



AGENDA

MEETING CALLED TO ORDER AT 5:00 PM	<i>Pg</i>
WORK SESSION – <i>Discussion items only. No action will be taken.</i>	
Land Management Code Amendments – Discussion and overview	3
ROLL CALL	
CORRECTION OF MINUTES FOR AUGUST 15, 2012	87
PUBLIC COMMUNICATIONS – <i>Items not on regular meeting schedule.</i>	
STAFF/BOARD COMMUNICATION & DISCLOSURES	
ACTION ITEMS – <i>Discussion, public hearing, and action as outlined below.</i>	
101 Prospect Street – Grant	PL-12-01638
<i>Public hearing and possible action</i>	95
ADJOURN	

Times shown are approximate. Items listed on the Regular Meeting may have been continued from a previous meeting and may not have been published on the Legal Notice for this meeting. For further information, please call the Planning Department at (435) 615-5060.

A majority of Historic Preservation Board members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.



Historic Preservation Board Staff Report

Subject: Land Management Code
Amendments
Author: Kirsten Whetstone, MS, AICP
Date: November 7, 2012
Project Number: PL-12-01631
Type of Item: Work session

Planning Department

Summary Recommendations

Staff recommends that the Historic Preservation Board review and discuss at work session the proposed LMC amendments and Staff's questions outlined in this report.

Proposal

Staff has prepared the following amendments as part of the 2012 annual review of the Park City Land Management Code. Additional amendments are being considered by the Planning Commission on November 28th; however the amendments discussed in this report are specific to the Historic District. One of the purposes of the HPB is "To recommend to the Planning Commission and City Council ordinances that may encourage Historic preservation." Staff will forward the Board's comments to the Planning Commission in the November 28th meeting packet.

Listed by Chapter (See attached Exhibits A- D)

- Chapter One- General Provisions and Procedures (Exhibit A)
 - Appeals process for Historic District Design Review applications
 - Revisions to notice matrix.
- Chapter Two- Zoning Districts (Exhibit B)
 - Roof pitch in Historic Residential Zones
- Chapter Six- Master Planned Developments (Exhibit C)
 - Revised criteria for MPDs related to height and open space
 - Applicability of MPDs in the Heber Avenue Sub-zone Area (an overlay zone of the HRC zoning district).
- Chapter Eleven- Historic Preservation (Exhibit D)
 - Amending pre-HDDR application requirements to be strongly recommended/suggested review as opposed to a mandatory review.
 - Appeals process for Historic District Design Review applications
 - Amend and clarify criteria for permitting relocation and/or reorientation of historic structures.

Listed by Issue/Topic

1. Pre-application process and appeals process for Historic District Design Review and revisions to the notice matrix (Chapters 1 and 11). (Requires that Staff hold a public hearing before deciding HDDRs and removes Board of Adjustment as an appeal authority of the HPB decision).
2. Roof pitch in the Historic District (Chapter 2).

3. Clarification and criteria for permitting relocation and/or reorientation of historic structures and Disassembly and Reassembly (Chapter 11).
4. Additional review criteria for all Master Planned Developments (Chapter 6).
5. Applicability of Master Planned Developments in the Heber Avenue sub-zone (an overlay zone of the HRC district) (Chapter 6).

Background

The Planning Department, on an annual or bi-annual basis, reviews the LMC to address planning and zoning issues that have come up in the past year. These amendments provide clarification and streamlining of processes, procedures, and definitions and provide consistency of code application between Chapters as well as consistency with the General Plan, Council Goals, Utah Code, and the Historic District Design Guidelines.

The proposed revisions for discussion listed above are further described in the Analysis section below. A redlined version Chapter by Chapter is included as Exhibits A- D attached to this report.

On August 22, 2012, Staff provided the Planning Commission with a report and ordinance outlining proposed amendments to the LMC. The Planning Commission discussed the proposed amendments at a work session and provided staff with direction to provide additional information.

On September 12th and 26th the Commission conducted public hearings and discussed the proposed LMC amendments. At the September 26th meeting the Commission discussed the following items and provided direction as summarized below:

- Building height, measurements, story definition, and roof pitch in the Historic Residential zones- **Discussed and continued for further analysis. Will be discussed by the Planning Commission on November 28th.**
- Streamlined review process and appeals of administrative applications, such as Historic Design Review, Administrative Conditional Use permits, Architectural plan review, and other types of administrative applications- **Discussed using a flow chart to explain the current process and possible alternatives. (See revised proposed Flow Chart in Exhibit E).**

These items, along with other amendments, were continued to the November 28, 2012, Planning Commission meeting. Staff is requesting the Historic Preservation Board discuss these amendments and consider staff's questions outlined at the end of this report. Staff will forward the Board's comments to the Planning Commission for consideration at the Commission meeting on November 28th.

Analysis

Analysis for each topic is included following the proposed amendment language. (Also refer to Exhibits at the end of the report for a Chapter by Chapter review of all redlined amendments).

1. Pre-application process and appeals process for Historic District Design Review and revisions to the notice matrix (Chapters 1 and 11).

A) Proposed language- Pre HDDR applications (see redlines):

15-11-12. HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW.

(A) **PRE-APPLICATION CONFERENCE.**

- (1) It is strongly recommended that ~~The~~ Owner and/or Owner's representative ~~shall be required to~~ attend a pre-Application conference with representatives of the Planning and Building Departments for the purpose of determining the general scope of the proposed Development, identifying potential impacts of the Development that may require mitigation, providing information on City-sponsored incentives that may be available to the Applicant, and outlining the Application requirements.

Analysis: Staff recommends that the pre-Application for HDDRs be highly recommended as opposed to being required. This will expedite the process for those who want it and clarify that the submittals associated with a pre-application are not vested. Comments that come out of the DRT meetings are typically based on informal conceptual plans and not a full set of architectural plans. At the same time, Staff is committed to the value of these meetings to explain the Guidelines and process to applicants, for all of the reasons stated in the pre-application conference language included herein (see Exhibit D).

B) Proposed language- Appeals process for administrative applications (HDDRs) including revisions to the Notice Matrix:

(See Exhibits A and D for redlines to Chapters 1 and 11)

Analysis: Based upon Planning Commission's direction at the September 22, 2012 meeting, staff is proposing language which would add a public hearing to Planning Staff's review of the HDDR and make the HPB the appeal authority. Appeals of HPB decisions on an HDDR appeal would be made to the District Court.

2. Roof pitch in the Historic District (Chapter 2).

Proposed language (redlines):

- (C) **ROOF PITCH.** Roof pitch must be between seven: twelve (7:12) and twelve: twelve (12:12). A Green Roof, or a roof which is not part of the primary roof design, may be below the required 7:12 pitch.

- (D) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

- (1) Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.
- (2) Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.
- (3) **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - (a) The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
 - (b) The proposed option is the only feasible option for the elevator on the Site.
 - (c) The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.
- (4) **GARAGE ON DOWNHILL LOT.** The Planning Director may allow additional height on a downhill Lot to accommodate a single car garage in a tandem configuration. The depth of the garage may not exceed the minimum depth for an internal Parking Space as dimensioned within this Code, Section 15-3. Additional width may be utilized only to accommodate circulation and an ADA elevator. The additional height may not exceed thirty-five feet (35') from Existing Grade.

(5) ROOF PITCH. Exceptions to the minimum roof pitch requirements may be granted by the Planning Director during the Historic District Design Review approval process based on compliance with review criteria as stated in the Park City Design Guidelines for Historic Districts and Historic Sites. Such exceptions to roof pitch may be granted to allow original roof forms for historic structures and for new construction when the proposed roof pitch is compatible with the style of architecture approved for the new construction. Roof pitch for new construction should be visually compatible with the roof shapes and orientation of surrounding Historic Sites.

Analysis: Staff proposes amendments to Chapter 2 for the HRL, HR-1, HR-2, and RC zoning districts allowing the Planning Director to grant an exception to the minimum required roof pitch requirements specified in the Code. Currently the Design Guidelines for Historic Sites include language, specifically for new construction, regarding roof pitches that are “consistent with the style of architecture chosen for the structure and with the surrounding Historic Sites.” The current LMC language limits the pitch of the primary roof to between 7:12 and 12:12, with exceptions for green roofs. Staff believes that this requirement should remain, however exceptions should be allowed if consistent with the chosen architecture. The exception language is only to roof pitch and not to roof

height. This allows for roof pitches that are consistent with certain architectural styles where the main roof pitch is less than 7:12, such as hipped, pyramids, or other architectural styles. (See Exhibit B)

3. Clarification and criteria for permitting relocation and/or reorientation of historic structures and Disassembly and Reassembly (Chapter 11).

Proposed language (redlines):

15-11-13. RELOCATION AND/OR REORIENTATION OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the relocation and/or orientation of Historic Buildings, Structures, and Sites.

(A) CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.

In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Planning Department shall ~~fine-~~find the project complies with the following criteria:

~~(1) A portion of the Historic Building(s) and/or Structure(s) encroaches on an adjacent Property and an easement cannot be secured; or~~

~~(2)~~(1) The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or

~~(3)~~(2) The Planning Director and the Chief Building Official¹, determine that unique conditions warrant the proposed relocation and/or reorientation on the existing Site; or

~~(4)~~(3) The Planning Director and the Chief Building Official¹, determine that unique conditions warrant the proposed relocation and/or reorientation to a different Site.

¹ ~~The HPB shall make this determination if the HPB is formally considering the Application. The Planning Director and the Chief Building Official shall at the hearing on the formal consideration submit a written statement or testify concerning whether, unique conditions warrant the proposed relocation and/or reorientation on the existing Site or to a different site.~~

15-11-14. DISASSEMBLY AND REASSEMBLY OF A HISTORIC BUILDING OR HISTORIC STRUCTURE

~~(A) CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE.~~ In approving a Historic District or Historic Site design review Application involving disassembly and reassembly of the Historic

Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the Planning Department shall find the project complies with the following criteria:

(4) The Planning Director and the Chief Building Official² determine that unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly;

2. The HPB shall make this determination if the HPB is hearing the Application on appeal. The Planning Director and the Chief Building Official shall at the appeal submit a written statement or testify concerning whether, unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly or reassembly.

Analysis: Staff proposes amendments to Chapter 11 to remove encroachment as one of the criteria for permitting relocation and/or reorientation. Also proposed, are amendments to the process for determining if the criteria for unique conditions are met for permitting relocation and/or reorientation and disassembly and reassembly. These amendments are more in-line with the Historic District Design Guidelines that discourage historic structures from being moved from the historic location in order preserve the character and context of the structure and site. The two sentences at the end will show up as footnotes in the Chapter (see Exhibit D).

4. Additional review criteria for all Master Planned Developments (Chapter 6).

Proposed language (see redlines):

15-6-1. **PURPOSE.**

(K) encourage opportunities for economic diversification within the community.

15-6-5. (D) **OPEN SPACE.**

- (1) **MINIMUM REQUIRED.** All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 with the exception of the General Commercial (GC) District, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), Historic Residential (HR-1 and HR-2) zones, and wherein cases of redevelopment of existing Developments or infill sites, the minimum open space requirement shall be thirty percent (30%).

For Applications proposing the redevelopment of existing Developments or infill sites, the Planning Commission may reduce the required open space to twenty-five percent (25%) in exchange for project enhancements in excess of those otherwise required by the Land Management Code that may directly advance policies reflected in the applicable General Plan sections or more specific Area plans. Such project enhancements may include, but are not limited to, Affordable Housing, sustainable design and building construction (meeting LEED Silver or equivalent), greater landscaping buffers along public ways and public/private pedestrian Areas that provide a public benefit,

increased landscape material sizes, public transit improvements, public pedestrian plazas, pedestrian way/trail linkages, public art, and rehabilitation of Historic Structures, including Historic Structures that are either on or off-site.

- (2) **TYPE OF OPEN SPACE.** The Planning Commission shall designate the preferable type and mix of open space for each Master Planned Development. This determination will be based on the guidance given in the Park City General Plan. Landscaped open space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open space may not be utilized for Streets, roads, driveways, Parking Areas, commercial Uses, or Buildings requiring a Building Permit. For redevelopment or infill projects in the General Commercial (GC) District, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), Historic Residential (HR-1, HR-2, and HRM) zones, publicly accessible plazas and gardens may count toward this open space requirement. Fee in lieu for purchase of open space and parklands may count toward the open space requirement for purchase of open space at a rate of twice the amount of open space required and subject to an appraisal and market analysis of the property.

15-6-5. (F) **BUILDING HEIGHT.**

The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination. Height exceptions will not be granted for Master Planned Developments within the HR-1 and HR-2 Zoning Districts. Height exceptions for Master Planned Developments within the Heber Avenue Sub Zone shall be limited to a maximum of fifty feet (50'), subject to the approval of a Site specific determination as described below.

The Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made. In order to grant Building height in addition to that which is allowed in the underlying zone, the Planning Commission is required to make the following findings:

- (1) The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
- (2) Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused

by shadows, loss of solar Access, and loss or air circulation have been mitigated to the extent possible as defined by the Planning Commission;

(3) There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent projects are being proposed;

(4) The additional Building Height ~~has resulted~~ in more than the minimum open space required, ~~and has resulted~~ in the open space being more usable, and includes publicly accessible open space;

(5) The additional Building height shall be designed in a manner so as to provide a transition in roof elements in compliance with Chapter 5, Architectural Guidelines or the Design Guidelines for Park City's Historic Districts and Historic Sites if within the Historic District;

If and when the Planning Commission grants additional height due to a Site specific analysis and determination, that additional height shall only apply to the specific plans being reviewed and approved at the time. Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

Analysis: This language is proposed to clarify additional review criteria and requirements for all MPDs in all zones where they may be used, regarding building height, open space, landscaping, and removal of noxious weeds. In anticipation of MPDs being utilized as a development review control tool in infill areas, such as Bonanza Park, Lower Park Avenue, and the Historic downtown area. Staff is recommending additional language to strengthen the existing review criteria for all Master Planned Developments (see Exhibit C).

5. Applicability of Master Planned Developments in the Heber Avenue sub-zone (an overlay zone of the HRC district) (Chapter 6).

Proposed language (redlines):

15-6 -2. APPLICABILITY.

(A) **Required.** The Master Planned Development process shall be required in all zones except the Historic Residential (HR-1), the Historic Residential 2 (HR-2), the Historic Recreation Commercial (HRC), the Historic Commercial Business (HCB), and the Historic Residential - Low Density (HRL), ~~and Historic Residential Medium Density (HRM)~~ for the following:

- (1) Any Residential project larger than ten (10) Lots or units.
- (2) All Hotel and lodging projects with more than fifteen (15) Residential Unit Equivalents.

- (3) All new Commercial, public, quasi-public, or industrial projects greater than 10,000 square feet Gross Floor Area.
- (4) All projects utilizing Transfer of Development Rights Development Credits.

~~(B) The Master Planned Development process is allowed but is not required in the Historic Commercial Business (HCB), Historic Recreation Commercial (HRC), Historic Residential (HR-1) and Historic Residential (HR-2) zones, provided the subject property and proposed MPD include two (2) or more zoning designations.~~

(A) Allowed but not required.

- (1) The Master Planned Development process is allowed in the Historic Residential (HR-1) and (HR-2) zones only when HR-1 or HR-2 zoned ~~parcels~~ Properties are combined with adjacent HRC or HCB zoned Properties; or
- (2) The Property is not a part of the original Park City Survey or Snyder's Addition to the Park City Survey and ~~which may be considered for is an~~ is an affordable housing MPDs consistent with Section 15-6-7 herein; or

(3) The Property is located within the Heber Avenue Sub-Zone Area.

Analysis: On August 23rd, the City Council held a Work Session regarding a future addition to the historic Kimball Art Center (KAC) building. Council recommended exploring options that would allow for public dialogue regarding this project to occur. As the Code is currently written and interpreted, a Master Planned Development application for any addition to the KAC could not be submitted to the Planning Department for review, as MPDs are not specifically permitted in the HRC zone, unless the proposed MPD crosses into another zoning district. Additionally, a conditional use permit (CUP) for the specific awarded design would be denied upon submittal, due to violations of the HRC zone site development requirements.

If the Code were amended to allow application of an MPD for properties within the Heber Avenue Sub-Zone, then public dialogue, as suggested by the City Council, could occur. The Heber Avenue Sub-zone consists of all of the property on the north side of Heber Avenue that is located between Park Avenue and Deer Valley Drive. This includes the Kimball Arts Center, the Sky Lodge, and Poison Creek Mercantile. Staff is recommending a maximum building height in the Heber Avenue Subzone of fifty (50'), only upon approval of an MPD and in compliance with the height exception criteria.

Allowing the MPD process in the Heber Avenue subzone for property that does not cross a zone line would not mean that the Planning Commission would be approving the existing conceptual design for the KAC. It would however provide

an opportunity to allow the KAC to submit an application for an MPD and begin a collaborative community dialogue with the Planning Commission and the public regarding opportunities and challenges of developing the Historic site.

Other options for reviewing development proposals in the Heber Avenue subzone include the following:

- The area could be rezoned.
- The HRC language could be amended.
- The Heber Avenue subzone language could be amended
- Projects not meeting the current LMC requirements could apply for a variance to the requirements.

Staff recommends the current option to amend the LMC to allow the MPD process to be used to review development proposals in the Heber Avenue Subzone, with a maximum allowed building height of fifty feet (50'), because this process allows a more comprehensive review of development projects and a way to evaluate them multiple MPD criteria. Amending the zone language would set minimums or maximums that are more black and white and that don't have the comprehensive review and weighing against gives and gets that are included in the MPD process.

Staff has received many emails regarding the proposed MPD language as it relates to the KAC project and the proposal to allow Master Planned Developments in the Heber Avenue subzone. Staff has not received an application for an addition to the KAC. All emails received since the September 12th Planning Commission meeting packet are attached for the HPBs information (see Exhibit F). Planning Staff is also working on an analysis of previous LMC Amendments to allow and/or disallow MPDs in the Historic Districts.

Discussion requested

Staff requests the Historic Preservation Board discuss the proposed amendments and provide direction/comment to the Staff that will be forwarded to the Planning Commission. **Staff has the following questions for the Board:**

- 1. Do you agree with the proposed appeal process which will have Staff hold an administrative hearing prior to final action on HDDR applications and will designate the HPB as the appeal authority? Appeals from the HPB will go directly to the District Court.**
- 2. Staff is recommending that the Pre-HDDR process not be required prior to submittal of a full HDDR application to address issues of what constitutes a complete application, expiration of a pre-HDDR, and vesting of an application with a pre-HDDR. The code still indicates that it is highly recommended in order to have a pre-meeting with Staff to address issues early in the process. Do you agree with this?**
- 3. Do you agree with the proposed change to the criteria for relocation and Disassembly and reassembly of buildings on the Historic Sites Inventory?**

Do you agree with the clarification regarding finding a unique condition on appeal?

- 4. Do you agree with the recommendation to allow the Master Planned Development process within the Heber Avenue Sub-zone of the HRC zoning district? This is the area on the north side of Heber Avenue between Park Avenue and Deer Valley Drive.**
- 5. Do you agree with the proposed reduction in the required open space for Master Planned Developments within the Historic District? The Code currently requires 60% open space for new development and 30% open space for re-development. Staff recommends a requirement for 25% open space for infill development that is typically in a more urban setting.**
- 6. Do you agree with the proposed amendment to allow the Planning Director to grant exceptions to the allowed minimum roof pitch during the Historic District Design Review?**
- 7. Do you agree with the proposed amendment to the MPD language to allow a maximum building height of 50' in the Heber Avenue Subzone, subject to the height exception criteria for MPDs as revised in these amendments?**

Recommendation

Staff recommends that the Historic Preservation Board review and discuss at work session the proposed LMC amendments and Staff's questions outlined in this report.

Exhibits

Exhibit A- Chapter 1- General Provisions and Procedures

Exhibit B- Chapter 2- Zoning Districts (HRL, HR-1, and HR-2)

Exhibit C- Chapter 6- Master Planned Developments

Exhibit D- Chapter 11- Historic Preservation

Exhibit E- Process flow chart for Administrative Approvals such as HDDRs

Exhibit F- Public input

EXHIBIT A- Chapter 1- General Provisions and Procedures

15-1 -8. REVIEW PROCEDURE UNDER THE CODE.

RECOMMENDATION (y) and FINAL ACTION (X) and APPEAL (z)					
	Planning Department	HPB	Board of Adjustment	Planning Commission	City Council
Allowed	X				
Allowed-Historic (HDDR)	X	z			
Administrative Permits	X			z	
Conditional Use				X	z
Conditional Use Admin.	X			z	
MPD				X	z
Non-Conforming Use			X		
Plat Amendment				y Recommendation to CC	X
Variance/Special Exception			X		
Subdivision				y Recommendation to CC	X
Annexation and Zoning				y Recommendation to CC	X
Zoning Appeal			X		
LMC Amendments				y Recommendation to CC	X

15-1 -11. SPECIAL APPLICATIONS.

(A) **MASTER PLANNED DEVELOPMENT (MPD) REVIEW PROCESS.** Applications for MPDs shall be reviewed according to LMC Chapter 15-6.

