

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



Planning Department

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.

If you have questions or concerns regarding this Final Action Letter, please call (435)-615-5063 or email caitlyn.tubbs@parkcity.org.

Sincerely,

Randy Scott, Historic Preservation Board Chair

CC: Caitlyn Tubbs, Senior Historic Preservation Planner



I, John Demianiwicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the general, have prepared this Record of Survey map of the 71 DALY AVALANCHE SUBDIVISION and that the same has been or will be transmitted on the agreement as shown on this plat. I further certify that the information on this plat is accurate.

[Signature]

FIG. 1. DESCRIPTION

Swimming South 21°33' West 2.0 feet from the Southeast corner of Lot 16, Block 72, Wildlife Reservation in Park City, thence North 21°23' East 39.80 feet; thence South 64°27' East 100 feet; thence North 21°33' West 43.70 feet; thence North 64°73' West 100.00 feet to the east of boundary.

TRANSFEREE'S DEDICATION AND COMMITMENT TO RECORD

[illegible]

in witness whereof, the undersigned set their hands this 7th day of August 1941.

AP-4-1-2010. Robert Mow. Robert Mow.

ACKNOWLEDGMENT

State of Utah _____
County of Wasatch _____

On this 2nd day of April, 2010, Robert Kew and
 Robert's Kew personally appeared before me, the undersigned Notary Public, in and for
 said state and county. Having been duly sworn, Robert Kew and Robert's Kew
 acknowledged to me that they are the owners of the herein described tract of land,
 and that they intend the same Owner's Dedication and Consent is filed freely and

County, Utah, and the State of Utah.
Leah E. Ekstrom
 A Notary Public commissioned in Utah
Leah E. Ekstrom
 My Comm. Expires: September 1, 2010

Abstract

- ³ Based on survey respondent.



A COMBINATION OF LOT 10 AND A PORTION OF LOTS 9 & 11,
BLOCK 73, MILLSITE RESERVATION TO PARK CITY SURVEY

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

 1487 6-24-1947 COMMISSIONED LAND PLANNING ENGINEER AT LAW OFFICE 715 So. 2nd St. Knoxville, Tenn.	BY <u>APR 10 1948</u> 2010 A.D. <u>APR 10 1948</u> 2010 A.D. REVIEWED FOR CONFORMANCE TO UNIVERSAL BASIC WATER RECLAMATION DISTRICT STANDARDS ON THIS DATE	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF APRIL, 1948, AT DAY OF <u>APR 10 1948</u> 2010 A.D. BY <u>[Signature]</u> PARK CITY ENGINEER	ENGINEER'S CERTIFICATE I FIND THIS PLAN TO BE IN ACCORDANCE WITH THE PLANNING COMMISSION ON THIS DAY OF <u>APR 10 1948</u> 2010 A.D. BY <u>[Signature]</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>10th</u> DAY OF <u>APR 10 1948</u> 2010 A.D. BY <u>[Signature]</u> PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THE RECORD OF SURVEY AND THIS PLAN OF THE PARK CITY COUNCIL THIS <u>10th</u> DAY OF <u>APR 10 1948</u> 2010 A.D. BY <u>[Signature]</u> PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS <u>23RD</u> DAY OF APRIL 1948 A.D. BY <u>[Signature]</u> MAYOR	RECORDED 89448P STATE OF TENNESSEE, COUNTY OF KNOX, AT THE REQUEST OF <u>Edward H. Williams, Jr.</u> DATE <u>APR 10 1948</u> THE <u>10th</u> DAY OF <u>APRIL</u> 1948. PAGE <u>1</u> <u>Ed H. Williams, Jr.</u> RECORDS
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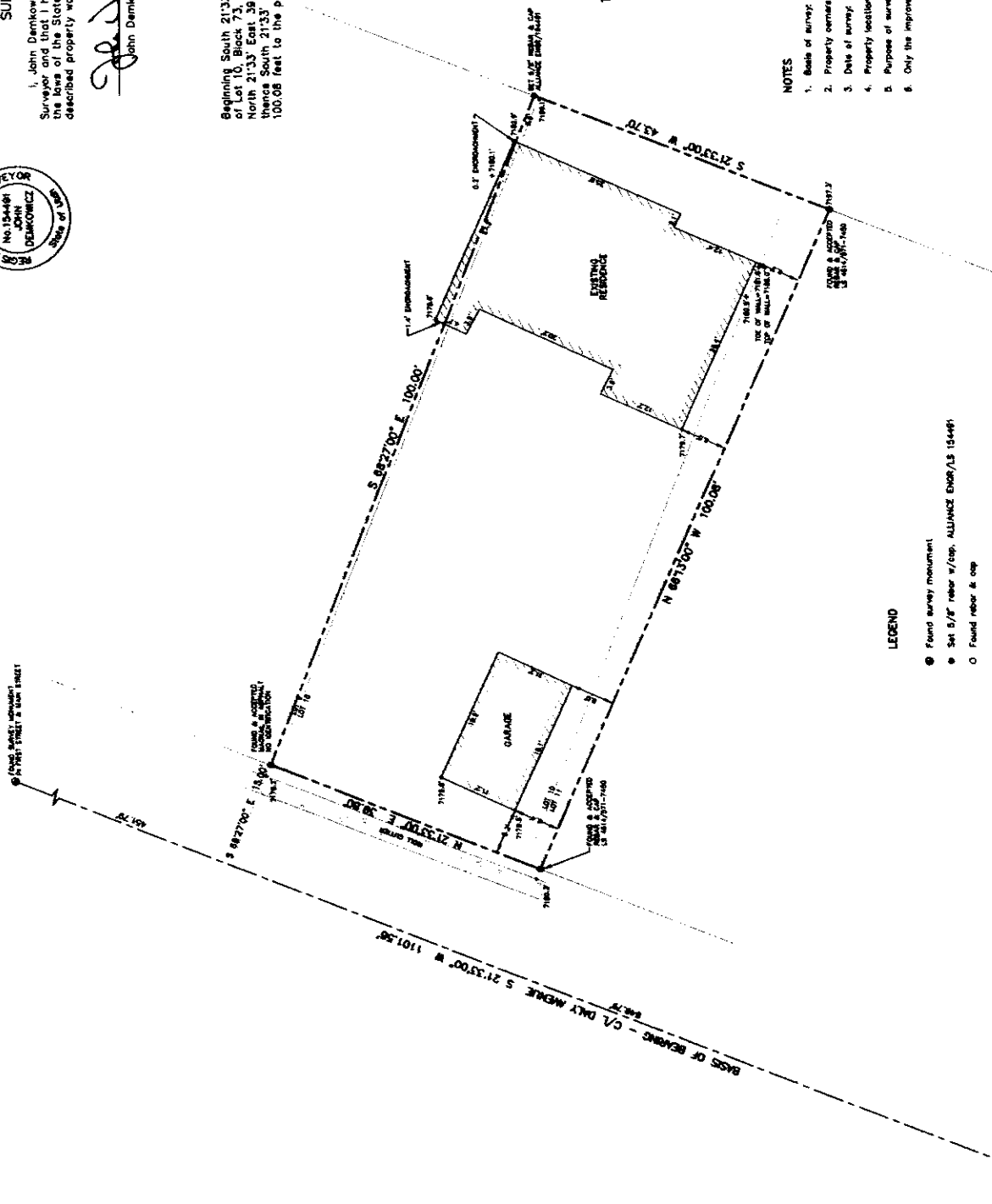
SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

John Demkowicz
Date 6/2/06

LEGAL DESCRIPTION

Beginning South 21°33' West 2.0 feet from the southwest corner of Lot 10, Block 73, Millite Reservation in Park City, thence North 21°33' East 39.80 feet; thence South 88°27' East 100 feet; thence South 21°33' West 43.70 feet; thence North 66°13' West 100.05 feet to the point of beginning



LEGEND

- ☐ Found survey monument
☒ Set 5/8" rebar w/cap, ALLIANCE ENOR/L.S 154461
☐ Found rebar & cap

NOTES

1. Basis of survey: Found survey monuments as shown.
2. Property corners were set or found as shown.
3. Date of survey: June 1, 2008
4. Property location: Section 21, T2S, R4E, S18Jdd
5. Purpose of survey: Building remodel
6. Only the improvements shown were within the scope of

BIDDING 6294 Bk P#00000-00000
ALAN WRIGHT, SUMMIT CO. RECORDER
2806 GRT 13 1429 PM FEE \$10.00 BY G66
KURTIS ALLIANCE ENGINEERING INC

(435) 648-8447



CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
1400 Street P.O. Box 2884 Port City, Utah 84080-2884

STAFF:
JOHN DEMKOWICZ
MARSHALL KING
BLAKE MYERS

SHEET 1 OF 1

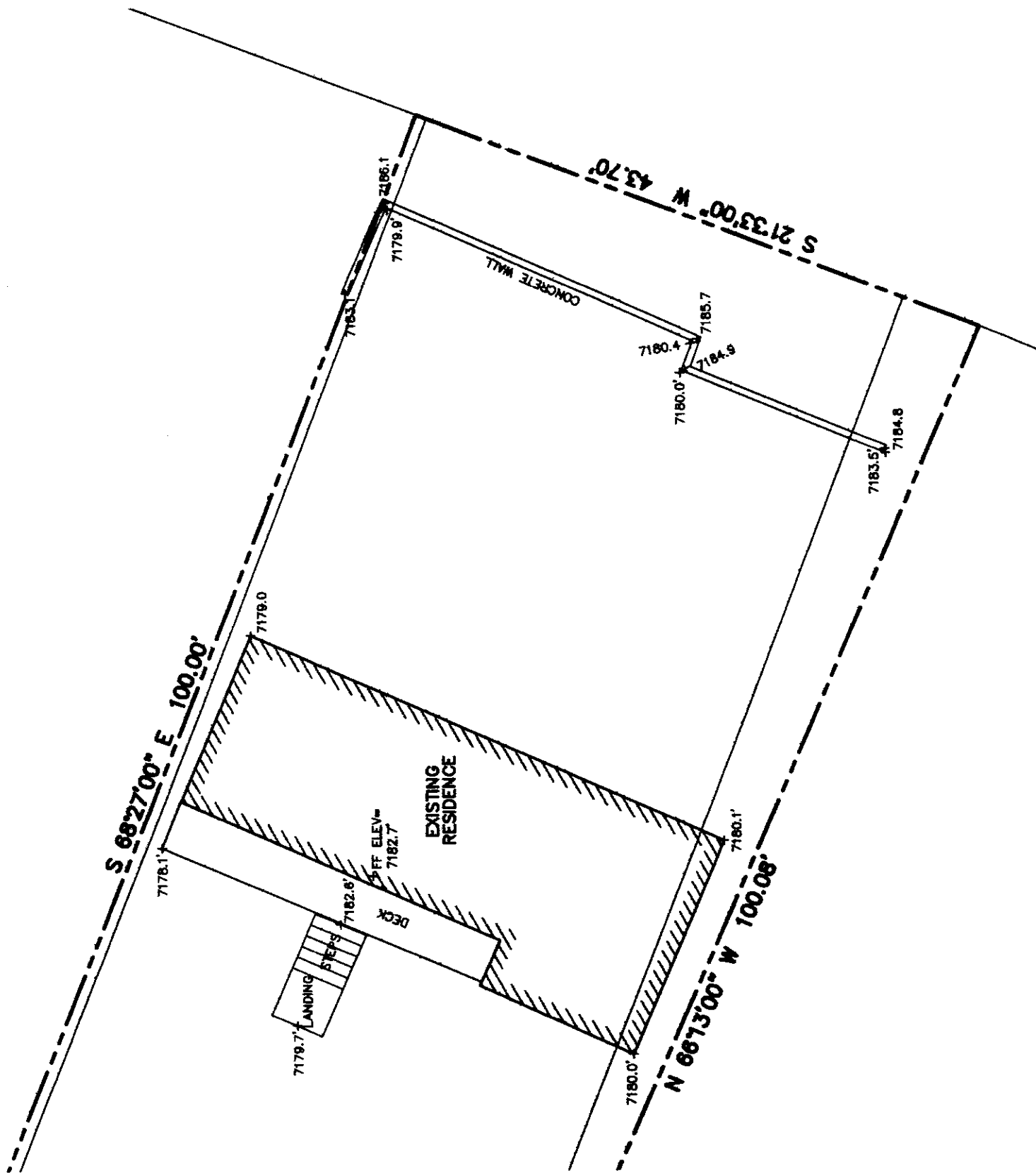
BOUNDARY SURVEY
71 DALY AVENUE
LOT 10 PLUS ADDITIONAL, 1

FOR: ROBERT KOEY

FOR: ROBERT KOEHL
JOB NO.: 13-3-08

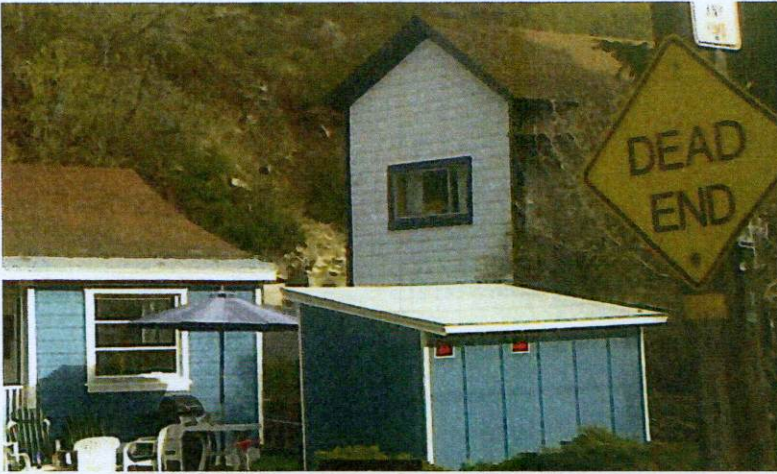
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Requirement #3:
Enlargement of Relevant Area
shown in Site Plan



Requirement #4
Current Photographs
Existing Historic Home

Left (Downhill Elevation)



Front View Elevation

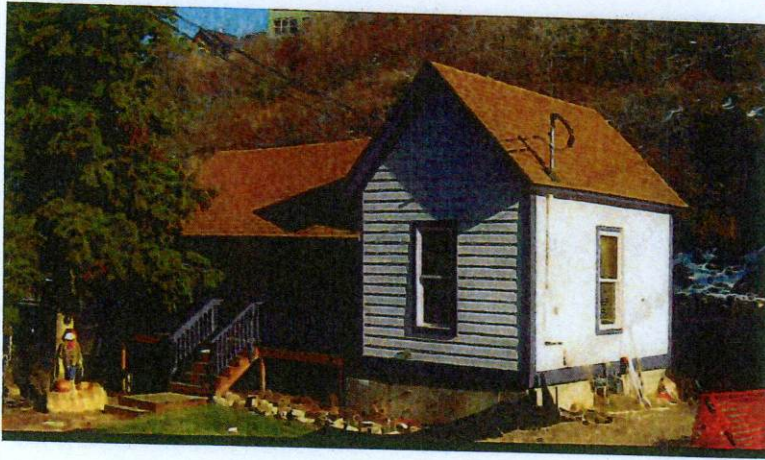


Rear Elevation



Page 176

Requirement #4 Current Photographs
Existing Historic Home



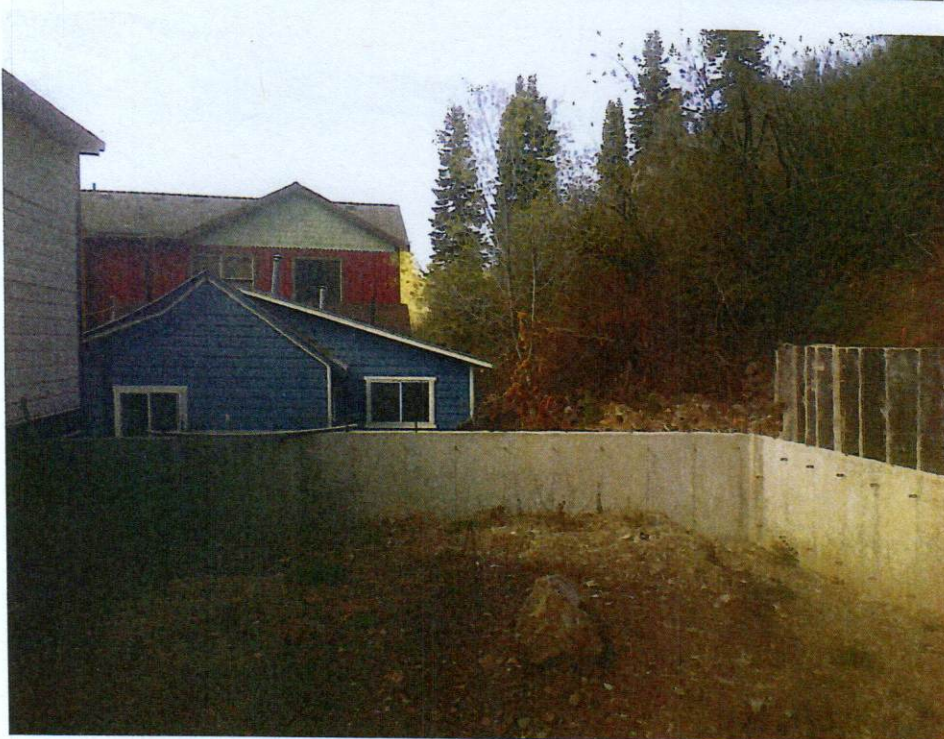
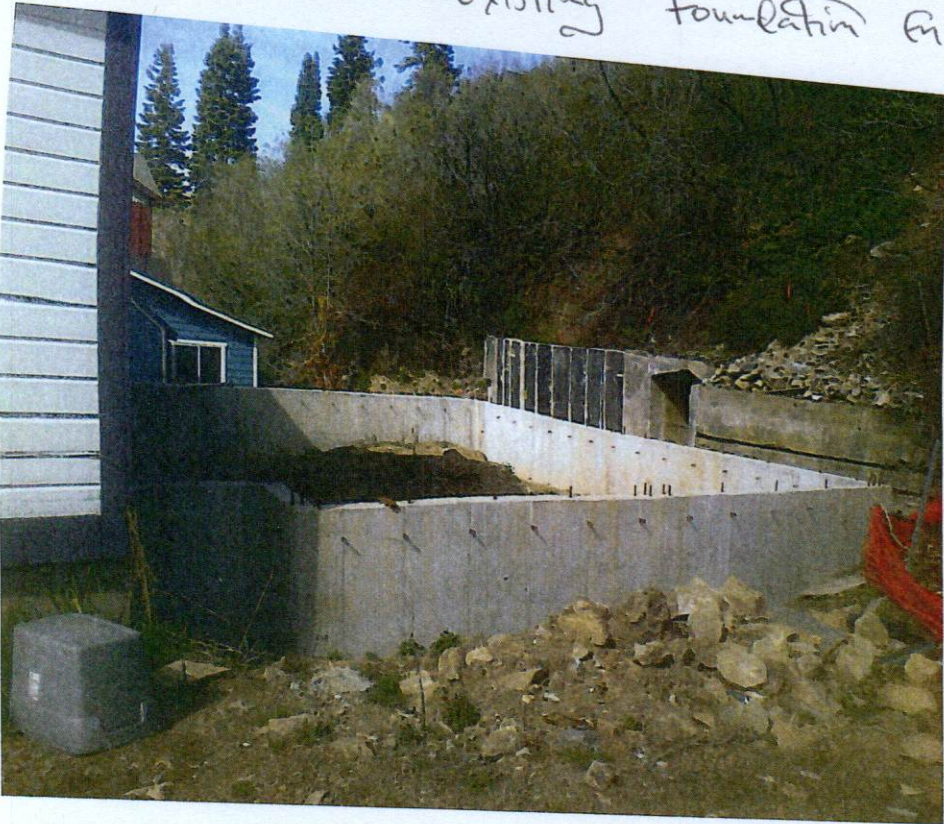
Right (Uphill) Elevation

Page 2 of 6

Requiseiment #4
Existing

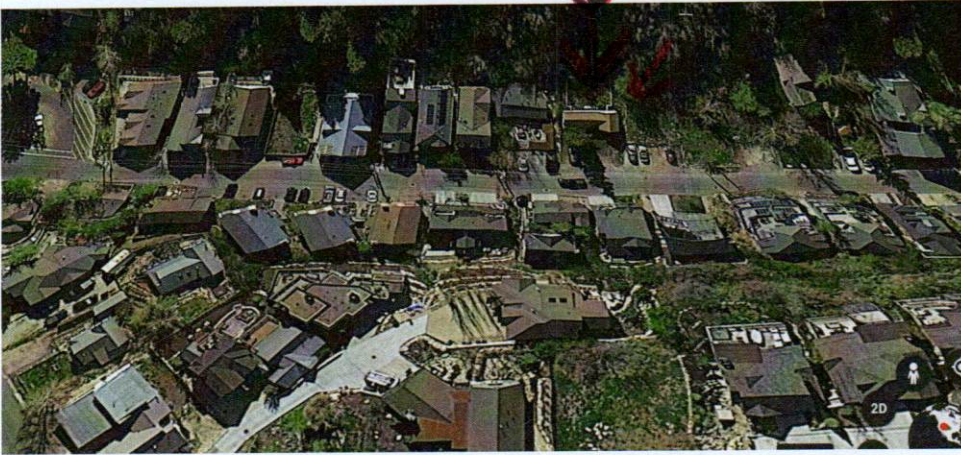
Current Photographs
Foundation in Proposed

