

**PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT
COUNCIL CHAMBERS, CITY HALL
October 18, 2016**



AGENDA

MEETING CALLED TO ORDER - 5:00 PM

ROLL CALL

ADOPTION OF MINUTES OF June 21, 2016

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF AND BOARD COMMUNICATIONS/DISCLOSURES

REGULAR AGENDA – *Discussion, possible public hearing, and possible action as outlined below*

638 Park Avenue Avenue – Appeal of Staff's Approval of a Historic District
Design Review for the Historic Kimball Garage
Quasi-Judicial hearing and continuation to October 18, 2016

PL-16-03106 23
*Planner
Grah*

ADJOURN

A majority of Board of Adjustment 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.

PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT
MINUTES OF JUNE 21, 2016

BOARD MEMBERS IN ATTENDANCE: Ruth Gezelius – Chair; Hans Fuegi,
David Robinson, Mary Wintzer

EX OFFICIO: Planning Director Bruce Erickson, Anya Grahn, Ashley Scarff,
Polly Samuels McLean, Louis Rodriguez

ROLL CALL

Chair Gezelius called the meeting to order at 5:01 p.m. and noted that the Board did have a quorum.

ADOPTION OF MINUTES OF May 24, 2016.

MOTION: Board Member Hans Fuegi moved to APPROVE the minutes of May 24, 2016 as written. Board Member Wintzer seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/BOARD MEMBERS COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that they were still waiting to hear from the State Ombudsman regarding 569 Park Avenue. He anticipated that it would be several months before they heard back.

REGULAR MEETING – Discussion, Public Hearing and Possible Action

1. 2389 Doc Holiday Drive – Applicant is requesting a variance to Land Management Code Section 15-2.11-3 (1) (2) to construct an addition to connect a single-family dwelling to a detached garage. If connected, the entire structure would no longer meet required side and rear yard setbacks of ten feet (10'). (Application PL-16-03106)

Planning Tech, Ashley Scarff, reviewed the request for a variance to reduce the minimum required rear and side yard setbacks of 10' each to 9.25 feet and 5.25 feet respectively. The property in question is Lot 16 of the Prospector Park Subdivision Phase I. The lot currently contains the applicant's single-family dwelling and detached garage, and both meet the minimum required setbacks for

main and detached accessory structures in the Single Family District. The LMC provides exceptions for structures in Prospector Park Subdivision Phase I. The applicant would like to construct an addition to connect the main single family structure with the detached garage. The minimum rear and side yard setbacks for the detached garage are 5' each. The existing garage is approximately 9.25 feet from the rear property line, and 5.25 feet from the side property line. Ms. Scarff stated that the minimum rear and side yard setbacks for a single family dwelling are 10' each. The existing single family dwelling meets the minimum side yard setbacks, but if the detached garage were to be combined with the main single family dwelling, the combined structure would no longer meet the minimum required 10' rear or side yard setbacks.

The Staff found that the application did not meet Criteria 1 through 4; but it did meet Criteria 5 as outlined in the Staff report.

Board Member Robinson asked how many properties in the area were similar to this with a detached garage or shelter. He believed the structure was built in 1978 and he wondered how many properties had the same configuration.

Planner Scarff had prepared a map to perform that type of analysis. She noted that Doc Holiday Drive is in a backward L configuration. She had looked at other properties with similar challenges, and four of five were detached garages. Ms. Scarff had done some research and found that a variance for this type of situation has never been granted on Doc Holiday Drive. The houses on Doc Holiday Drive that look like they may have been connected to the detached garage were actually constructed that way.

The applicant, Sandy Bergland, thought there were approximately 60 houses in Prospector Subdivision Phase I; and 40 of them had attached garages. The rest were detached. She was not sure if the numbers completely accurate, but they were close to what she recalled in her research. Ms. Bergland stated that she has lived in her home for five years. She pointed out that the back of the house and the garage. The back of the house faces north and it is a solid sheet of ice all winter. She has done everything possible to try to fix the ice problem but nothing helps. This variance request was her last effort to try to make the back of her house safer. Ms. Bergland stated that the hardship for the variance would be the unsafe and hazardous conditions.

Kerry Holmers, a friend of Ms. Bergland, stated that she spends a lot of time at the house and she constantly deals with this problem. She has fallen on more than one occasion and she has witnessed other people falling on the ice. She did not believe the picture presented showed how bad it actually gets, because the photo was taken after the area had been ice picked and somewhat maintained. Ms. Holmers commented on other issues related to the unsafe condition and why it was important for Ms. Bergland to obtain the variance.