(B) **VARIANCES, EXCEPTIONS, AND NON-CONFORMING USES.** The Board of Adjustment must review Applications for Variances, Special Exceptions and Non-Conforming Uses and Non-Complying Structures in accordance with the regulations set forth in LMC

Chapter 15-9. Such approval must be obtained from the Board of Adjustment prior to the issuance of any Conditional Use permit or Master Planned Development, or other approval by the Planning Commission or Planning Department. All action on an Application shall be stayed upon the determination that a Board of Adjustment approval is required.

(C) **PLAT AMENDMENTS/ SUBDIVISION**. Plat Amendments and Subdivisions must be reviewed pursuant to LMC Chapter 15-7. No Building Permit may be issued prior to such an approval.

(D) **ADMINISTRATIVE CONDITIONAL USE PERMITS**. The Planning Director or his or her designee shall review and take Final Action on Administrative Conditional Use permits. Review process shall be consistent with Section 15-1-10(A-H), with the exception that no published notice, as described in 15-1-12(B), shall be required.

(E) **ADMINISTRATIVE PERMITS**. The Planning Department shall review and take Final Action on Administrative Permits. Review process shall be consistent with the requirements herein for those Uses requiring an Administrative Permit, such as temporary tents, Structures, and vendors; temporary Special Event and overcrowding permits; regulated Accessory Apartments; specified outdoor events and Uses; Family Child Care in specified Zoning Districts; and temporary telecommunication Antennas, where these Uses are designated as requiring Administrative Permits. These Uses may require Administrative Conditional Use permits or Conditional Use permits in some Zoning Districts pursuant to Section 15-2.

(Amended by Ord. Nos. 06-22; 09-10)

15-1 -18. APPEALS AND RECONSIDERATION PROCESS.

(A) **STAFF**. Any decision by either the Planning Director or Planning Staff regarding Application of this LMC to a Property may be appealed to the Planning Commission. Appeals of decisions regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Historic Preservation Board as described in 15-11-12(E). All appeals must be filed with the Planning Department within ten (10) days of Final Action.

There shall be no additional notice for appeal of the staff determination other than listing the matter on the agenda, unless notice of the staff review was provided in which case the same notice must be given for the appeal.

(B) **HISTORIC PRESERVATION BOARD (HPB)**. The City or any Person adversely affected by any decision of the Historic Preservation Board regarding the Design Guidelines for Historic Districts and Historic Sites may petition the District Court in Summit County for a review of the decision. Appeal of all other Final Actions by the Historic Preservation Board may be appealed to the Board of Adjustment.

(C) **PLANNING COMMISSION**. The City or any Person adversely affected by a Final Actions by the Planning Commission on appeals of Staff action may ~~be appealed to the Board of~~

Adjustment petition the District Court in Summit County for a review of the decision. Final Action by the Planning Commission on Conditional Use permits and Master Planned Developments (MPDs) involving City Development may be appealed to the Board of Adjustment at the City Council's request. All other Final Action by the Planning Commission concerning Conditional Use permits (excluding those Conditional Use permits decided by Staff and appealed to the Planning Commission; final action on such an appeal shall be appealed to the District Court) and MPDs may be appealed to the City Council. When the City Council determines it necessary to ensure fair due process for all affected parties or to otherwise preserve the appearance of fairness in any appeal, the City Council may appoint an appeal panel as appeal authority to hear any appeal or call up that the Council would otherwise have jurisdiction to hear. The appeal panel will have the same scope of authority and standard of review as the City Council. Only those decisions in which the Planning Commission has applied a land Use ordinance to a particular Application, Person, or Parcel may be appealed to an appeal authority.

(1) **APPEAL PANEL MEMBERSHIP AND QUALIFICATIONS.** The appeal panel shall have three (3) members. The decision to appoint and the appointment of an appeal panel shall be made by the City Council at a duly noticed public meeting after publicly noticed request for qualifications. Qualifications shall include a weighted priority for the following: Park City or Area residency, five years or more of prior experience in an adjudicative position, and/or a legal or planning degree. Each member of the appeal panel shall have the ability to:

- (a) Conduct quasi-judicial administrative hearings in an orderly, impartial and highly professional manner.
- (b) Follow complex oral and written arguments and identify key issues of local concern.
- (c) Master non-legal concepts required to analyze specific situations, render findings and determinations.
- (d) Absent any conflict of interest, render findings and determinations on cases heard, based on neutral consideration of the issues, sound legal reasoning, and good judgment.

(2) **PROCESS.** Any hearing before an appeal panel shall be publicly noticed, include a public hearing, and meet all requirements of the Utah Open and Public Meetings Act. The appeal panel shall have the same authority and follow the same procedures as designated for the "City Council" in this section 15-1-18 (G-I). The City Council may decide to appoint an appeal panel for a particular matter at any time an application is pending but the appointment of the individual members of the panel shall not occur until an actual appeal or call up is pending.

(Amended by Ord. No. 10-15)

(D) **STANDING TO APPEAL.** The following has standing to appeal a Final Action:

- (1) Any Person who submitted written comment or testified on a proposal before the Planning Department, Historic Preservation Board or Planning Commission;
- (2) The Owner of any Property within three hundred feet (300') of the boundary of the subject site;
- (3) Any City official, Board or Commission having jurisdiction over the matter; and
- (4) The Owner of the subject Property.

(E) **TIMING**. All appeals must be made within ten (10) calendar days of the Final Action. The reviewing body, with the consultation of the appellant, shall set a date for the appeal. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

(F) **FORM OF APPEALS**. Appeals to the Planning Commission, Board of Adjustment, or Historic Preservation Board must be filed with the Planning Department. Appeals to the City Council must be filed with the City Recorder. Appeals must be by letter or petition, and must contain the name, address, and telephone number of the petitioner; his or her relationship to the project or subject Property; and must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken. The Appellant shall pay the applicable fee established by resolution when filing the appeal. The Appellant shall present to the appeal authority every theory of relief that it can raise in district court. The Appellant shall provide required envelopes within fourteen (14) days of filing the appeal.

(G) **BURDEN OF PROOF AND STANDARD OF REVIEW**. The appeal authority shall act in a quasi-judicial manner. The appellant has the burden of proving that the land Use authority erred. Except for appeals to the Board of Adjustment, the appeal authority shall review factual matters de novo and it shall determine the correctness of a decision of the land Use authority in its interpretation and application of the land Use ordinance. Appeals to the Board of Adjustment will review factual matters for correctness and determine the correctness of a decision of the land Use authority in its interpretation and application of the land Use ordinance. The scope of review of the Board of Adjustment is limited to issues brought to the land Use authority below.

(H) **WRITTEN FINDINGS REQUIRED**. The appeal authority shall direct staff to prepare detailed written Findings of Fact, Conclusions of Law and the Order.

(I) **CITY COUNCIL ACTION ON APPEALS**.

- (1) The City Council, with the consultation of the appellant, shall set a date for the appeal.

(2) The City Recorder shall notify the Owner of the appeal date. The City Recorder shall obtain the findings, conclusions and all other pertinent information from the Planning Department and shall transmit them to the Council.

(3) The City Council may affirm, reverse, or affirm in part and reverse in part any properly appealed decision of the Planning Commission. The City Council may remand the matter to the appropriate body with directions for specific Areas of review or clarification. City Council review of petitions of appeal shall include a public hearing and be limited to consideration of only those matters raised by the petition(s), unless the Council by motion, enlarges the scope of the appeal to accept information on other matters.

(4) Staff must prepare written findings within fifteen (15) working days of the City Council vote on the matter.

(J) **CITY COUNCIL CALL-UP.** Within fifteen (15) calendar days of Final Action on any project, the City Council, on its own motion, may call up any Final Action taken by the Planning Commission or Planning Director for review by the Council. Call-ups involving City Development may be heard by the Board of Adjustment at the City Council's request. The call-up shall require the majority vote of the Council. Notice of the call-up shall be given to the Chairman of the Commission and/or Planning Director by the Recorder, together with the date set by the Council for consideration of the merits of the matter. The Recorder shall also provide notice as required by Section 15-1 -12 herein. In calling a matter up, the Council may limit the scope of the call-up hearing to certain issues. The City Council, with the consultation of the Applicant, shall set a date for the call-up. The City Recorder shall notify the Applicant of the call-up date. The City Recorder shall obtain the findings, and all other pertinent information and transmit them to the Council.

(K) **NOTICE.** Notice of all appeals to City Council or call-ups shall be given by:

(1) Publishing the matter once at least seven (7) days prior to the hearing in a newspaper having general circulation in Park City; and

(2) By mailing courtesy notice seven (7) days prior to the hearing to all parties who received mailed courtesy notice for the original action. The City Recorder shall provide noticing for Council call-ups.

(L) **STAY OF APPROVAL PENDING REVIEW OF APPEAL.** Upon the filing of an appeal, any approval granted by the Planning Commission will be suspended until the City Council has acted on the appeal.

(M) **APPEAL FROM THE CITY COUNCIL.** The Applicant or any Person aggrieved by City action on the project may appeal the Final Action by the City Council to a court of competent jurisdiction. The decision of the Council stands, and those affected by the decision may act in reliance on it unless and until the court enters an interlocutory or final order modifying the decision.

(N) **RECONSIDERATION.** The City Council, and any Board or Commission, may reconsider at any time any legislative decision upon an affirmative vote of a majority of that body. The City Council, and any Board or Commission, may reconsider any quasi-judicial decision upon an affirmative vote of a majority of that body at any time prior to Final Action. Any action taken by the deciding body shall not be reconsidered or rescinded at a special meeting unless the number of members of the deciding body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

(O) No participating member of the appeal panel may entertain an appeal in which he or she acted as the land Use authority.

(Amended by Ord. Nos. 06-22; 09-10; 09-23; 10-15)

15-1 -21. NOTICE MATRIX.

(See following pages)

NOTICE MATRIX			
ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Zoning and Rezoning	14 days prior to each hearing before the Planning Commission and City Council	14 days to each affected entity.	Once 14 days prior to each hearing before the Planning Commission and City Council.
LMC Amendments	14 days prior to each hearing before the Planning Commission and City Council.	14 days to each affected entity.	Once 14 days prior to each hearing before the Planning Commission and City Council.
General Plan Amendments	14 days prior to each hearing before the Planning Commission and City Council.	14 days to each affected entity.	Once 14 days prior to each hearing before the Planning Commission and City Council.

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Master Planned Developments (MPD)	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Appeals of Planning Director, Historic Preservation Board, or Planning Commission decisions or City Council Call-Up	7 days prior to the date set for the appeal or call-up hearing.	To all parties who received mailed notice for the original Administrative or Planning Commission hearing 7 days prior to the hearing.	Once 7 days before the date set for the appeal or call-up hearing.
Conditional Use Permit	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Administrative Conditional Use Permit	10 days prior to Final Action.	10 days prior to Final Action, to adjacent Property Owners.	No published notice required.
Administrative Permit	10 days prior to Final Action.	10 days prior to Final Action, to adjacent affected Property Owners.	No published notice required.
Variance Requests, Non-conforming Use Modifications and Appeals to Board of Adjustment	14 days prior to the hearing before the Board of Adjustment.	14 days prior to the hearing before the Board of Adjustment, to owners within 300 ft.	Once 14 days prior to hearing before the Board of Adjustment.

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Certificate of Appropriateness for Demolition (CAD)	45 days on the Property upon refusal of the City to issue a CAD; 14 days prior to the hearing before the Historic Preservation Board.	14 days prior to the hearing before the Historic Preservation Board, to Owners within 300 ft.	Once 14 days prior to the hearing before the Historic Preservation Board.
Designation of Sites to the Historic Sites Inventory	7 days prior to hearing before the Historic Preservation Board.	-----	Once 7 days prior to hearing before the Historic Preservation Board.
Historic District or Historic Site Design Review	<p>First Posting: The Property shall be posted for a 14 day period once a Complete Application has been received. <u>The date of the public hearing shall be indicated in the first posting.</u> Other posted legal notice not required.</p> <p>Second Posting: For a 10 day period once the Planning Department has determined the proposed plans comply or does not comply with the Design Guidelines for Historic Districts and Historic Sites. Other posted legal notice not required.</p>	<p>First Mailing: To Owners within 100 feet once a Complete Application has been received, establishing a 14 day period in which written public comment on the Application may be taken. <u>The date of the public hearing shall be indicated.</u></p> <p>Second Mailing: To Owners within 100 feet and individuals who provided written comment on the Application during the 14 day initial public comment period. The second mailing occurs once the Planning Department determines <u>whether</u> the proposed plans comply or do not comply with the Design Guidelines for Historic Districts and Historic Sites and no later than 45 days after the end of the initial public comment period. This establishes a 10 day period in-after which the</p>	<p><u>If appealed, then once 7 days before the date set for the appeal. See appeals from Planning Director, Historic Preservation Board, Planning Commission, including City Council Call Up. Section 15-1-18.</u></p>

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
		Planning Department's decision may be appealed.	
Annexations	Varies, depending on number of Owners and current State law. Consult with the Legal Department.		
Termination of Project Applications	-----	Mailed Notice: To Owner/Applicant and certified Agent by certified mail 14 days prior to the Planning Director's termination and closure of files.	-----
Lot Line Adjustments: Between 2 Lots without a plat amendment.	10 days prior to Final Action on the Property. Other posted legal notice not required.	To Owners within 300 ft. at time of initial Application for Lot line adjustment. Need consent letters, as described on the Planning Department Application form, from adjacent Owners.	-----
Preliminary and Final Subdivision Plat Applications	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Condominium Applications; Record of Survey Plats	14 days prior to the hearing before the Planning Commission.	14 days prior to the hearing before the Planning Commission, to Owners within 300 ft.	Once 14 days prior to the hearing before the Planning Commission.
Record of Survey Amendments	14 days prior to the hearing.	14 days prior to the hearing, to Owners within 300 ft.	Once 14 days prior to the hearing.
Subdivision Plat Amendments	14 days prior to the hearing.	14 days prior to the hearing, to Owners within 300 ft.	Once 14 days prior to the hearing.

NOTICE MATRIX

ACTION:	POSTED:	COURTESY MAILING:	PUBLISHED:
Vacating or Changing a Street	-----	14 days prior to the hearing before the City Council, to Owners within 300 ft. and to affected entities.	Once a week for 4 consecutive weeks prior to the hearing before the City Council.

Note: For all Applications, notice will be given to the Applicant of date, time, and place of the public hearing and public meeting to consider the Application and of any Final Action on a pending Application.

Appendix A – Official Zoning Map (Refer to the Planning Department)

(Amended by Ord. Nos. 06-22; 09-10; 09-23; 11-05)

EXHIBIT B- Chapter 2- Zoning Districts (HRL, HR-1 and HR-2)

15-2.1-5. BUILDING HEIGHT.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirement must be met:

- (A) A Structure may have a maximum of three (3) stories. A basement counts as a Story within this zone. Attics that are not Habitable Space do not count as a Story.

- (B) A ten foot (10') minimum horizontal step in the downhill façade is required for a third (3rd) Story of a Structure unless the First Story is located completely under the finish grade on all sides of the Structure. On a Structure in which the First Story is located completely under finish grade, a side or rear entrance into a garage which is not visible from the front façade or Street Right-of-Way is allowed.

- (C) **ROOF PITCH.** Roof pitch must be between seven:twelve (7:12) and twelve:twelve (12:12). A Green Roof or a roof which is not part of the primary roof design may be below the required 7:12 pitch.

- (D) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:
 - (1) Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

 - (2) Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.

 - (3) **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:
 - (a) The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.

 - (b) The proposed option is the only feasible option for the elevator on the Site.

 - (c) The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.

 - (4) **GARAGE ON DOWNHILL LOT.** The Planning Director may allow additional height on a downhill Lot to accommodate a single car garage in a tandem configuration. The depth of the garage may not exceed the minimum depth for an

internal Parking Space as dimensioned within this Code, Section 15-3. Additional width may be utilized only to accommodate circulation and an ADA elevator. The additional height may not exceed thirty-five feet (35') from Existing Grade.

(5) ROOF PITCH.

Exceptions to the minimum roof pitch requirements may be granted by the Planning Director during the Historic District Design Review approval process based on compliance with the review criteria as stated in the Design Guidelines for Historic Districts and Sites. Such exceptions to roof pitch may be granted to allow original roof forms for historic structures and for new additions to historic structures when the proposed roof pitch of the addition is compatible with the historic structure. Roof pitch for new construction shall be visually compatible with the roof shapes and orientation of surrounding historic sites.

15-2.2-5. BUILDING HEIGHT.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The following height requirements must be met:

(A) A structure may have a maximum of three (3) stories. A basement counts as a First Story within this zone. Attics that are not Habitable Space do not count as a Story.

(B) A ten foot (10') minimum horizontal step in the downhill façade is required for a third (3rd) Story of a Structure unless the First Story is located completely under the finish Grade on all sides of the Structure. On a Structure in which the First Story is located completely under finish Grade, a side or rear entrance into a garage which is not visible from the front façade or Street Right-of-Way is allowed.

(C) **ROOF PITCH.** Roof pitch must be between seven:twelve (7:12) and twelve:twelve (12:12). A Green Roof or a roof which is not part of the primary roof design may be below the required 7:12 pitch.-

(D) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

(1) Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

(2) Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.

(3) **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:

- (a) The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.
- (b) The proposed option is the only feasible option for the elevator on the Site.
- (c) The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.

(4) **GARAGE ON DOWNHILL LOT.** The Planning Director may allow additional height on a downhill Lot to accommodate a single car garage in a tandem configuration. The depth of the garage may not exceed the minimum depth for an internal Parking Space as dimensioned within this Code, Section 15-3. Additional width may be utilized only to accommodate circulation and an ADA elevator. The additional height may not exceed thirty-five feet (35') from Existing Grade.

(5) ROOF PITCH

Exceptions to the minimum roof pitch requirements may be granted by the Planning Director during the Historic District Design Review approval process based on compliance with the review criteria as stated in the Design Guidelines for Historic Districts and Sites. Such exceptions to roof pitch may be granted to allow original roof forms for historic structures and for new additions to historic structures when the proposed roof pitch of the addition is compatible with the historic structure. Roof pitch for new construction shall be visually compatible with the roof shapes and orientation of surrounding historic sites.

15-2.3-6 BUILDING HEIGHT.

No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height.

Final Grade must be within four vertical feet (4') from Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. The Planning Commission may grant an exception to the Final Grade requirement as part of a Master Planned Development within Subzone A where Final Grade must accommodate zero lot line Setbacks. The following height requirements must be met:

(A) A Structure may have a maximum of three (3) stories. A basement counts as a First Story within this zone. Attics that are not Habitable Space do not count as a Story. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A for the extension of below Grade subterranean HCB

Commercial Uses.

(B) A ten foot (10') minimum horizontal step in the downhill façade is required for a third (3rd) Story of a Structure unless the First Story is located completely under the finish Grade on all sides of the Structure. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A consistent with MPD requirements of Section 15-6-5(F). On a Structure in which the First Story is located completely under finish Grade, a side or rear entrance into a garage which is not visible from the front façade or Street Right-of-Way is allowed.

(C) **ROOF PITCH.** Roof pitch must be between seven:twelve (7:12) and twelve:twelve (12:12). A Green Roof or a roof which is not part of the primary roof design may be below the required 7:12 pitch.

(D) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

(1) Antennas, chimneys, flues, vents, or similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements.

(2) Water towers, mechanical equipment, and associated Screening, when Screened or enclosed, may extend up to five feet (5') above the height of the Building.

(3) **ELEVATOR ACCESS.** The Planning Director may allow additional height to allow for an elevator compliant with American Disability Act (ADA) standards. The Applicant must verify the following:

(a) The proposed height exception is only for the Area of the elevator. No increase in square footage of the Building is being achieved.

(b) The proposed option is the only feasible option for the elevator on the Site.

(c) The proposed elevator and floor plans comply with the American Disability Act (ADA) standards.

(4) **GARAGE ON DOWNHILL LOT.** The Planning Director may allow additional height on a downhill Lot to accommodate a single car garage in a tandem configuration. The depth of the garage may not exceed the minimum depth for an internal Parking Space as dimensioned within this Code, Section 15-3. Additional width may be utilized only to accommodate circulation and an ADA elevator. The additional height may not exceed thirty-five feet (35') from Existing Grade.

(5) **ROOF PITCH**
Exceptions to the minimum roof pitch requirements may be granted by the Planning Director during the Historic District Design Review approval process based on compliance with the review criteria as stated in the

Design Guidelines for Historic Districts and Sites. Such exceptions to roof pitch may be granted to allow original roof forms for historic structures and for new additions to historic structures when the proposed roof pitch of the addition is compatible with the historic structure. Roof pitch for new construction shall be visually compatible with the roof shapes and orientation of surrounding historic sites.

EXHIBIT C- Chapter 6- Master Planned Developments

15-6 -1. PURPOSE.