Addition

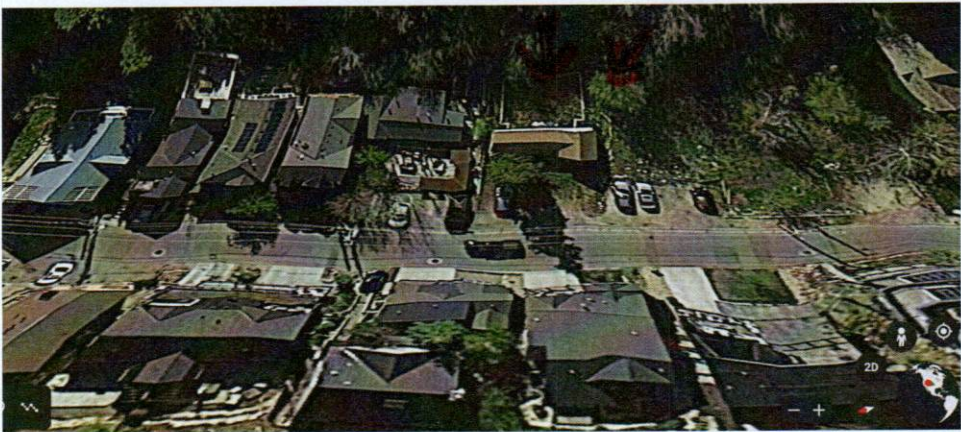


Page 3 1 6

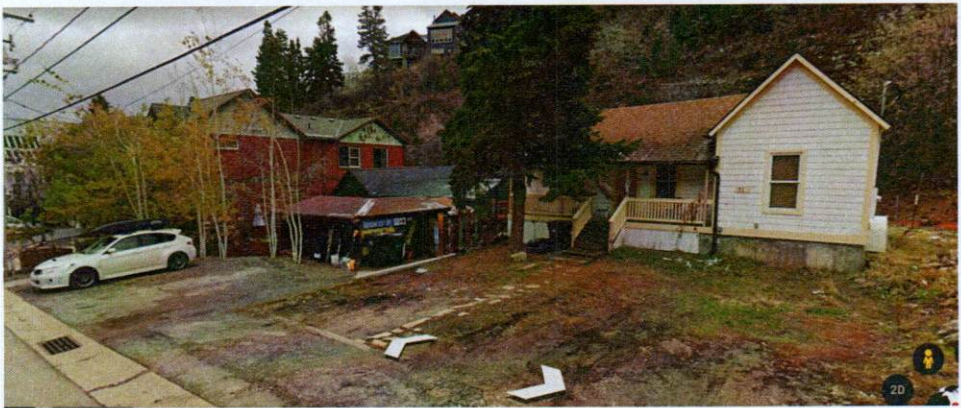
Requirement #4 Current Photographs



Aerial Photograph
#1



Aerial Photograph
#2



Downhill View
Neighboring Structures
#1



Downhill View
Neighboring Structures
#2

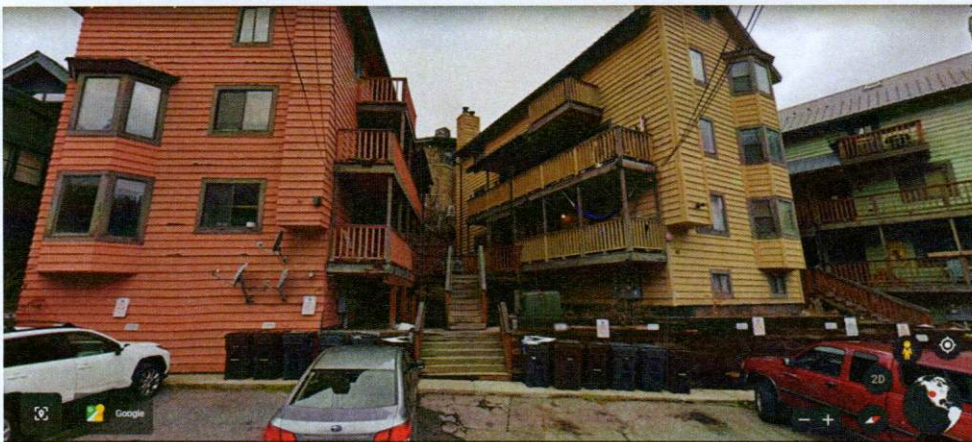
Requirement #4 Current Photographs



Uphill View
Across the Street

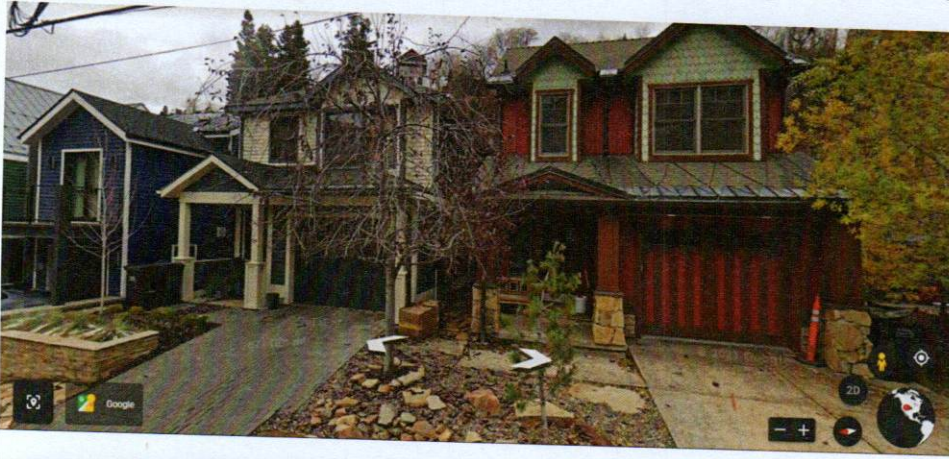


~~Uphill~~ Downhill View
Across the Street

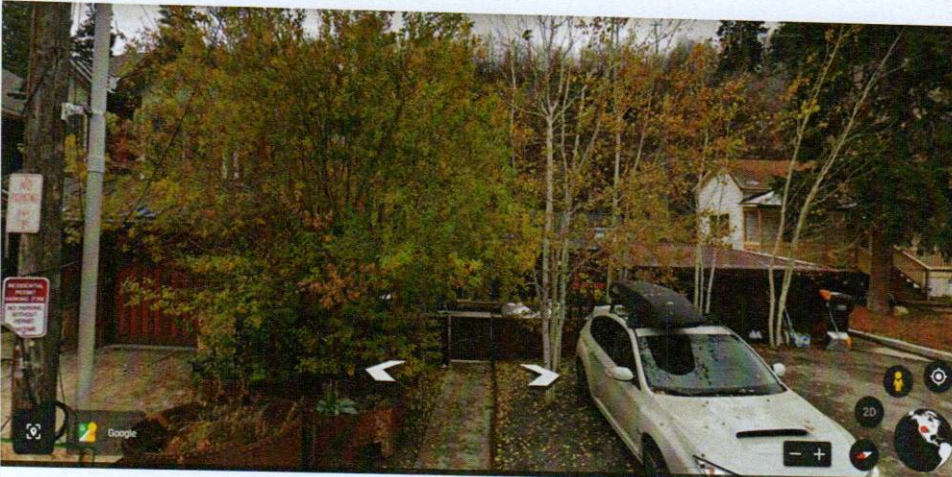


Downhill View
Across the Street

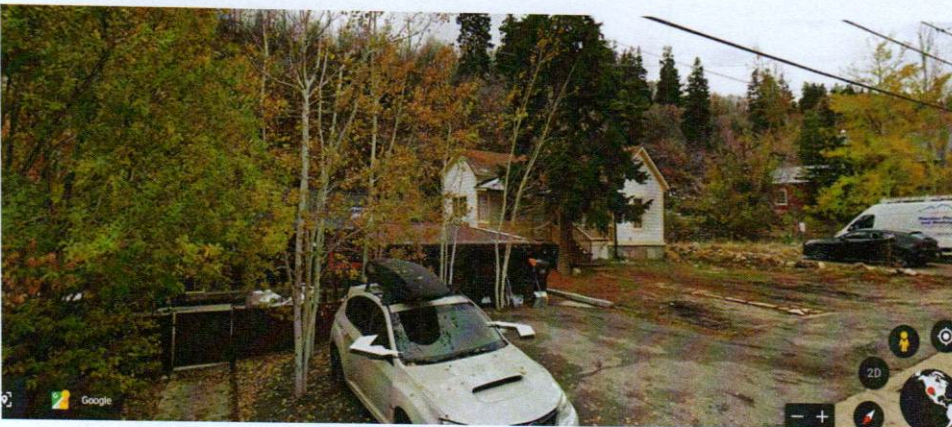
Requiemment #4 Current Photographs



Uphill View
Across the Street



Front View
Immediately Adjacent
Downhill View Neighbor
House e 61
Daly



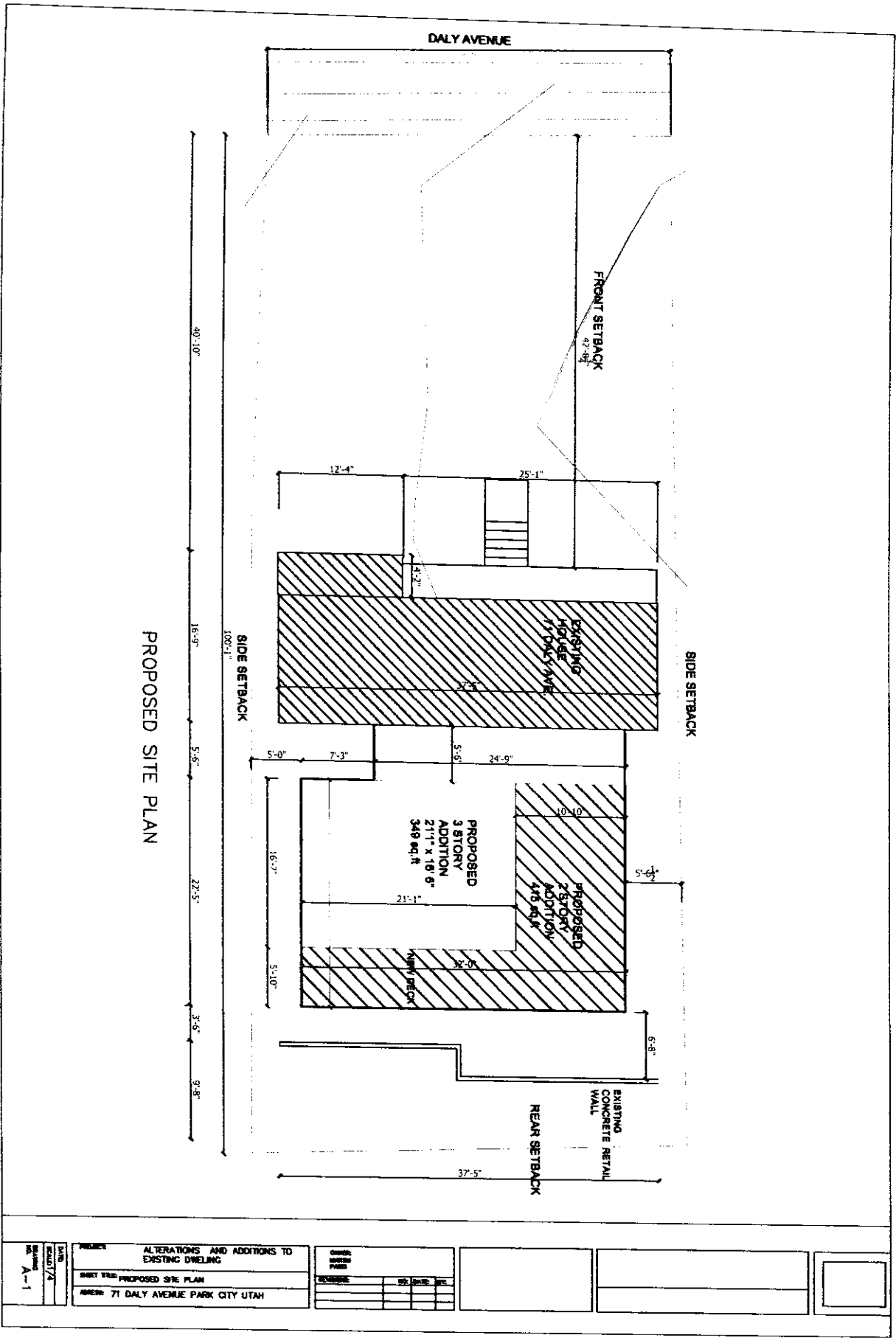
Uphill View of Immediately
Adjacent Vacant Lot
Uphill e 81 Daly



Adjacent Properties
Uphill Both Side,
of Street

Page 6 of 6

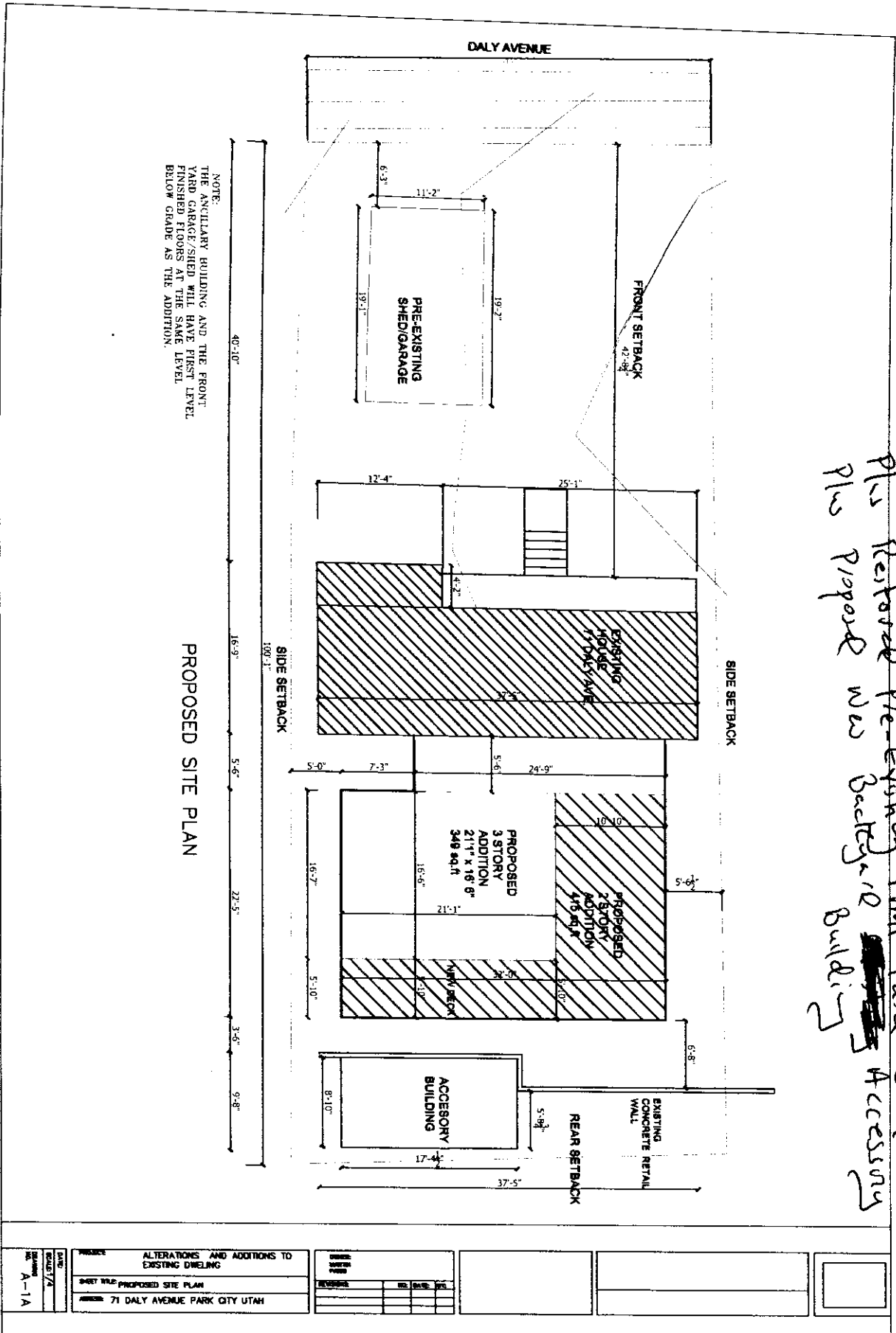
Requirement #5: Proposed site Plan
 Historic Home and an Existing Addition
 Foundation Proposed



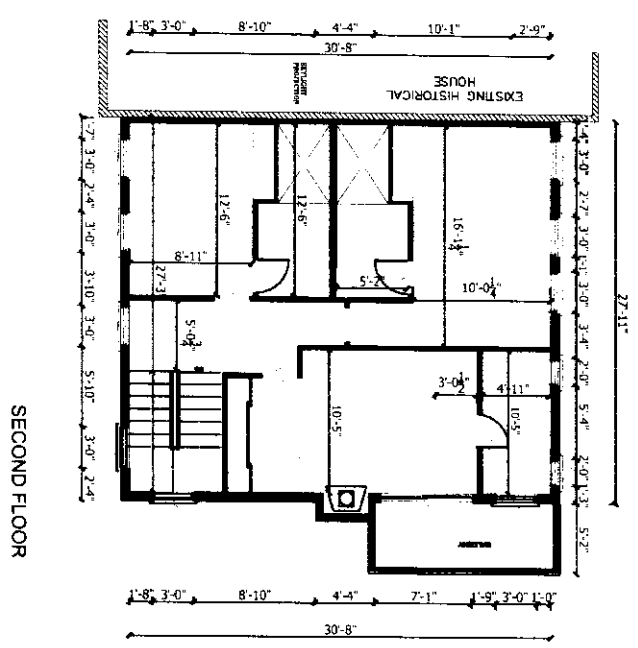
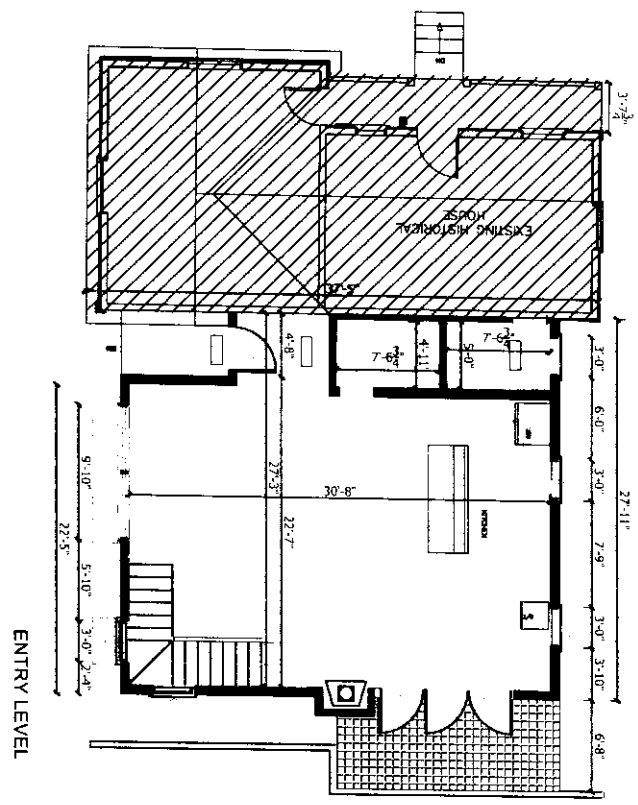
PROPOSED SITE PLAN

SHEET NO. 1 DATE 7/24 DRAWN BY A-1	PROJECT: ALTERATIONS AND ADDITIONS TO EXISTING DWELING SHEET TITLE: PROPOSED SITE PLAN ADDRESS: 71 DALY AVENUE PARK CITY UTAH	OWNER: [blank] ARCHITECT: [blank] ENGINEER: [blank]	[blank]	[blank]	[blank]
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Requirement #5: Existing Historic Home and Foundation
 Proposed Addition on Existing Foundation
 Plus Restore Pre-Existing First Yard Shed
 Plus Proposed New Backyard Building Accessory



Requirement #6: Proposed 7-floor Plans Drawn to Scale

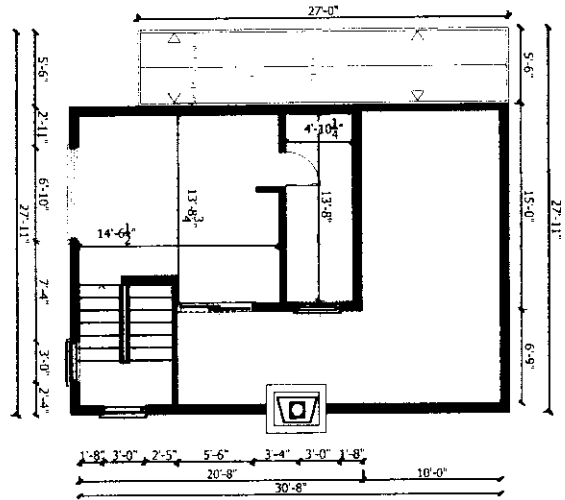


NOTE:

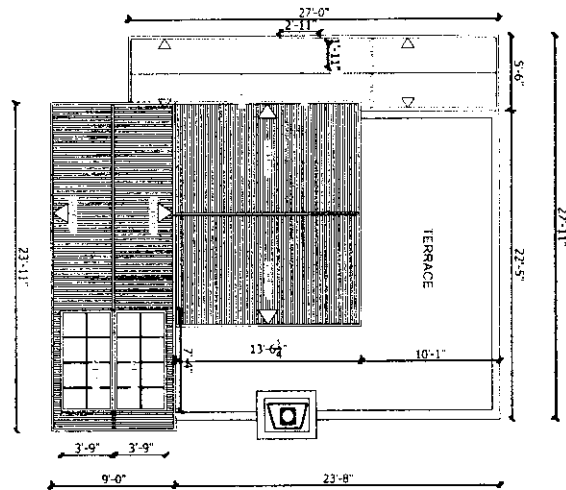
1. The dimensions shown for each room and corridor are finished wall to finished wall.
2. The wall cavity on the perimeter walls is 7 inches thick.
3. The interior wall cavities dividing rooms are 5 inches thick.

DATE 06/01/78 BY A-2	PROJECT	ALTERATIONS AND ADDITIONS TO EXISTING DWELING	OWNER PARK CITY	NO. (Bldg) Unit		
	SHEET TITLE	FIRST AND SECOND FLOOR				
	ADDRESS	71 DALY AVENUE PARK CITY UTAH				

Requirement #6 Proposed Floor Plans Drawn @ Quarter Inch Scale



THIRD FLOOR

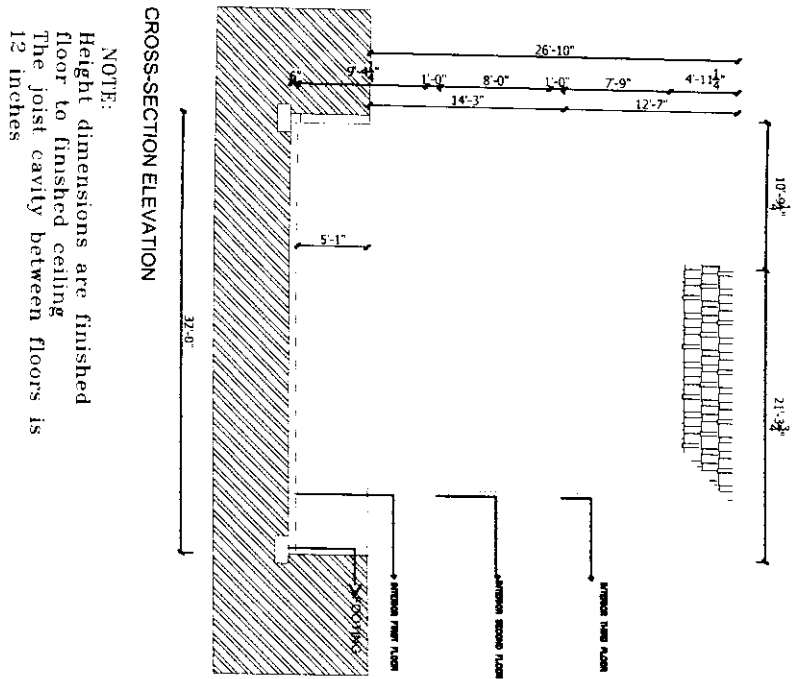


ROOF PLAN

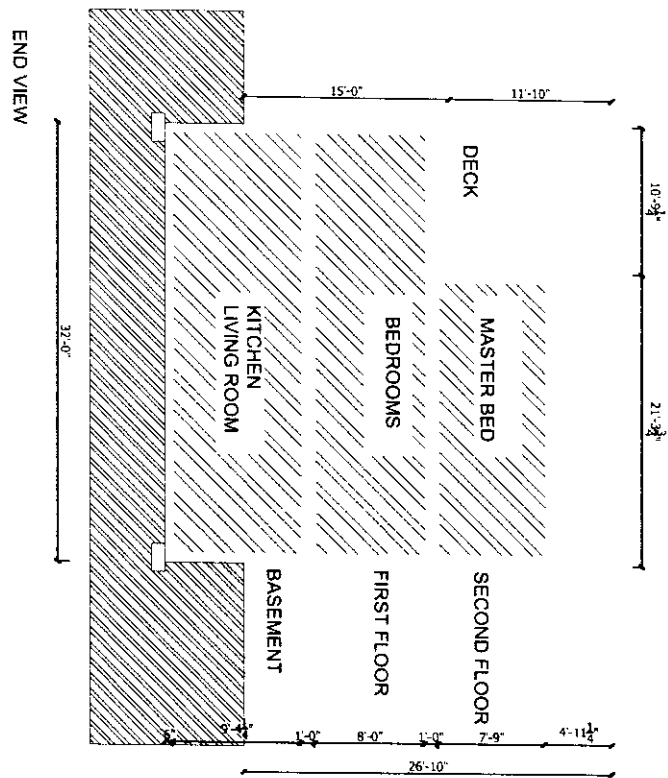
- NOTE:
1. The dimensions shown for each room and corridor are finished wall to finished wall.
 2. The wall cavity on the perimeter walls is 7 inches thick.
 3. The interior wall cavities dividing rooms are 5 inches thick.

SHEET SCALE 1/4" DRAWING NO. A-3	PROJECT ALTERATIONS AND ADDITIONS TO EXISTING DWELING	OWNER BAYVIEW PARK	NO. SHEETS 3	NO. SHEETS 3	NO. SHEETS 3
	SHEET TITLE THIRD FLOOR AND ROOF	ADDRESS 71 DALY AVENUE PARK CITY UTAH			

Quartermaster #7 Proposed Building Section



NOTE:
Height dimensions are finished
floor to finished ceiling
The joist cavity between floors is
12 inches

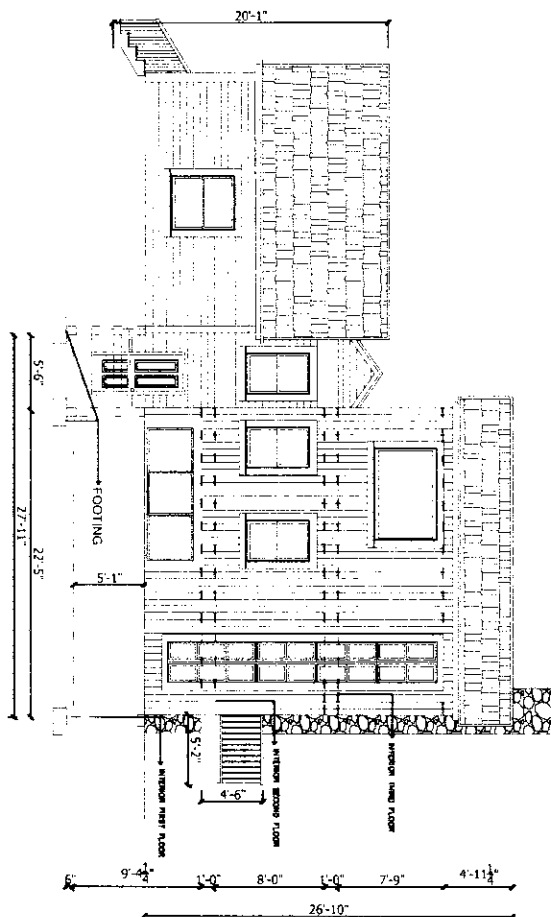


PROJECT: ALTERATIONS AND ADDITIONS TO EXISTING DWELING		DATE: 10/1/74		SCALE: 1/4"	
SHEET TITLE: CROSS SECTION AND END VIEW ELEVATION		DRAWN: J. L. HARRIS		CHECKED: J. L. HARRIS	
ADDRESS: 71 DALY AVENUE PARK CITY UTAH		PROJECT NO: 100-100-100		SHEET NO: 100-100-100	
SHEET NO: A-6		PROJECT NO: 100-100-100		SHEET NO: 100-100-100	

Requirement # 8: Proposed Building Elevation

NOTE:
Height dimensions are finished
floor to finished ceiling
The joist cavity between floors
is 12 inches

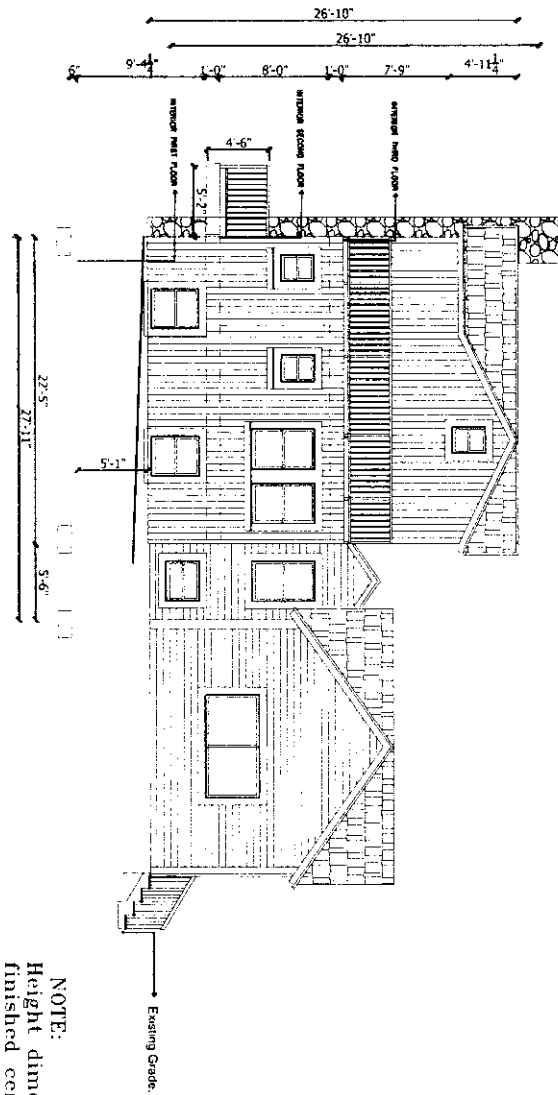
RIGHT ELEVATION



DATE SCALE BY A-4	PROJECT ALTERATIONS AND ADDITIONS TO EXISTING DWELING	OWNER MORTEN POND					
		REVISION	DATE	BY			
SHEET PILE-RIGHT ELEVATION	ADDRESS 71 DALY AVENUE PARK CITY UTAH						