The purpose of this Chapter is to describe the process and set forth criteria for review of Master Planned Developments (MPDs) in Park City. The Master Planned Development provisions set forth Use, Density, height, parking, design theme and general Site planning criteria for larger and/or more complex projects having a variety of constraints and challenges, such as environmental issues, multiple zoning districts, location within or adjacent to transitional areas between different land Uses, and infill redevelopment where the MPD process can provide design flexibility necessary for well-planned, mixed use developments that are Compatible with the surrounding neighborhood. The goal of this section is to result in projects which:

- (A) complement the natural features of the Site;
- (B) ensure neighborhood Compatibility;
- (C) strengthen the resort character of Park City;
- (D) result in a net positive contribution of amenities to the community;
- (E) provide a variety of housing types and configurations;
- (F) provide the highest value of open space for any given Site;
- (G) efficiently and cost effectively extend and provide infrastructure;
- (H) provide opportunities for the appropriate redevelopment and reuse of existing structures/sites and maintain Compatibility with the surrounding neighborhood;
- (I) protect residential uses and residential neighborhoods from the impacts of non-residential Uses using best practice methods and diligent code enforcement; and
- (J) encourage mixed Use, walkable and sustainable development and redevelopment that provide innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the community.
- (K) encourage opportunities for economic diversification within the community

15-6 -2. APPLICABILITY.

- (A) **Required.** The Master Planned Development process shall be required in all zones except the Historic Residential (HR-1), the Historic Residential 2 (HR-2), the Historic Recreation Commercial (HRC), the Historic Commercial Business (HCB), and the Historic Residential - Low Density (HRL), and ~~Historic Residential—Medium Density (HRM)~~ for the following:

- (1) Any Residential project larger than ten (10) Lots or units.
- (2) All Hotel and lodging projects with more than fifteen (15) Residential Unit Equivalents.
- (3) All new Commercial, public, quasi-public, or industrial projects greater than 10,000 square feet Gross Floor Area.
- (4) All projects utilizing Transfer of Development Rights Development Credits.

~~(B) — The Master Planned Development process is allowed but is not required in the Historic Commercial Business (HCB), Historic Recreation Commercial (HRC), Historic Residential (HR-1) and Historic Residential (HR-2) zones, provided the subject property and proposed MPD include two (2) or more zoning designations.~~

(B) Allowed but not required.

(1) The Master Planned Development process is allowed in the Historic Residential (HR-1) and (HR-2) zones only when HR-1 or HR-2 zones only when HR-1 or HR-2 zoned Properties ~~parcels~~ are combined with adjacent HRC or HCB zoned Properties; or

(2) The Property is not a part of the original Park City Survey or Snyder's Addition to the Park City Survey and ~~which may be considered for~~ is an affordable housing MPDs consistent with Section 15-6-7 herein; or

~~(2)(3)~~ The Property is located within the Heber Avenue Sub-Zone Area.

15-6-5. (D) **OPEN SPACE.**

(1) **MINIMUM REQUIRED.** All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 with the exception of the General Commercial (GC) District, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), Historic Residential (HR-1 and HR-2) zones, and wherein cases of redevelopment of existing Developments or infill sites, the minimum open space requirement shall be thirty percent (30%).

For Applications proposing the redevelopment of existing Developments or infill sites, the Planning Commission may reduce the required open space to twenty-five percent (25%) ~~thirty percent (30%)~~ in exchange for project enhancements in excess of those otherwise required by the Land Management Code that may directly advance policies reflected in the applicable General Plan sections or more specific Area plans. Such project enhancements may include, but are not limited to, Affordable Housing, Sustainable Design and Construction (meeting LEED Silver or equivalent), greater landscaping buffers along public ways and public/private pedestrian Areas that provide a

public benefit, increased landscape material sizes, public transit improvements, public pedestrian plazas, pedestrian way/trail linkages, public art, and rehabilitation of Historic Structures, including Historic Structures that are either on or off-site.

- (2) **TYPE OF OPEN SPACE.** The Planning Commission shall designate the preferable type and mix of open space for each Master Planned Development. This determination will be based on the guidance given in the Park City General Plan. Landscaped open space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open space may not be utilized for Streets, roads, driveways, Parking Areas, commercial Uses, or Buildings requiring a Building Permit. For redevelopment or infill projects in the General Commercial (GC) District, Historic Residential Commercial (HRC), Historic Commercial Business (HCB), Historic Residential (HR-1, HR-2, and HRM) zones, publicly accessible plazas and gardens may count toward this open space requirement. Fee in lieu for purchase of open space at a rate of twice the amount of open space required and subject to an appraisal and market analysis of the property.

15-6-5. (F) **BUILDING HEIGHT.**

The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination. Height exceptions will not be granted for Master Planned Developments within the HR-1 and HR-2 Zoning Districts. Height exceptions for Master Planned Developments within the Heber Avenue Sub Zone shall be limited to a maximum of fifty feet (50'), subject to the approval of a Site specific determination as described below.

The Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made. In order to grant Building height in addition to that which is allowed in the underlying zone, the Planning Commission is required to make the following findings:

- (1) The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
- (2) Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss or air circulation have been mitigated to the extent possible as defined by the Planning Commission;
- (3) There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent projects are being proposed;

(4) The additional Building Height ~~has~~ result~~ed~~ in more than the minimum open space required and ~~has~~ result~~ed~~ in the open space being more usable, and includes publicly accessible open space;

(5) The additional Building height shall be designed in a manner so as to provide a transition in roof elements in compliance with Chapter 5, Architectural Guidelines or the Design Guidelines for Park City's Historic Districts and Historic Sites if within the Historic District;

If and when the Planning Commission grants additional height due to a Site specific analysis and determination, that additional height shall only apply to the specific plans being reviewed and approved at the time. Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

15-6-5. (H) **LANDSCAPE AND STREET SCAPE.** A complete landscape plan must be prepared indicating all softscape and hardscape areas on site. This includes foundation planting, ground cover, driveway and/or proposed parking lot materials, etc. A list of plant materials proposed indicating the botanical name, the common name, the number of proposed plants, and their size shall be provided. A licensed landscape architect shall prepare all materials for submittal. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of appropriate drought tolerant species. Lawn or turf will be limited to a maximum of twenty five ~~fifty~~ percent (25%) of the Area not covered by Buildings and other hard surfaces and no more than seventy-five percent (75%) of the above Area may be irrigated. Landscape and Streetscape will use native rock and boulders. All noxious weeds, as identified by Summit County, shall be removed from the Property in a manner acceptable to the City and Summit County, prior to issuance of Certificates of Occupancy.

EXHIBIT D- Chapter 11- Historic Preservation

15-11-5. PURPOSES.

(H) To review all appeals on action taken by the Planning Department regarding compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites; and

....

15-11-11. DESIGN GUIDELINES FOR PARK CITY'S HISTORIC DISTRICTS AND HISTORIC SITES.

The HPB shall promulgate and update as necessary Design Guidelines for Use in the Historic District zones and for Historic Sites. These guidelines shall, upon adoption by resolution of the City Council, be used by the Planning Department staff in reviewing Historic District/Site design review Applications. The Design Guidelines for Park City's Historic Districts and Historic Sites shall address rehabilitation of existing Structures, additions to existing Structures, and the construction of new Structures. The Design Guidelines are incorporated into this Code by reference. From time to time, the HPB may recommend changes in the Design Guidelines for Park City's Historic Districts and Historic Sites to Council, provided that no changes in the guidelines shall take effect until adopted by a resolution of the City Council.

15-11-12. HISTORIC DISTRICT OR HISTORIC SITE DESIGN REVIEW.

The Planning Department shall review and approve, approve with conditions, or deny, all Historic District/Site design review Applications involving an Allowed Use, a Conditional Use, or any Use associated with a Building Permit, to build, locate, construct, remodel, alter, or modify any Building, accessory Building, or Structure, or Site located within the Park City Historic Districts or Historic Sites, including fences and driveways.

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Historic Sites, LMC Chapter 15-11, and LMC Chapter 15-5. Whenever a conflict exists between the LMC and the Design Guidelines, the more restrictive provision shall apply to the extent allowed by law.

(A) PRE-APPLICATION CONFERENCE.

(1) ~~It is strongly recommended that~~ the Owner and/or Owner's representative ~~shall be required to~~ attend a pre-Application conference with representatives of the Planning and Building Departments for the purpose of determining the general scope of the proposed Development, identifying potential impacts of the Development that may require mitigation, providing information on City-sponsored incentives that may be available to the Applicant, and outlining the Application requirements.

(2) Each Application shall comply with all of the Design Guidelines for Historic Districts and Historic Sites unless the Planning Department determines that, because of

the scope of the proposed Development, certain guidelines are not applicable. If the Planning Department determines certain guidelines do not apply to an Application, the Planning Department staff shall communicate, via electronic or written means, the information to the Applicant. It is the responsibility of the Applicant to understand the requirements of the Application.

(3) The Planning Director, or his designee, may upon review of a Pre-Application submittal, determine that due to the limited scope of a project the Historic District or Historic Site Design Review process as outlined in LMC Sections 15-11-12(B-E) is not required and is exempt.

If such a determination is made, the Planning Director, or his designee may, upon reviewing the Pre-Application for compliance with applicable Design Guidelines, approve, deny, or approve with conditions, the project. If approved, the Applicant may submit the project for a Building Permit.

Applications that may be exempt from the Historic Design Review process, include, but are not limited to the following:

- (a) For Non-Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, foundations, windows, doors, trim, lighting, mechanical equipment, paths, driveways, retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.
- (b) For Significant Historic Structures and Sites - minor routine maintenance, minor routine construction work and minor alterations having little or no negative impact on the historic character of the surrounding neighborhood, the Historic Structure or the Historic District, such as work on roofing, decks, railings, stairs, hot tubs and patios, replacement of windows and doors in existing or to historic locations, trim, lighting, mechanical equipment located in a rear yard area or rear façade, paths, driveways, repair of existing retaining walls, fences, landscaping, interior remodels, temporary improvements, and similar work.
- (c) For Landmark Historic Structures and Sites - minor routine maintenance and minor routine construction having no negative impact on the historic character of the surrounding neighborhood, the Historic Structure, or the Historic District, such as re-roofing; repair of existing decks, railing, and stairs; hot tubs and patios located in a rear yard; replacement of existing windows and doors in existing or historic locations; repair of existing trim and other historic detailing; lighting, mechanical equipment located in a rear yard area or rear façade, repair of paths, driveways, and existing retaining walls; fences, landscaping, interior remodels, temporary improvements, and similar work.

(B) **COMPLETE APPLICATION.** The Owner and/or Applicant for any Property shall be required to submit a Historic District/Site design review Application for proposed work requiring a Building Permit in order to complete the work.

(C) **NOTICE.** Upon receipt of a Complete Application, but prior to taking action on any Historic District/Site design review Application, the Planning staff shall provide notice pursuant to Section 15-1-12 and 15-1-21 of this Code.

(D) **PUBLIC HEARING AND DECISION.** Following the fourteen (14) day public notice period noted in Section 15-1-21 of this Code, ~~the~~ The Planning Department staff shall hold a public hearing and make, within forty-five (45) days, written findings, conclusions of law, and conditions of approval or reasons for denial, supporting the decision and shall provide the Owner and/or Applicant with a copy. Staff shall also provide notice pursuant to Section 15-1-21.

(1) Historic District/Site design review Applications shall be approved by the Planning Department staff upon determination of compliance with the Design Guidelines for Park City's Historic Districts and Historic Sites. If the Planning Department staff determines an Application does not comply with the Design Guidelines, the Application shall be denied.

(2) With the exception of any Application involving the Reconstruction of a Building, Accessory Building, and/or Structure on a Landmark Site, an Application associated with a Landmark Site shall be denied if the Planning Department finds that the proposed project will result in the Landmark Site no longer meeting the criteria set forth in 15-11-10(A)(1).

(3) An Application associated with a Significant Site shall be denied if the Planning Department finds that the proposed project will result in the Significant Site no longer meeting the criteria set forth in 15-11-10(A)(2).

(E) **APPEALS.** The Owner, Applicant, or any Person with standing as defined in Section 15-1-18(D) of this Code may appeal any Planning Department decision made on a Historic District/Site design review Application to the Historic Preservation Board.

All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project, and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

Notice of all pending appeals shall be made by staff, pursuant to Section 15-1-21 of this Code. The appellant shall provide required stamped and addressed notice envelopes within fourteen (14) days of the appeal. The notice and posting shall include the location and description of the

proposed Development project. The scope of review by the Historic Preservation Board shall be the same as the scope of review at the Planning Department level.

(1) The Historic Preservation Board shall either approve, approve with conditions, or disapprove the ~~proposal~~ Application based on written findings, conclusions of law, and conditions of approval, if any, supporting the decision, and shall provide the Owner and/or Applicant with a copy.

~~(2) Any Historic Preservation Board decision may be appealed to the Board of Adjustment pursuant to Section 15-10-7 of this Code. Appeal requests shall be submitted to the Planning Department within ten (10) days of the Historic Preservation Board decision. Notice of all pending appeals shall be made by staff, pursuant to Section 15-1-21 f this Code. Appeals shall be considered only on the record made before the Historic Preservation Board and will be reviewed for correctness.~~

(Amended by Ord. Nos. 09-23; 10-11; 11-05)

15-11-13. RELOCATION AND/OR REORIENTATION OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the relocation and/or orientation of Historic Buildings, Structures, and Sites.

(A) **CRITERIA FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** In approving a Historic District or Historic Site design review Application involving relocation and/or reorientation of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Planning Department shall ~~find~~ fine the project complies with the following criteria:

~~(1) A portion of the Historic Building(s) and/or Structure(s) encroaches on an adjacent Property and an easement cannot be secured; or~~

~~(2) The proposed relocation and/or reorientation will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or~~

~~(23) The Planning Director and the Chief Building Official¹, determine that unique conditions warrant the proposed relocation and/or reorientation on the existing Site; or~~

~~(43) The Planning Director and the Chief Building Official¹, determine that unique conditions warrant the proposed relocation and/or reorientation to a different Site.~~

¹ The HPB shall make this determination if the HPB is hearing the Application on appeal. The Planning Director and the Chief Building Official shall at the appeal submit a written statement or testify concerning whether, unique conditions warrant the proposed relocation and/or reorientation on the existing Site or to a different site.

(B) **PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the relocation and/or reorientation of any Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site within the City ~~shall be reviewed~~ by the Planning Department unless contested and formal consideration is requested pursuant to Section 15-11-12 of this Code.

(Created by Ord. No. 09-23)

15-11-14. DISASSEMBLY AND REASSEMBLY OF A HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the disassembly and reassembly of Historic Buildings, Structures, and Sites.

(A) **CRITERIA FOR DISASSEMBLY AND REASSEMBLY OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR SIGNIFICANT SITE.** In approving a Historic District or Historic Site design review Application involving disassembly and reassembly of the Historic Building(s) and/or Structure(s) on a Landmark Site or Significant Site, the Planning Department shall find the project complies with the following criteria:

- (1) A licensed structural engineer has certified that the Historic Building(s) and/or Structure(s) cannot reasonably be moved intact; or
- (2) The proposed disassembly and reassembly will abate demolition of the Historic Building(s) and/or Structure(s) on the Site; or
- (3) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; or
- (4) The Planning Director and the Chief Building Official² determine that unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly and reassembly;

Under all of the above criteria, the Historic Structure(s) and or Building(s) must be reassembled using the original materials that are found to be safe and/or serviceable condition in combination with new materials; and

The Building(s) and/or Structure(s) will be reassembled in their original form, location, placement, and orientation.

2. The HPB shall make this determination if the HPB is hearing the Application on appeal. The Planning Director and the Chief Building Official shall at the appeal submit a written statement or testify concerning whether, unique conditions and the quality of the Historic preservation plan warrant the proposed disassembly or reassembly.

(B) **PROCEDURE FOR THE DISASSEMBLY AND REASSEMBLY OF A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the disassembly and reassembly of any Historic Building(s) and/or Structure(s) on a Landmark Site of a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.

If an Application involving the disassembly and reassembly of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the reassembled Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

(Created by Ord. No. 09-23; Amended by Ord. No. 11-05)

15-11-15. RECONSTRUCTION OF AN EXISTING HISTORIC BUILDING OR HISTORIC STRUCTURE.

It is the intent of this section to preserve the Historic and architectural resources of Park City through limitations on the Reconstruction of Historic Buildings, Structures, and Sites.

(A) **CRITERIA FOR RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** In approving an Application for Reconstruction of the Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site, the Planning Department shall find the project complies with the following criteria:

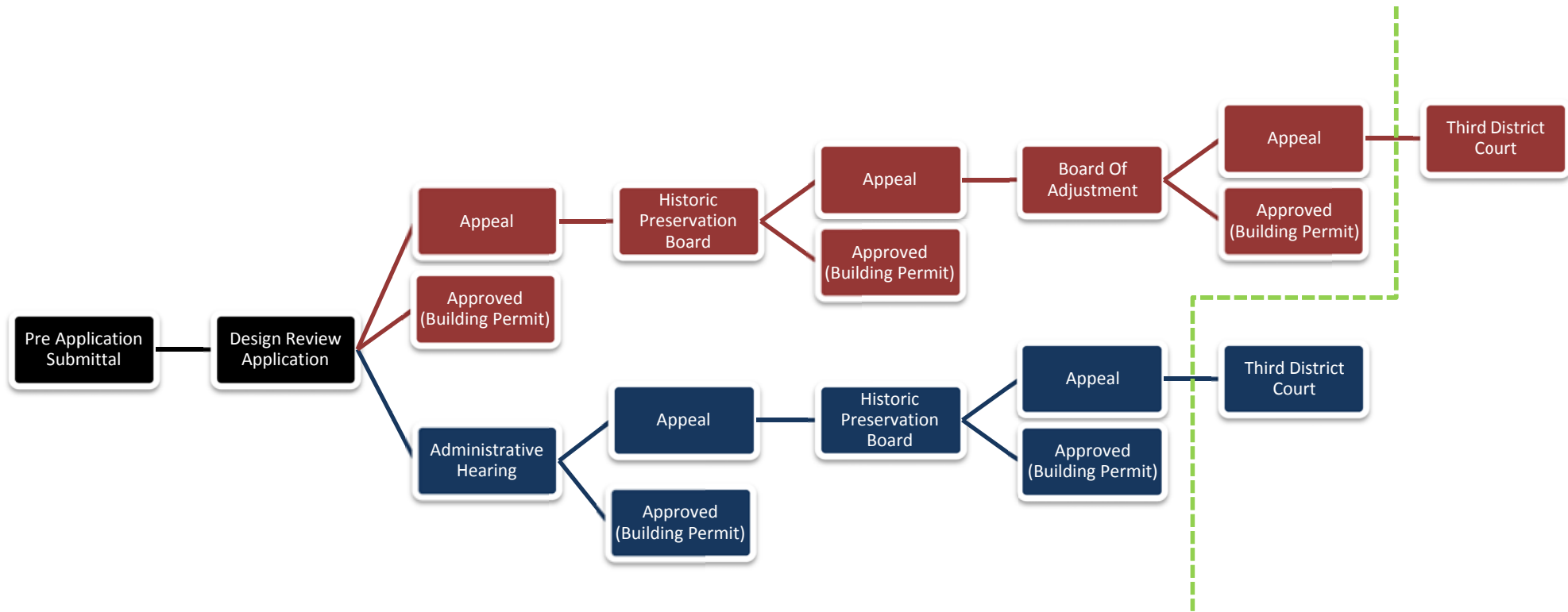
- (1) The Historic Building(s) and/or Structure(s) are found by the Chief Building Official to be hazardous or dangerous, pursuant to Section 116.1 of the International Building Code; and
- (2) The Historic Building(s) and/or Structure(s) cannot be made safe and/or serviceable through repair; and
- (3) The form, features, detailing, placement, orientation and location of the Historic Building(s) and/or Structure(s) will be accurately depicted, by means of new construction, based on as-built measured drawings, historical records, and/or current or Historic photographs.

(B) **PROCEDURE FOR THE RECONSTRUCTION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) ON A LANDMARK SITE OR A SIGNIFICANT SITE.** All Applications for the Reconstruction of any Historic Building and/or Structure on a Landmark Site or a Significant Site within the City shall be reviewed by the Planning Department pursuant to Section 15-11-12 of this Code.

If an Application involving the Reconstruction of Historic Building(s) and/or Structure(s) on a Landmark Site or a Significant Site also includes relocation and/or reorientation of the

Reconstructed Historic Building(s) and/or Structure(s) on the original Site or another Site, the Application must also comply with Section 15-11-13 of this Code.

Historic District Design Review Appeal Process



Current Design Review Appeal Process

Proposed Alternative Design Review Appeal Process

EXHIBIT N

KAC redesigned building

Chris / Dancing Hands [chris_dhgallery@qwestoffice.net]

Actions

Sunday, September 23, 2012 12:31 PM

To: planning

Cc: council_mail@parkcity.org

Dear Planning Commission and City Council:

While I support a new Kimball Art Center the present design does not fit, especially when one looks across the street at the Skylodge, which won an award for maintaining the integrity of the the street with their design. Unless the plan is turn all of Main Street into a new concept of buildings, the present design for KAC is incongruous and I believe there are better designs available that will work much better with Main Street. Thank you for your attention to this matter.