Requiem #810908 Building Elevation

LEFT ELEVATION



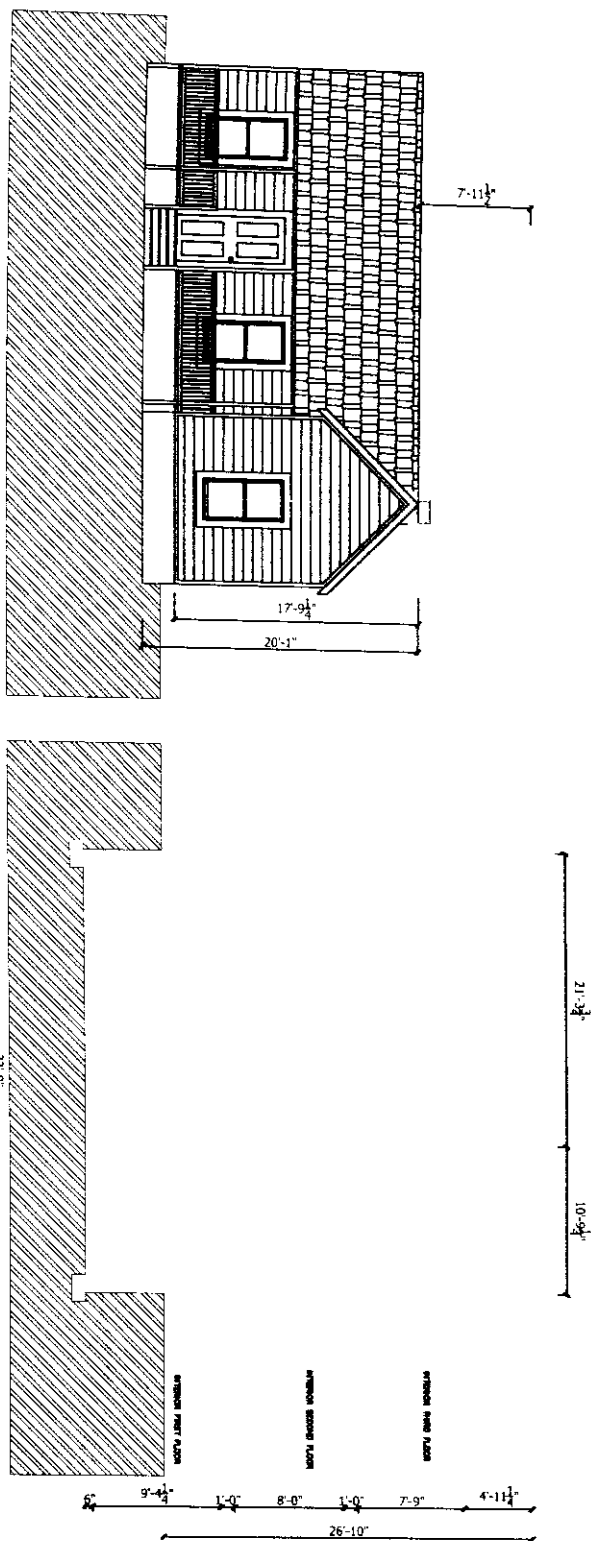
NOTE:
Height dimensions are finished floor to
finished ceiling
The joist cavity between floors is 12
inches

VISIBILITY
FROM THE STREET

DALY A

DATE SCALE BY NO.	PROJECT ALTERATIONS AND ADDITIONS TO EXISTING DWELING	SHEET NO. DATE BY	SHEET NO. DATE BY	SHEET NO. DATE BY
	SHEET NO. LEFT ELEVATION			
A-5	ADDRESS: 71 DALY AVENUE PARK CITY UTAH			

Requirement #8: Proposed Building Elevations



FRONT WITH HISTORICAL HOUSE
ELEVATION

NOTE:
Height dimensions are finished floor to finished ceiling
The joist cavity between floors is 12 inches

REAR ELEVATION

			DATE SCALE BY 7/1 7/1 7/1	PROJECT ALTERATIONS AND ADDITIONS TO EXISTING DWELING WEST REAR AND FRONT ELEVATION ADDRESS 71 DALY AVENUE PARK CITY UTAH	DATE SCALE BY 7/1 7/1 7/1
-------------	--	--	--	--	---

Requirement #9: Street scene elevation

As permitted, Photographic Sheetscape 1 all
uphill and downhill Structures curvatures
Existing on both sides of the Street
within 100 feet of the subject property
have been submitted. see pages ~~4, 5 and 6~~ 4, 5 and 6
of Requirement #4

Requirement #14 Additional Requirements for Historic Sites

Note: Existing historic home at 71 Daly will not be altered in any way during the construction of the proposed addition with the exception of the addition of a 36 inch doorway into an adjacent new bathroom from the interior of the existing historic home. This is shown in the entry level interior floor plan provided in response of requirement #6

Requirement #15: Historic Preservation Plan: NOT applicable

Requirement #16: Physical Condition Report: NOT applicable

~~Historic~~ Preservation Plan: NOT applicable

Requirement #17: ~~Historic~~ Photographs: Submitted as part of original HDDR

Requirement #20: ~~Historic~~ Site Form: Submitted as part of original HDDR

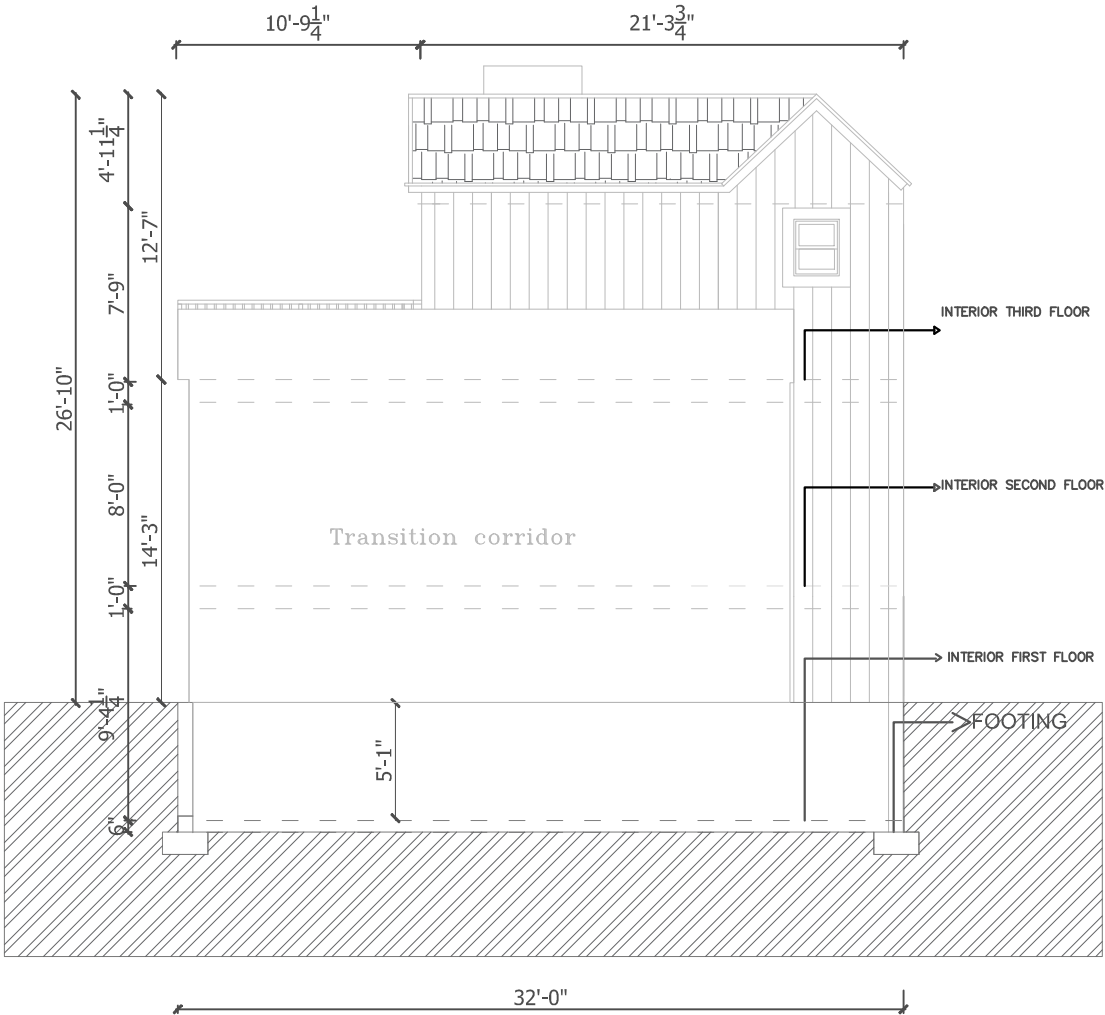
Requirement #21:

Requirement #12: Current Title Report

Submitted via email of 05/15/23
prepared by First American Title Co.

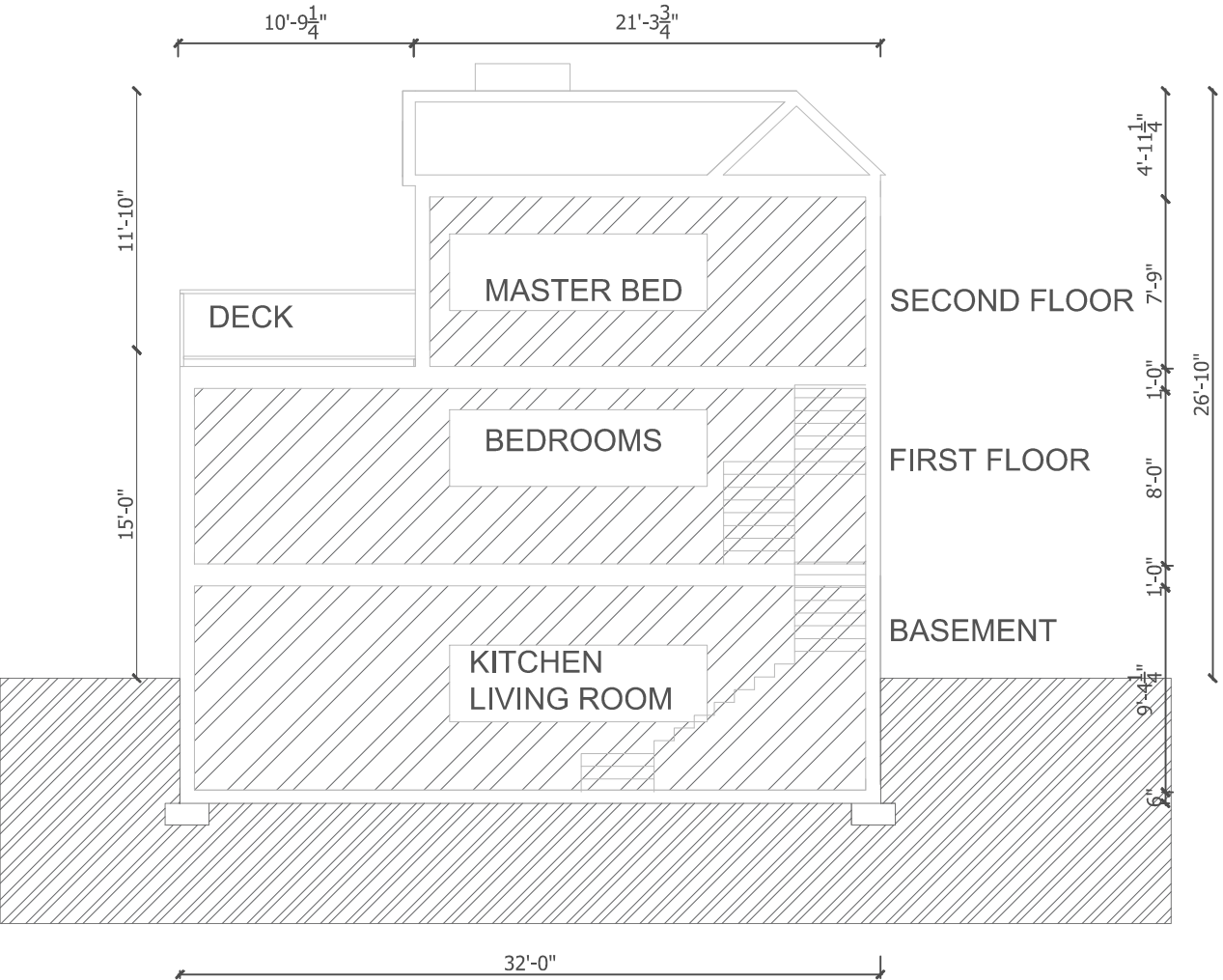
Requirement #13: List of Property Owner's Name and
Addresses within 100 feet of proposed
Project

Submitted via E-mail of 05/15/23
Format of information is Excel Spreadsheet
As Requested.

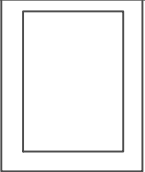


CROSS-SECTION ELEVATION

NOTE:
Height dimensions are finished
floor to finished ceiling
The joist cavity between floors is
12 inches



END VIEW



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OWNER: MARTIN PARIS	NO.	DATE:	BY:
	REVISIONS:		

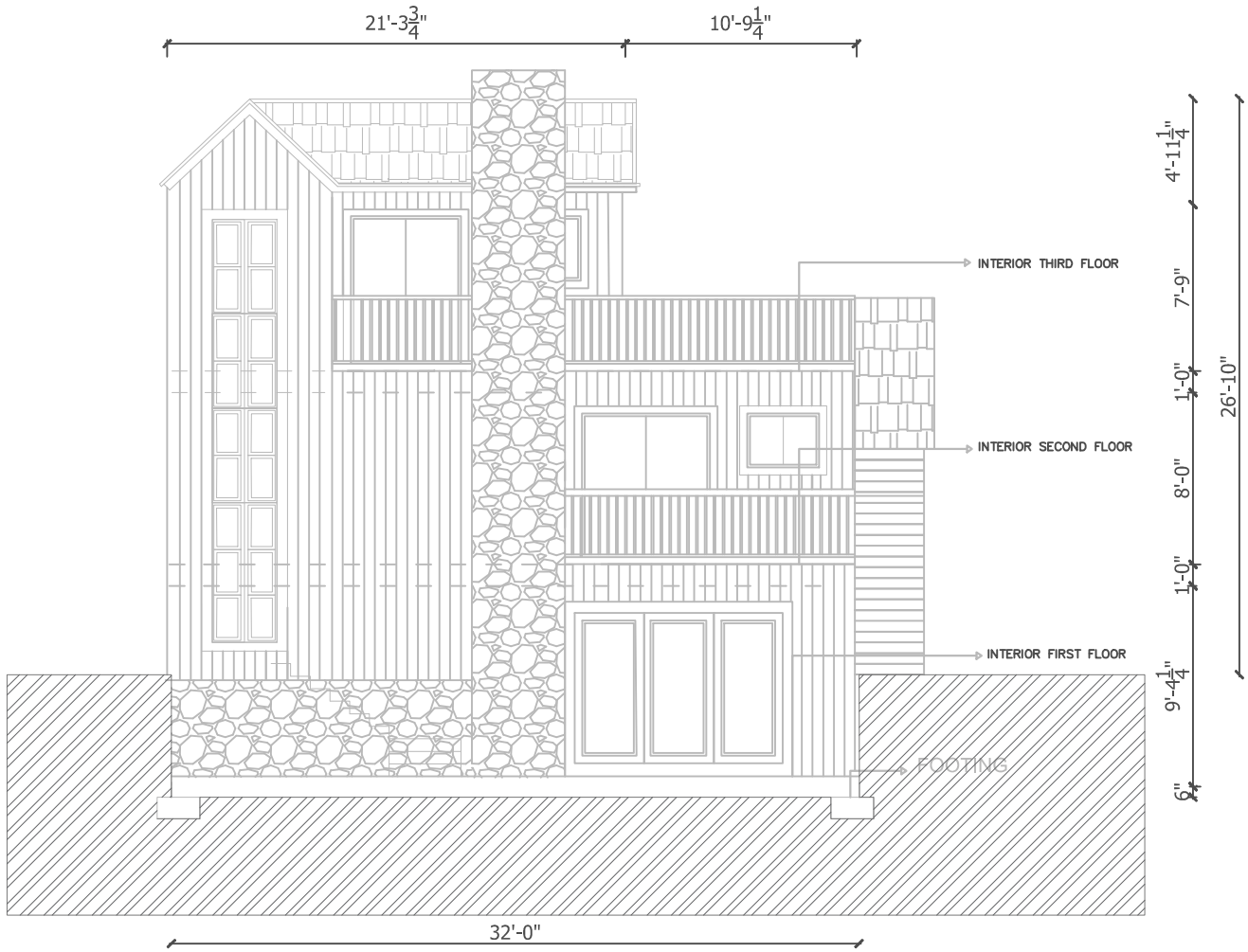
PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
SHEET TITLE:	CROSS SECTION AND END VIEW ELEVATION
ADDRESS:	71 DALY AVENUE PARK CITY UTAH

DATE:
SCALE: 1/4
DRAWING NO. A-6

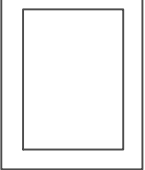


FRONT WITH HISTORICAL HOUSE
ELEVATION

NOTE:
Height dimensions are finished floor to finished ceiling
The joist cavity between floors is 12 inches



REAR ELEVATION



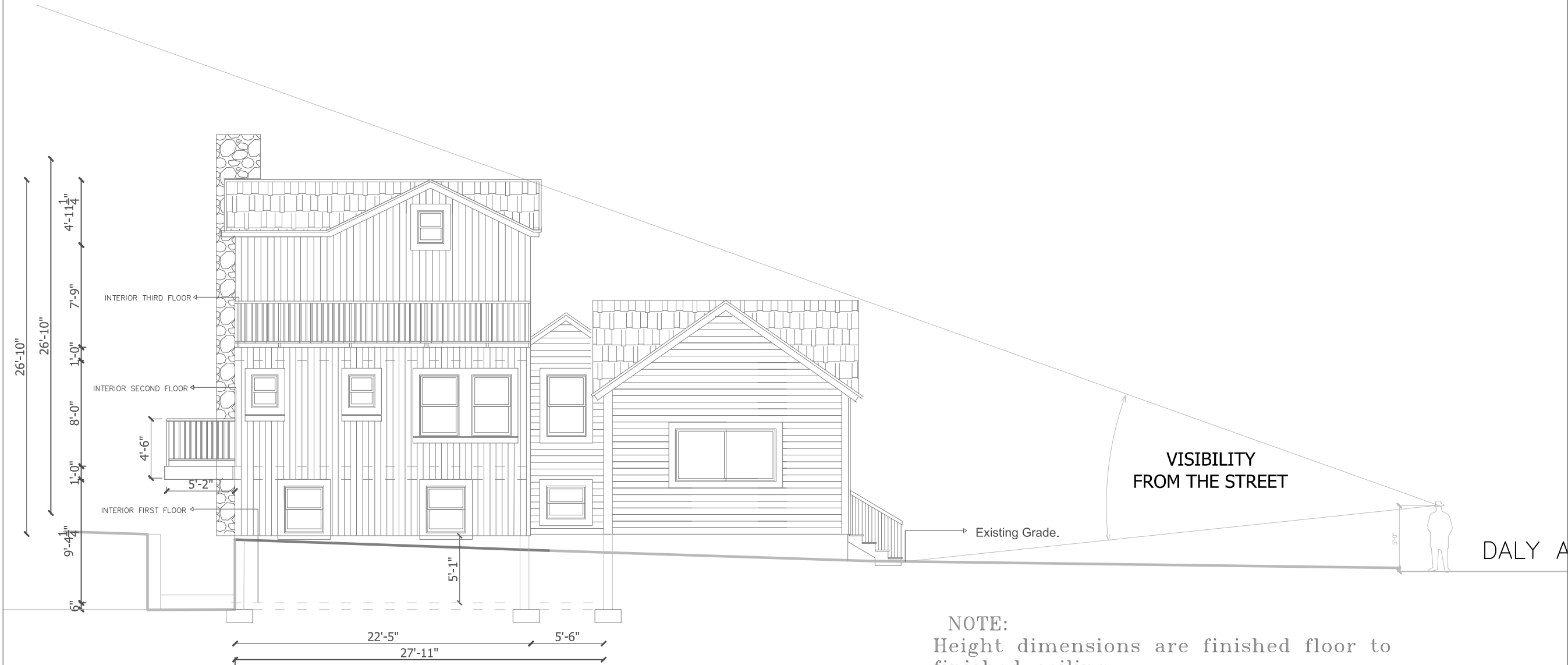
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OWNER: MARTIN PARIS	NO.		DATE:		BY:	
	REVISIONS:					

PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
SHEET TITLE: REAR AND FRONT ELEVATION	
ADDRESS:	71 DALY AVENUE PARK CITY UTAH

DATE:
SCALE: 1/4
DRAWING NO. A-5



LEFT ELEVATION

NOTE:
Height dimensions are finished floor to
finished ceiling
The joist cavity between floors is 12
inches

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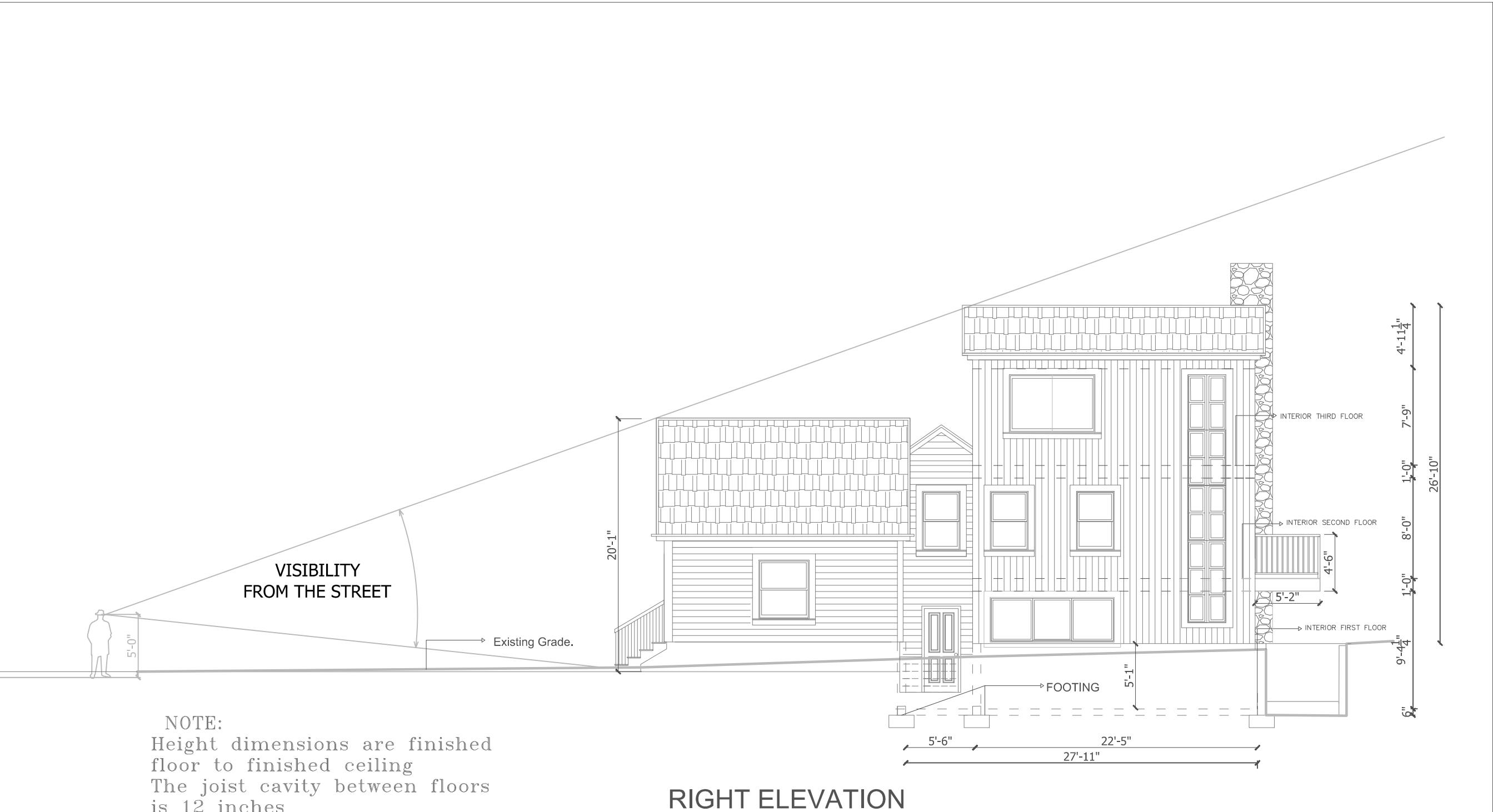
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OWNER: MARTIN PARIS	NO.	DATE:	BY:
	REVISIONS:		

PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
SHEET TITLE:	LEFT ELEVATION
ADDRESS:	71 DALY AVENUE PARK CITY UTAH

DATE:
SCALE: 1/4
DRAWING NO. A-5



RIGHT ELEVATION

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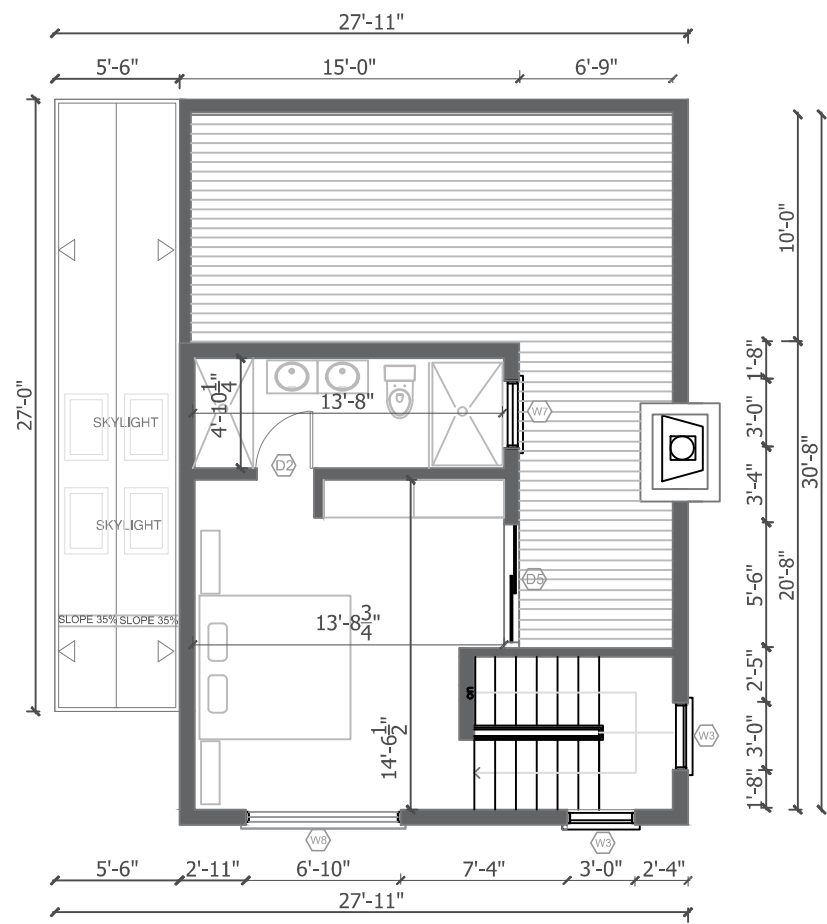
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OWNER: MARTIN PARIS	NO.	DATE:	BY:
	REVISIONS:		

PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
SHEET TITLE:	RIGHT ELEVATION
ADDRESS:	71 DALY AVENUE PARK CITY UTAH

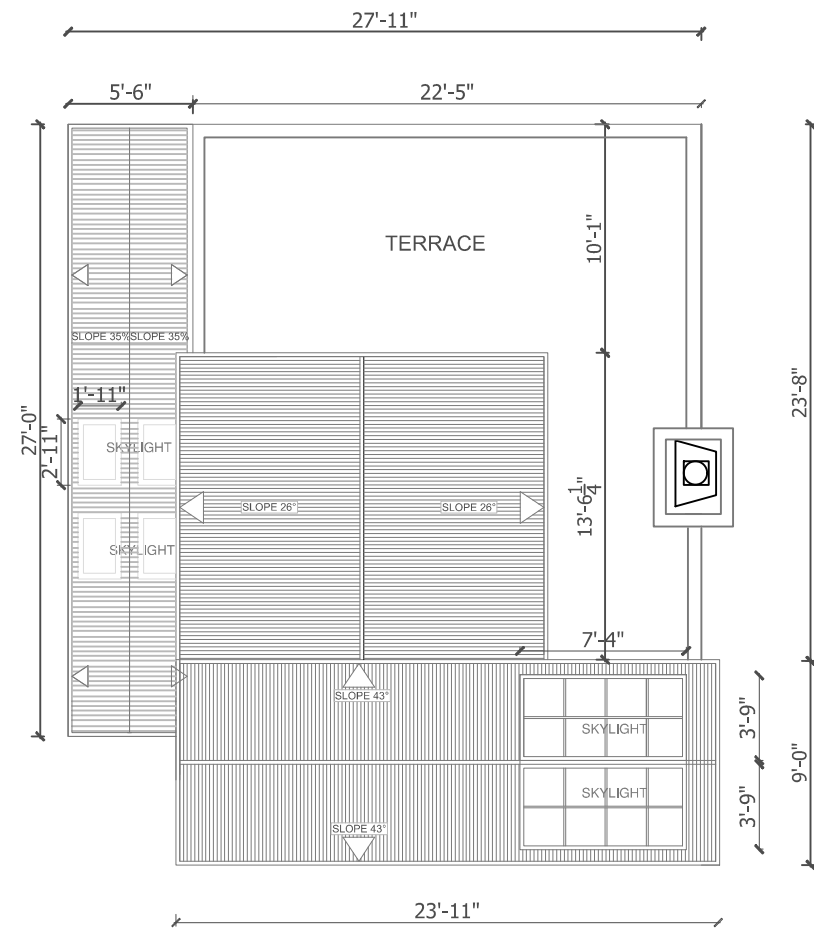
DATE:
SCALE: 1/4
DRAWING NO. A-4



THIRD FLOOR

NOTE:

- 1.The dimensions shown for each room and corridor are finished wall to finished wall.
- 2.The wall cavity on the perimeter walls is 7 inches thick.
3. The interior wall cavities dividing rooms are 5 inches thick

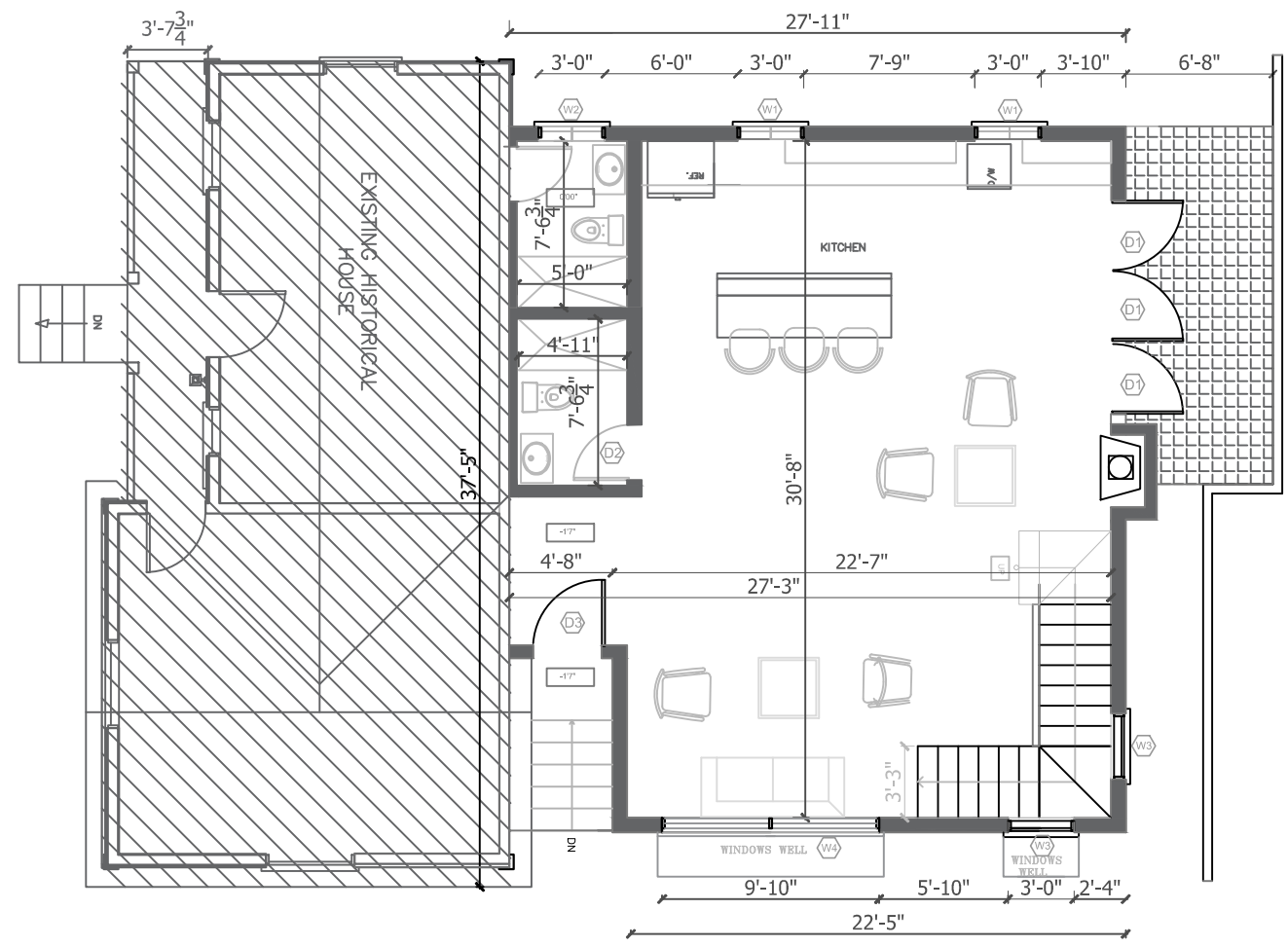


ROOF PLAN

PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
SHEET TITLE:	THIRD FLOOR AND ROOF
ADDRESS:	71 DALY AVENUE PARK CITY UTAH

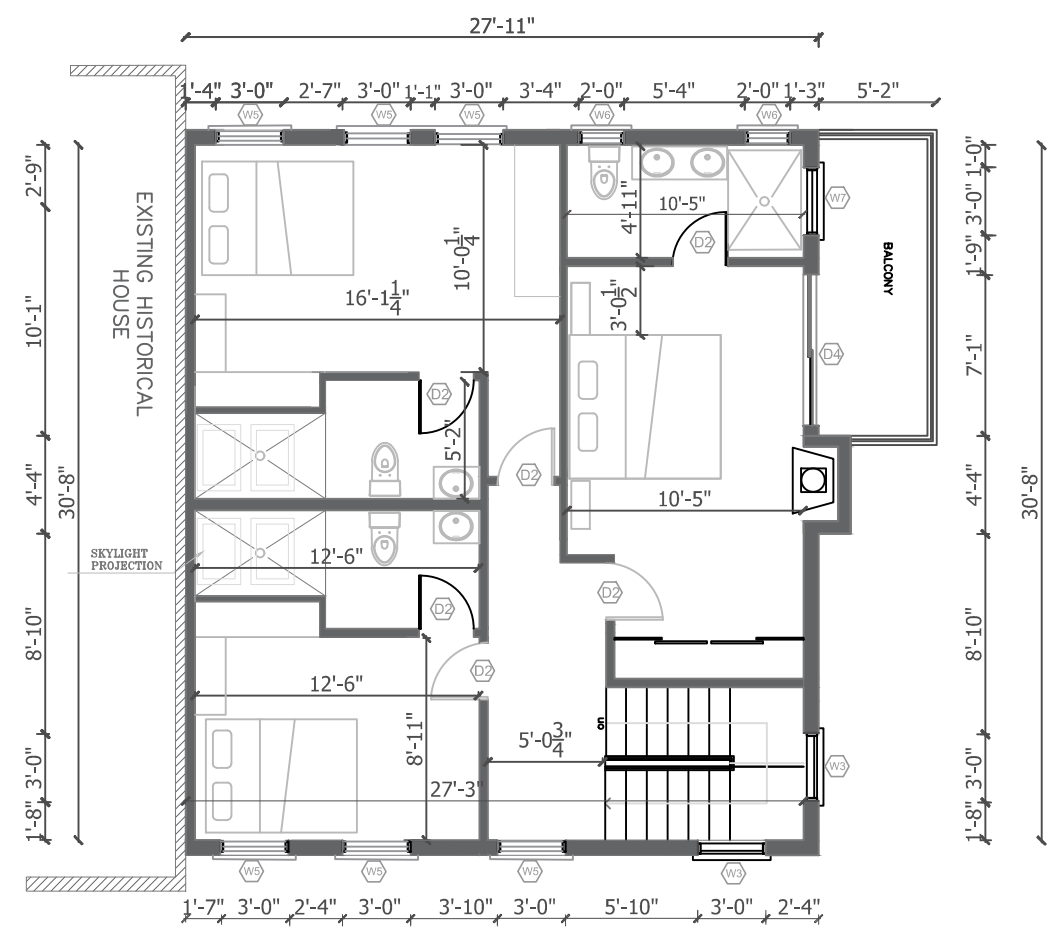
OWNER:	MARTIN PARIS
REVISIONS:	
NG:	DATE:
BY:	

DATE:	
SCALE:	1/4
DRAWING NO.	A-3



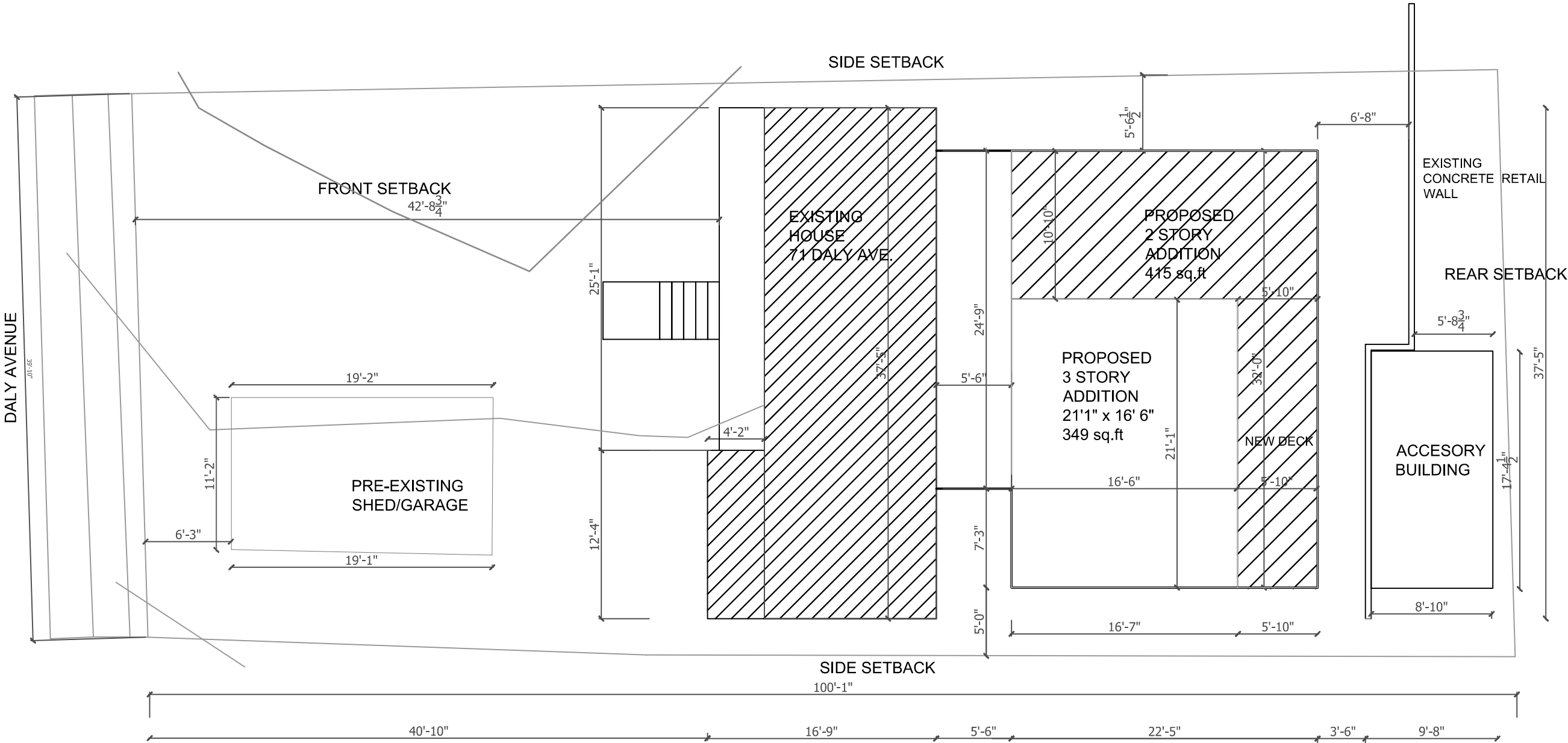
ENTRY LEVEL

- NOTE:
- 1.The dimensions shown for each room and corridor are finished wall to finished wall.
 - 2.The wall cavity on the perimeter walls is 7 inches thick.
 - 3. The interior wall cavities dividing rooms are 5 inches thick



SECOND FLOOR

PROJECT: ALTERATIONS AND ADDITIONS TO EXISTING DWELING		OWNER: MARTIN PARIS	
SHEET TITLE: FIRST AND SECOND FLOOR		REVISIONS:	
ADDRESS: 71 DALY AVENUE PARK CITY UTAH		NG: DATE: BY:	
DATE:		DRAWING NO. A-2	
SCALE: 1/4			



PROPOSED SITE PLAN

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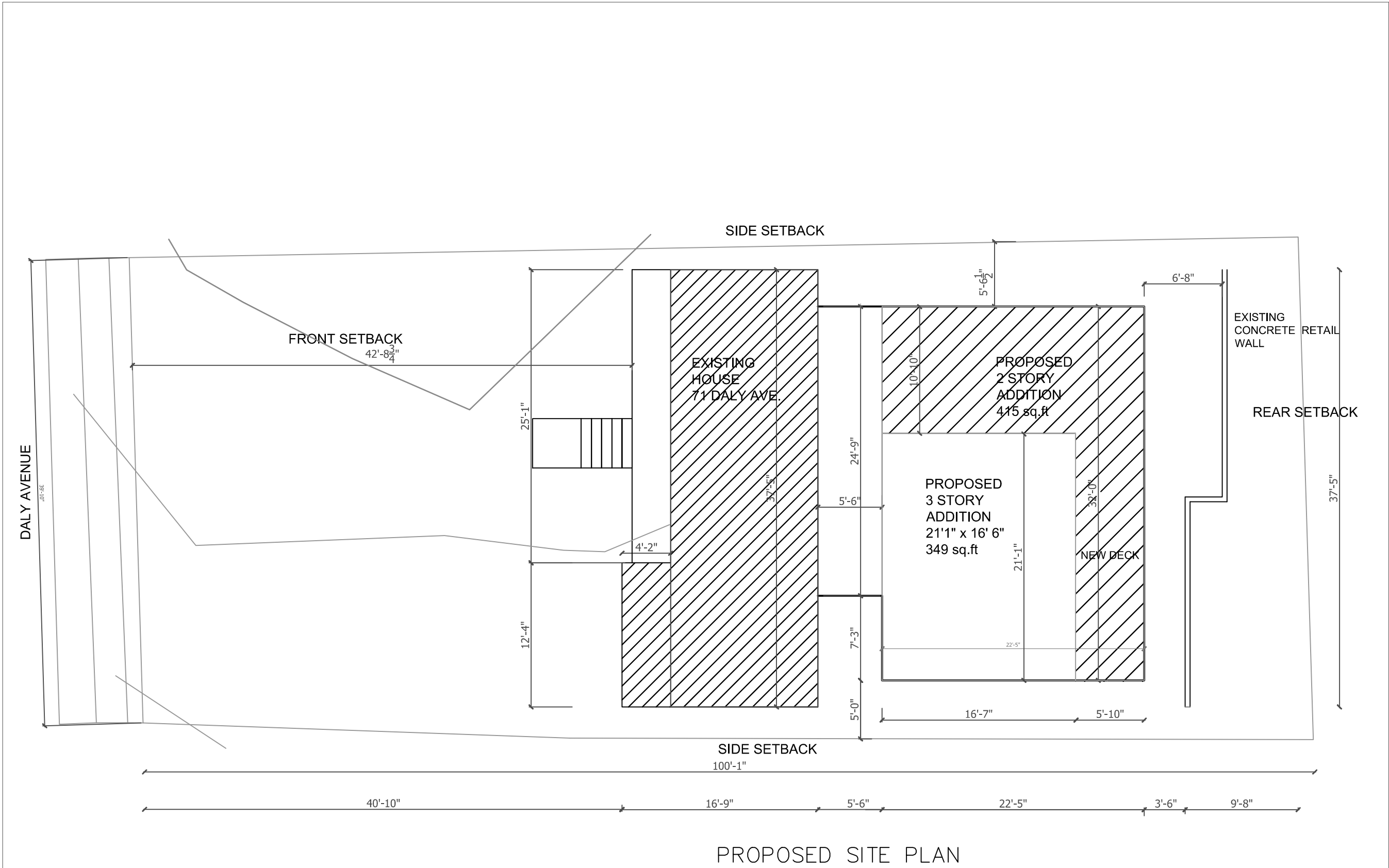
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OWNER: MARTIN PARIS	NO.		DATE		BY:	
	REVISIONS:					

PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
	SHEET TITLE: PROPOSED SITE PLAN
	ADDRESS: 71 DALY AVENUE PARK CITY UTAH

DATE:
SCALE: 1/4
DRAWING NO. A-1A



PROPOSED SITE PLAN

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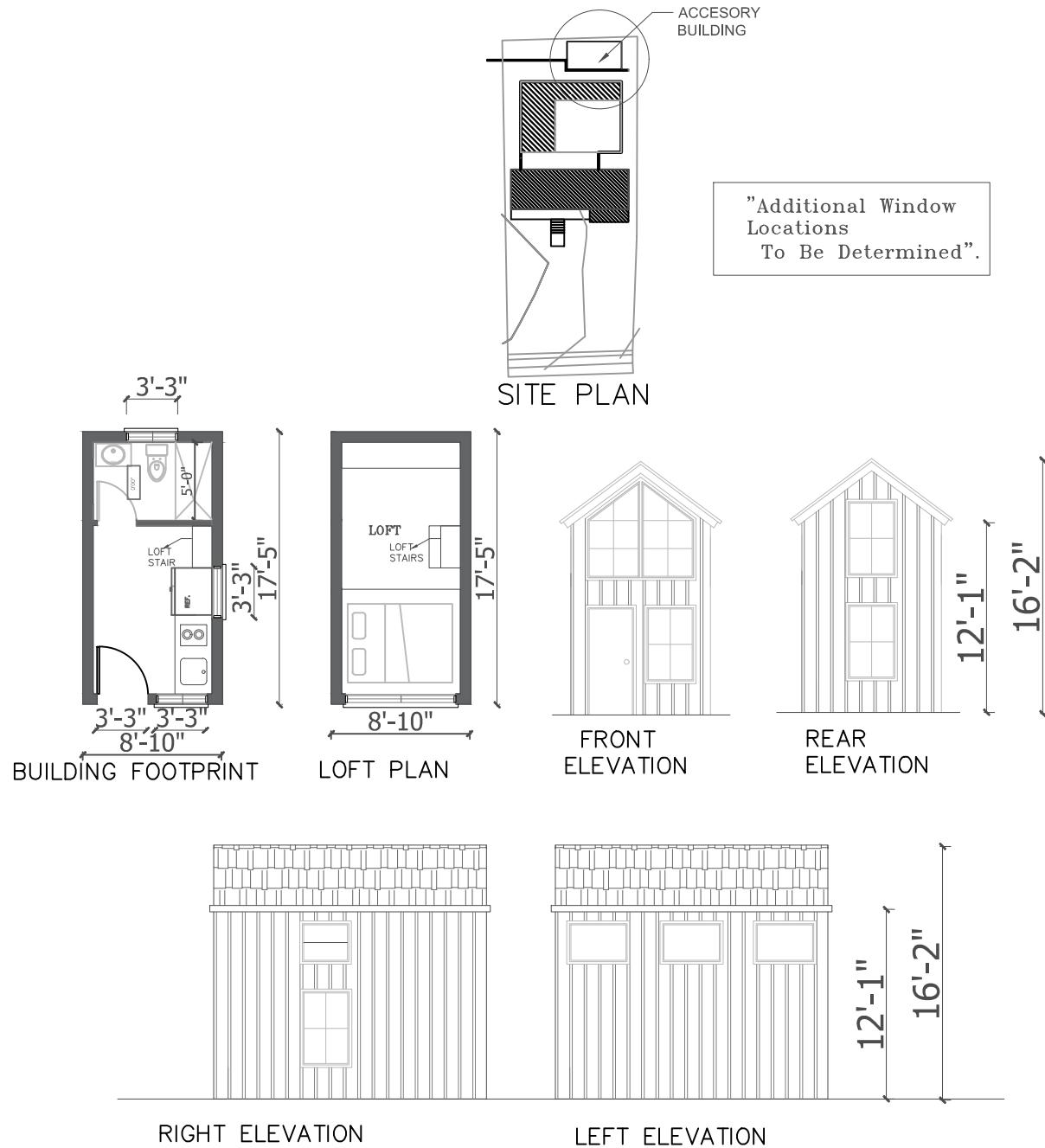
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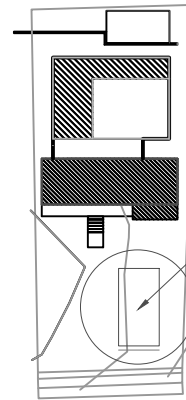
OWNER: MARTIN PARIS	NO.		DATE:		BY:	
	REVISIONS:					

PROJECT:	ALTERATIONS AND ADDITIONS TO EXISTING DWELING
SHEET TITLE:	PROPOSED SITE PLAN
ADDRESS:	71 DALY AVENUE PARK CITY UTAH

DATE:
SCALE: 1/4
DRAWING NO. A-1



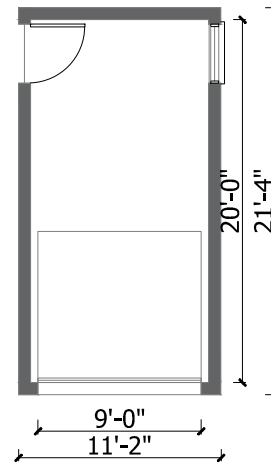
OWNER: MARTIN PARRIS		REVISIONS		NO.		DATE		BY:	
PROJECT: ALTERATIONS AND ADDITIONS TO EXISTING DWELING		SHEET TITLE: ACCESSORY BUILDING		ADDRESS: 71 DALY AVENUE PARK CITY UTAH		DATE:		SCALE:	
DRAWING NO. A-11									



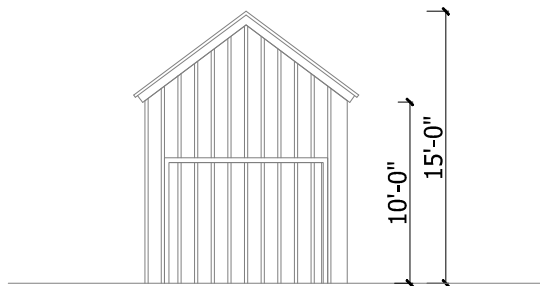
"Additional Window Locations To Be Determined".