Chris Meyer/Proprietress
The Dancing Hands Gallery
591Main Street
Park City, UT
435/649-1414

Kimball Art Center proposed expansion

Gabrielle Caruso [lcaruso@leecaruso.com]

Actions
Friday, September 21, 2012 2:32 PM

To: planning

I am writing to you because I am concerned about the Kimball Art Center's proposed expansion. Even though I believe that the design is nothing short of magical, it does not fit on Main Street. It will drastically change the character and ambience of Main Street. The first time I came to Park City in the mid 80's the best thing about the town other than the skiing was Main Street. It looked and felt like a western town. The Art Center project will completely erode that.

I live in Park Meadows for a reason – the Park City 'feel' which comes from old town and Main Street.

I am against any change to the LMC to allow for the proposed expansion, or any other expansion. There is a reason for the code and a lot of time and effort went into drafting it. Please don't allow any exceptions to the code.

Thank you,

Gabrielle Lee Caruso, Esq.

1790 Bonanza Drive Suite E-240

Park City, UT 84060

Tel: (435) 649-1188

Fax: (435) 649-7740

lcaruso@leecaruso.com

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IRS CIRCULAR 230 NOTICE. We inform you that, unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for purposes of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any tax related matter addressed herein.

Kimball art center

Kurt M. Frankenburg [kfrankenburg@williamsandhunt.com]

Actions

Friday, September 21, 2012 9:19 AM

To: planning

I want to voice my opposition to any amendment of the LMC to allow the KAC project to exceed current height restrictions. I support the Kimball Art Center but not this proposed building. It is entirely out of scale for mainstreet and will negatively impact the character of old town. Thank you. Kurt Frankenburg

Sent from my iPhone

Kimball Art Center Expansion**Margery Hadden [margiehadden@gmail.com]**

Actions

Friday, September 21, 2012 10:13 AM

To: planning

To the Park City Council and Planning Commission:

Thank you for all that you do to preserve our town. I have lived here for over 40 years and it is my place of choice for many more! I love our community and especially the history. This is my community.

I would like to state concerns I have about the expansion of the Kimball Art Center. I think the KAC is necessary to our town and I love their mission here. I also understand and support their need for expansion. I just hope they can figure out a way to do that within the guidelines that the city has so carefully, over many years, provided for just such an expansion. I believe they can and then it will truly be a compliment to historic Park City and still provide the icon that they and the rest of the town can embrace.

Please do not grant exceptions and please encourage KAC to embrace the codes and guidelines that are currently in existence.

Thank you for your consideration,
Margery White Hadden

margiehadden@gmail.com

KAC addition**Mercedes Hess [mjhessdesigns@hotmail.com]**

Actions

Friday, September 21, 2012 11:42 AM

To: planning

My husband and I moved here permanently in 2002, have had a place since the early 90's. We did not want to move into a sleepy, non vibrant town until we knew things were changing. This of course happened a bit before the Olympics and certainly after. We love all the infratructure that has gone on in Park City and it's environs. But we also moved here for the quaint historic Main Street Park City has. As "locals" Len and I participate in as many things as we can and enjoy frequenting our local restaurants on Main Street. The gallery stroll is one we look forward to monthly and cannot imagine a towering contemporary structure in the middle of it all!

My husband Len and I would vote not to change the Land Management Code! Thank you,
Mercedes and Leonard Hess

Mercedes Hess, ASID
435-659-6693

Kimball Art Center

Michael Geer [malangeer@gmail.com]

Actions
Monday, September 24, 2012 1:04 PM

To: planning

Gentlemen,
I support the Preserve Historic Main Street mission statement related to the addition to KAC.
Thank you,

--

Michael Geer
435-901-1187
malangeer@gmail.com

Kimball Art Center

William Benson [wrrr.benson@gmail.com]

Sent: Monday, September 24, 2012 8:52 AM

To: planning

Good Morning

As residents of Park City we are very concerned that the Planning Department is considering changing the Master Planned Development for the Heber Avenue Sub Zone. We believe this would be a major setback for our Historic town. The present codes have insured that all structures conform to a set of guidelines that preserve the integrity of our town.

Thank you

William and Loris Benson
Park City, Utah.

Kimball Art Center

Ron Rosenblatt [rrrblatt@gmail.com]

Sent: Wednesday, September 26, 2012 5:31 AM

To: planning

Planning Commission....

As a long time owner (15 years) of property in Park City, I am distressed by the idea of changing the zoning rules to permit an extravagant addition to the KAC, It will change the entire character of Old Town. It is precisely that character that is so attractive to residents and visitors alike. If you set this precedent, what makes you think that others business owners or building owners will not be clamoring to also grow skyward their buildings? Please keep Park City in the character of "Park City"

Thank you,

Ron Rosenblatt

--

Have a Pleasant Day!

Ron Rosenblatt

515-457-7742 Home

515-321-4566 Mobile

Kimbal Art Center Expansion Design

Midge Farkas [midgefarkas@comcast.net]

Sent: Tuesday, September 25, 2012 8:27 PM

To: planning

25 Sept 2012

Dear Park City Planning Commission ~

As it appears that Kimball Art Center remains committed to their over-the-top Danish design for their expansion, I feel compelled to express my concerns. Thank you for your attention to this letter and my voice as a Park City resident...

I do not feel that the 80 foot trestle structure, overbearing all of lower Main Street, is an appealing or appropriate design that would depict our towns heritage or represent the majority of its' residents. Although I appreciate their efforts to expand and of course, encourage art culture as a venue for ourselves and tourist to appreciate, KAC's current redesign structure needs to be addressed by our city planners for intervention.

My understanding is that KAC will need to apply for, and gain planning commission approval, for a Master Planned Development to go forward with this design. However, as they are **identified as a "Landmark Site" within the land management code, they must adhere to the strictest interpretation of the Guidelines and must be designed and executed in such a manner as to retain designation as a "Landmark Site"**.

Isn't the whole purpose of being designated a "Landmark Site" to keep the overall design congruent with the historic nature of its' surroundings? Park City originates from its mining history & that's a fine thing to appreciate and cultivate but this design is not in balance with that mission at this location.

Historic Park City is lovely and one of the focal points of why we moved here, it is quaint, cultured and a comfortable place to stroll, shop & dine. We are proud to take our visitors to "old town" as it is pretty in both summer & winter and folks are always impressed at its "quaintness". With the addition of KAC's overbearing structure at the corner of Heber & Main, I fear we will loose a great deal of our unique and inviting appearance.

Although I SUPPORT THE KIMBALL ART CENTER AND THEIR NEED FOR AN ADDITION TO THEIR CURRENT FACILITY. I BELIEVE THIS EXPANSION CAN AND SHOULD BE ACCOMPLISHED WITHIN THE EXISTING (AUGUST/2012) PARK CITY LAND MANAGEMENT CODE AND THE PARK CITY DESIGN GUIDELINES FOR HISTORIC DISTRICTS AND HISTORIC SITES.

My kind regards for your attention and consideration to this important, local manner,

Midge Farkas
Park City

Kimball Art Center

Margaret Hilliard [mhqueenbee@aol.com]

Sent: Tuesday, September 25, 2012 4:58 PM

To: planning; Council_Mail

Dear Planning Commission and Park City Council Members:

As a 20-year resident of Old Town, and a member of the Park City Museum, I write to express my concern that the Kimball Art Center is endeavoring to apply for a Master Planned Development for the Heber Avenue/Main Street area.

I do not object to the design or modernity of the proposed structure, however, in my opinion, the scale is completely inappropriate to Historic Main Street, and I therefore oppose changing the Land Management Code to allow an MPD in the Heber Avenue Sub-Zone.

The City has drawn up a Land Management Code for the very reason of protecting the *integrity* of the historic district - the "jewel in the crown" of this area - making it a unique feature of the town - and one worthy of conservation.

If the Kimball Art Center truly does need this amount of added exhibition space, then they need to amend their design proposal to comply with what is currently allowable within the Land Management Code, and re-think the mass of this structure.

At the very least, prior to *any* changes or approvals being made, the Kimball Art Center owes it to this town to erect a scaffold structure approximating the size of the addition, so that residents have the opportunity to understand truly something which is often not clear from a not-to-scale model. Perhaps then, a lot more voices will be raised in opposition.

Sincerely,
Margaret Hilliard

Margaret Hilliard
PO Box 2157, Park City, UT 84060
c) 213-507-5041
e) mhqueenbee@aol.com

Kimball Art Center Reuest

Ilsa Leonhart [rally2468@comcast.net]

Sent: Tuesday, September 25, 2012 4:58 PM**To:** planning**Cc:** Council_Mail

Dear Sirs: I am writing to express my opposition to the proposed addition to the Kimball Art Center. I am in favor of an expansion , knowing it is necessary, however I feel that the current expansion plan as presented is NOT in keeping with the historic image of our city. I feel very strongly that the existing City Land Management Code and the Park City Design Guidelines for Historic Districts and Historic Sites should be preserved. I strongly oppose that Kimball Art Center be allowed to apply for a Master Plan Development. Thank you. Ilsa Leonhart

Kimball Art Center

Randy Spagnoletti [randyspag@gmail.com]

Sent: Tuesday, September 25, 2012 3:15 PM

To: planning

Tuesday, September 25, 2012

Dear Commissioners:

My wife Dixie and I moved to Park City in in June of 1977. That date is of no other significance than to frame our point of reference in finding such a wonderful place to live and participate in its maturation. I still get a sense of calm every time I leave I80 at Kimball Junction and see, far in the distance, the roofs of homes and businesses located in the hills on either side of Main Street.

Park city was a mess in the 70s but it was easy to envision how charming it could become if handled properly. All and all Park City has turned out pretty well. Attention to zoning and enforcement of architectural guidelines have provided us with a unique place to call home.

Of course there have been a few errors along the path to what we see today, but there is no requirement that we make more in the name of anyone's pet project. The Kimball Garage has never been any kind of an architectural thriller but provides an excellent facility for art exhibits and classes. That was the mission of the previous owners when they created the foundation that funds it. Now instead of satisfying the Kimball Art Center's need for additional space by expanding and renovating the existing building they are proposing a building that ignores the existing Historic Guidelines on every level. A futuristic design that will rap the garage building with a stack of reclaimed trestle timbers twisting 80 feet into the Main Street sky. To quote the proponents of this project, they would like to create an Icon. Park City already is an Icon isn't it.? Havn't we spent many millions of dollars to create an iconic brand? Can a town this small support an additional icon with out taking from the existing one?

For more than 25years I enjoyed a very successful career in real estate. I helped hundreds of buyers achieve their real estate goals and never once heard anyone mention the quantity or quality of Park City's art experience with any significance. Certainly', Art is an economic component through out town but it will never transform Park City into Art City as some would have.

First and foremost Park City is a ski town with a turn of the century mining history. It is a fun place to be for those on vacation and even better for locals. Mostly because of its architectural integrity and consistency, every time we walk up Main Street we get to reach back in our imaginations to a time long ago. Before you decide to move outside of the Existing Historic Guidelines to accommodate any new project, please consider the impact it might have on future planning decisions. Placing a huge 22nd century building in the middle of our small 19th century town may have a serious long term affects on the rest of us who have lived and invested in Park City by the rules. Lets not try to be something we aren't and stub our

toes in the process.

Thank you for your time.

Respectfully,

Randy Spagnoletti
435-649-8386
randyspag@gmail.com

LMC Proposed Changes for KAC

Sanford Melville [sandy@hmelville.com]

Sent: Wednesday, September 26, 2012 12:57 PM**To:** planning

To the members of the Planning Commission:

We are very much opposed to modifying the Land Management Code to allow a Master Planned Development in the Heber Avenue sub-zone in order to accommodate the proposed Kimball Art Center (KAC) expansion. KAC has indicated that this massive expansion is needed for addition classrooms, offices, meeting areas and exhibition space. While we support the KAC's need for the additional space, this need can certainly be accomplished within the existing codes. Our view is that the large "iconic" building design that KAC is proposing (under the guise of being a quasi-public institution therefore requiring extraordinary exceptions to Park City's LMC) is more to satisfy the desire of the KAC to have a "vanity" building in the heart of Old Town. Rewriting the LMC to permit the KAC's proposed 80 Foot Tower design application to proceed as an MPD is not needed for the KAC's actual expansion purposes. And it will have the detrimental effect of moving the character of Historic Old Town away from its current pedestrian-scale and historic-based nature, and provide precedent for future projects to do more of the same.

Sincerely,
Sanford & Hope Melville
527 Park Ave.

Kimbal Art Center Expansion Design

Tom Farkas [tafarkas@yahoo.com]

Sent: Wednesday, September 26, 2012 11:41 AM

To: planning

26 Sept 2012

Dear Park City Planning Commission ~

Although I SUPPORT THE KIMBALL ART CENTER AND THEIR NEED FOR AN ADDITION TO THEIR CURRENT FACILITY. I BELIEVE THIS EXPANSION CAN AND SHOULD BE ACCOMPLISHED WITHIN THE EXISTING (AUGUST/2012) PARK CITY LAND MANAGEMENT CODE AND THE PARK CITY DESIGN GUIDELINES FOR HISTORIC DISTRICTS AND HISTORIC SITES.

My kind regards for your attention and consideration to this important, local manner,

Tom Farkas
Park City

objection

Harry Fuller [fuller@xmission.com]

Sent: Wednesday, September 26, 2012 10:07 AM

To: planning

Attachments: Planning comm coment.rtf (4 KB)

Kimball Art Center Project and Request for MPD Designation

Janet A. Goldstein [jag@xmission.com]

Sent: Wednesday, September 26, 2012 9:59 AM**To:** planning

Dear Members of the Park City Planning Commission,

As you are aware, the Kimball Art Center is proposing to build an addition to its current historical landmark building at the corner of Main Street and Heber Ave. As you are also aware, the building is to have a particularly eye-catching contemporary design with an extraordinary height of 80 feet. For that reason, the Kimball is requesting a designation as a Master Planned Development to overcome the Park City Code and Guideline obstacles presented by the current building location and design. As designed, this building would stand out from one end of Main Street to the other, overwhelming the adjacent area. That effect, however, is exactly the intent of the architect and its clients. They clearly state that they wish to build an "iconic" structure on Main Street. Their intent has nothing to do with maintaining the historic integrity of the most celebrated area of Park City, the historic nature of which is touted in virtually every piece of advertising material that Park City and its local businesses disseminate.

It is just for a situation like this that Park City has in place a Land Management Code and Historic Design Guidelines, documents which have been produced with exhaustive scrutiny and effort. The Kimball design simply does not comply with those documents and the regulations they impose upon all proposed developments, including the Kimball Art Center Project.

What the Kimball wants, however, is to have the Planning Commission and the City Council make amendments and exceptions to the City regulations, to accommodate the Kimball plans. Those amendments and exceptions will be significant, and will open flood gates to each and every future applicant for development in the Historical District. If such special consideration is provided in this case, the City can look forward to endless requests for similar treatment, which, if denied, will certainly invite legal actions based on complaints claiming inequity of treatment, spot zoning and similar issues. The City will likely be mired in litigation with the ultimate result that Park City's "Historic Main Street" will be no more, and will end up as just another resort commercial street.

Does this description sound dire? Absolutely. But the risk the City takes at this point is critical, just because the results could very well be dire. We have rules, regulations, codes and guidelines in place for the very reason that Park City's historic flavor is tremendously valuable to the City's future. What is the justification for ignoring the regulations that protect that value? The Kimball provides no viable response to that question. Iconic commercial buildings can be built elsewhere. What the Historic Main Street District requires are buildings that complement, rather than overwhelm, the surrounding buildings.

The amendments, as requested by the Kimball Art Center, and being considered by the Planning Commission, are simply not justified. Granting a Master Plan Development designation to the Kimball Art Center will require changes and exceptions to current regulations that are significant and long lasting. Such amendments will be in place to invite future controversy, litigation and the potential destruction of Park City's historic environment.

Public input in this matter is certainly valuable and important, and it can be implemented without the necessity of granting an MPD designation. Such designation, based on special treatment for one entity, sets a dangerous precedent that Park City can ill afford. Please carefully consider the extensive ramifications of any decisions in this matter.

Sincerely,

Janet G. Fuller

Land Management Codes and the Kimball Art Center

Chris Schaefer [Chris.Schaefer@bataandiarly.com]

Sent: Thursday, September 27, 2012 12:04 PM

To: planning; Kirsten Whetstone

Dear Planning Commissioners.

Thank you for the opportunity to speak to the Planning Commission last night about my, and many Parkites', concerns about the proposed Kimball expansion.

Park City's extensive Land Management Codes have preserved the unique character of our town for many years. The proposed new Kimball Art Center violates most of them, and Kimball even asked their architects to design the proposed building without regard to our building codes. What kind of arrogance is this?

I oppose granting this project "Master Planned Development" status. I also oppose any changes to our Land Management Codes to accommodate this structure.

As a next-door neighbor, I met with Robin Marrouche, her predecessor Bruce Larrabee, and several Kimball board members multiple times over the past few years to express support for the Kimball expansion and to offer help. My neighbors and I looked to the Kimball expansion as an improvement to Main Street, replacing the plaza on the corner of Main and Heber with something more in keeping with Old Town.

Instead the Kimball has selected an 80 foot tower that has no relation to Park City at all.

- It completely violates the spirit and feel of Park City, and will thus be a detriment to tourism--many people come here to get away from contemporary downtowns, and enjoy a traditional mountain experience.
- It will overshadow Main Street during the winter afternoons, making lower Main look even more foreboding to tourists than it does now, and increasing the cost of snow and ice removal.
- Aside from its appearance—a huge space alien made of logs peering down on Main Street with a giant, cycloptic eye--no provisions are made in the design for placement of air conditioners, noise control, loss of mountain views (tourists stop at the corner of Heber and Main to photograph the Victorian houses on the mountainside), and scale; the design puts another loading dock on Main Street (across from the Zoom/Sky Lodge loading dock/garbage bin) and instead of upper floor setbacks the structure looms out over Main Street.
- This building will likely jeopardize or negate Old Town's status as a National Historic District.
- In a meeting last week Robin said that Park City has already moved past its historic "mining town" look and feel. Says who? Who do these people think they are?

Although I support a new building on the corner of Main and Heber, please do not allow these people to have an MPD, or change Park City's Land Management Codes to suit themselves. This is not a Master Planned Development at all--it is one building, on one lot, in one zoning district.

Require the Kimball to produce a design that is in keeping with the spirit and feel of Park City. Remember the last time someone built an iconic, contemporary structure on Main Street—the “Mall,” which today is a mostly empty eyesore.

Sincerely, Chris Schaefer
893 Main Street, #2E
Park City, Utah 84060
435-647-3541

Re.: Kimball Arts Center Expansion

MAYES BEA [b.mayes@opposablethumb.com]

Sent: Friday, September 28, 2012 11:16 AM

To: planning

Dear Planning Commission members,

I urge you not to allow the Kimball Art Center a MPD (Master Planned Development).

I believe that your action to allow the Kimball Art Center to apply for an MPD (Master Planned Development) would be disastrous. It would threaten, and eventually destroy, the Park City Historic District.

I support the Kimball Art Center and their need for an addition to their current facility. But I believe the Kimball Art Center's expansion can and should be accomplished within the existing (August, 2012) Park City Land Management Code and the Park City Design Guidelines for Historic Districts and Historic Sights.

I am a long-term volunteer at the Park City Historical Society and Museum and a former resident of Park City.

Bea Mayes

*** **

Bea Mayes
1031 Grindelwald #6
Midway, UT 84049
435-654-4038
435-671-6399

Kimball Proposal

Nancy Kelly [parkcitynancy@yahoo.com]

Sent: Thursday, September 27, 2012 2:49 PM**To:** planning**Cc:** councilmail@parkcity.org

I have been a resident of Park City since the 80's and am appalled that the 80' proposal by Kimball is even being considered. I grew up in Glendale, CA., and when I was young there was only one three story building. After much pressure by developers, Glendale allowed high rises to go in. It absolutely ruined the town. Most of the locals (including my husband and myself), left town. It is now a bustling, horrible place, where no one who cared about the town lives there anymore. Please don't let that happen to Park City!!!

When we first came here, there were no multi-level buildings higher than the Silver Queen. We were attracted by the historic quaintness of the area and have enjoyed our town since then. We were glad there was a Land Management Code which prohibited anything close to what is being proposed. I don't care how much Kimball thinks "art" will improve our town - it didn't do much for Sedona, and I can't imagine how a high-rise building would look in our little town. We've had enough growth, and a high building such as the KAC would not only drive a lot of old-timers out, but would be the final straw in changing and ruining our town.

Please don't approve this - it is against the code, and against everything wonderful about this town!!!!
Dennis and Nancy Ke

Kimball art center project

Shirley Smith [shirley@meanderadventures.com]

Sent: Wednesday, September 26, 2012 11:22 PM

To: planning

As a long time Park City resident and frequent world traveler to please deny a request for a master planned development for the Kimball. Not only would this extremely out of scale building forever change the face of Park City' Main Street, but in so granting the MPD would, I feel, open the door for others who wish to produce something "iconic" . It seems to me that the uniqueness of our historical Main Street is iconic enough.