SHED/GARAGE

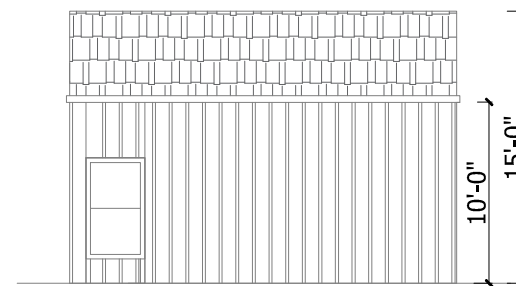
SITE PLAN



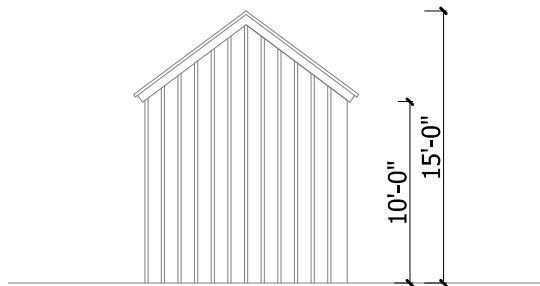
BUILDING DIMENSION



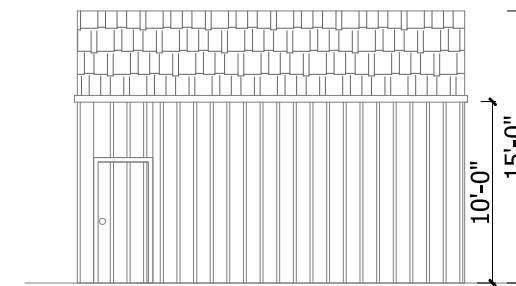
FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

OWNER: MARTIN PARKS		NO.		DATE		BY:	
REVISIONS							
PROJECT: ALTERATIONS AND ADDITIONS TO EXISTING DWELING							
SHEET TITLE: GARAGE/SHEED							
ADDRESS: 71 DALY AVENUE PARK CITY UTAH							
DATE:		SCALE:		DRAWING NO.			
				A-10			

PHYSICAL CONDITIONS REPORT

For Use with the *Historic District Design Review (HDDR)* Application

For Official Use Only

PLANNER: _____ APPLICATION #: _____
DATE RECEIVED: _____

PROJECT INFORMATION

NAME: Addition to 71 Daly Historic Miner's Home
ADDRESS: 71 Daly Ave
Park City 84060
TAX ID: PC-607 OR
SUBDIVISION: ~~71 Daly~~ 71 Daly Subdivision OR
SURVEY: _____ LOT #: ~~1~~ 1 BLOCK #: ~~1~~
HISTORIC DESIGNATION: ☐ LANDMARK ☒ SIGNIFICANT ☐ NOT HISTORIC

APPLICANT INFORMATION

NAME: Tiresias Ventures LLC by Martin Paris, mgr
MAILING ADDRESS: 7181 Mira Monte Ct
Las Vegas, NV 89120
PHONE #: (435) 602 - 9317 FAX #: (310) 496 - 2001
EMAIL: martin.paris@gmail.com

APPLICANT'S REPRESENTATIVE INFORMATION

NAME: Martin Paris
PHONE #: (435) 602 - 9317
EMAIL: martin.paris@gmail.com

ACKNOWLEDGMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant:

Martin Paris for Tiresias Ventures LLC

Name of Applicant:

Martin Paris for Tiresias Ventures LLC

Mailing

7181 Mira Monte Circle

Address:

Las Vegas, NV 89120

Phone #:

(435) 602-9317

Fax #: (310) 496-2001

Email:

MartinParis@gmail.com

Type of Application:

addition behind historic miner's home

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner:

Tiresias Ventures LLC

Mailing Address:

40 Martin Paris

7181 Mira Monte Circle Las Vegas NV 89120

Street Address/ Legal

71 Daly Ave Park City 84060

Description of Subject Property:

1 Acre Parcel 71-DA-1 Plot with existing historic home

Signature:

Tiresias Ventures LLC by Martin Paris

Date: 08/09/23

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.
4. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org. Updated 10/2014.

PHYSICAL CONDITIONS REPORT

Detailed Description of Existing Conditions. Use this page to describe all existing conditions. Number items consecutively to describe all conditions, including building exterior, additions, site work, landscaping, and new construction. Provide supplemental pages of descriptions as necessary for those items not specifically outlined below.

1. Site Design

This section should address landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use as many boxes as necessary to describe the physical features of the site. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Lot Description and Topology

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: Not applicable

Describe existing feature:

Lot Topology: The building lot is .1 acre and front directly on grade Daly Ave. Approximately 75% of the lot is flat. The historic home is in the flat portion of the lot. The proposed addition (and the intervening transition corridor) are similarly to be built in the flat portion of the lot.
A concrete pad in the uphill portion of the front yard (formerly the base upon which a front yard shed/garage stood) exists.
A retaining wall (< 4 feet high) exists at the base of the back yard. A retaining wall traversing the entire width of the lot.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

The lot has a steep (≈ 3 feet) drop in the uphill property line which separates it from its neighbor uphill at 81 Daly. The drop runs along the entire uphill property line and will require regrading to remove this dangerous trip hazard. More detail will be provided in a separate grading permit application.

Photo Numbers: _____ Illustration Numbers: _____

2. Structure

Use this section to describe the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: _____

Describe existing feature:

The house was completely restored as part of a permitted renovation during the period between 2006 - 2009 (approximately). No historic material remains: all was replaced during the renovation.

The structure of the house is an "L" shaped cottage consisting of two wings perpendicular to each other with V-shaped gable roofs. The house was put on a 3 foot high foundation during the 2008 renovation.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

The structural members and general condition of the home is good because of the recent renovation in 2008 in which all old was replaced with new.

Photo Numbers: _____ Illustration Numbers: _____

3. Roof

Use this section to describe the roofing system, flashing, drainage such as downspouts and gutters, skylights, chimneys, and other rooftop features. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves:

- ☒ An original part of the building
☐ A later addition

Estimated date of construction: 2008 (app)

Describe existing feature:

The roof shape (in both wings of the home) seems unchanged from those appearing in photographs of the house ©1940 in the Park City Historic Sites Inventory description. The roof shape over both wings of the house ~~is~~ is a U shaped simple gable design covered with standard ~~shingle~~ asphalt shingle tiles.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

Some worn shingles are planned to be replaced on the front facade of the building over the porch. Roof in its entirety is 100% ~~plus~~ watertight.

Photo Numbers: _____ Illustration Numbers: _____

4. Chimney

Use this section to describe any existing chimneys. One box should be devoted to each existing chimney. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: 2008

Describe existing feature:

No chimney currently exists. Heat is from a gas furnace located in the attic which is entered from the inside via ladder in the rear elevation. Chimney seems to have been lost at an unknown point between photos taken circa 1940 and those taken after 2008 renovation.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Not applicable.

Photo Numbers: _____ Illustration Numbers: _____

5. Exterior Walls

Use this section to describe exterior wall construction, finishes, and masonry. Be sure to also document other exterior elements such as porches and porticoes separately. Must include descriptions of decorative elements such as corner boards, fascia board, and trim. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Framing and Siding

This involves: ☐ An original part of the building
☐ A later addition

Estimated date of construction: 2008

Describe existing feature:

Exterior walls are standard framed with 2x4 framing ~~and~~ studs 916 in center.
Siding is lapped cedar wood panels painted oriented horizontally in all four elevations identically.
Fascia board (1x) exists on all four elevations as trim board under the edges of the gable roofs.
Wood porch railing and stairs were added in 2006 approximately when building was raised three feet & be put in a foundation.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

New painting is planned for the house exterior ~~and~~ siding during the fall of 2023. otherwise the exterior is ~~in~~ generally in good condition.

Photo Numbers: _____ Illustration Numbers: _____

6. Foundation

Use this section to describe the foundation including its system, materials, perimeter foundation drainage, and other foundation-related features. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves:

☐ An original part of the building

☒ A later addition

Estimated date of construction: 2008

Describe existing feature:

Foundation was poured during the 2006 - 2008 renovation during which the house was moved forward on its lot and placed approximately 2 feet above grade on a new concrete foundation. Specifications for the foundation were provided by a licensed structural engineer and fully inspected by Park City Building Department. House now sits on a slab foundation. Complete specs are in the Park City Building Dept files. No pipe drainage system.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

under the foundation perimeter wall seems to exist. Drainage is via ground slope and gravel fill. Foundation has not been waterproofed.

Photo Numbers: _____

Illustration Numbers: _____

7. Porches

Use this section to describe the porches. Address decorative features including porch posts, brackets, railing, and floor and ceiling materials. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves:

☐ An original part of the building

☒ A later addition

Estimated date of construction: 2010

Describe existing feature:

A front porch approximately 3 feet high was constructed to permit entrance/exit from the front door after the house was placed on a new foundation and moved forward in its lot during the 2006 renovation. The porch is built with standard 2x4 pine lumber (as are the stairs and railings). No ornamentation or architectural or historical interest exists. All surfaces are painted. In ~2017 all wood skirt was placed under the porch along the entire front facade to provide outside storage for the house. Skirt doors are painted.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

No deficiencies exist. The porch is wholly functional and visually appealing.

Photo Numbers: _____ Illustration Numbers: _____

8. Mechanical System, Utility Systems, Service Equipment & Electrical

Use this section to describe items such as the existing HVAC system, ventilation, plumbing, electrical, and fire suppression systems. Supplemental pages should be used to describe additional elements and features.

Element/Feature: Heating + Electrical

This involves: ☐ An original part of the building
☒ A later addition

Estimated date of construction: ≈ 2010

Describe existing feature:

Heating is provided by a gas ~~fire~~ furnace located in the attic. which is reachable only via a ladder from the rear wall.
Electric system is ~~is~~ provided via a 200 amp service panel located in the
Hot water is via an electric powered instant-on water heater located inside the home interior.
No air conditioning exists. No fire sprinklers are installed. Fire suppression is via home fire extinguishers (hard) and home alarms.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Poor

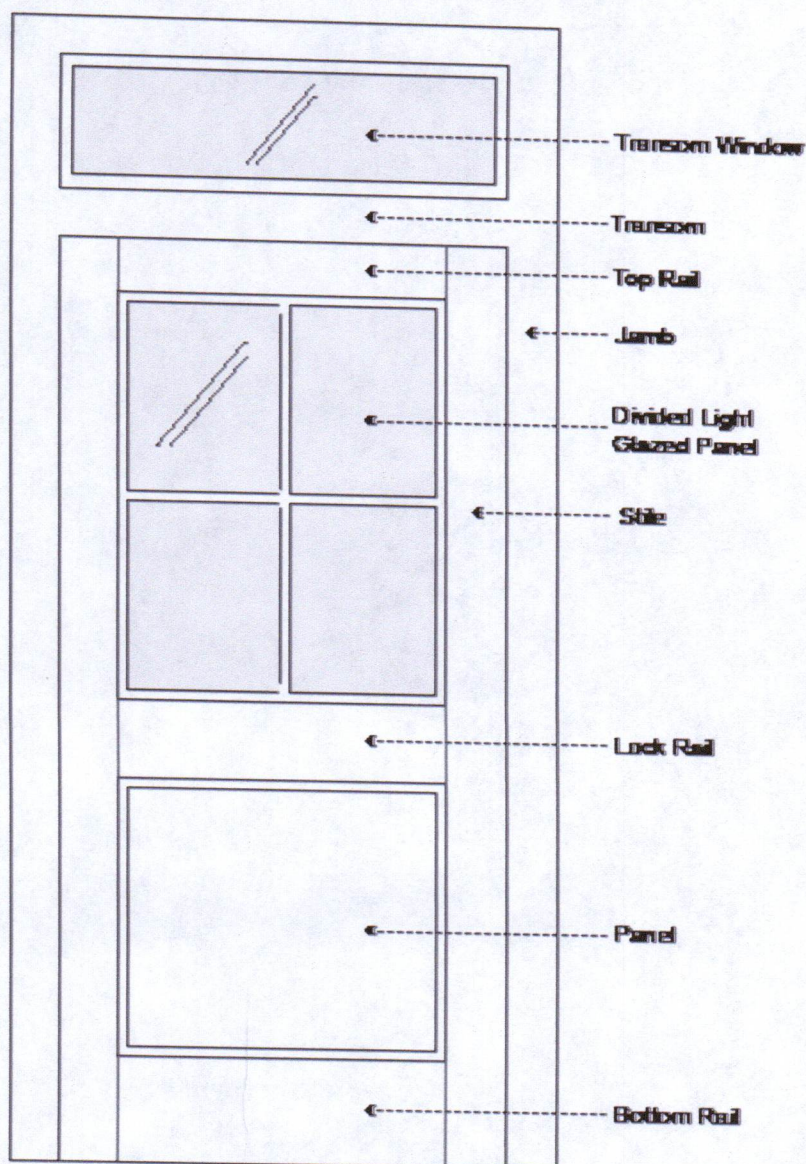
Photo Numbers: _____ Illustration Numbers: _____

9. Door Survey

Basic Requirements

1. All door openings on the exterior of the structure should be assigned a number and described under the same number in the survey form. Doors in pairs or groupings should be assigned individual numbers. Even those not being replaced should be assigned a number corresponding to a photograph or drawing of the elevation, unless otherwise specified specifically by the planner.
2. Describe the issues and conditions of each exterior door in detail, referring to specific parts of the door. Photographs depicting existing conditions may be from the interior, exterior, or both. Additional close-up photos documenting the conditions should be provided to document specific problem areas.
3. The Planning Department's evaluation and recommendation is based on deterioration/damage to the door unit and associated trim. Broken glass and normal wear and tear are not necessarily grounds for approving replacement.
4. The condition of each door should be documented based on the same criteria used to evaluate the condition of specific elements and features of the historic structure or site: Good, Fair, Poor.

Don't forget to address service, utility, and garage doors where applicable.



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org. Updated 10/2014.

Door Survey Form

Total number of door openings on the exterior of the structure: 2
 Number of historic doors on the structure: 0
 Number of existing replacement/non-historic doors: 2
 Number of doors completely missing: 0

Please reference assigned door numbers based on the Physical Conditions Report.

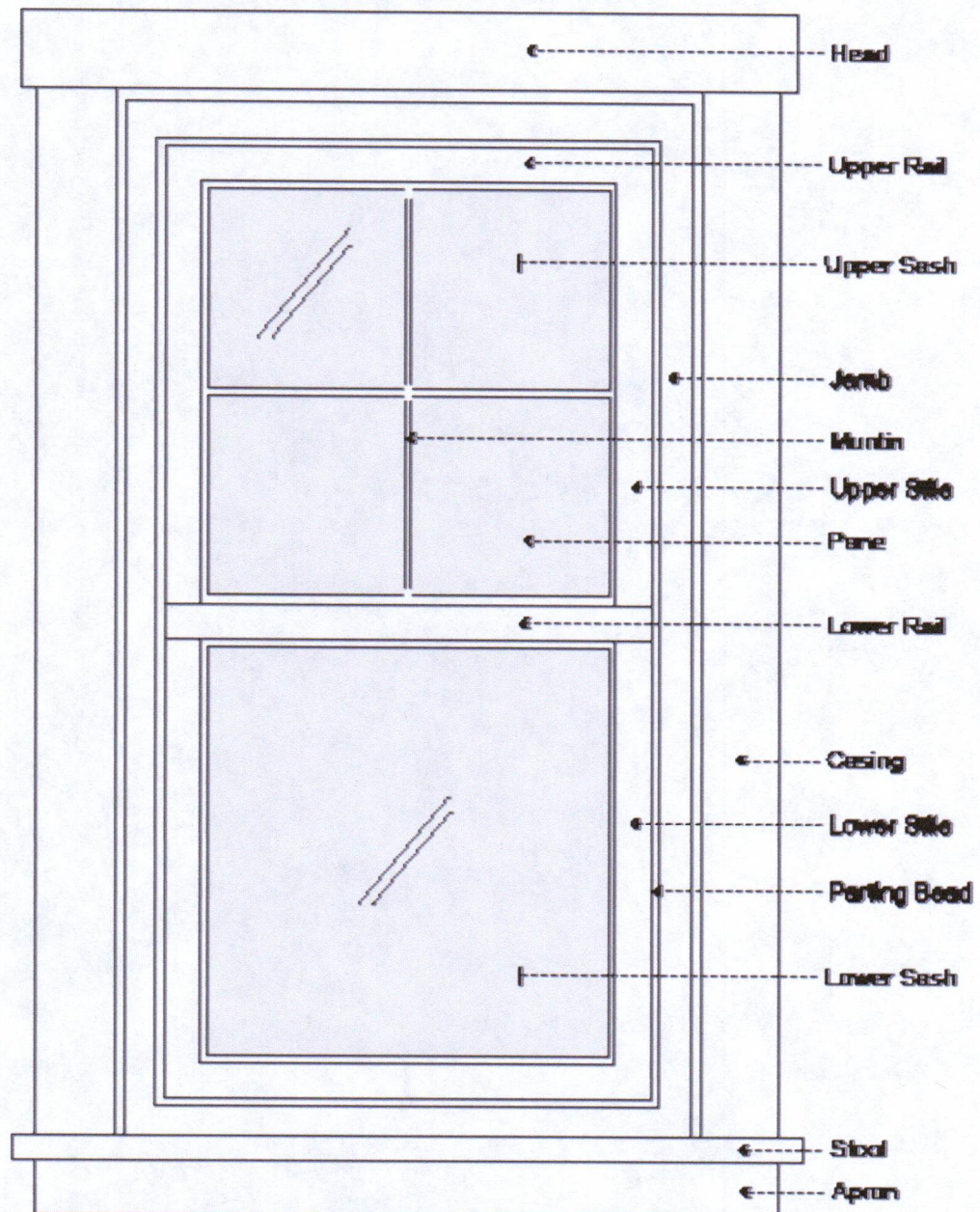
Number of doors to be replaced: 0

Door #:	Existing Condition (Excellent, Good, Fair, Poor):	Describe any deficiencies:	Photo #:	Historic (50 years or older):
#1	Fair Good Entry Door	No deficiencies Standard wood solid door with raised panel design. Of no architectural merit	1A	Not Historic Installed ~ 2010
	Good	Storm door		
#2	Fair Good Door leads from porch to	bedroom. Installed in wall perpendicular to entry door wall. "L" shaped oriented	1B	Not Historic Installed ~ 2010
	Fair	No architectural significance. Raised Panel Design. Solid wood		
	Fair	This door is intentionally non functioning		
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			

10. Window Survey

Basic Requirements

1. All window openings on the structure should be assigned a number and described under the same number in the survey form. Windows in pairs or groupings should be assigned individual numbers. Even those not being replaced should be assigned a number corresponding to a photograph or drawing of the elevation, unless otherwise specified specifically by the planner.
2. Describe the issues and conditions of each window in detail, referring to specific parts of the window. Photographs depicting existing conditions may be from the interior, exterior, or both. Additional close-up photos documenting the conditions should be provided to document specific problem areas.
3. The Planning Department's evaluation and recommendation is based on deterioration/damage to the window unit and associated trim. Broken glass and windows that are painted shut alone are not grounds for approving replacement.



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org. Updated 10/2014.

Window Survey Form

Total number of window openings on the exterior of the structure: 5
 Number of historic windows on the structure: 0
 Number of existing replacement/non-historic windows: 5
 Number of windows completely missing: 0

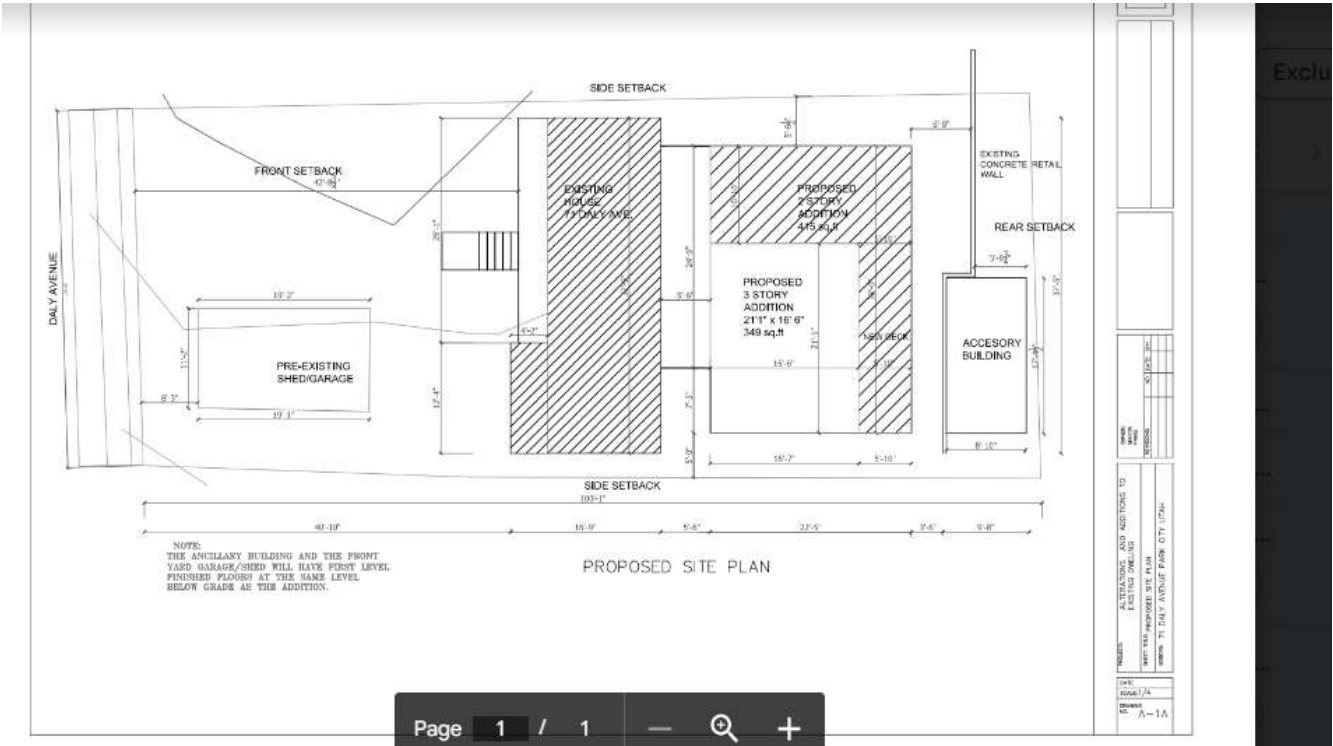
Please reference assigned window numbers based on the Physical Conditions Report.