I am currently in a very beautiful area of Turkey- the Lycian coast – and here in the small villages,, which look much as they did in the last centuries, you appreciate the beauty of locations, for both residents and visitors, that have not been changed. The Greek island of Rhodes, which I know well, on the other hand, has allowed many new and really not fitting additions to its towns and main city and attracts now mainly low budget tourists who come because the price is cheap and don't care about the aesthetics that were once such a meaningful part of the island.

I am a founding member of the Preserve Historic Main Street and I respectfully request that you just than.

Sincerely.

Shirley Smith

KAC Addition

James Tedford [preservehistoricmainstreet@gmail.com]

Sent: Wednesday, October 03, 2012 9:13 AM**To:** planning

Hi Thomas,

We have been reading your Staff Report on the KAC addition presented to the city council on August 23rd. We have a couple of questions.

1. On page 25 you state that, "The Historic District Design Guidelines would prohibit the construction of any building 'over' or 'on top of' the existing building. We have read the Guidelines several times and we cannot find this specific prohibition. Could you direct us to the appropriate section of the Guidelines?"
2. What setbacks are required for the addition? a) Main Street side, b) Heber Ave. side, c) Town Lift Condo side, and d) west side of current parking lot located next to the Town Lift Condos?
3. If the addition was reduced from the 80' height to the allowable 32' height how much SF (combined floor area and open/circulation area) would be lost?

Thanks,

Jim Tedford, PHMS

Kimball Art Center Project and Request for MPD Designation

Janet A. Goldstein [jag@xmission.com]

Sent: Tuesday, September 25, 2012 10:32 PM

To: planning

Dear Members of the Park City Planning Commission,

As you are aware, the Kimball Art Center is proposing to build an addition to its current historical landmark building at the corner of Main Street and Heber Ave. As you are also aware, the building is to have a particularly eye-catching contemporary design with an extraordinary height of 80 feet. For that reason, the Kimball is requesting a designation as a Master Planned Development to overcome the obstacles presented by the current building location and design. As designed, this building would stand out from one end of Main Street to the other, overwhelming the adjacent area. That effect, however, is exactly the intent of the architect and its clients. They clearly state that they wish to build an "iconic" structure on Main Street. Their intent has nothing to do with maintaining the historic integrity of the most celebrated area of Park City, the historic nature of which is touted in virtually every piece of advertising material that Park City and its local businesses disseminate.

It is just for a situation like this that Park City has in place a Land Management Code and Historic Design Guidelines, documents which have been produced with exhaustive scrutiny and effort. The Kimball design simply does not comply with those documents and the regulations they impose upon all proposed developments, including the Kimball Art Center Project.

What the Kimball wants, however, is to have the Planning Commission and the City Council make amendments and exceptions to the City regulations, to accommodate the Kimball plans. Those amendments and exceptions will be significant, and will open flood gates to each and every future applicant for development in the Historical District. If such special consideration is provided in this case, the City can look forward to endless requests for similar treatment, which, if denied, will certainly invite legal actions based on complaints claiming inequity of treatment, spot zoning and similar issues. The City will likely be mired in litigation with the ultimate result that Park City's "Historic Main Street" will be no more, and will end up as just another resort commercial street.

Does this description sound dire? Absolutely. But the risk the City takes at this point is critical, just because the results could very well be dire. We have rules, regulations, codes and guidelines in place for the very reason that Park City's historic flavor is tremendously valuable to the City's future. What is the justification for ignoring the regulations that protect that value? The Kimball provides no viable response to that question. Iconic commercial buildings can be built elsewhere. What the Historic Main Street District requires are buildings that complement, rather than overwhelm, the surrounding buildings.

The amendments, as requested by the Kimball Art Center, and being considered by the Planning Commission, are simply not justified. Granting a Master Plan Development designation to the Kimball Art Center will require changes and exceptions to current regulations that are significant and long lasting. Such amendments will be in place to invite future controversy, litigation and the potential destruction of Park City's historic environment.

Public input in this matter is certainly valuable and important, and it can be implemented without the necessity of granting an MPD designation. Such designation, based on special treatment for one entity, sets a dangerous precedent that Park City can ill afford. Please carefully consider the ramifications of any decisions in this matter.

Sincerely,
Janet G. Fuller

Opposed to changes to LMC to allow Kimball Art Center addition

Bob Sloan [sloan1340@gmail.com]

Sent: Friday, October 05, 2012 3:36 PM

To: planning

Cc: Council_Mail

Planning Commission:

I am writing to express my opposition to changes in the LMC allowing the Kimball Art Center addition to proceed as currently designed.

I am opposed to special treatment of the KAC addition for the following reasons:

- An 80 foot building height is not appropriate for the site ;
- KAC is attempting to impose their vision for a "new" Main Street;
- KAC gave zero consideration to conforming to the existing LMC;
- Allowing KAC's non-conforming design opens the door for future non-conforming designs;

In addition to the above specific reasons, I find the arrogance of the KAC board and their architect offensive when they insist Main Street must conform to their new vision and Main Street's past is not relevant.

R Sloan PhD



October 6, 2012

Park City Planning Commission and City Council
Park City, Utah

Re: Kimball Art Center Expansion.

Dear Commissioners:

Kudos is very much in order to all the people involved in this exciting project. Heartfelt congratulations!

I am a founding designer (along with 5,000 of my very best friends) of Park City's Historical District in Park City. I have had the honored opportunity of participating in its evolution into what it is today...a vibrant world renowned testament to our cultural past and its bold step into the future.

I repudiate the idea that "Park City has already moved past its historic roots". Park City is and will continue to respect and take strength from our forefathers and now, once again boldly embrace the future. Preservation logic since "its coming out of the closet" in the early nineteen seventies has always guided design of expansions to historic structures with the stricture not to "duplicate or copy" but to incorporate contemporary compatible work. In other words to let them make their own architectural statement, so the streetscape becomes a visual history.

This project does that. But in such a bold fashion and maybe overwhelming futuristic fashion, I wonder if we lose what was intended to be preserved. The proposal scares me.

The technical narrative of the B.I.G. proposal includes a paragraph stating the existing structure is to be preserved and renovated. This is not preservation. True, the exterior cladding and building shapes on three sides of the building are kept, but the window mullions are not. The roof is gone, a whole new purpose entirely: a plaza over a bunch of old bricks. The barreled roof is what is seen skiing down from above. It is the "fifth façade". Does it make sense to give up on that renovation pretense all together? At least don't use it as a sop for the preservationists.

Similarly, justifying the height based on the historic Coalition Building neatly segues away from fact that the Coalition stood alone and distinct. The Kimball is anything but. It fills the head of a block surrounded by tightly compacted structures making a transition from the low Pacific Depot to its higher neighbors. The eighty-foot height completely dominates the historical narrative of the Kimball.

So it scares me. We should love to keep the Kimball, but it doesn't fulfill its purpose any longer. It will remain a key to the entrance of Main Street regardless. I don't know, will the naysayers be correct...that this is the cog that destroys the uniqueness of Old Town? That is a stretch; no single building will. The cumulative historical nature is still vast and the newer structures are mostly complimentary to the old.

Drawing on the Coalition for inspiration is beautiful. What would happen if the Kimball was split in half, one side being moved to the east and placing the new structure in the center? Do away with the roof plaza and keep the historic Kimball alive. Lower the big proposal. Decide if the building should be preserved first, then follow the rules...compliment the old.

If not, then make the thing a hundred feet tall but narrow it to offer separation from its neighbors. Truly iconic, be bold! The opportunity is there!

I do not envy your deliberating on this, but your reward, to be part of the transition, is great. It is a challenging one, it is! So will be the costs. The construction costs will be toward the highest end that the world has to offer!

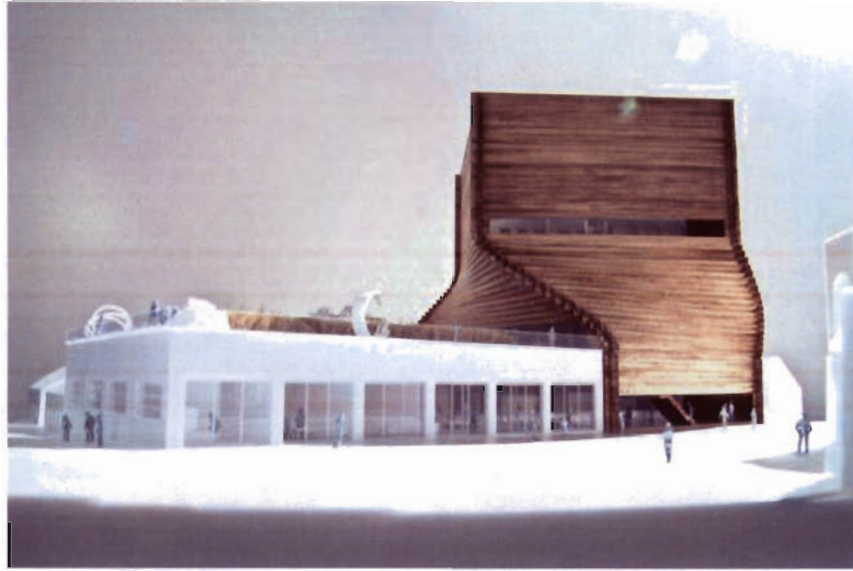
I trust in your sound and even judgment towards all interests.

Sincerely,



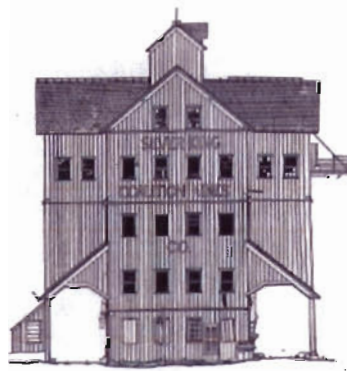
Paul de Groot







The Coalition Building stood directly north of the current Kimball site between Main st and Park ave. The site is now the location of the terminal for Park City Mountain Resort's Town Lift chairlift. Could the Kimball fill the void that the Coalition Building left behind?



Could the proportions of the Coalition Building be replicated at the new Kimball site?



Preserve Historic Main Street

NormOlson1@aol.com

Sent: Friday, October 05, 2012 3:10 PM
To: planning
Cc: Council_Mail
Attachments: Editorial.doc (30 KB)

Please see the attachment for my reply to your planned Kimball project. As a property owner on Main Street, Town Lift Condos 3E, I agree with the statement contained in the enclosure.

I do not support the monstrosity that Kimball is proposing, in no way shape or form. Their proposal will violently change the complexion of our beautiful street and historic appearance that exists presently. What part of the current codes do they not understand?

I have sat through many meetings of the council over the past and listened to the council members denounce radical changes such as Kimball is proposing. I am not against change as long as such changes are within the present codes and guide lines that other business's and property owners must abide by. If concessions are given to Kimball for this endeavor, then what next.

The codes were put in place for to see that this type of structure would not be allowed. Let's stick with what is on the books and not show favoritism for some and not others.

Norm Olson
Town Lift Condo 3E
693 Main St.
Park City, Ut. 84060

Office 318 448 8098
Cell 318 308 3008

Re: Preserve Historic Main Street

Dana Williams

Sent: Sunday, October 07, 2012 2:08 PM

To: NormOlson1@aol.com

Cc: planning; Council_Mail

Hey Norm,

Thanks for taking the time to send us your thoughts. The first sentence of your email is not accurate. This is not "our" planned project. I hope that as the process evolves that you will continue to send us your thoughts.

Dana

Sent from my iPad

On Oct 5, 2012, at 3:10 PM, "NormOlson1@aol.com" <NormOlson1@aol.com> wrote:

Please see the attachment for my reply to your planned Kimball project. As a property owner on Main Street, Town Lift Condos 3E, I agree with the statement contained in the enclosure.

I do not support the monstrosity that Kimball is proposing, in no way shape or form. Their proposal will violently change the complexion of our beautiful street and historic appearance that exists presently. What part of the current codes do they not understand?

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The codes were put in place for to see that this type of structure would not be allowed. Let's stick with what is on the books and not show favoritism for some and not others.

Norm Olson
Town Lift Condo 3E
693 Main St.
Park City, Ut. 84060

Office 318 448 8098
Cell 318 308 3008

<Editorial.doc>

"PRESERVE HISTORIC MAIN STREET"

We have formed a group called "Preserve Historic Main Street". If you support our mission statement below and are interested in joining our group send an email with your name to preservehistoricmainstreet@gmail.com.

"We support the Kimball Art Center and their need for an addition to their current facility. We believe this expansion can and should be accomplished within the existing (August/2012) Park City Land Management Code and the Park City Design Guidelines For Historic Districts and Historic Sites"

EXISTING LAND MANAGEMENT CODES AND DESIGN GUIDELINES THAT APPLY TO THE KIMBALL ART CENTER ADDITION

LAND MANAGEMENT CODES

1. LMC Title 15-2.5-5 Historic Recreation Commercial District - No structure shall be erected to a height greater than thirty-two feet (32') from existing grade.
2. LMC Title 15-2.5-6 HRC District – Additions must comply with building height restrictions.
3. LMC Title 15-2.5-7 Prior to issuance of a Building Permit for any Conditional or Allowed use, the Planning Department must review the proposed plans for compliance with the Historic District Design Guidelines.

DESIGN GUIDELINES FOR HISTORIC SITES

The Kimball Art Center has been identified as a "Landmark Site" "Landmark Sites must adhere to the strictest interpretation of the Guidelines and must be designed and executed in such a manner as to retain designation as a "Landmark Site".

D. ADDITIONS TO HISTORIC STRUCTURES

1. D.1.2 Additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way.

2. D.2.1 Additions should complement the visual and physical qualities of the historic building.
3. D.2.2 Building components and materials used on additions should be similar in scale and size to those found on the original building.
4. D.2.3 Window shapes, patterns and proportions found on the historic building should be reflected in the new addition.

THE KAC IS ATTEMPTING TO GET THEIR ADDITION CONSIDERED AS A "MASTER PLANNED DEVELOPMENT" (MPD), WHICH WOULD REQUIRE A CHANGE IN THE EXISTING LMC. CURRENTLY, A PROJECT MUST BE IN TWO OR MORE ZONING DESIGNATIONS. THE KAC IS IN ONE ZONE (HRC). IF AN MPD IS ALLOWED SOME OF THE ABOVE RESTRICTIONS COULD BE ELIMINATED OR CHANGED.

**James Tedford
Hope Melville
Gary Kimball
Mary Demkowitz
Randy Spagnoletti
And 120 Others**

LANDMARK Sites near the Kimball Art Center, revised table names sites

MAYES BEA [b.mayes@opposablethumb.com]

Sent: Wednesday, October 10, 2012 10:39 PM

To: planning

Attachments: Table2 of Landmark Sites n~1.pdf (24 KB) ; ATT00001.htm (344 B)

Dear Planning Commission Member,

Earlier today I sent an e-mail that noted the scarcity of Landmark sites near the Kimball Art Center, and urged the need to keep The Kimball Art Center as a Landmark site because (1) it is the historic linchpin in the area and (2) because of the continuing trend to alter buildings to the extent that they lose Landmark status. I included a table listing the only Landmark sites in the immediate area. To help the Commission better visualize the area, I've attached the revised table which shows, where known, the current occupant and former name or occupant of each site.

Bea Mayes

Long-time volunteer at the Park City Historical Society and Museum and former Park City resident

*** **

Bea Mayes
1031 Grindelwald #6
Midway, UT 84049
435-654-4038
435-671-6399

Kimball Art Center Expansion

MAYES BEA [b.mayes@opposablethumb.com]

Sent: Wednesday, October 10, 2012 11:45 AM**To:** planning**Attachments:** Table of Landmark Sites ne~1.pdf (19 KB) ; ATT00001.htm (234 B) ; Table of Landmark Sites ne~2.pdf (19 KB) ; ATT00002.htm (226 B) ; Table of Landmark Sites ne~3.pdf (19 KB) ; ATT00003.htm (200 B)

Dear Planning Commission Members: The Kimball Art Center is a substantial LANDMARK building bordering both Heber Avenue and Park Avenue. As the chart below shows, there are very few truly historic LANDMARK sites left in the area near the Kimball Art Center. The Kimball's loss of LANDMARK status would degrade the entire area, and the loss or degrading of other historic structures in the area would soon follow. To stop this trend it is essential that the Kimball Art Center Expansion follow the current city Land Management Codes in Chapter 11-15, and the city Design Guidelines for Historic Sites. Any deviation from these codes and guidelines will cause the Kimball Art Center to lose its LANDMARK status and its eligibility for listing on the National Register of Historic Places. (These designations confirm and declare to all that the site is "truly historic.") And the area will soon cease to be 'historic.'

Sincerely,

Bea Mayes

Volunteer at the Park City Historical Society and Museum, and a former resident of Park City

*** **

Bea Mayes

1031 Grindelwald #6

Midway, UT 84049

435-654-4038

435-671-6399

Kimball Art Center

Connie Steffen [constance.steffen@gmail.com]

Sent: Tuesday, October 09, 2012 6:11 PM**To:** planning**Cc:** Council_Mail

Park City Municipal Officials,

I would like to express my concern with the proposed expansion of the Kimball Art Center. The proposed building is not in conformance with current building guidelines which are intended to preserve the historic character of Main Street. The Main Street historic district is unique. It is what makes Park City a special town. Rather than to continue to whittle away at the historic character of Main Street, I urge you to take action to maintain its historic nature.

Although the proposed Kimball Art Center is striking, it does not fit the Main Street location. Main Street is so small, I'm afraid that the proposed building would dominate the landscape like a sore thumb rather than be elegantly integrated into the existing environment.

Your kind consideration of this request is appreciated. I've resided in the Park City area (Pinebrook) for over 20 years and have greatly appreciated the efforts to maintain and improve the Main Street historic district.

Connie Steffen

KAC

Marisa [marisa@afjmedia.com]

Sent: Thursday, October 11, 2012 1:54 PM

To: planning

TO: Planning Commision

I want to add my voice to some of the other residents that are concerned about the proposed addition to KAC. I have sent an email to the KAC about the concern I have in a survey they sent to me, but want to share with you as well.

I'm sure my concerns are the same as every other person you've heard from. As an art building is a fine piece of "art" in Chicago, New York, or various European locations. However, as we all know, Park City is a sophisticated SKI town that prides itself on being true to its history. This design is not going to ever fit in with our Main Street or the feel of our town. Secondly they want an exception for the height--80feet!!!

We already have 2 very unattractive, out of place buildings on Main Street --one worse than the other, but lets not make the same mistake --yet again.

Thank You,

Marisa Durham
8720 Silver Spur Road
PC 84098

Daniel Steffen
7494 Pinebrook Rd.
Park City, UT 84098
H (435) 645-8882 • M (801) 541-1132

October 11, 2012

Park City Municipal Corporation
Attention: City Council, Planning Commission, Mayor Dana Williams
445 Marsac
P.O. Box 1480
Park City, UT 84060

Dear Park City Officials:

When I first moved to Park City in 1972, I found this quaint little town nestled among the Wasatch Mountains that had a Main Street full of dilapidated and rundown buildings with a few struggling businesses. In those days, businesses would ebb and flow, most not lasting much more than a year or two, before the economy would take its toll. It was almost a sure bet that they would never succeed. I lived one block west of the Silver King Coalition Mine Building and the Ely Garage (now the KAC) in a building that became known as “Mother Bucker’s Barn” located on Norfolk Avenue. In those days, I had an unencumbered view of the old mining architecture of the Coalition Building that I loved to admire and which eventually became the symbol of Park City Ski Corporation.

Today, through years of hard work, steady dedication and a lot of diligence on behalf of the Park City Planning Commission, Park City’s historic preservation has persevered and as a result the city has evolved into a vibrant 4-season economy. I salute all that has been accomplished over the past 42 years and I’m proud to say that I live, work and play in Park City. Largely due to its exposure during the Olympics, Park City, Utah is now on the map and on everybody’s radar. Park City’s iconic Main Street is like no other ski town in the USA - it is totally unique. My skiing adventures have taken me across most western states and to almost every ski town in America. With the possible exception of Jackson Hole, none has achieved the level of preserving the architecture of historic structures and the subsequent ambience currently exhibited in Park City.

As time moves on, there will always be challenges that these towns face which is what is currently taking place with respect to the expansion of the Kimball Art Center. When the Ely Garage was restored and converted into the Kimball Art Center, it was a welcome addition to our city eliminating an old eyesore on the corner of Heber and Park Avenue. Nobody is denying the need for the expansion of the Kimball Art Center to keep pace with its program offerings, etc. We all will benefit from its growth, however, let’s not destroy all that you have worked hard to create and accomplish over the years. We can find a better solution that will accommodate both the growth of the KAC and the need for historic architectural preservation.

This is not something that has to be done immediately, please take the time to look at other options. We certainly don't want to regress in time by replacing the KAC with an eyesore reminiscent of times past on the corner of Heber and Park Avenue.

I would appreciate your sincere and utmost consideration of the precedent setting decision you are about to undertake. I encourage you to take the appropriate action to once again preserve the historic nature of our city. I firmly believe that our "iconic Main Street" is our **single greatest competitive advantage** over ski towns throughout America and that it will sustain us in the years ahead; let's not compromise it!

Sincerely,

Dan Steffen

Daniel J. Steffen

Email Correspondence

James Tedford [preservehistoricmainstreet@gmail.com]

Sent: Thursday, October 11, 2012 8:22 AM

To: planning

Hi,

Many members of our organization, "Preserve Historic Main Street", have sent emails to the Planning Commission at this address. One of the packets had only 5 letters attached. Are all the emails being given to the Planning Commission? If not, please be sure they all get to the commissioners. I was told this was the appropriate address. If not, what address should we use?

Sincerely,

Jim Tedford, PHMS

planning

From: David A. Hedderly-Smith <hedderly@msn.com>
Sent: Tuesday, October 16, 2012 3:35 PM
To: planning
Cc: Council_Mail
Subject: Kimble Art Center

Friends –

We're 25-year Parkites, and while we moved out of the city 16 years ago (and now live in Pinebrook), we still feel a strong attachment to Old town and its legacies.

We don't need or want an 80-foot tall twisted stack of railroad ties even if it is designed by some world-famous architect from Denmark. The Kimble Art Center board has apparently lost track of what Park City is all about. They seem to think it is all about them! And I guess they don't know that there are architects here in the American West.

So add our two no-longer-PC-resident vote to those against the current design of the Kimble Art Center building.

On the other hand, let's remember the relationship between the Kimble Art Center and the city and work together that is **100% within the current building codes** to come up with a design that will meet their needs and not disrupt the character of Old Town.

This proposed design would be highly disruptive of that character. As members of the Planning Commission and City Council the people of Park City have entrusted you with the duty to conserve that character. Please do such or you'll go down in history with the board and city council that allowed the Fields to build the Main Street Mall some 30 years ago. They need to throw that design out and start over from scratch.

Thanks for the opportunity to get our two cents worth in.

Dave & Carolyn Hedderly-Smith
7533 Pinebrook Road
Park City, UT 84098
435-649-8326 (h/w); 435-901-1486 (c)

KAC

Marisa [marisa@afjmedia.com]

Sent: Thursday, October 11, 2012 1:54 PM**To:** planning

TO: Planning Commision

I want to add my voice to some of the other residents that are concerned about the proposed addition to KAC. I have sent an email to the KAC about the concern I have in a survey they sent to me, but want to share with you as well.

I'm sure my concerns are the same as every other person you've heard from. As an art building is a fine piece of "art" in Chicago, New York, or various European locations. However, as we all know, Park City is a sophisticated SKI town that prides itself on being true to its history. This design is not going to ever fit in with our Main Street or the feel of our town. Secondly they want an exception for the height--80feet!!!

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Thank You,

Marisa Durham
8720 Silver Spur Road
PC 84098

*Daniel Steffen
7494 Pinebrook Rd.
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H (435) 645-8882 • M (801) 541-1132*

October 11, 2012

Park City Municipal Corporation
Attention: City Council, Planning Commission, Mayor Dana Williams
445 Marsac
P.O. Box 1480
Park City, UT 84060

Dear Park City Officials:

When I first moved to Park City in 1972, I found this quaint little town nestled among the Wasatch Mountains that had a Main Street full of dilapidated and rundown buildings with a few struggling businesses. In those days, businesses would ebb and flow, most not lasting much more than a year or two, before the economy would take its toll. It was almost a sure bet that they would never succeed. I lived one block west of the Silver King Coalition Mine Building and the Ely Garage (now the KAC) in a building that became known as “Mother Bucker’s Barn” located on Norfolk Avenue. In those days, I had an unencumbered view of the old mining architecture of the Coalition Building that I loved to admire and which eventually became the symbol of Park City Ski Corporation.

Today, through years of hard work, steady dedication and a lot of diligence on behalf of the Park City Planning Commission, Park City’s historic preservation has persevered and as a result the city has evolved into a vibrant 4-season economy. I salute all that has been accomplished over the past 42 years and I’m proud to say that I live, work and play in Park City. Largely due to its exposure during the Olympics, Park City, Utah is now on the map and on everybody’s radar. Park City’s iconic Main Street is like no other ski town in the USA - it is totally unique. My skiing adventures have taken me across most western states and to almost every ski town in America. With the possible exception of Jackson Hole, none has achieved the level of preserving the architecture of historic structures and the subsequent ambience currently exhibited in Park City.

As time moves on, there will always be challenges that these towns face which is what is currently taking place with respect to the expansion of the Kimball Art Center. When the Ely Garage was restored and converted into the Kimball Art Center, it was a welcome addition to our city eliminating an old eyesore on the corner of Heber and Park Avenue. Nobody is denying the need for the expansion of the Kimball Art Center to keep pace with its program offerings, etc. We all will benefit from its growth, however, let’s not destroy all that you have worked hard to create and accomplish over the years. We can find a better solution that will accommodate both the growth of the KAC and the need for historic architectural preservation.

This is not something that has to be done immediately, please take the time to look at other options. We certainly don't want to regress in time by replacing the KAC with an eyesore reminiscent of times past on the corner of Heber and Park Avenue.

I would appreciate your sincere and utmost consideration of the precedent setting decision you are about to undertake. I encourage you to take the appropriate action to once again preserve the historic nature of our city. I firmly believe that our "iconic Main Street" is our **single greatest competitive advantage** over ski towns throughout America and that it will sustain us in the years ahead; let's not compromise it!

Sincerely,

Dan Steffen

Daniel J. Steffen

Email Correspondence

James Tedford [preservehistoricmainstreet@gmail.com]

Sent: Thursday, October 11, 2012 8:22 AM

To: planning

Hi,

Many members of our organization, "Preserve Historic Main Street", have sent emails to the Planning Commission at this address. One of the packets had only 5 letters attached. Are all the emails being given to the Planning Commission? If not, please be sure they all get to the commissioners. I was told this was the appropriate address. If not, what address should we use?

Sincerely,

Jim Tedford, PHMS

planning

From: Jim Miller <jardinway@yahoo.com>
Sent: Saturday, October 20, 2012 5:47 PM
To: planning
Cc: Council_Mail
Subject: Kimball Expansion

We are writing with concern about the proposed Kimball Arts Center expansion. After seeing the plans and reading the pros and cons, we would like you to add our names to the list of those opposed to it.

We especially do not like the idea of modifying the existing Land Management code or the Historical Preservation Guidelines to allow the expansion.

It is almost offensive to even propose something as out-of-character as the expansion design. We are KAC supporters, and an expansion is fine. But not of this nature.

Also, let's face it- Park City has over-developed itself. At this point, we really need to hang on to whatever threads we can that make our city the great place it was. It's not all gone, but with development such as this, it will be.

Thanks for your time with this,

Jim Miller and Family
1535 Crescent Road
Park City, UT 84060
649-6388

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF AUGUST 15, 2012

BOARD MEMBERS IN ATTENDANCE: Dave McFawn, Puggy Holmgren, David White, Marian Crosby, John Kenworthy

EX OFFICIO: Thomas Eddington, Polly Samuels McLean, Patricia Abdullah

ROLL CALL

Chair McFawn called the meeting to order and noted that all Board Members were present except for Judy McKie and Kathryn Matsumoto Gray, who were excused.

REGULAR MEETING

Correction of Minutes for March 2, 2011

Planning Director Eddington noted that Page 3 of the Staff report outlined a correction to the Minutes of March 2, 2011 for the Board to consider this evening.

Director Eddington explained that during the HPB Appeal Hearing on March 2, 2011, Board Member Sara Werbelow made a motion on 811 Norfolk Avenue. In that motion, the minutes reflected a comment regarding historic integrity and that innate conditions exist. Director Eddington remarked that the word innate was a typo and incorrect. As part of litigation proceeding in District Court, the HPB hearing of March 2, 2011 was transcribed and the transcript shows that the word stated was actually “**unique**” and not innate.

Based on the transcript and the correct wording, The Staff recommended that the Board correct the minutes to reflect Chair Werbelow’s actual words and intent that “unique” conditions exist.

Chair McFawn pointed out that a quorum is needed to approve a motion; however, only he and David White were on the Board at the time. Assistant City Attorney McLean stated that those who were not on the Board at the time could rely upon the transcript and the minutes and vote on the correction as the Board. Assistant City McLean remarked that the issue was whether the transcript reflects the minutes and to make the minutes reflect what the transcript shows.

Chair McFawn remembered the wording as being unique, and he was comfortable making the correction. Board Member White also recalled the word unique.

Jeff Love, the applicant for 811 Woodside, stated that he had issues to clarify and discuss, and he was prepared to make his comments either before or after the motion.

Chair McFawn informed Mr. Love that he could make his comments under the Public Communication portion of this meeting.

Assistant City Attorney McLean clarified that the correction was a Board issue and not an applicant issue.

MOTION: Board Member White made a motion to CORRECT the minutes of March 2, 2011 as discussed. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Approval of Minutes of June 20, 2012

Board Member White noted that he had recused himself from the meeting.

MOTION: Board Member Holmgren moved to APPROVE the minutes of June 20, 2012. Board Member McFawn seconded the motion.

VOTE: The motion passed.

Approval of Minutes of July 18, 2012

Board member White recalled that he was recused from this meeting as well.

MOTION: Board Member Holmgren moved to APPROVE the minutes of July 18, 2012. Board Member McFawn seconded the motion.

VOTE: The motion passed.

PUBLIC COMMUNICATIONS

Mark Kozak, 2490 Sidewinder Drive, stated that he had represented Jeff Love, the applicant, when the original matter came forward on the correction to the minutes. Mr. Kozak was appalled and disappointed with the treatment of this request over the last three weeks. He remarked that the Board vote to correct the minutes was done at his request on behalf of Mr. Love. He made that request after 18 months in court, where Mr. Love prevailed and the City did not. Mr. Love was still waiting for payment of his costs from the City. Mr. Kozak stated that he went to hearings to argue against the City on what was just corrected and what two Board members recounted had occurred. He pointed out that the City attorneys represented to the Court that it never happened. Mr. Kozak stated that although the criteria required and the review of the conditions was mentioned, the HPB rejected that criteria. His client spent tens of thousands of dollars faced with those kinds of misrepresentations to the court. Mr. Kozak thanked the HPB for doing the right thing tonight and he sincerely appreciated it. He also appreciated that the Court saw that it was appropriate to tear up the Board of Adjustment's decision and remand it back to the HPB. Mr. Kozak stated that the reason for changing the minutes was that after 18 months, the court ordered that Mr. Love come back to this step in the process and that the Board of Adjustment proceedings were null and actually illegal.

Mr. Kozak thanked the Board for being forthright in their recollection and for approving the change.

Mr. Love stated that throughout this process he had been before a City Board or Commission five times. Another time was cancelled due to noticing issues. Mr. Love reiterated that the correction was made at his request. The City had not done it on its own. Every time he was involved in this process, he submitted information to be included in the packet. His understanding was that the City attorney censored the information that he asked to have included in the packet for this evening. Mr. Love was amazed that the City Attorney would censor that information.

Assistant City Attorney McLean clarified that she did not know what information Mr. Love was referring to. However, it was moot because this was strictly a time for public communication.

Mr. Love stated that the information was turned in prior to the deadline and it did not make it into the packet. He believed it was not included in the packet because it was critical of Ms. McLean.

Mr. Love wanted to know how the "unique condition" ended up the way it did. In his request he asked that Katie Cattan be present. He emailed his request on Monday and asked again today, but she was not present. Director Eddington replied that Ms. Cattan was unable to attend the meeting due to a family commitment. Mr. Love found that to be a convenient excuse. He had several questions for Ms. Cattan. The first question was that on March 2, 2011, it was very apparent from the transcript, that his approval was based on two separate criteria. The first criteria related to the encroachment issue, and the second the criteria of unique conditions. Mr. Love stated that his reason for putting this on the record was that the appeal window for Ms. Matsumoto-Gray, who was appointed to the HPB after she successfully appealed the HPB decision, as well as the City's appeal window ends at 5:00 on Monday, and neither party had given any indication of what they intended to do. He wanted to insure that both approvals were accounted for if this goes back to court.

Mr. Love felt it was obvious from the transcript that the motion included two approvals. He felt the reason why he missed the incorrect wording was irrelevant. However, he wanted to know how the City missed it because they are the ones who write the Staff reports and are included in the conversation. He recalled that a ten minute recess was called to draft the motion, and he was not privy to what was said. He did hear the motion but he missed the second approval. Mr. Love was amazed that he won the appeal, because in his opinion the Staff report was one-sided. He believed that was how he missed the second approval.

Mr. Love stated that in court, the City Attorney argued to a District Court Judge that the HPB actually overturned their own approval when they adopted the Findings of Facts and Conclusions of Law on April 6th. He asked if the Board changed their mind and decided not to approve the unique conditions. That was a major question because it was argued in court. He was stunned at how the HPB could reverse their decision without any discussion, and that everybody voted that way.

Mr. Love stated that a question for Ms. Cattan addressed the findings of fact that were written in the Staff report that have no relationship to the encroachment issue. However,

she failed to use the word “unique condition”, which left a gray area. Mr. Love read, “Finding of Fact #22, “The HPB stated support for the movement of a landmark structure to create greater spacing between homes as long as the landmark structure is not jeopardized and continues to be a landmark structure in the Park City Historic Sites Inventory.” He read Finding of Fact #23, “Spaciousness of the existing streetscape on that portion of Norfolk Avenue would be lost if another building was built in the permitted three-foot of the existing historic house.” Mr. Love had wanted to ask Ms. Cattan what she meant by those findings of facts. Mr. Love read Finding of Fact #19, “The Chief Building Official did not determine that unique conditions exist to warrant the proposed relocation and the reorientation on the existing site. There are no unique building code conditions on the site. There are a number of homes in Park City which encroach over property lines, which can be mitigated for spacing, fire sprinkler systems, and building materials.”

Mr. Love noted that on July 26, 2012, he met with the current Chief Building Official, Chad Root, and he requested that Roger Evans, who was the Chief Building Official at the time of his appeal, also attend the meeting. In that meeting he asked Roger Evans if he had written that finding of fact. Mr. Evans told him no, that he had never seen it before. He did not write the finding of fact, nor did he agree with it because there was an existing condition on the site. The finding is not a true statement because the Building Department will not issue a building permit over an existing property line. Therefore, if he wanted to renovate that 668 square foot structure as it is, he could not do it because a property line runs under that property.

Mr. Love asked Director Eddington to explain how his application was denied by the Chief Building Official when he had never seen the denial.

Assistant City Attorney McLean stated that Mr. Love could proceed if he wanted to make public comment to the Board that was relevant to the purview of the Board and items that the HPB would be hearing. However, personal questions to Staff or to the Board should be addressed outside of this forum. This forum was for public comment.

Mr. Love had additional comments relative to his application that went before the HPB. Mr. Love stated that one of his appeal issues was that the movement of the house results in superior neighborhood design. According to the Staff report, the Staff agreed with the applicant on the general proposition that the removal of an encroachment while retaining significance of the landmark structure is good practice and results in better neighborhood design; however, the only justification that would allow for movement of historic structures was the four criteria listed under LMC Section 15-11.3-A. The Staff analysis further stated that there are no criteria within the LMC or design guidelines that allow for movement of the home based in improved overall streetscape. Mr. Love understood that to mean that the Staff believed that that moving the house creates a better streetscape, but a better streetscape does not qualify for unique conditions. Based on that interpretation, Mr. Love wanted to know why six weeks later the applicant for 424 Woodside was approved to relocate a house under unique conditions for better streetscape. He asked Director Eddington to explain why he was discriminated against.

Director Eddington replied that the two applications were very different. Mr. Love explained why he believed the two applications were not that different.

Regarding his application, Mr. Love read a statement from Assistant City Attorney McLean's trial brief, "The HPB motion to permit movement of the house was solely based on the encroachment. Board member Werbelow made a motion acknowledging that an encroachment exists at 811 Norfolk Avenue and that easement cannot be achieved." Mr. Love pointed out that Ms. McLean failed to add the second approval, which was the entire motion, and somehow managed to misquote the approval to only address the encroachment issue. In District Court, after Judge Kelley realized there were two approvals, the conversation turned to the idea that the HPB overturned their own approval without any conversation.

Assistant City Attorney McLean stated that the Staff did not need to hear personal attacks. If the Chair wished to have the Staff answer questions, he could direct them to do so. However, this was not an item on the agenda and it was not the correct forum. Mr. Love remarked that after 27 months he wanted an answer to his questions.

Chair McFawn asked if Mr. Love had anything further for the Historic Preservation Board. Mr. Love stated that he was finished and he thanked the Board for listening.

STAFF/BOARD MEMBER COMMUNICATIONS AND DISCLOSURES
No Staff communication was given.

WORK SESSION

Discussion and overview of National Planning Trends

Director Eddington reviewed a slide presentation of National Planning Trends going on around the Country. Walkability was a major component and Director Eddington provided various scenarios to show how far people are willing to walk. The new trend is not based on distance, but rather the quality of the environment. He noted that in the car focus of an American Main Street people will walk approximately three-quarters of a mile. On a basic neighborhood street in the outlying neighborhoods of downtown, people walk approximately one-quarter of a mile. In a suburban neighborhood people tend to walk a tenth of a mile. The lots are larger and it takes longer to go from one view to another view. Director Eddington remarked that the ability and willingness to walk is not as quantitative as it once was. It has become more qualitative in terms of feeling, ambiance and the fabric of the area.

With Sustainability in mind, Board Member Kenworthy wanted to know how they would compromise to get more people around walkable areas. Director Eddington replied that the challenge is the need to create dense environments to motivate people to walk. People hate density and sprawl, but on this issue, density is a better option. Putting things closer and creating visual interest is the motivator.

Director Eddington noted that the United Kingdom is pushing on a bio-diversity action plan and were ahead of the United States in that they do centralized planning. The UK

has a significant coastline that generates a significant amount of tourist dollars and they are looking at protecting that from both global warming and other localized issues.

Director Eddington commented on alternative modes of transportation in New York City. He noted that most American cities are starting to put in bike lanes. It is a great system but some people are uncomfortable with it. New York City is installing cycle tracks, which closes down one lane of traffic and uses parallel parking as a buffer between the cyclist and the movement of traffic.

Board Member Kenworthy stated that he recently read an article in Forbes which stated that a trails system was the number one amenity for new homes. He was surprised to learn that people want to get out of their community or be part of a trails system with their community. He noted that trails surpassed golf courses. Board Member Kenworthy wanted to know where the Park City planners were leaning in terms of people movers, etc. Director Eddington replied that as the Staff updates the HPB on the General Plan they will begin to see more of what might be proposed. He stated that Old Town streets are narrow and were not designed for the modern day automobile. There have been ongoing discussions for many years about whether the roads should be widened and sidewalks added. However, the direction of the most recent discussions has been moving towards narrowing the streets and making them complete streets, and not putting sidewalks in Old Town. Copenhagen has "complete streets" where people walk on the street and the cars maneuver around the pedestrians.

Board Member Kenworthy asked if the City would make more streets one-way. Director Eddington replied that they have talked about one-way streets on some of the east-west connectors to let people loop around if they need to, but one-way streets have not been popular with people who live on one-way streets. The recommendation is for a straight traditional grid pattern and keeping the streets narrow and simple.

Board Member Holmgren favored the idea of narrow streets, but they have to find a way to slow down the traffic. Speed is still a big issue on Main Street and Park Avenue. The problem with one-way streets is that people tend to speed because no one is coming at them in the opposite direction. Director Eddington agreed that the more delineation on a road the faster people will go.

Board Member Kenworthy asked about gondolas and other people-mover proposals. Director Eddington was unsure what had happened with the gondola proposal. He noted that there are definite groups of people for and against the gondola. In the end, it is more appropriate to be working with gondolas and other alternative modes of transportation.

Board Member Crosby asked about potential sites for a gondola. Director Eddington replied that the Brew Pub was the only site mentioned at this point. There is very little capacity to land a gondola at Main Street. Board Member Crosby had heard that the Senior Center on Park Avenue was another potential site. Chair McFawn explained that it was a different transit. Park City was considering working with PCMR on their parking lot to accommodate buses and other transportation. He assumed Board Member Crosby was referring to that, which was completely separate from the gondola.

Open Public and Meetings Act Training

Assistant City Attorney provided annual training per the ongoing requirement of the State Code. The intent is to remind Boards and Commissions of the spirit of the act and why they have public meetings.

Assistant City Attorney McLean remarked that the spirit is to act openly, deliberate openly and make decisions openly. Sunshine Laws require transparency in decision making. Ms. McLean stated that a quorum for the HPB is four members. Any time four Board members are together and they discuss a matter related to HPB that they have the ability to act on, it is considered a meeting. This also includes work sessions and site visits. A meeting is convening. It is not a chance meeting.

Assistant City Attorney McLean commented on emails. She noted that if the Board members correspond through email it could be considered a meeting, and it would not be transparent. It opens the Board up to two exposures. One would be violation of the Open Public Meetings Act. The second is that the Board members could be exposing their email to the Government Records Act, because the public has the right to ask for documents that are used in official business as governmental officers sitting on the HPB. If a citizen makes a GRAMA request, the City would have to look at all their emails to determine which ones would be applicable to that request. Ms. McLean advised the Board not to communicate outside of their meetings regarding HPB business; and not to communicate via email.