Number of windows to be replaced: 0

Window #:	Existing Condition (Excellent, Good, Fair, Poor):	Describe any deficiencies:	Photo #:	Historic (50 years or older):
#1	Fair Good Frm facade bed room	No deficiencies. Modern 72" high vertical wood trim orientation (indulging window)	14	Not historic
	Fair	Double hung		
#2	Fair Good Frm facade facing porch	No deficiencies 72" modern wood trim vertical orientation	20	Non- historic
	Fair	Double hung		
#3	Fair Uphill side elevation	No deficiencies. Modern 72" vertical height wood trim of 50mm	3	Non- historic
	Fair	Double hung		
#4	Fair Good Downhill side elevation	No deficiencies. 72" horizontal Modern	4	Non- historic
	Fair	slider.		
#5	Fair Fair Rear elevation entrance	No deficiencies. No glass. Wood door hotel opening entrance & attic hinged door	5	Non- historic
#6	Fair Good Frm facade blanking door	No deficiencies. 72" vertical Modern	6	Non- historic
	Fair	Double hung		
	Fair			
	Fair			

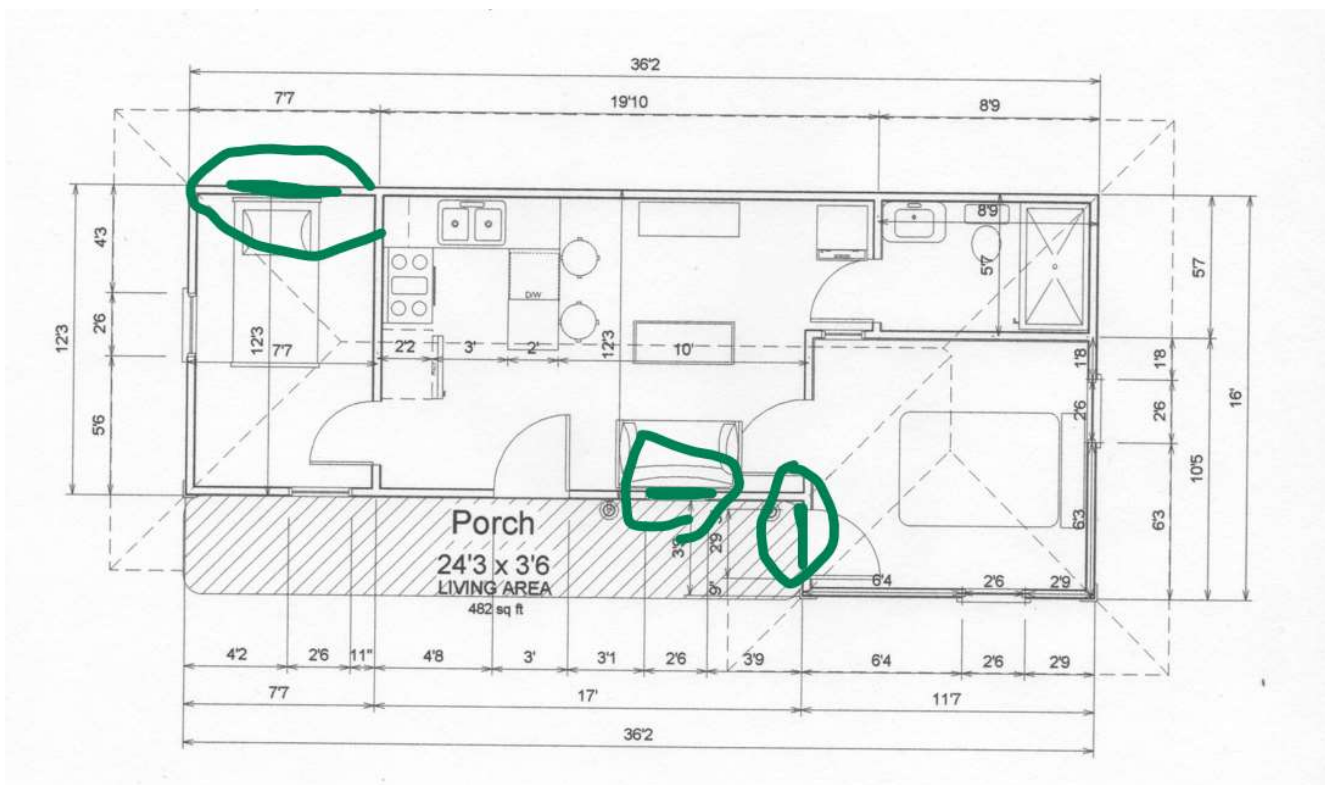
ILLUSTRATIONS ACCOMPANYING PHYSICAL CONDITIONS REPORT QUESTIONNAIRE 71
DALY ADDITION PROJECT

71 DALY LOT DIAGRAM

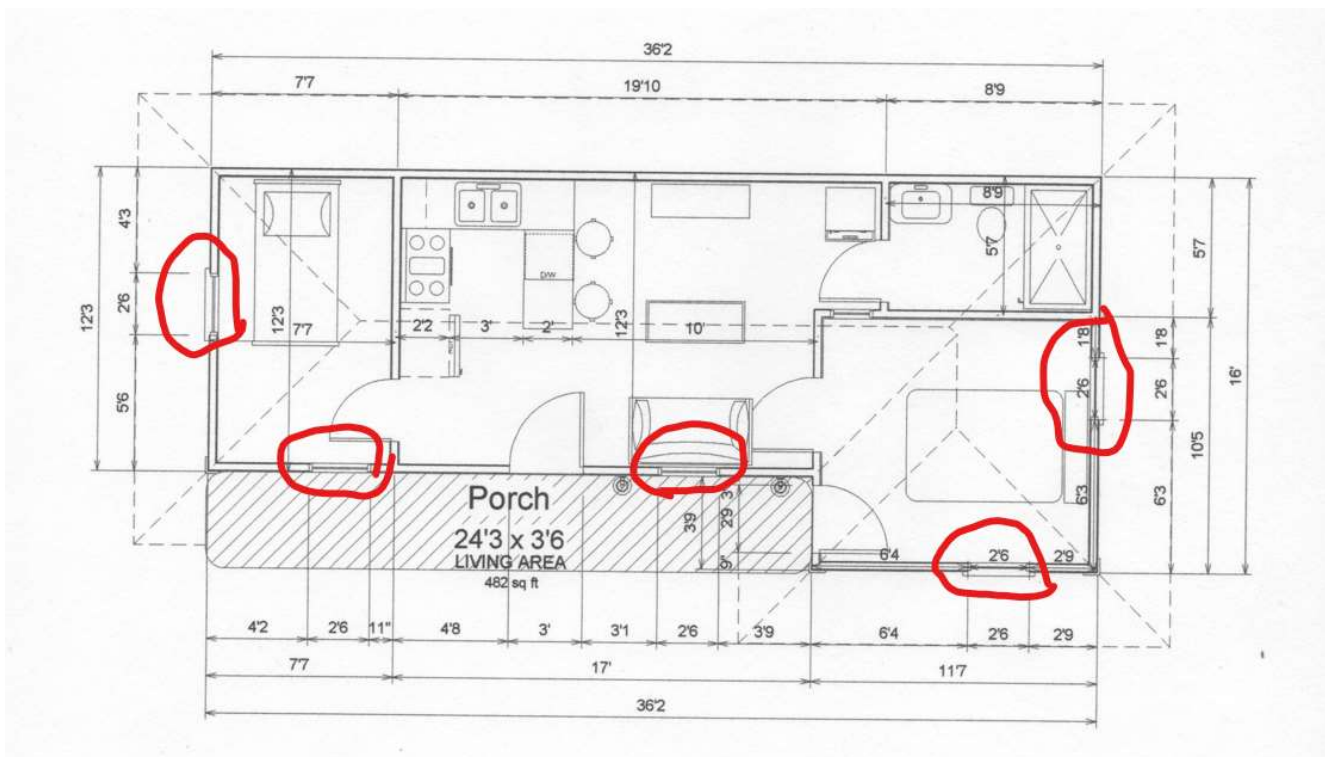


XXXXX

INTERIOR FLOOR DIAGRAM 71 DALY HISTORIC MINER'S HOUSE
DOORS ARE CIRCLED IN GREEN (SEE BELOW)



HISTORIC MINER'S CABIN 71 DALY INTERIOR DIAGRAM WINDOWS ARE CIRCLED IN RED (SEE BELOW)



WINDOW AND DOORS VISIBLE ON FRONT ELEVATIONS
WINDOW POSITIONS MARKED IN RED; ENTRY DOOR LOCATION MARKED IN GREEN
(SEE NEXT PAGE)

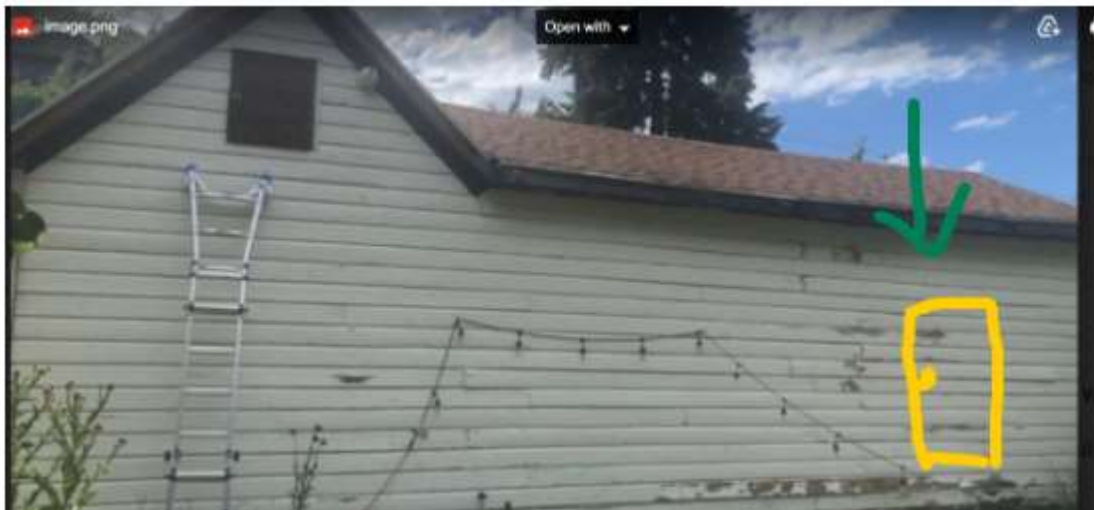


DOWNHILL SIDE ELEVATION WINDOW (MARKED IN RED) BELOW

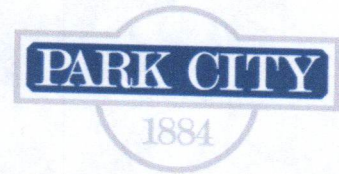


XXXX

THIRD DOOR ON 71 DALY EXTERIOR ELEVATIONS NEW (LOCATION MARKED BY GREEN ARROW) TO BE CREATED ON REAR ELEVATION LINKING ADDITION TO EXISTING MINER'S CABIN



PARK CITY MUNICIPAL CORPORATION
PLANNING DEPARTMENT
445 MARSAC AVE - PO BOX 1480
PARK CITY, UT 84060
(435) 615-5060



HISTORIC PRESERVATION PLAN

For Use with the *Historic District/Site Design Review Application*

For Official Use Only

PLANNER: _____ APPLICATION #: _____
DATE RECEIVED: _____
PLANNING DIRECTOR _____ CHIEF BUILDING OFFICIAL _____
APPROVAL DATE/INITIALS: _____ APPROVAL DATE/INITIALS: _____

PROJECT INFORMATION

☐ LANDMARK

☒ SIGNIFICANT

DISTRICT: _____

NAME: Addition to 71 Daly Historic Miner's Home

ADDRESS: Restoration Frontyard, Garage/Shop
construction additional house in rear setback

71 Daly Ave

Park City Utah 84060

TAX ID: PC-607 OR

SUBDIVISION: 71 Daly Subdivision OR

SURVEY: _____ LOT #: 1 BLOCK #: _____

APPLICANT INFORMATION

NAME: Tilesias Ventures LLC by Martin Paris, mgr

PHONE #: (435) 602 - 9317 FAX #: (310) 496 - 2001

EMAIL: martin.paris@gmail.com

INSTRUCTIONS FOR HISTORIC PRESERVATION PLAN

The purpose of the HISTORIC PRESERVATION PLAN is to provide a detailed description of the proposed project, including the scope of work, methods/techniques being considered, and the potential impacts and/or benefits to Park City's historic resources. The Planning Department is authorized to require a Historic Preservation Plan as a condition of approving an application for a building project that affects a historic structure, site or object. The Planning Director and the Chief Building Official, or their designees, must approve the Historic Preservation Plan.

It is important to address the condition of each element, feature, or space of a historic site and/or structure as identified by the Physical Conditions Report.

Please note the following:

1. **Multiple Buildings and/or Structures.** For Historic District Design Reviews (HDDR) that include more than one (1) structure, please complete an individual Physical Conditions Report for each structure on the site.
2. **Scope of Work.** Summarize the impacts the proposed project will have on each of the elements/features identified by the Physical Conditions Report. If the project proposes a negative impact on any character-defining feature, explain why it is unavoidable and what measures are proposed to mitigate the adverse effects.
3. **Construction Issues.** Following the format of the Physical Condition Report, summarize the work being proposed for each feature. Provide reference to or excerpts from the Physical Condition Report if needed to supplement the work summaries. Address the treatments being considered and the methods and techniques being proposed.

According to the *Design Guidelines for Historic Districts and Historic Sites* the four treatments for historic sites include:

- **Preservation.** If you want to stabilize a building or structure, retain most or all of its historic fabric, and keep it looking the way it does now, you will be preserving it. Preservation is the first treatment to consider and it emphasizes conservation, maintenance and repair.
 - **Rehabilitation.** If you want to update a building for its current or a new use, you will be rehabilitating it. Rehabilitation, the second treatment, also emphasizes retention and repair of historic materials, though replacement is allowed because it is assumed that the condition of existing materials is poor.
 - **Restoration.** If you want to take a building back to an earlier time by removing later features, you will be restoring it. Restoration, the third treatment, centers on retaining materials from the most significant period in the property's history. Because changes in a site convey important information about the development history of that site and its structures, restoration is less common than the previous treatments.
 - **Reconstruction.** If you want to bring back a building that no longer exists or cannot be repaired, you will be reconstructing it. Reconstruction, the fourth treatment, is used to recreate a non-surviving building or one that exists now, but is extremely deteriorated and unsalvageable. Reconstruction is rarely recommended.
4. **Conditions Evaluation.** The scope of work for those features/elements identified as fair or poor in the Physical Conditions Report require a more comprehensive approach to its deteriorated condition. Please provide specific details outlining your scope of work.
 5. **References.** Specific conditions should be addressed using recognized preservation methods. It may be helpful to reference the National Park Service's Preservation Briefs in order to specify

recognized preservation methods for features/elements such as wood windows, porches, and masonry chimneys. These and other features are described in the Preservation Briefs, available online at: <http://www.nps.gov/tps/how-to-preserve/briefs.htm>.

Site Design

Use this section to describe the scope of work and preservation treatment for landscape features such as stone retaining walls, hillside steps, and fencing. Existing landscaping and site grading as well as parking should also be documented. Use supplemental pages if necessary.

Element/Feature: _____

This involves: ☐ Preservation ☒ Restoration
☒ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

#1) We plan to reconstruct the front yard garage shed which was evident in the photos of the pre-2000 building but was removed and not replaced during the remodel.

#2 we plan to add a new additional building in the rear setback area as permitted by the Park City LMC. Architectural dimensions and site locations of these buildings are as shown in the accompanying diagram.

Structure Anticipated site for both buildings are shown in attached exhibit AAAA

Use this section to describe scope of work and preservation treatment for the general structural system of the building including floor and ceiling systems as well as the roof structure. Supplemental pages should be used to describe additional elements and features.

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Not Applicable

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

None of the enumerated structural systems will be touched or altered in any significant way by our planned construction activities.

Roof

Use this section to describe the proposed scope of work and preservation treatment for the roofing system, flashing, drainage such as downspouts and gutters, skylights, chimneys, and other rooftop features. Use supplemental pages if necessary.

Element/Feature: None

This involves:

☐ Preservation

☐ Restoration

☐ Reconstruction

☐ Rehabilitation

(WA) Not Applicable

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

WA

Chimney

Use this section to describe the proposed scope of work and preservation treatment for any existing chimneys. One box should be devoted to each existing chimney. Supplemental pages should be used to describe additional elements and features.

Element/Feature: No chimneys

Not Applicable

This involves:

☐ Preservation

☐ Restoration

☐ Reconstruction

☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

WA

Exterior Walls

Use this section to describe the proposed scope of work and preservation treatment for the exterior wall construction, finishes, and masonry. Please describe the scope of work for each individual exterior wall, use supplemental pages if necessary.

Element/Feature: Rear Wall of Miner's ~~Cabin~~ Historic Home

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

We plan to install a door on the uphill side of the rear wall to permit entrance/exit capabilities so that occupants of the miner's cabin can have an internal path to enter the planned addition and vice versa.
No other exterior wall will be touched.
The door size will be 36x80

Element/Feature: _____

This involves: ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

(This section is crossed out with a large X)

Element/Feature: _____

This involves:

- ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Element/Feature: _____

This involves:

- ☐ Preservation ☐ Restoration
☐ Reconstruction ☐ Rehabilitation

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

Foundation

Use this section to describe the proposed scope of work and preservation treatment for the foundation including its system, materials, perimeter foundation drainage, and other foundation-related features. Use supplemental pages if necessary.

Element/Feature:

Foundation

This involves:

☐ Preservation

☐ Restoration

☐ Reconstruction

☐ Rehabilitation

Not Applicable

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

The Foundation of the historic home will not be altered or changed at all.

Porches

Use this section to describe the proposed scope of work and preservation treatment for all porches. Address decorative features including porch posts, brackets, railing, and floor and ceiling materials.

Element/Feature:

Porches

This involves:

☐ Preservation

☐ Restoration

☐ Reconstruction

☐ Rehabilitation

} Not applicable

Based on the condition and deficiencies outlined in the Physical Conditions Report, please describe in detail the proposed work:

We plan no changes to the porch system of the existing historic home.

11. Interior Photographs

Use this section to describe interior conditions. Provide photographs of the interior elevations of each room. (This can be done by standing in opposite corners of a square room and capturing two walls in each photo.)

Element/Feature: _____

This involves:

- ☒ An original part of the building
☐ A later addition

Estimated date of construction: W #

Describe existing feature:

We plan no changes to the interior of the historic home.

Describe any deficiencies:

Existing Condition: ☐ Excellent ☐ Good ☐ Fair ☐ Poor

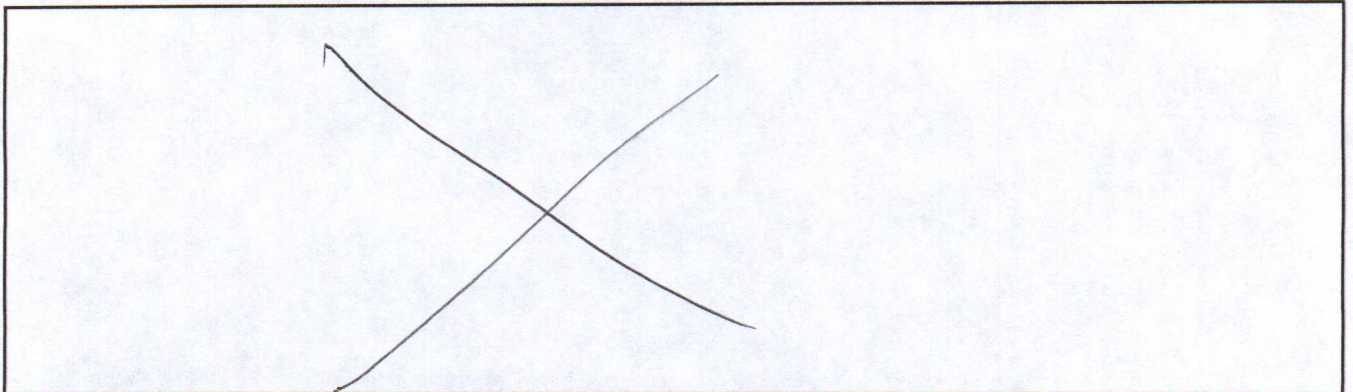
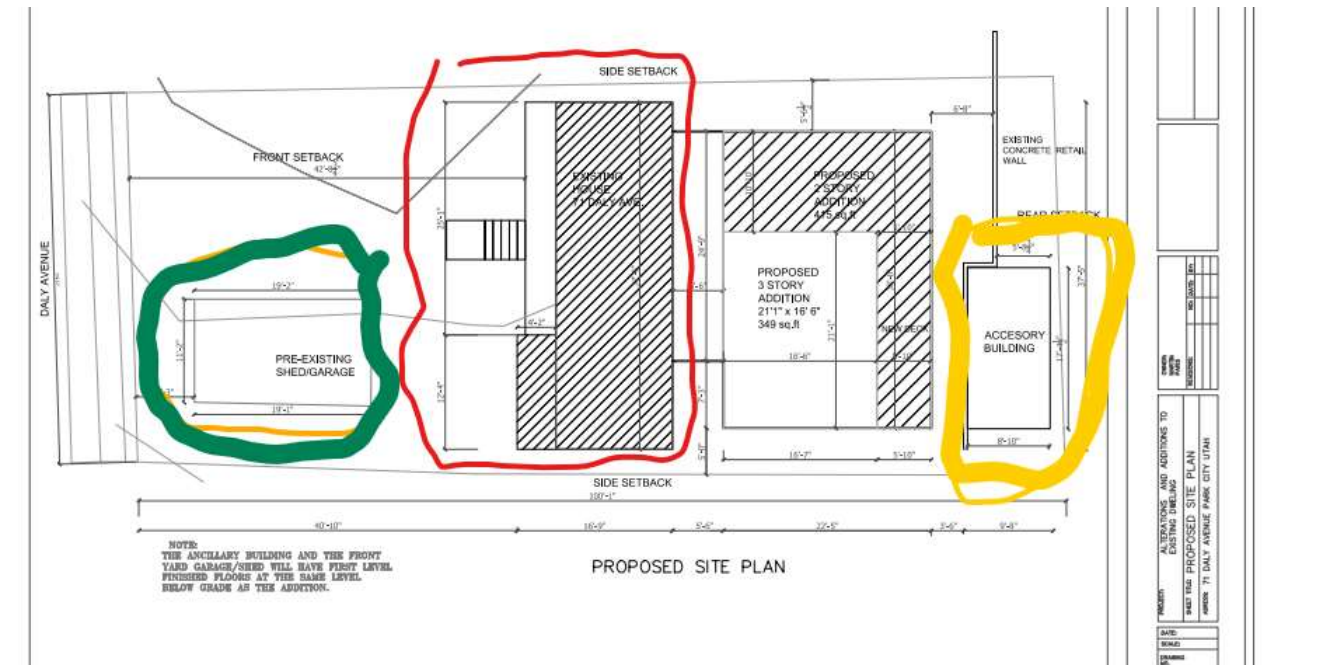


Photo Numbers: _____ Illustration Numbers: _____

HISTORIC PRESERVATION PLAN
ACCOMPANYING ILLUSTRATIVE MATERIAL

SITE PLAN SHOWING PLANNED LOCATIONS OF NEW BUILDINGS ON 71 DALY LOT
RED CIRCLED BUILDING IS THE HISTORIC MINER'S CABIN
YELLOW CIRCLED BUILDING IS THE NEW ACCESSORY BUILDING IN THE REAR
SETBACK
GREEN CIRCLED BUILDING IS THE RESTORED GARAGE/SHED BUILDING IN THE FRONT
YARD



ELEVATIONS OF EXISTING 71 DALY HISTORIC HOME
FRONT ELEVATION (PRE AND POST 2008 REMODEL)



POST 2008-REMODEL FRONT ELEVATION AND UPHILL SIDE ELEVATION VIEWS



REAR ELEVATION WITH OUTLINE OF NEW DOOR TO PERMIT INTERIOR ENTRANCE/EXIT
FROM ADDITION TO AND FROM THE HISTORIC MINER'S HOME



DOWNHILL SIDE ELEVATION 71 DALY HISTORIC HOME



HISTORIC SITE FORM

UTAH STATE HISTORIC PRESERVATION OFFICE

(10-91)

1 IDENTIFICATION

Name of Property: **House at 71 Daly Avenue**

Address: **71 Daly Avenue**

Township Range Section:

City, County: **Park City, Summit, Utah**

UTM:

Current Owner Name: **Robert and Beatrix Koev (H/W jt.)**

USGS Map Name & Date: **Park City East**

Current Owner Address: **1840 S 700 W**

Quad/2011

Salt Lake City, UT 84104-1704

Tax Number: **PC-607**

Legal Description (include acreage): **see continuation sheet**

2 STATUS/USE

Property Category

☒ building(s)
☐ structure
☐ site
☐ object

Evaluation

☒ eligible/contributing
☐ ineligible/non-contributing
☐ out-of-period

Use

Original Use: **single dwelling**
Current Use: **single dwelling**

3 DOCUMENTATION

Photos: Dates

☒ digital: **Nov. 2013 (3)**
☒ prints: **2008 (3), 2006 (3), 1995 , 1940s**
☐ historic:

Research Sources (check all sources consulted, whether useful or not)

☒ abstract of title
☒ tax card & photo
☐ building permit
☐ sewer permit
☒ Sanborn Maps
☐ obituary index
☐ city directories/gazetteers
☒ census records
☐ biographical encyclopedias
☒ newspapers

☒ city/county histories
☐ personal interviews
☐ USHS History Research Center
☒ USHS Preservation Files
☐ USHS Architects File
☐ LDS Family History Library
☒ local library: **Park City Museum**
☐ university library(ies):

Drawings and Plans

☐ measured floor plans
☐ site sketch map
☐ Historic American Bldg. Survey
☐ original plans available at:
☒ other: **survey, 6/8/2006**

Bibliographical References (books, articles, interviews, etc.)

Attach copies of all research notes, title searches, obituaries, and so forth.

Boutwell, John Mason and Lester Hood Woolsey. *Geology and Ore Deposits of the Park City District, Utah*. White Paper, Department of the Interior, United States Geological Survey. Washington: Government Printing Office, 1912.
Carter, Thomas and Peter Goss. *Utah's Historic Architecture, 1847-1940*. Salt Lake City: Center for Architectural Studies, Graduate School of Architecture, University of Utah and Utah State Historical Society, 1988.
Hampshire, David, Martha Sonntag Bradley and Allen Roberts. *A History of Summit County*. Coalville, UT: Summit County Commission, 1998.
National Register of Historic Places. *Park City Main Street Historic District*. Park City, Utah, National Register #79002511.
Peterson, Marie Ross and Mary M. Pearson. *Echoes of Yesterday: Summit County Centennial History*. Salt Lake City: Daughters of Utah Pioneers, 1947.
Pieros, Rick. *Park City: Past & Present*. Park City: self-published, 2011.
Randall, Deborah Lyn. *Park City, Utah: An Architectural History of Mining Town Housing, 1869 to 1907*. Master of Arts thesis, University of Utah, 1985.
Ringholz, Raye Carleson. *Diggings and Doings in Park City: Revised and Enlarged*. Salt Lake City: Western Epics, 1972.
Ringholz, Raye Carleson and Bea Kummer. *Walking Through Historic Park City*. Self-published, 1984.
Thompson, George A., and Fraser Buck. *Treasure Mountain Home: Park City Revisited*. Salt Lake City: Dream Garden Press, 1993.

4 ARCHITECTURAL DESCRIPTION

Building Style/Type: L-cottage type / Victorian Eclectic style No. Stories: 1

Foundation Material: concrete (after 2006 move) Wall Material(s): drop wood siding

Additions: ☒ none ☐ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings 0 and/or structures 0.