Assistant City Attorney McLean stated that Board members are allowed to text another Board member, but not during a meeting. However, she advised them against texting on substantive matters because text messages are also subject to GRAMA. The idea is that all decisions should be made in public.

Assistant City Attorney McLean noted that State Law requires that meetings occur at a regularly scheduled place. The meeting location for the HPB is the City Council Chambers. The only exception is a site visit or if the entire meeting is moved to a new site. The location must be publicly noticed. Ms. McLean stated that a Board member is allowed to participate electronically; however, the HPB needs to adopt a rule to allow for that. She noted that the Planning Commission adopted a rule to allow electronic participation and the City Council also has a policy. Both bodies rarely use it. If the HPB is interested in adopting a policy, Ms. McLean suggested that they take time to discuss the details and set some parameters.

Chair McFawn would like the Board to adopt a policy in the future.

Assistant City Attorney McLean stated that it was unlikely that the HPB would ever have a reason to close a meeting. The City Council is the appropriate body for closed meetings. Ms. McLean remarked that the Open Public Meetings Act requires at least 24 hours public notice on the agenda. She noted that Park City has much longer noticing requirements per the Land Management Code. The public notice is posted in several locations. Park City also has an e-notify link on the website where people can register to receive the agenda and packet for specific meetings.

Assistant City Attorney McLean stated that open meeting means that the Board has the ability to have their deliberations in a public forum. It does not mean that people have the right to comment. As an example, grant applications do not require public comment; but the Board may choose to do so.

Chair McFawn asked if the Board had the ability to shut down public comment if public comment was opened and the public was still speaking. Ms. McLean answered yes, if the comments are not relevant to the matter. She noted that if someone raises an issue that is not on the agenda and would like the HPB to take action, the appropriate approach is to put it on a future agenda for discussion and formal action.

Board Member Crosby understood that if an item was put on the agenda, it would need to meet the noticing requirements for public comment. Ms. McLean replied that it would depend on the item. The Code has certain noticing requirements for items outlined in the LMC. If it was something minor that was not addressed in the Code, it would only require a 24 hour notice.

Assistant City Attorney McLean stated that disruption of a meeting does not have to be tolerated. If someone acts unruly, the Chair has the right to ask them to stop. The Chair also has the ability to put a time limit on each speaker for controversial items where a number of people want to speak. The Chair can also keep people on point during public comment. If a speaker is asked to stop but continues talking, the Chair can interrupt the person and shut them down.

Assistant City Attorney McLean stated that written minutes and recordings are required for all public meetings under State Code. Site visits do not require minutes. The recording must be of the entire meeting and unedited. The minutes are approved by the Board and becomes the official record of the meeting. It is important for the minutes to be reviewed for accuracy before approving.

The Open Public Meetings Act is enforced by the County Attorney and the Attorney General, and violation is subject to a Class B Misdemeanor.

The meeting adjourned at 6:08 p.m.

Approved by _____
Dave McFawn, Chair
Historic Preservation Board

Historic Preservation Board Staff Report



Subject: 101 Prospect Avenue
Author: Mathew Evans, Senior Planner
Date: November 07, 2012
Type of Item: Historic District Grant
Project Number: PL-12-01638

Summary Recommendations

Staff recommends that the Historic Preservation Board (HPB) review the request for a historic district grant and consider awarding the applicant a portion of the costs associated with a new foundation and roof for a historic accessory structure (Carriage House/Garage) located at 101 Prospect Street.

Description

Applicant: David White on behalf of Doug Cotter (owner)
Location: 101 Prospect Street – Landmark Accessory Structure
Proposal: Historic Grant
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Single-family dwellings, open space.
Redevelopment Area: Main Street

Background

According to the 2009 Park City Historic Sites Inventory (HSI), the main and accessory structures at 101 Prospect are historically significant as a Landmark Site and are eligible for the National Register of Historic Places (Exhibit B). The accessory structure was built circa 1894-1930 and is associated with Park City's Mature Mining Era.

In 2007 the applicant was granted approval for the Prospect Heights Subdivision, a two lot plat which created 10,281 square feet of permanent open space. The historic home and carriage house are located on Lot 1 (19,156 square feet) of the Subdivision, and lot 2 is currently vacant.

This site was listed on the National Register of Historic Places in 1984 as part of the *Park City Mature Mining Era Residences Thematic District*. Both the home and the accessory structure were built within the historic period, defined as the "Mature Mining Era" 1894-1930, in the district nomination, and both continue to retain their historic integrity. As a result, it meets the criteria set forth in the LMC Chapter 15-11 for designation as a Landmark Site. The Park City HSI form describes the following items:

Design. The existing carriage house/garage is a 273 square foot structure constructed with wood framed walls and roof, and finished with a corrugated metal siding and door. The building is supported with an open 4"X8" post/pylon system that is currently failing.

Setting. The detached carriage house/garage is directly adjacent to the roadway (Prospect Street). The garage is on the downhill side of Prospect Street, and is at grade only where the front meets the street, and is elevated above grade as the land slopes away from the Street.

Workmanship. The physical evidence from the period that defines this as a typical Park City mature mining era accessory structure are the simple methods of construction, the use of simple corrugated metal siding and the simple roof form. Smaller accessory structures like these were typically supported by either wood pylons or a rock or cement foundation.

Feeling. The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

Association. The carriage house garage is the earliest known type of detached accessory structures normally associated with Park City's Mature Mining Era, and were most common during this period, usually located in the front and off to the side of the main dwelling.

Analysis

General eligible improvements for historic district grants include, but are not limited to:

- Siding
- Windows
- Foundation Work
- Masonry Repair
- Structural Stabilization,
- Retaining Walls/Steps/Stairs Of
Historic Significance
- Exterior Trim
- Exterior Doors
- Cornice Repair
- Porch Repair

The carriage house/garage structure is presently in fair to poor condition, although the home was noted as being in "good condition" according to the 2006 physical conditions report. The applicant has provided proof that the existing wood pylon foundation is leaning and the existing building is in danger of collapsing under its own weight. The foundation replacement is necessary as any repair would require the building to be temporarily lifted regardless.

The project proposal is to completely remove and replace the foundation. The applicants are proposing a basement foundation as an at-grade solid foundation could not be achieved at the current location of the garage in its current orientation. A pylon structure is not desirable as the same issues that currently persist will eventually manifest in the future, unless the pylons were replaced with steel beams, but either way such a foundation would be exposed to the elements and will deteriorate over time.

Therefore the applicants are requesting full basement underneath the garage that are not interconnected. The garage is only accessible from Prospect Street, and the basement will have a separate entrance accessible by a pathway between the existing home. The basement is not proposed to be habitable living space and is proposed to be used as storage only.

The applicant is proposing to also replace the front doors of the garage, which are proposed to be wood clad covered with corrugated metal siding to match the building.

The applicant is also requesting funds to repair and replace the existing roof, which is also in disrepair. The existing roof structure is corrugated metal and is likely the original roof or an early replacement. The applicant is eligible for grant monies associated with the following items indicated on the estimated cost breakdown:

- Layout, Site and prep work - \$1,000.00
- Backfill, gravel for sub-grade, grading and compaction – \$4,270.00
- Gravel for french drain around foundation - \$875.00
- Excavation - \$4,270.00
- Concrete - \$10,406.00
- Foundation Steel - \$5,597
- Framing – \$2,200
- Building Lift and Stabilization – \$1,620
- Demolition (supports) - \$400
- Roof Replacement – \$3,012.00
- New Garage Door and Metal Finish - \$2,255.00
- New Garage Door Hardware - \$200

Total estimated cost of the proposed eligible work is \$36,105.00. The applicant's estimate of the total work is \$51,857, which includes ineligible items, such as electrical work, windows, dry wall, and other items associated with the interior of the proposed basement below the garage (Exhibit C). As the program is a matching grant program, half of the total cost is eligible to be granted. Therefore, the Board can consider granting the applicant one half ($\frac{1}{2}$) of the proposed cost of the eligible preservation work in the amount of \$18,052.50.

The historic district grant program states that “funds shall be awarded to projects that provide a community benefit of preserving and enhancing the historic architecture of Park City.” New roofing is only considered under specific circumstance. The foundation work is necessary to properly stabilize the building, and doing so will allow the applicant to utilize the space within, but the City cannot grant monies for a basement and associated improvements. Staff finds that by awarding the grant, the HPB would be enhancing the landmark site and further contributing to the ongoing preservation of a historically significant landmark building in Park City. Staff finds that the proposed roof also meets this criterion as the roof is likely historic considering that the corrugated metal used for the roof matches that of the rest of the building.

The current balance of the Main Street Redevelopment Area (RDA) is \$0. There are no longer additional incoming funds to the Main Street RDA. Further funding may be available when the City Council decides to allocate funds for the program. The balance of the Capital Improvement Program (CIP) account allocated for historic incentive grants is roughly \$24,000. The funds of the Main Street RDA are limited to the specific area. However, the funds of the CIP account allocated for historic incentive grants can be used towards any historic grant request within the City. Staff recommends that the funds be allocated from the CIP account allocated for historic incentive grants due to the fact that there are no available funds in the Main Street RDA.

Since August 2005 the HPB has awarded twenty-six (26) historic preservation grants which include sixteen (19) in the Main Street RDA, six (6) in the Lower Park Avenue RDA, and one (1) outside of Old Town. The overall average of each of these grants is \$10,839. The highest amount was \$28,750 while the lowest amount was \$1,250. The average award amount in the Main Street RDA is \$11,120. The average award amount in the Lower Park Avenue RDA is \$12,018.

Due to the limited resources, the grant amounts awarded since 2005, the maintenance items (such as exterior painting and new roofing, which are the responsibility of the homeowner, but may be considered under specific circumstances), and the fact that the proposal also includes a new foundation addition underneath the historic garage structure, Staff recommends that the HPB award the amount on the estimated breakdown for the roof restructure (\$), walls restructure and stabilize (\$), foundation prep work (\$), totaling \$, Therefore, Staff recommends that the Board consider granting the applicant one half (½) of the proposed cost of the eligible preservation work in the amount of \$18,052.50.

Staff is supportive of the foundation work underneath the existing structure which would essentially create a basement space below the garage. However, Staff is not supportive of grant money being used towards the interior improvement of the basement, especially windows, electrical work, interior finish, etc., since none of that work is essential to saving the historic structure. The foundation work is necessary to save the structure, and the natural grade of the property is conducive to a taller foundation, which is necessary to keep the garage at its current location next to the street.

There is currently not a strong demand for historic grants, even though there are currently several projects under review. Most reviews tend to be for additions and work that adds to the property value aside from improvement to the historic structure exclusively. It is important to note that if the HPB grants the funds requested, there will be very little monies left in the fund for future grants.

Recommendation

Staffs recommends the Historic Preservation Board (HPB) review the request for a historic district grant and consider awarding the applicant a portion of the costs

associated with the construction of a new foundation and roof for the existing historic accessory structure located at 101 Prospect Street.

Exhibits

Exhibit A – Plans

Exhibit B – Vicinity Plan

Exhibit C – Cost Estimate, Scope of Work, Preservation Plan

Exhibit D – Photos

TOPOGRAPHIC MAPPING

101 PROSPECT STREET

LOCATED WITHIN THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH

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PARK CITY
PLANNING DEPT.

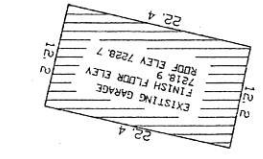
SCALE 1"=10'
0 5 10 20 30



NARRATIVE:
THE PURPOSE OF THIS SURVEY IS TO OBTAIN GROUND ELEVATIONS FOR A CONTOUR MAP PRIOR TO REMODELING THE EXISTING GARAGE. SURVEY COMPLETED 05/22/2012
BENCHMARK ELEVATION OBTAINED FROM GPS OBSERVATION
THE OWNER OF THE PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT. THE SURVEYOR HAS FOUND NO AVOIDABLE EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.
I, JACK M. HARMON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATION NO. 176966 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS BEEN MADE OF THE LANDS SHOWN AND DESCRIBED HEREON.
I FURTHER CERTIFY THAT THIS SURVEY IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

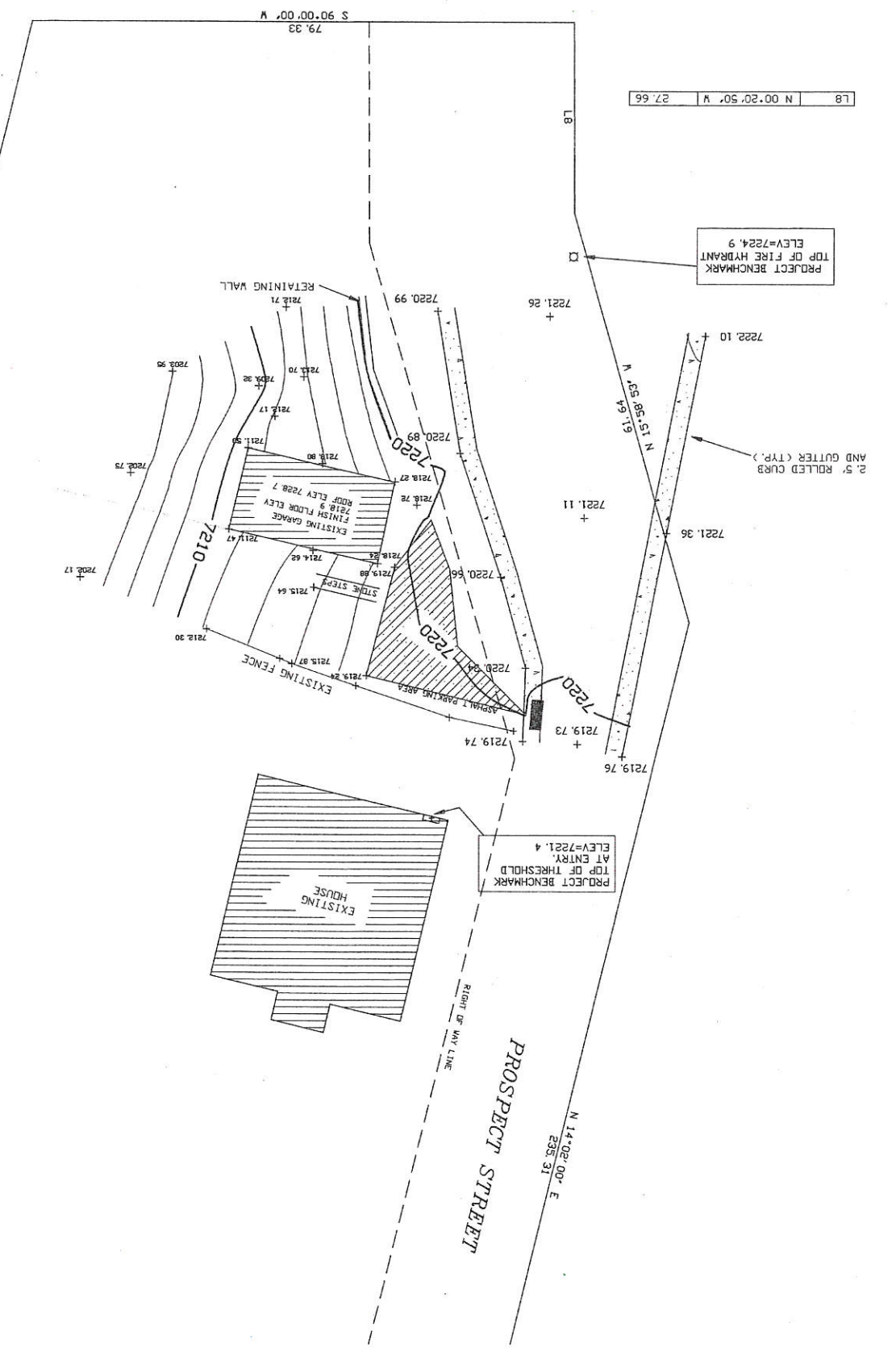
JACK HARMON LAND SURVEYING
725 REDDEN ROAD
PARK CITY, UTAH 84098
435-649-6511

NOTE:
The existing garage on this property is judged historic with LANDMARK status. The sub-structure under the garage is in disrepair. The proposal for this project is to raise the existing upper portion intact and remove the existing timber supports. Construct a new footing to raise the existing upper portion below the existing garage. The garage will then be lowered back down to sit on the new foundation. The garage floor elevation will be 1'-3" higher than the original elevation to facilitate access from existing grade.