Briefly describe the principal building, additions or alterations and their dates, and associated outbuildings and structures. Use continuation sheets as necessary.

This is an L-cottage that was built around 1899, as indicated by tax cards, and first appears on the 1900 Sanborn Map, which shows an L-cottage with a rectangular addition to the east. This house has changed little over the years. Sanborn records indicate that the house went unchanged from the 1900 edition to the 1941 edition. The east addition was demolished between 1941 and a 1949 tax card. Its Victorian details were slowly lost after the 1940s tax photo, and by 2006 the house was in a state of disrepair. In that year, the house was moved about thirty feet towards Daly Avenue and placed on a new concrete foundation. It has been preserved since and is currently in good condition.

As it stands today, the house is a simple L-cottage with a west facing gable on the southern part of the house and a front porch filling in the angle created by the projecting gable. The roof is clad in wood shingles, consistent with the original construction. The exterior walls are clad in drop wood siding, typical of Park City historic residences. The west- and south-facing windows are double-hung casement windows, while the one facing north in the side gable end is a slider, probably added later than the historic period. The front door is south of center in the front porch and is made of panelized hardwood. The posts and railing of the front porch are dimensioned lumber with a hint of Victorian craftsmanship. The site is flat, with a sharp rise behind the house, held back by a retaining wall. A large pine tree sits immediately to the west of the front porch. A garage that had been built on the west edge of the site in the 1940s was demolished as part of the 2006 renovation. The overall form and materiality of the building remains intact and the building retains its historic value.

5 HISTORY

Architect/Builder: **unknown**

Date of Construction: **c. 1899**

Historic Themes: Mark themes related to this property with "S" or "C" (S = significant, C = contributing).
(see instructions for details)

☐ Agriculture	☐ Economics	☒ Industry	☐ Politics/ Government
☒ Architecture	☐ Education	☐ Invention	☐ Religion
☐ Archeology	☐ Engineering	☐ Landscape Architecture	☐ Science
☐ Art	☐ Entertainment/ Recreation	☐ Law	☐ Social History
☐ Commerce	☐ Ethnic Heritage	☐ Literature	☐ Transportation
☐ Communications	☐ Exploration/ Settlement	☐ Maritime History	☒ Other: Mining
☐ Community Planning & Development	☐ Health/Medicine	☐ Military	
☐ Conservation		☐ Performing Arts	

Write a chronological history of the property, focusing primarily on the original or principal owners & significant events. Explain and justify any significant themes marked above. Use continuation sheets as necessary.

This house was built prior to 1900 on land that was used by the Ontario Mining Company for their nearby mill. It was common practice for houses to be built on "mill site" land, but early owners of these properties are hard to identify because the land generally remained in the possession of the Park City Townsite Company or its respective mining company owner and was generally parceled and sold to individual buyers years after construction. In this case, D.L.H. De Grover was the first individual owner of the property, which he purchased in 1922 from Summit County following a 1920 tax sale. Dong Ling Hing De Grover was unlikely to have lived in the house, as he was one of Park City's leading rental property owners, holding around "sixty or seventy" Park City houses at the time of his death in 1926.¹ De Grover had been born in San Francisco of Chinese parents, moving to Park City in 1902. His son, Joe Grover, was born in China, moving to Park City at the age of fifteen to live with his father. The son inherited his father's vast land holdings in 1931 after a court battle in which William Levey and his wife tried to claim De Grover's inheritance but were denied over a suspicious, undated will.

¹ "The Levy-Grover Case," *Park Record*, September 4, 1931.

Despite ownership by the Grovers in the 1920s and 1930s, this house was occupied by others in the censuses of those decades. In 1920, the house was rented by Pete Lenzi and his wife Merle (sometimes “Mary”), who lived there with their three daughters and one son. Lenzi had come to Park City from Austria, where he was born in 1894. He worked as a miner for most of his career before dying in 1956 in Park City.² By the 1930 census, the house was occupied by Adam and Anna Bigler and their two daughters and one son. By 1940, John “Jack” Beck, wife Rita, and son Douglas lived in the house, which they owned until 1965. Jack had come to America from Finland, where he was born in 1897. As the owners in the 1940s, the Becks probably oversaw the demolition of the east (rear) addition.

71 Daly had a variety of owners after 1965. It is currently owned by Robert and Beatrix Koev, who renovated the house in 2006.

² “Miner Dies Following Extended Illness,” *Park Record*, February 2, 1956.

71 Daly Avenue, Park City, Summit County, Utah

Historic Site Form—continuation sheet

Legal Description (include acreage): **PART LOT 10 BLK 73 MILLSITE PC #71 DALY AVE; ALSO DESC AS BEG S 21*33' W 2 FT FROM SW COR LOT 10 BLK 73 MILLSITE RESERVATION PARK CITY; N 21*33' E 39.80 FT; TH S 68*27' E 100.0 FT; S 21*33' W 43.7FT; N 66*13' W 100.08 FT TO BEG M68-633 XWD320 M2-293-651-673 M233-615 M270-176-370 1207-688 (NOTE: INCOMPLETE LEGAL DESC ON SPWD-1207-688) (1571-309) 1596-1929 1737-684 (868-657, 1922-1644 & 1933-1256); 0.09 AC**



71 Daly Avenue. Southwest oblique. November 2013.



71 Daly Avenue. West elevation. November 2013.



71 Daly Avenue. Northwest oblique. November 2013.

TITLE SEARCH FORM

[Obtain information from title abstract books at County Recorder's Office]

Tax Number: PC-607

Address: 71 Daly Avenue

City: Park City, UT

Current Owner: Robert & Beatrix Koev

Legal Description (include acreage): 71 Daly Ave. Sub., replatted 4/21/2010 (PC Millsite

BK 73 pt.L9, L10, pt.L11)

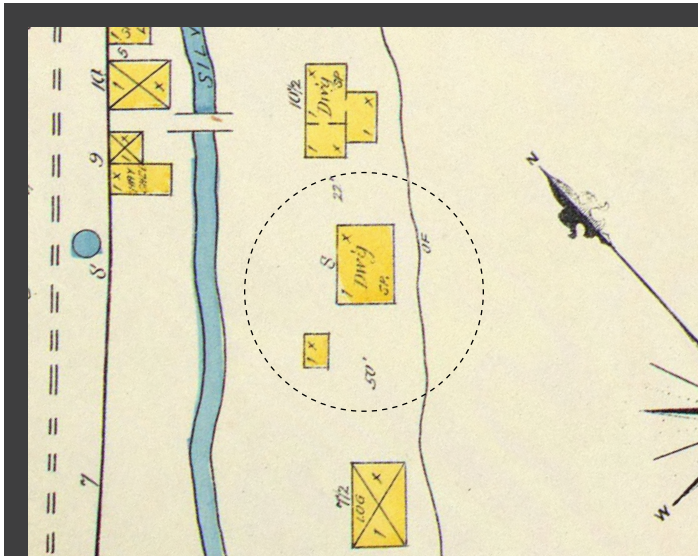
Address: (see historic site form for address)

(see historic site form for complete legal description)

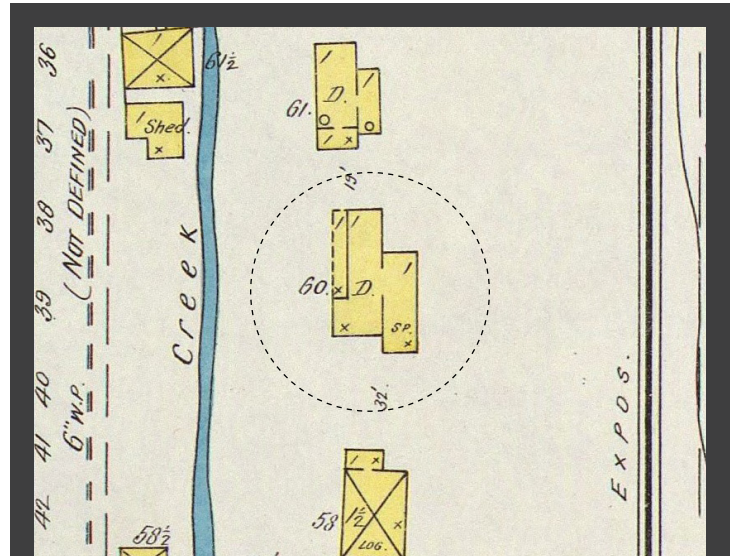
TRANSACTION DATES	GRANTOR (SELLER)	GRANTEE (BUYER)	TYPE OF TRANSACTION	DOLLAR AMOUNT	COMMENTS
12/20/1909	W.M. Ferry et al	H.M. McLaughlin	Decree		[L 1-6, 8-33]
8/2/1922	Summit County	D.L.H. De Grover	Red. Cert		[L5-12, after 1920 tax sale]
2/26/1932	3rd Jud. Dis. Court	Joe Grover, Adm.	Decree		"S 34 [feet] 10"
12/21/1933	County Treasurer	Summit County	Tax Sale		"House #71 [lot] 10, Ella Axelrad
4/15/1938	Summit County	Mildred Axelrad	Red. Cert.		
12/21/1938	Co. Treasurer	Summit County	Tax Sale		
8/8/1965	Jack M. & Rita Beck	Robert J. & Grace P. Lacy	Q.C.D.		
7/1/1975	Robert J. & Grace P. Lacy	Joseph R. & Marjorie B. Gump	W.D.		
8/19/1983	Marjorie B. Gump, a widow	Gary V. & Sheila A. Wright	W.D.		
2/2/2004	Gary V. & Sheila A. Wright	Mark Seltnerich	W.D.		
9/27/2005	Mark Seltnerich	Robert & Beatrix Koev	W.D.		

Researcher: John Ewanowski, CRSA Architecture

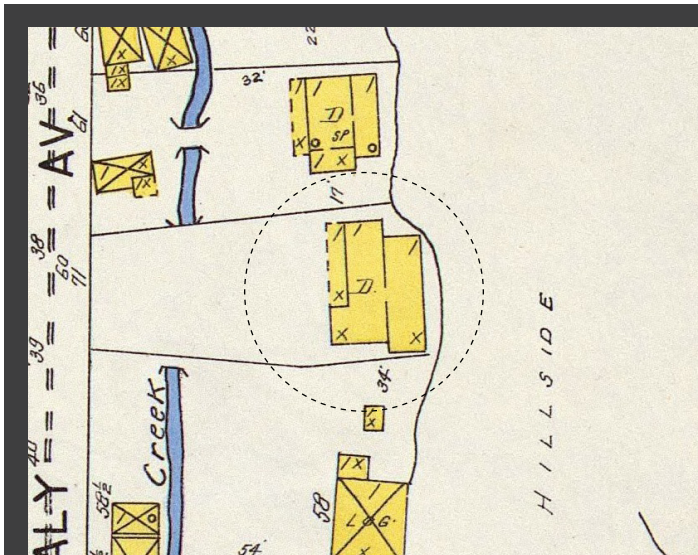
Date: 3/17/2014



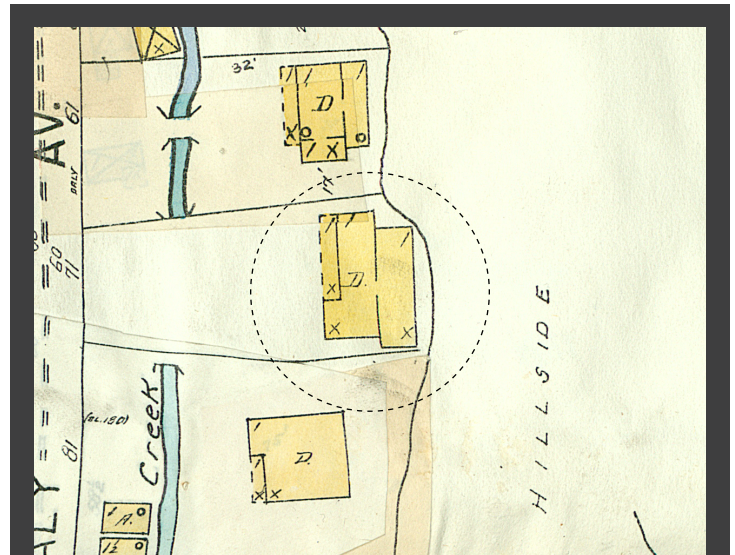
1889



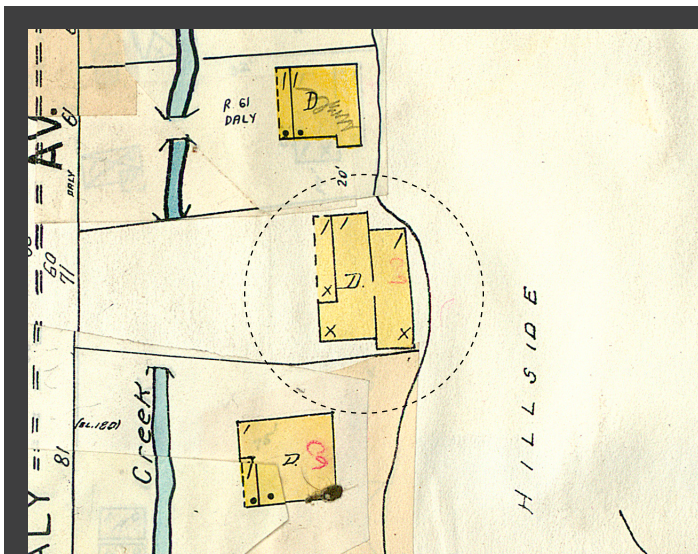
1900



1907



1929



1941

The Levy-Grover Case

Wednesday's Salt Lake Tribune says: Disposition of the Park City estate of Dong Ling Hing, Chinese laundryman, is probably finally settled by a decision of the Utah supreme court, handed down Monday. Under the decision the sole beneficiary is the son of the deceased, Dong Team Chew.

Mrs. Annie Levey, sole beneficiary under a purported will, takes nothing.

The father was commonly known in Park City as D. Grover, or D. L. H. D. Grover, and the son as Joe Grover. The estate was largely some sixty or seventy houses in Park City, and worth, according to the appraisers, about \$38,000.

The parent was San Francisco born of Chinese parents. He went twice to China, married three women, and had several children. He attempted at various times to bring four sons into the United States, and was twice successful. He returned the last time from China in 1902, and went to Park City, where he had previously lived. He died in February, 1926, aged 63.

The son, Joe Grover, was Canton born, by D. Grover's third wife, it was found by United States immigration officials at Seattle, who conducted an investigation at the time that the lad was admitted, when 15 years of age.

Mrs. Levey conducted a boarding house at Park City, where her husband, William Levey, was night watchman at a mine. The Leveys acted as financial advisers of the elder Grover, and their relations with him were amicable, the court finds, until about 1917 or 1918, when Grover filed suit against William Levey, on the allegation that his signature had been pro-

duced to a note for \$2500 when as a matter of fact he owed Levey only about \$1000. The Chinese pleaded ignorance of the English language as written, and won the case in court.

At the time of Grover's death in 1926, Mrs. Levey had returned to her native country of Ireland. A year later, in March, 1927, she presented the purported will, in which she was named as executrix and sole beneficiary. At the same time she renounced the right of executrix and asked for the appointment of the Central Trust company, which brought the present suit against Joe Grover, who had been acting as administrator of the elder Grover's estate in the meantime.

While the will she presented was undated, Mrs. Levey said it had been signed and witnessed in 1919 or 1920. One of the witnesses, E. Fitzpatrick, was at that time dead. The other, Barnard Duffy, had returned to Ireland. Affidavits were presented at the trial which appeared to cast some doubt on whether these men had ever witnessed the signature, or, if they had, knew at the time that it was a will.

The case was tried before Judge W. M. McCrea, and the supreme court refuses to disturb his findings of fact, or, on any important point, his rulings.

The decision is by Justice W. H. Folland, his colleagues concurring.

When this case was commenced in the district court, Roger I. McDonough and Attorney A. R. Barnes of Salt Lake, represented Joe Grover and won a decision from Judge McCrea. When Attorney McDonough was elected district judge his brother Attorney Bartly G. McDonough took over the case, defending the Grover estate in the appeal to the supreme court with the result that Judge McCrea's decision was sustained, as given above.

Park Record, 9/4/1931

Miner Dies Following Extended Illness

Pete Lenzi, 62, a long time resident of this city, died at the Miners' hospital Thursday at 1:45 p.m., after an extended illness.

He was born Jan. 21, 1894, at Palat, Austria, son of George and Marie Hoffer Lenzi. He came to the United States when he was 18 years of age and had lived in this city for the past forty years. Mr. Lenzi followed mining.

Survivors include two sons and four daughters: Leo M., of Olympia, Washington; Earl Lamont, of Newport, Washington; Mrs. Bernard (Virginia) Johnson, Mrs. Lisle (Utahna) Harwood, Mrs. Doris Borland, of Coeur d'Alene, Idaho, and Jane Alberta Lenzi, of this city; 16 grandchildren, one great grandchild; a brother, George Lenzi Fisher of this city.

Funeral services were held Monday at 11 a.m. in the Park City Second Ward Chapel. Additional services and burial taking place in Coeur d'Alene, his son, Leo, of Olympia and a daughter, Jane, of this city, accompanying the remains to Idaho.

Park Record, 2/2/1956

Joe Grover, Mountain Chinaman Dies Near Evergreen, Colorado

Editor's Note: Joe Grover, a long time resident of Park City died June 19 at his cabin near Evergreen, Colorado where he had resided since leaving Park City. The following is a story reprinted from the Evergreen Canyon Courier. It appears courtesy of that newspaper and was written by Sally Bassett.

His 100-year old log cabin is tucked away in the far reaches of north Beaver Brook Canyon in the shadow of hills he loved to roam and mine.

Not 100 yards away sits a tiny lean-to where he spent cold winters that rendered the cabin too big to heat.

Few, save some Beaver Brook neighbors, know those romantic structures remain, now serving to salute Joe Grover and the solitary life he led here since 1937. Few besides, may know that Joe Grover died the week of June 18, 1979, at the age of 76, the victim of cancer that had afflicted him for nearly a year. He leaves behind no relatives and little in the way of material possessions.

Grover was one of those rare, early residents; the grandson of a Spanish-American War veteran; the son of a man who once owned half the main street of Park City, Utah; a consistent contributor to churches and charities; and "so big-hearted, that's why he didn't have anything." Though reportedly unsuccessful at it, he was an unrelenting miner of mica and feldspar in the hills around his home, simply because he loved the occupation.

The little that anyone knows about Grover is largely the treasure of Jim and Gertrude Mohlman, his next-door neighbors and friends of nine years who took care of him. They appear to be the sole keepers of what precious little this quiet, independent Chinese mountain man wished to impart about his past and his present.

Grover died as inconspicuously as he lived, having asked the Mohlmans that there be no services for him. What remains are his cabin, the many books he hungrily devoured learning English and American history pictures and papers. There are only relics of the Chinese heritage he left behind to join his father in the United



Joe Grover Photo by Buddy Lange

States in 1918, assuming the same American name his father had picked to start a new life here.

Grover's grandfather apparently was the first in his family to come to America; his father was born here, an American citizen. He returned to China where his wife bore him a son - Dang Tim Chiu, July 8, 1902 in Canton. When his mother died, the 16 year old boy came to Park City, to join his father who was working on the railroad. He had taken the name Joe Grover and he insisted his son learn English and also take an American name.

Joe Grover Sr. opened a restaurant and began acquiring the property of Park City, at one time reportedly owning half the town's Main Street. Young Joe apparently inherited his fortune when he died. The restaurant he operated, Grover Cafe, was frequented by the railroad crews. Menus he saved had dinner checks scribbled casually on the back, hastily signed with no apparent credit concerns by section foremen ("sec 4 man," they wrote beside their signatures). The plain, yellowed sheets, modestly mimeographed with the day's fare, conjure portraits of the old

west, steaming food devoured there amid the din of rattling dishes, and raucous conversation, for prices that are nothing more than a dream now. The most costly item on a list of entrees dated February 4, 1937, is T-bone steak with bacon for 65 cents.

Grover was a landlord in Park City during the Great Depression when his tenants

were hard pressed to eat, much less pay the rent. His attorney, Mohlman said, would advise him to evict them. Not only did Grover let them stay, he instructed them to charge supplies to him. Relates Mohlman, "He said he would tell them to go down to the store and say, 'Charge to Joe Grover!' and then he would laugh...He might make a deal with someone and seal it with just a handshake. He was so big-hearted; that's why he didn't have anything." Someone once told Mohlman they had peeked into the Cadillac Grover drove in his earlier Beaver Brook years and seen mounds of soft silk shirts piled in the back seat.

While in Park City, he bought 120 acres of Beaver Brook land with a mine on it from a woman whose son was a tenant. According to Mohlman, Grover had prospected all around the west and loved that pursuit, though he was never successful at it.

Beaver Brook Canyon is spectacular, remarkably reminiscent of the Aspen area; Mohlman sits in the afternoon sunshine on the deck of his home that looks directly onto Grover's little cabin. He surveys the surrounding mountainsides and observes, "You know, in 1937, he could have bought all these hills around here for what he spent on mining. But he loved it."

He also hungered for learning, constantly struggling with his English, his friend remembers. It was a long time before Grover ventured to call Gertrude Mohlman, by her nickname "Gert", because he feared it would come out "dirt."

Most of the books the Mohlmans have found among Grover's belongings are American history. But he apparently read anything with a vengeance. And, they said, he had beautiful handwriting and was a pretty

good one-finger typist.

Mohlman is the retired head of the rotogravure department at the Denver Post. One day he brought home a pamphlet about the photo process for Grover's perusal. For days, Grover inquired about it. "He asked me more questions than any journeyman I ever had," Mohlman recalls with a chuckle. "He just wanted to learn, learn."

There was a time, Mohlman remembers, when he would observe a stranger going to and from Grover's cabin every Wednesday. Finally, after one such visit, Grover remarked about him. "Well, he won't be back again," he said to his neighbors. It turned out the man was from the Jehovah's Witnesses. Grover allowed him to visit each week but finally explained he had no intention of joining the

religion. All he wanted, he said, was to receive some more English and learn to read the Bible.

Grover retired from mining in 1960 and remained pretty active, his friends say, until about a year ago when he became ill. His lifestyle was his own; the Mohlmans shopped and cooked for him, drove him to and from the hospital and paid visits. But he slept when he was tired, ate when hungry and remained a loner to the last.

There were no services for Joe Grover the week of his death. It's the way he wanted it. He asked that his body be cremated and his ashes put in his old mine. He wanted to be remembered as he was, he said.

And the Mohlmans, who cared for him to the very end, honored that request as well.

71 Daly Avenue, Park City, Summit County, Utah

Intensive Level Survey—Biographical and Historical Research Materials



c. 1941 (Summit County)



SURVEYOR'S CERTIFICATE

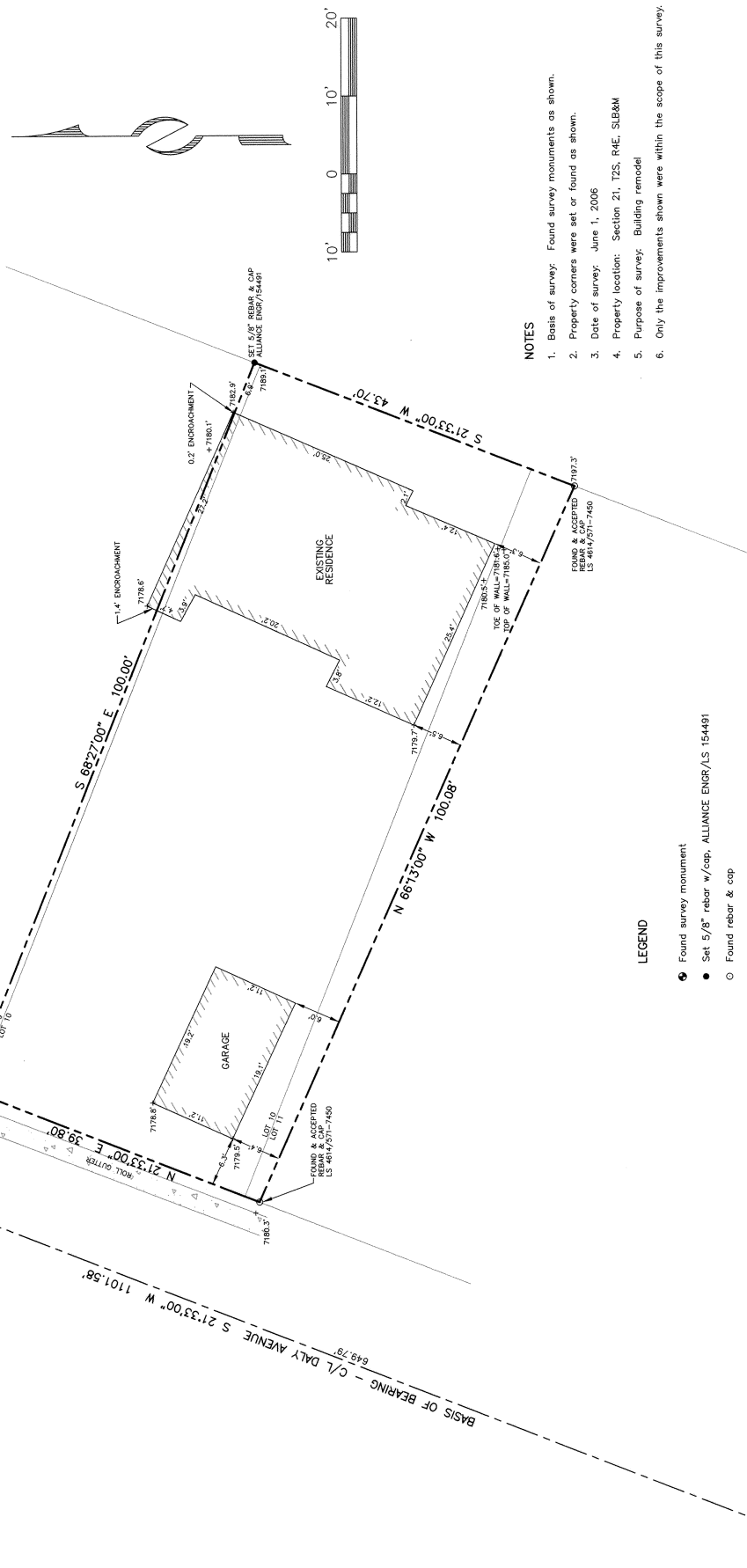
I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

John Demkowicz
John Demkowicz

6/8/06
Date

LEGAL DESCRIPTION

Beginning South 21°33' West 2.0 feet from the southwest corner of Lot 10, Block 73, Millisite Reservation in Park City, thence North 21°33' East 39.80 feet; thence South 68°27' East 100 feet; thence South 21°33' West 43.70 feet; thence North 66°13' West 100.08 feet to the point of beginning



NOTES

1. Basis of survey: Found survey monuments as shown.
2. Property corners were set or found as shown.
3. Date of survey: June 1, 2006
4. Property location: Section 21, T2S, R4E, SLB&M
5. Purpose of survey: Building remodel
6. Only the improvements shown were within the scope of this survey.

LEGEND

- Found survey monument
- Set 5/8" rebar w/cap, ALLIANCE ENGR/LS 154491
- Found rebar & cap

(435) 649-9467



STAFF:
JOHN DEMKOWICZ
MARSHALL KING
BLAKE MYERS

SHEET
1
OF
1

BOUNDARY SURVEY
71 DALY AVENUE
LOT 10 PLUS ADDITIONAL, BLOCK 73

FOR: ROBERT KOEY

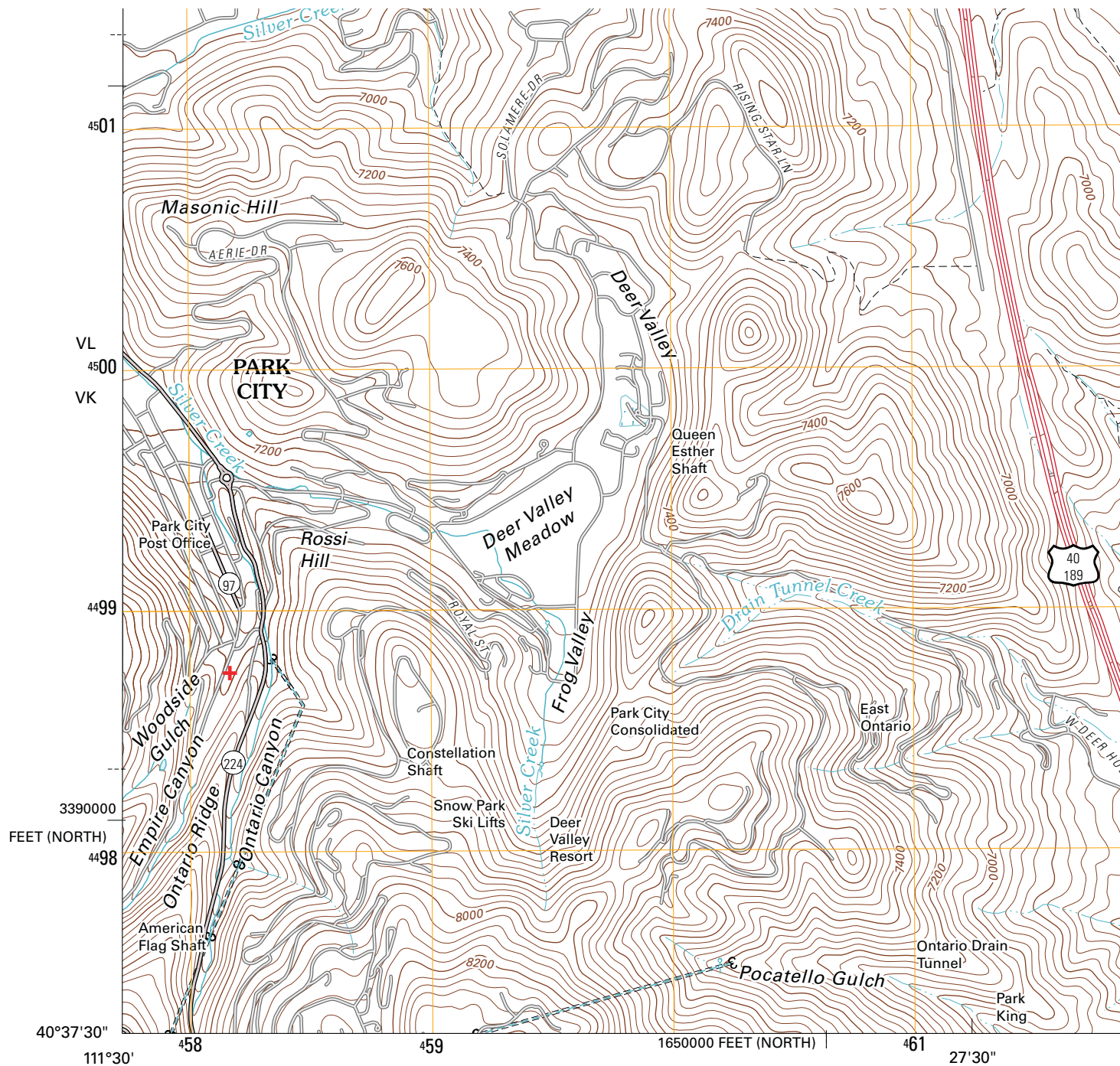
JOB NO.: 13-5-06

FILE: X:\ParkCitySurvey\dwg\sr\sr06\130506.dwg

DATE: 6/8/06

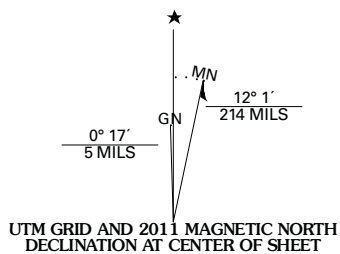
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

50006294 Blk P00000-00000
ALAN SPRIGGS, SURMIT CO. RECORDER BY GBB
REQUEST: ALLIANCE ENGINEERING INC



Produced by the United States Geological Survey
 North American Datum of 1983 (NAD83)
 World Geodetic System of 1984 (WGS84). Projection and
 1 000-meter grid: Universal Transverse Mercator, Zone 12T
 10 000-foot ticks: Utah Coordinate System of 1983
 (north and central zones)

Imagery.....NAIP, July 2009 - August 2009
 Roads.....©2006-2010 Tele Atlas
 Names.....GNIS, 2009
 Hydrography.....National Hydrography Dataset, 2009
 Contours.....National Elevation Dataset, 2008



U.S. National Grid	
100,000-m Square ID	
VL	4500
VK	
Grid Zone Designation	
12T	

+ location on USGS Park City East 1:24000 Quadrangle Map (2011)

MARK CITY PERMIT APPLICATION

DATE OF APPLICATION: 12/29/05 PERMIT NUMBER: B05-11121

ESTIMATED VALUATION: _____

PROPERTY ADDRESS: 71 Daly Ave

PROPOSED PERMIT USE: Remodel

ARCHITECT: _____ PHONE #: _____

E-MAIL ADDRESS: _____ FAX #: _____

CONTRACTOR NAME (as it appears on your license): _____

LICENSE #: _____ PHONE #: _____

OWNER OF PROPERTY: _____ PHONE #: _____

OFFICE USE ONLY BELOW THIS LINE

Comments: _____

Approved by: _____

B05-11121

BUILDING PERMIT
BUILDING INSPECTION DEPARTMENT

445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
(435) 615-5100

Permit Number: B05-11121
Permit Status: APPROVED

Date: 10-11-2006
Permit Expires:

Job Address: 71 DALY AVE PC
Parcel No: PC-607

Owner of Property: BEATRIX & ROBERT KOEV
Mailing Address:

Phone #: 801-361-5512
Zip:

Contractor:
Mailing Address:

Phone #:
Zip:
St. Lic #:

Work Description: REMODEL

Public Owned: # of Buildings: 0 # of Units: 0
UBC Occupancy: UBC Const type: # of Stories: 0

Valuation: \$50,000.00

Footing/Foundation Only: N

BUILDING FEE SCHEDULE

Fee Description	Account Code	Balance Due
A. BUILDING PERMITS	11-32311-000	300.00
B. PLAN CHECK FEES	11-32321-000	243.75
C. BLDG 1% STATE SURCHAR	11-27810-000	3.00
U. ARCH. DESIGN REVIEW	11-32416-000	185.00
TOTAL FEES DUE.....		\$731.75
Groundcover Guarantee.....	\$0.00	

Total Waived/Credited Fees.....: (\$0.00)

Conditions:

Cond: CON0015283

Zoning: HR-1 Height: max 27' Setbacks: per HR-1- need to have a site plan and topo/boundary survey F S S R

Max. Floor Area: na - foot print is dependent on the size of the Lot Dwelling Garage Total

Material Types: cedar lap siding... need details, wood windows, asphalt shingle roof,

Colors: Need a paint approval permit from Planning

Driveway Width: need to see the site plan.. need landscape plan too - No changes to the landscaping are proposed.

Cond: CON0015200

The remodelled house must re-use the pre-existing utility service connections and meters. No new utility meters, excavations, or service connections are approved with this permit. Any such work would require coordination between the owner and both the Building Department and the City Engineer, and additional permits would be required. If there are any questions please contact City Engineer Eric DeHaan at 615-5075.

Cond: CON0015284

Need to submit a boundary and topographic survey.

Need to submit a landscape plan.

Need to submit an historic design review application (please see the Planning Department)

these have been done.

Need a paint approval permit

Cond: CON0015285

The windows, siding, patios, porches, etc. can be restored (but we still need the details shown on the building plans), but the new dormer requires a design review. Submit an application to the Planning Department with details on the windows, siding, porch details, bracket details, posts, etc.

Details are on plans. Porch details and brackets are a deferred submittal. They need to be submitted by 10/12/06.

B05-11121

BUILDING PERMIT
BUILDING INSPECTION DEPARTMENT

get the windows in and close up the building for winter. They will bring in separate plans for the porch and railing. kaw

Valuation Items:

Occupancy	Type	Factor	Sq Feet	Valuation
	Totals...			\$0.00*

SIGNATURE



DATE

10/4/06

B05-11121

BUILDING PERMIT
BUILDING INSPECTION DEPARTMENT
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060
(435) 615-5100

Permit Number: B05-11121
Permit Status: AP F-F

Date: 06-19-2006
Permit Expires:

Job Address: 71 DALY AVE PC
Parcel No: PC-607

Owner of Property: BEATRIX & ROBERT KOEV
Mailing Address:

Phone #:
Zip:

Contractor:
Mailing Address:

Phone #:
Zip:
St. Lic #:

Work Description: REMODEL

Class Code:
Public Owned: # of Buildings: 0 # of Units: 0
UBC Occupancy: UBC Const type: # of Stories: 0

Valuation: \$10,000.00

Footing/Foundation Only: Y

BUILDING FEE SCHEDULE

Fee Description	Account Code	Amount Due
BUILDING PERMIT	11-32311-0000	\$75.00
BLDG 1% STATE SURCHARGE	11-27810-0000	\$0.75
INVESTIGATION FEE	11-32318-0000	\$0.00
WAIVE FEES (y/n).....N		
TOTAL FEES.....		\$75.75

Landscape Guarantee Amount: \$0.00

Conditions: Cond: CON0015283

Zoning: HR-1 Height: max 27' Setbacks: per HR-1- need to have a site plan and
topo/boundary survey F S S R

Max. Floor Area: na - foot print is dependent on the size of the Lot Dwelling Garage
Total

Material Types: cedar lap siding... need details, wood windows, asphalt shingle
roof,

Colors: Need a paint approval permit from Planning

Driveway Width: need to see the site plan.. need landscape plan too

Cond: CON0015200

The remodelled house must re-use the pre-existing utility service connections and
meters. No new utility meters, excavations, or service connections are approved with
this permit. Any such work would require coordination between the owner and both the
Building Department and the City Engineer, and additional permits would be required. If

B05-11121

BUILDING PERMIT
BUILDING INSPECTION DEPARTMENT

there are any questions please contact City Engineer Eric DeHaan at 615-5075.

Cond: CON0015284

Need to submit a boundary and topographic survey.

Need to submit a landscape plan.

Need to submit an historic design review application (please see the Planning Department)

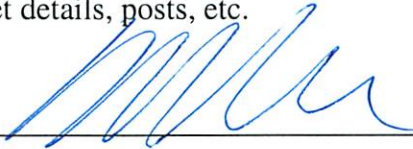
Need a paint approval permit

Cond: CON0015285

The windows, siding, patios, porches, etc. can be restored (but we still need the details shown on the building plans), but the new dormer requires a design review.

Submit an application to the Planning Department with details on the windows, siding, porch details, bracket details, posts, etc.

SIGNATURE



DATE

6/19/06

DEPARTMENT OF COMMERCE
Division of Occupational and
Professional Licensing
160 East 300 South, Fourth Floor
PO Box 146741
Salt Lake City UT 84114-6741
(801) 530-6628



OWNER/BUILDER CERTIFICATION
and
AGREEMENT TO COMPLY WITH
THE CONSTRUCTION TRADES
LICENSING ACT

FAX A COPY OF THIS FORM AND A COPY OF
THE BUILDING PERMIT TO:

ATTENTION-JODY #1-801-530-6301

Name of owner/builder:

ROBERT & BEATRIX KOEV

Address:

71 DALY AVE PO BOX 1045

City, State, ZIP:

PARK CITY, UT 84060

LOCATION OF CONSTRUCTION SITE

Address:

SEE ABOVE

City, State, ZIP:

Subdivision Name:

Lot No.

10

CERTIFICATION

I, ROBERT KOEV, certify under penalty of perjury that the following statements are true and correct and are based upon my understanding of the Utah Construction Trades Licensing Act:

1. I am the sole owner of the property and construction project at the above described location; the project described is the only residential structure I have built this year; I have not built more than three residential structures in the past five years.
2. The improvements being placed on the property are intended to be used and will be used for my personal, non-commercial, non-public use.
3. I understand that work performed on the project must be performed by the following:
 - a. myself as the sole property owner; or
 - b. a licensed contractor; or
 - c. my employee(s) for whom I have worker's compensation insurance coverage, for whom I withhold and pay all required payroll taxes, and with respect to whom I comply with all other applicable employee/employer laws; or
 - d. any other person working under my supervision as owner/builder to whom no compensation or only token compensation is paid; and
4. I understand that if I retain the services of an unlicensed contractor or compensate an unlicensed person, other than token compensation, or other than as an employee for wages, to perform construction services for which licensure is required, I may be guilty of a class A misdemeanor and may be additionally subject to an administrative fine in the maximum of \$2,000 for each day I violate the law.



SHAUNA STOKES
NOTARY PUBLIC-STATE OF UTAH
816 E CHALK CREEK ROAD
COALVILLE, UT 84017
COMM. EXP. 2-03-2009

Witnessed this

19th

Day of

JUNE

20

06

Signature of owner/builder

Subscribed and sworn before me this

19th

day of

JUNE

20

06

in the county of

Summit

State of Utah.

Shauna Stokes

Notary Public

Faxed 6/19/06

RECEIPT
**PARK CITY
MUNICIPAL
CORPORATION**

P.O. Box 1480
Park City, UTAH 84060
PHONE 615-5221

Date 6/19/06

REC'D FROM Beatrice & Robert Koev

CREDIT CARD ☒

CASH ☐

CHECK ☐

75⁷⁵

BUILDING PERMIT	305-11121	75
PLAN CHECK FEES		
1% STATE		75
IMPACT OPEN SPACE		
IMPACT PUBLIC SAFETY		
IMPACT STREETS		
IMPACT WATER		
LANDSCAPE BONDS		
PLANNING APPLICATION		
ARCHITECTURAL DESIGN		
SIGN REVIEW		
ELECTRICAL		
PLUMBING		
MECHANICAL		
POLICE REPORT		
WATER SERVICE		
BUSINESS LICENSE		
MISC		

52976

REC'D BY AO



CONSTRUCTION MITIGATION PLAN

PERMIT #: B05-11121

ADDRESS: 71 Daly Avenue

CONTRACTOR: Robert + Beatrix Koev 801-361-5512 cell
Name, Address, Contact Person, Phone Numbers

1. Hours of Operation are 7:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sundays.

Comments: _____

2. Parking will not block _____, will remain on same side of street
and on pavement only. _____
from the Public Works Department. _____
Comments: _____

3. Deliveries will be during _____
Comments: _____

4. Stockpiling & Staging will be _____
Comments: _____

5. Construction Phasing if _____ and will be authorized by the Building Official.
Comments: _____

6. Trash Management & Recycling - Construction site will provide adequate storage and program for trash removal and will keep site clean daily. Recycling is encouraged.
Comments: _____

(Continued on Back)

7. Control of Dust & Mud will be controlled daily. Gravel will be placed in the egress and ingress areas to prevent mud and dirt from being tracked on streets. Water will be on site to prevent dust.

Comments: _____

8. Noise will not be above 65 decibels which violates the noise ordinance and will not be made outside the hours of operation.

Comments: _____

9. Grading & Excavation will be during hours of operation and trucking routes may be restricted to prevent adverse impacts.

Cubic Yards to be removed: _____ Destination: _____
Comments: _____

10. Temporary Lighting if used, will be approved by the Planning Department.

Comments: _____

11. Construction Sign will be posted on site and in a location that is readable from the street. The sign will not exceed 12 square feet in size and 6 feet in height. The lettering will not exceed 4 inches in height and will include the following information: Contractor name, address, phone number and emergency contact information.

Comments: _____

12. Other Issues: Dogs will be prohibited from construction site. Information will be provided to neighboring property owners to help them be aware of project and to keep the lines of communication open.

Comments: _____

13. Erosion Control: Storm Water Management Plan - Attachment A - will be reviewed, signed and attached to this construction mitigation plan. Comments:

Contractor
Signature: _____

Date: _____

12/29/05

Approved
By: _____

Date: _____

Shawn Stok
12/29/05



445 Marsac Avenue, P.O. Box 1480, Park City, UT 84060
Tel 435.615.5100 fax 435.615.4900 www.parkcity.org

May 24, 2011

Robert Koev
1840 South 700 West
Salt Lake City, UT 84104-1704

Re: B05-11121

Dear Mr. Koev:

The remodel permit for 71 Daly Avenue, B05-11121 has expired due to lack of activity and the Park City Building Department has yet to receive a response to the previous letters regarding this matter. Due to the lack of activity, the building permit has expired and the structure is still incomplete.

Due to the incomplete nature of the structure, a building permit must be obtained and construction shall be required to be commenced or approval for some form of staging must be obtained.

This letter shall serve as a notice that the construction will be required to be commenced or the staging plan shall be received and approved by July 1, 2011. Failure to do so shall result in further abatement or enforcement action.

Please contact me at (435)615-5100 for additional information regarding this matter.

Sincerely,


Chad Root
Park City Chief Building Official

cc: B05-11121

Robert Koev, PO Box 1045, Park City, UT 84060
Meridias Capital Inc, 1018 West Atherton Drive, Salt Lake City, UT 84123
Park City Municipal Corporation, PO Box 1480, Park City, UT 84060
GMAC Mortgage LLC, 1100 Virginia Drive, Fort Washington, PA 19034
Callister Nebeker & McCullough, 2180 South 1300 East, Ste 600, Salt Lake City, UT 84106
eTitle Insurance Agency, 3269 South Main Street, Ste 100, Salt Lake City, UT 84115

Historic Preservation Board Staff Report

Subject: 2024 Annual Historic Preservation Award
Work Session
Application: GI-23-00506
Author: Caitlyn Tubbs, AICP
Sr. Historic Preservation Planner
Date: October 4, 2023
Type of Item: Work Session



Recommendation

Staff recommends that the Historic Preservation Board review the proposed nominees for the 2024 Historic Preservation Award and provide Staff with feedback on any other Sites or Structures that should be nominated for the Award.

Background

The Historic Preservation Board (HPB) started the Annual Historic Preservation Awards in 2011. The intent of the award is to honor a Project that demonstrated exemplary implementation of the Design Guidelines for Historic Districts and Historic Sites, Land Management Code (LMC) Chapter [15-13](#). Properties are selected for this award based on the following categories:

- Adaptive Re-Use
- Infill Development
- Excellence in Restoration
- Sustainable Preservation
- Embodiment of Historical Context
- Connectivity of Site

After a three-year pause beginning in 2018, this will be the eleventh year that the HPB is honoring projects in the Historic District.

Past Historic Preservation Award winners include:

- 2011: High West Distillery (artist Sid Ostergaard)
- 2012: Washington School House Hotel (artist Jan Perkins)
- 2013: House at 929 Park Avenue (artist Dori Pratt) and Talisker on Main/515 Main Street (artist Bill Kranstover)
- 2014: Garage at 101 Prospect (artist Bill Kranstover)
- 2015: 562 Main Street (artist Cara Jean Means)
- 2016: California Comstock (painting by Hilary Honadel). Additionally, plaques were awarded to 264 Ontario Avenue, 81 King Road, 257 McHenry, and 1102 Norfolk.
- 2017: Egyptian Theatre, 328 Main Street (artist Marianne Cone)
- 2018: Glenwood Cemetery, (artist Anna Leigh Moore)
- 2019: No projects awarded; program on pause

- 2020: No projects awarded; program on pause
- 2021: No projects awarded; program on pause
- 2022: 1141 Park Avenue, (artist Morgan McCue). Additionally, plaques were awarded to 803 Norfolk, 1062 Park, 227 Main, and the Thaynes Mine Conveyor Gallery.
- 2023: King Con Ore Bin (artist Bridgette Meinhold). Additionally, plaques were awarded to the Daly West Headframe, and 180 Daly Avenue.

These paintings are showcased on the second level of City Hall. The HPB commissions a work of art “depicting the project that best illustrates the Design Guidelines and achieves excellence in adaptive reuse, infill development, excellence in restoration, sustainable preservation, embodiment of historic context, or connectivity of site.” The owner(s) of the first-place award will receive a print of the commissioned artwork.

Analysis

Planning Department Staff have identified the following projects as recommended nominees for the 2024 Annual Historic Preservation Award. These projects have been completed since the award program was put on pause in 2019 and highlight the 2019 Design Guidelines.

1. **Alliance Caretaker’s Cabin** - ([HSI Form](#)). The caretaker’s cabin was constructed c. 1895 and is part of the Alliance Mine Site, designated a Significant Historic Site on the Park City Historic Sites Inventory. Following a record snowpack, the cabin suffered structural damage due to settling into the water-saturated soil. The Friends of Ski Mountain Mining History coordinated emergency repairs to the Structure and installed pier footings underneath it to keep the cabin standing. Additionally, TSI insulation was discovered on the site and removed per State law. This is an excellent example of Sustainable Preservation because of the on-site retention of historic materials.



2. **909 Woodside Avenue** - ([HSI Form](#)). 909 Woodside Avenue was constructed c. 1885 and is designated a Significant Historic Site on the Park City Historic Sites Inventory. In 2021, the Applicant received Historic District Design Review (HDDR) approval to panelize the Structure and construct a basement and rear addition. In 2021, the owner obtained approval to lift the Structure and construct

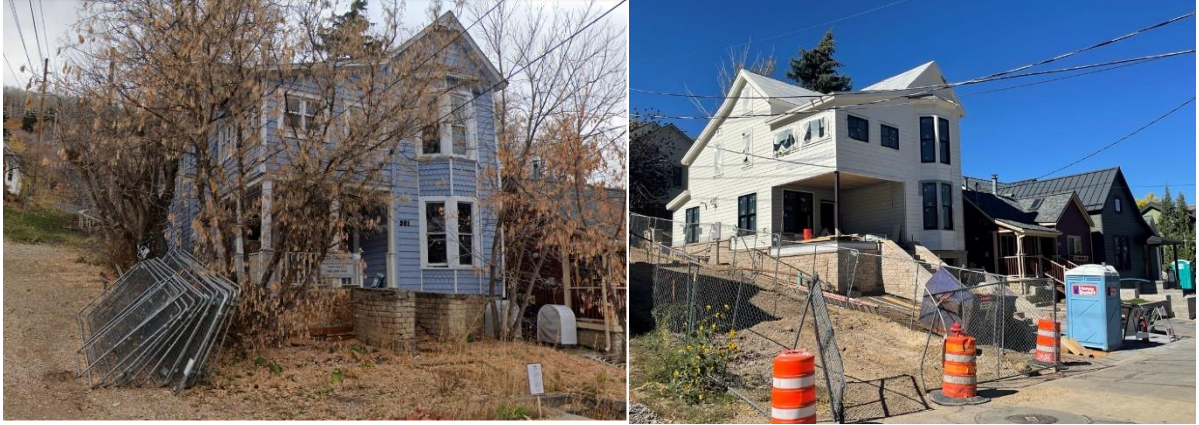
a new basement and rear addition. Upon further investigation, the owner discovered the floor joists had separated from the walls and received approval to panelize the Structure. The home, along with several architectural features, were reconstructed. This is a great example of Excellence in Restoration and Infill Development.



3. **Daly West Headframe.** The Daly West Headframe is designated a Significant Site on Park City's Historic Sites Inventory (HSI) ([HSI Form](#)). In May 2015 the mine shaft below the headframe collapsed causing the structure to topple. The mine shaft was sealed off and the headframe structure was repaired, raised, and placed nearby its original location in 2022. This is an excellent example of Restoration and Embodiment of Historic Context.



4. **901 Woodside – ([HSI Form](#)).** 901 Woodside Avenue is designated as a Landmark Historic Site on the Historic Sites Inventory and was constructed c. 1905. In 2019 the owner received permission to panelize the Structure and construct a new basement foundation; the home, along with several architectural features, were reconstructed. This is a great example of Excellence in Restoration and Infill Development.



Department Review

Planning and Legal Departments reviewed this staff report.