GARAGE DIMENSIONS

LEGEND
 STORM DRAIN BOX
 SPOT ELEVATION 7219.73



Sheet A-2

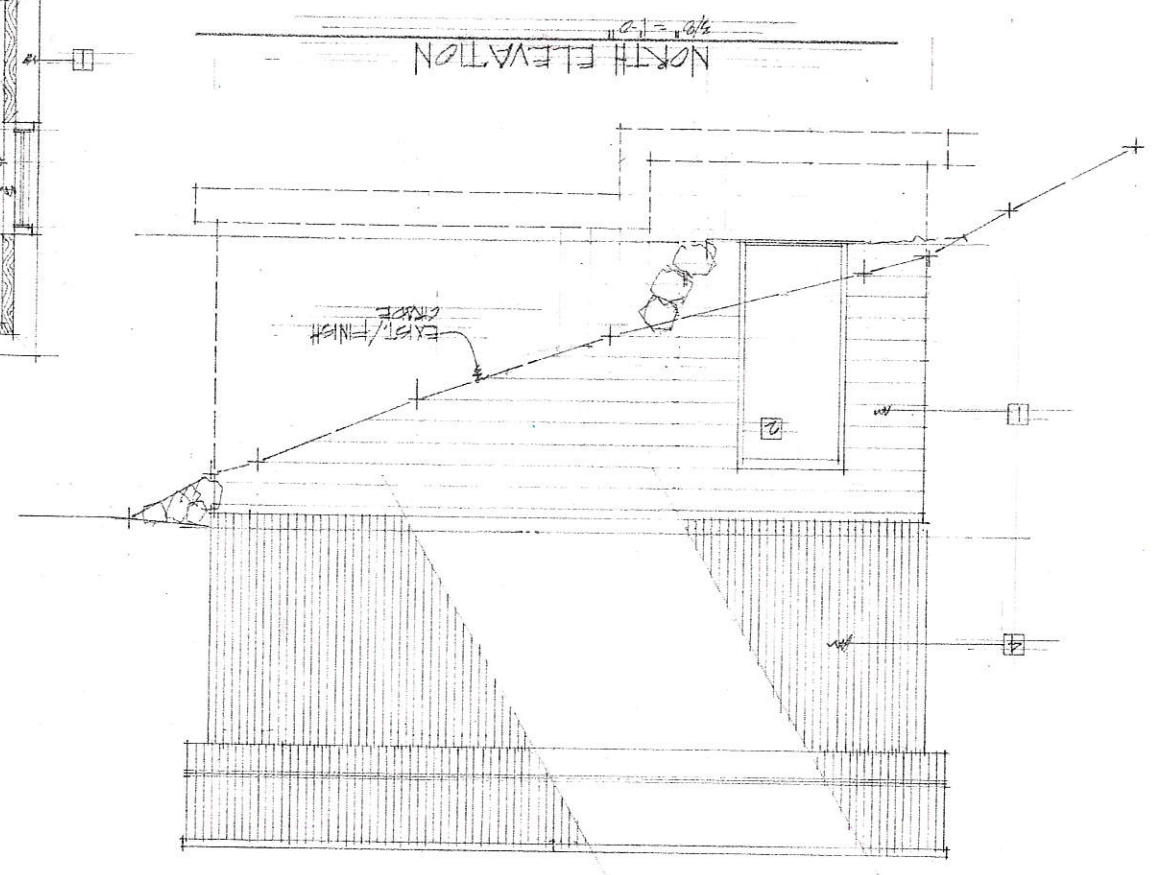
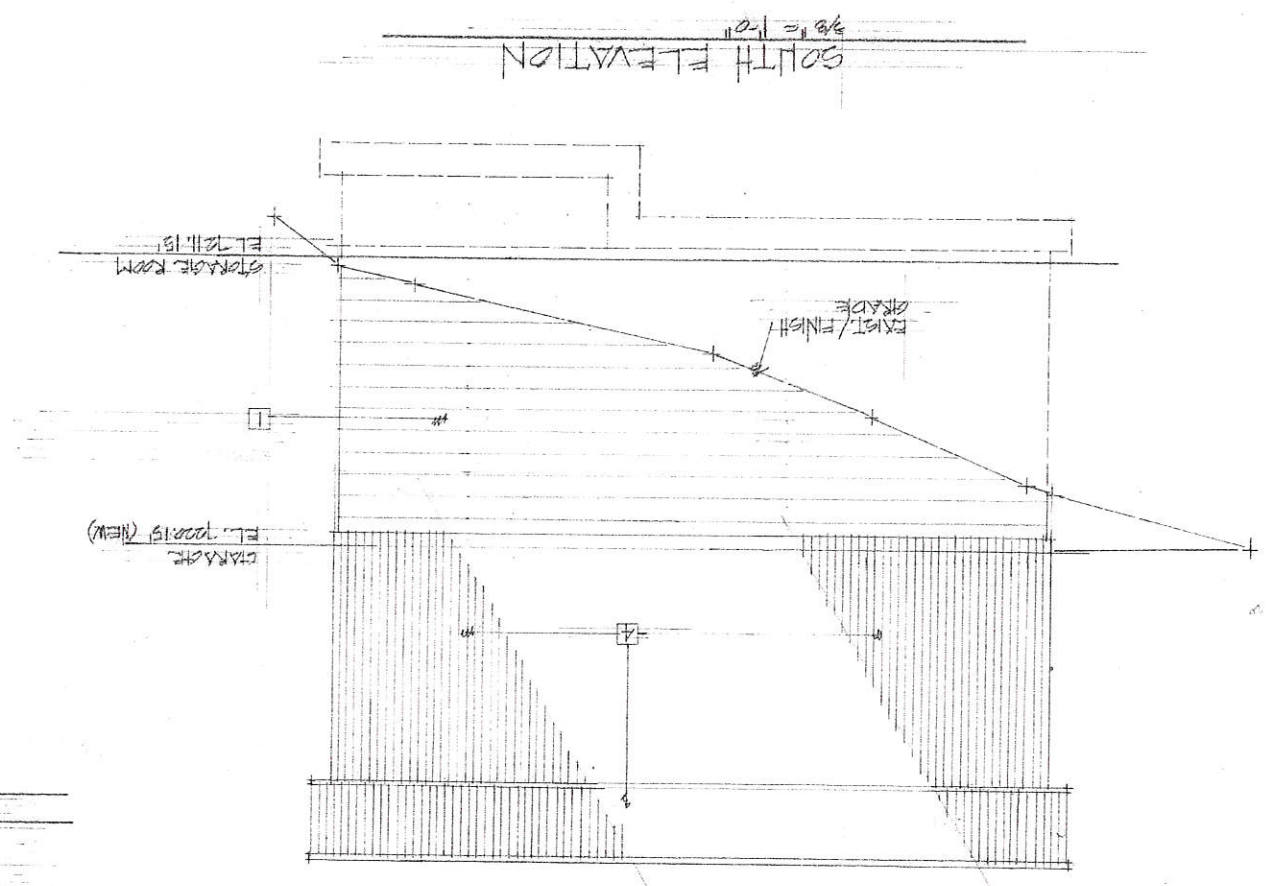
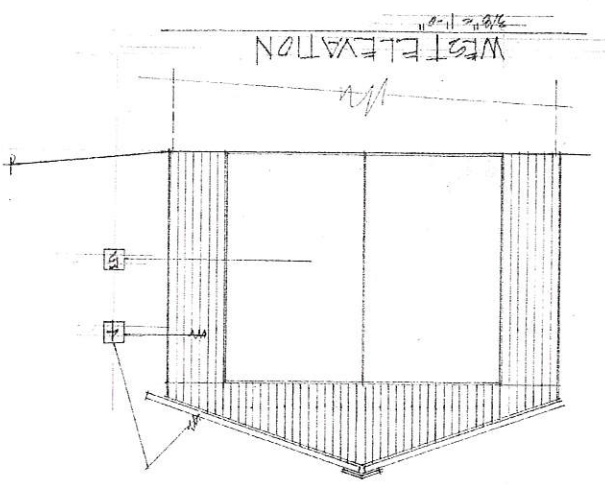
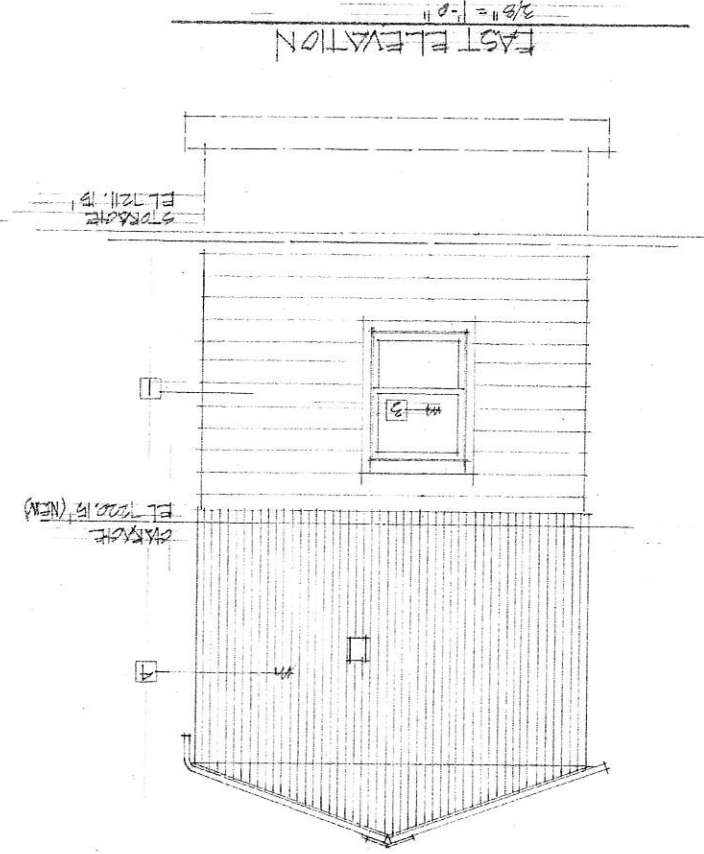
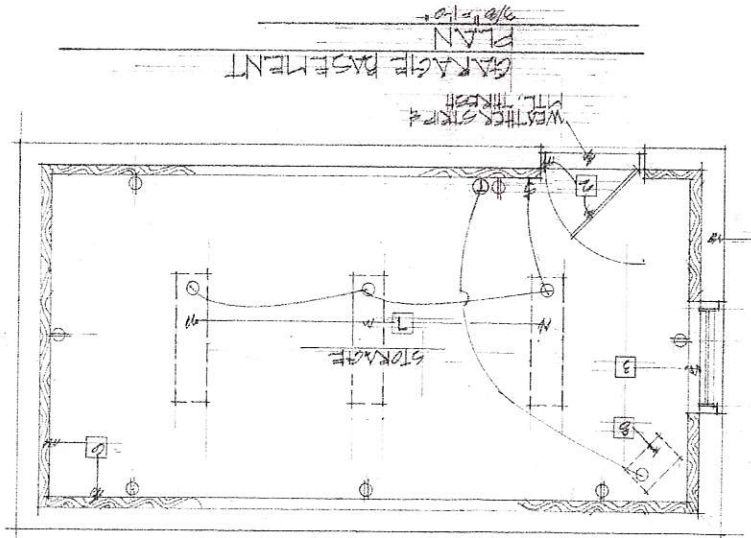
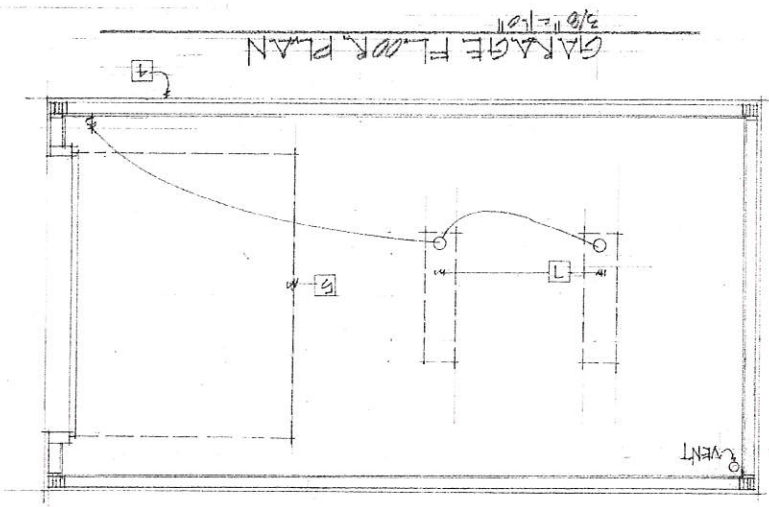
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Scale:
Date: 8-10-12

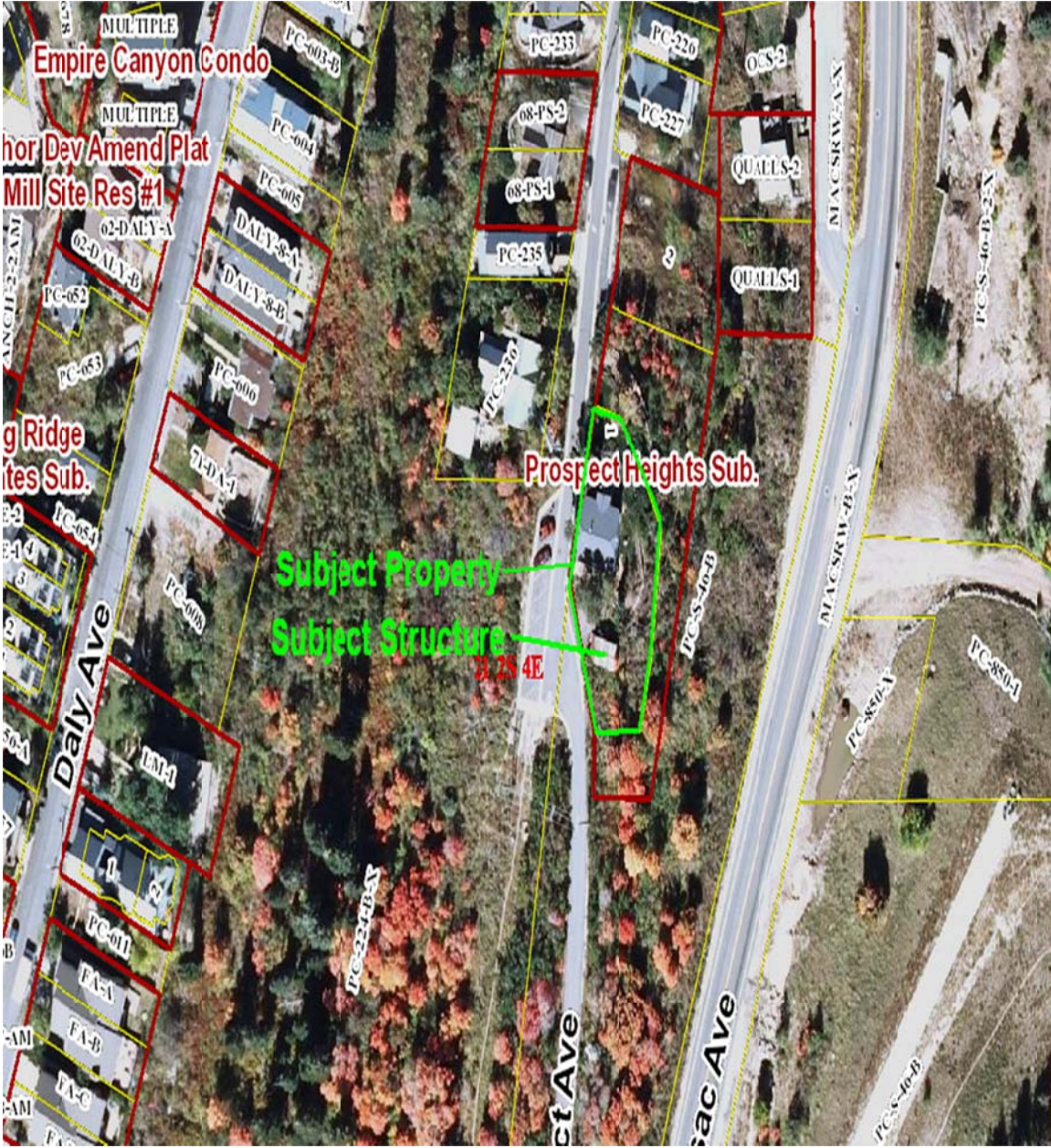
HISTORIC GARAGE REHAB. & BASEMENT ADDITION
ARCHITECTURAL
100 PROSPECT AVE
PARK CITY, UT

DAVID G. WHITE, ARCHITECT
P.O. BOX 1313 - 2703 ESTATES DRIVE
PARK CITY, UTAH 84060
(435) 643-8378 FAX: (435) 655-8845
EMAIL: dawwhite@xmission.com

- PLAN NOTES
1. New reinforced concrete foundation wall. Use 2"x8" board forms on the exterior face to create a board surface pattern.
 2. New 1 1/2" hollow metal door with 1 1/2" hollow metal frame. Door to be 3'-0"x7'-0"x1 3/4".
 3. New wood/shim, exterior clad double hung window w/ insul. glass. 3'-0"x4'-0".
 4. Existing corrugated metal siding and roofing to be re-used. Power wash and repaint.
 5. Single swing up (non-sectional) over-head door with corrugated metal siding on exterior to match existing siding. (painted)
 6. 2"x4" pressure treated studs @ 16" oc furring w/ 1/2" sheetrock finish. (painted) Fill stud space with R-13 batt insulation.
 7. 1'-0"x4'-0" two tube fluorescent light fixtures.
 8. Gas fired unit heater hung @ ceiling. Vent up through southeast corner of garage space.

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ARDNER & BOSWELL CONSTRUCTION
P.O. BOX 307
PARK CITY, UTAH 84060
COST ESTIMATE
8/6/2012

Doug Cotter
Historic Garage Remodel
101 Prospect Ave.
Park City, UT. 84060

CODE	ITEM	REMARKS	ESTIMATE
01.0.	General Conditions	Proposal assumes structure to be moved to city owned parking during the excavation and concrete work building phases.	.00
01.a.	Building Permits	Permits by Owner	.00
01.b.	Clean up	Dumpster Rental and Clean up Labor	330.00
01.e.	Gas Hookup	Trench and install conduit from house to garage.	125.00
01.h.	Portable Toilet		300.00
01.n.	Power Line	Trench and Install conduit from house to garage.	125.00
01.q.	Fire District Fees	Plan Review	40.00
03.0.	Site Work		.00
03.a.	Layout	Lay out for footings and foundation, structural steel, Elevation Certificate for City.	1,000.00
03.b.	Excavation	Includes truck time and dumping fees.	4,270.00
03.c.	Backfill	Includes gravel sub grade, grading, compaction.	1,497.00
03.e.	Rock Walls	Included in 03.a	.00
03.g.	French Drain &/Or Gravel		875.00
03.h.	Site Fencing	Labor and Fence Materials	250.00
04.0.	Concrete Work		.00
04.a.	Footings Labor & Mat.	Includes the installation of the "Board Form" .	1,394.00
04.b.	Walls Labor & Mat.		7,345.00
04.c.	Int. Slab Labor & Mat.		1,667.00
04.f.	Reinforced Steel		.00
04.g.	Driveway	Saw Cut and replace Asphalt at front of garage.	700.00
04.h.	Concrete Pumping	Foundation Walls, Footing, and Flatwork	600.00
05.0.	Masonry		.00

05.d. Concrete Wall Finish	Concrete board form materials. Allow for 1x8.	535.00
06.0. Metals		.00
06.a. Anchor Bolts	Included in 04.f.	.00
06.c. Structural Steel	Structural steel, B deck L&M.	4,117.00
06.g. Nails & Misc. Steel		200.00
08.0. Rough Lumber Package		1,180.00
08.a. Material Delivery Cost		100.00
09.0. Rough Framing Labor	Framing as per plan, and including stabilization of structure to prepare for moving.	2,200.00
09.a. Crane	Pick up, move, and replace structure on to new foundation.	1,620.00
09.b. Demolition	Disconnect garage from 8x8 supports and remove, Remove (E) plank flooring.	400.00
10.0. Window Package	3-0 x4-0 clad double hung window	351.00
11.0. Finish Lumber Package		.00
11.a. Int. & Ext. Doors	3-0 x 7-0 Hollow Metal Door	840.00
12.0. Finish Labor		.00
12.b. Install Ext. Finish	Install exterior door and window	200.00
13.0. Building Insulation	L&M Storage Only	640.00
14.0. Found. Damp Proofing		.00
14.b. Drain Board System	Tuff-N-Dry Warm -N-Dry	995.00
15.0. Roofing		.00
15.b. Metal Roofing	Remove corrugated roofing, dry in, reinstall corrugated roofing. New corrugated material installed on garage door. L&M.	3,012.00
16.0. Garage Door & Install.	Single Swing Door, including installation of corrugated cladding.	2,255.00
16.b. Garage Door Operator	Option, 3/4 hp Lift Master Installed. \$435.00	.00
17.0. Drywall	L&M	1,000.00
18.0. Painting	Corrugated Exterior, and Storage Interior Walls.	2,000.00
21.b. Siding Labor	Misc. Siding Labor	200.00
26.0. Heating & Ventilation	Gas Unit Heater, and venting Installed with gas line stubbed for future connection. Does not include gas line to house.	2,500.00
29.0. Electrical		.00
29.a. Electrical Labor	As per plan. Does not include service wire or electrical connection to house.	1,430.00

X

29.b. Electrical Fixtures	As per plan, plus light fixture at storage entry door.	650.00
30.0. Hardware		.00
30.b. Door Hardware	Lockset and deadbolt allowance	150.00
30.c. Installation	Install hardware	50.00
31.0. Profit & Overhead		4,714.00
TOTAL		51,857.00
34.0. Extras (added after the estimate)		.00

101 PROSPECT AVENUE GARAGE PL-12-01532

STABILIZE & LIFT GARAGE OFF OLD WOODEN PIERS
EXCAVATE, POUR NEW FOUNDATION WITH FULL BASEMENT
BUILD NEW GARAGE FLOOR WITH STEEL & CONCRETE
CONCRETE WALLS FOR NEW BASEMENT WILL USE
BOARD FORMS TO MATCH 1930 WALLS OF EXISTING
HOME ON NE PARTY.

BASEMENT WILL HAVE 36" ENTRY DOOR ON
NORTH SIDE AND ONE WINDOW ON EAST SIDE.
GAS & ELECTRIC LINES WILL BE STUBBED OUT FOR
LATER HOOK UP TO EXISTING HOME. BASEMENT
FURRED OUT & SHEATHED. FURNACE INSTALLED &
VENTED.

ORIGINAL GARAGE WILL BE REINFORCED WITH
MORE STUDS & PLYWOOD SHEATHING IN WALLS & ROOF
ROOF DRYED IN AND ORIGINAL TIN REINSTALLED. TIN
PRESSURE WASHED AND REPAINTED. NEW GARAGE DOOR
INSTALLED ONE PANEL DESIGN REPLICATING 1930'S
LOOK. ORIGINAL TIN PUT ON NEW DOOR IF POSSIBLE

UNITED PARK CITY MINES ARE THE ORIGINAL
BUILDERS OF GARAGE. EZRA HEWITT FIRST TENANT
OF HOME & GARAGE, AND THEN FRANK STONE IN 1950'S
EZRA HEWITT'S SON KEPT 1932 MODEL A FORD IN
GARAGE IN 1930'S.

ANTICIPATED START DATE IS AS SOON AS
POSSIBLE, AS GARAGE IS FALLING DOWN THE HILL

EXISTING CONDITIONS REPORT

SITE FEATURES

TOPOGRAPHY

The Site is situated at the top of Prospect Ave. The Garage to be rehabilitated sits on the edge of the east side of the street. A few years ago the street was re-surfaced and regarded. The existing garage door is now approximately 1'-3" below the street grade. The grade below the existing garage slopes sharply to the east.

LANDSCAPING

There is no existing landscaping. The Garage site is overgrown with existing native trees and bushes. See photos.

RETAINING WALLS

There is an existing block retaining wall to the South of the Garage site between the existing asphalt street and the down slope looking east. The wall is in good condition and will not affect any of the proposed construction.

EXTRIOR STEPS

None

FENCES

None

OTHER SITE FEATURES

None

ROOF

The roof of the garage is gabled and is in fairly good condition. The structure consists of 2"x4" joists (trusses) at 24" oc. Above the joists is 1"x8" skip sheathing running perpendicular to the joists. The wood is in very good shape and will be re-used. See structural

EXTERIOR WALL- PRIMARY FAÇADE 1

This façade consists of vertical steel corrugated siding which is in fairly good shape.

EXTERIOR WALL- SECONDARY FAÇADE 2

The wall structure is the same as described in Primary Façade 1.

EXTERIOR WALL- REAR FAÇADE

This façade is the same exterior materials as the other facades.

FOUNDATION

The building's existing foundation is of wood posts and beams on earth in very poor condition. See photos. The existing foundation is a non-issue because of stabilization requirements, the house will receive a new concrete foundation.

PORCH(ES)

None

DORMERS

None

ADDITIONS

None

MECHANICAL SYSTEM

None

ELECTRICAL SYSTEM

None

STRUCTURAL SYSTEM

The existing roof structure is 2"x4" joists (trusses) at 24" oc with 1"x8" skip sheathing above.

The foundation is wood posts and beams on dirt in poor condition.

The existing floor is 2"x12" flat layed over 8"x8" beams..

HAZARDOUS MATERIAL

None

MAIN BUILDING DETAILS

WINDOWS

None

TRIM

None

ARCHITECTURAL ORNAMENTATION

None

OTHER

None

ACCESSORY BUILDINGS

This garage in question is an accessory building to the main house.

STRUCTURES

None