Board Member Wintzer stated that she is familiar with Prospector. When she walked along there a property three or four doors down had a similar configuration with the fence, and there is no exit from the fence. She asked if Ms. Bergland had a gate that comes out to her garage. Ms. Bergland replied that she has a door on the side of her garage. The fence does have a gate but there is usually too much snow to be able to open it.

Board Member Wintzer stated that she has lived in her house in Old Town for 35 years, and they have to close off the north side every winter and barricade their animals from that area. She understood the problem, but it is a fact of living in Park City and snow country. Ms. Wintzer was concerned about setting a precedent along there and the potential for increasing living space. She noted that Ms. Bergland could use the front door to access her garage during the winter.

Ms. Bergland pointed out that of the north facing houses on Doc Holiday, only four houses are not connected to the garage. Ms. Wintzer agreed, but noted that it was a function of the design at the time the house was built. Ms. Bergland pointed out that the house at 2197 Doc Holiday created a breezeway that connects the house and garage. Ms. Wintzer questioned why that house did not require a variance.

Planner Scarff believed there was a way for the applicant to add a small addition on her home and still meet the minimum required setbacks, as long as the detached garage never became attached to the home. The breezeway did not require a variance because it did not create living area and its purpose is a connecting roof structure. Ms. Scarff stated that there were alternatives to physically connecting the house to the garage to mitigate the icy sidewalk issue.

Board Member Fuegi assumed Ms. Bergland was aware of winters in Park City when she purchased her home five years ago. Ms. Bergland replied that she was aware, but over time she thought she could live with the situation. However, after falling herself and having so many others fall on her property, she would like to make it safer to get to her car without using her front door and walking all the way around. Mr. Fuegi asked if heating that patch of ground could be an option if the variance was not approved. Ms. Bergland had not given it any thought, but she believed it would be very expensive. She has tried other alternatives but nothing seems to work.

Board Member Robinson noted from the plans that Ms. Bergland was building a mud room. Mr. Robinson asked the Staff if it would be acceptable if the mud room was built but not attached to the garage, and had a cover from the mud room to the man door in the garage. Planner Scarff believed it would be permissible as long as the structures are not physically touching or actually connected to each other. She had consulted with the Building Department and

was told that there is no minimum required distance between structures if they are on the same lot and have the same owner.

Chair Gezelius stated that the Board of Adjustment has very defined rules about what they can consider; and what they can consider is the application before them. This was not the forum to discuss other alternatives. Chair Gezelius asked the Board to focus their discussion on the application for a variance.

Chair Gezelius concurred with the Staff analysis of this request not meeting the first four criteria. This home was built in 1978, but some homes were built in 1888, and those owners are dealing with their existing conditions. The idea of asking for a variance to cover even more of this lot, which is out of context and character to the subdivision, is the wrong direction. Chair Gezelius felt that to grant such a huge variance when there is already a setback problem on the site did not make good planning sense. She did not agree with covering more of this lot. Chair Gezelius thought the Staff did an excellent job of analyzing the criteria. Unless they could find that all the criteria is met, the variance should not be granted. Chair Gezelius echoed Ms. Wintzer's comment about this climate being a hardship for everyone who lives there, and they all find ways to cope with it. If one site has more challenges than another, it is up to the property owner to cope with it the best they can. Chair Gezelius found the request to be excessive in terms of requesting a variance. It would be poor planning judgement for the neighborhood if the BOA allowed this because they would be setting a precedent they would not want to set in terms of site coverage. She stated that the setbacks were written as such and need to be enforced with very minor variations.

Board Member Fuegi agreed with Chair Gezelius, but he thought Board Member Wintzer had touched on the primary issue of setting the precedent for this area. Mr. Fuegi was sympathetic to Ms. Bergland's problem, but people in Park City learn to deal with winter conditions. He also thought the application was excessive.

Board Member Robinson agreed with all the comments. He believed the issue was the setbacks. Whether or not Ms. Bergland would be adding square footage to the home was another question. The Board of Adjustment is bound by specific rules, and based on those rules he would be hard pressed to grant a variance.

MOTION: Board Member Wintzer moved to DENY the request for a variance at 2389 Doc Holiday Drive based on the Findings of Fact and Conclusions of Law found in the Staff report. Board Member Robinson seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 2389 Doc Holiday Drive

1. The site is located at 2389 Doc Holiday Drive.
2. This property is Lot 16 of Prospector Park Subdivision Phase 1.
3. The property is located in the Single Family (SF) District and is subject to Land Management Code §15-2.11-3 Lot and Site Requirements, subsections B – I, which convey the following:
 - a. Rear Yard Exceptions: Detached Accessory Buildings not more than eighteen feet (18') in height must maintain a minimum Rear Yard Setback of five feet (5').
 - b. Side Yard Exceptions: Detached Accessory Buildings not more than eighteen feet (18') in height must maintain a minimum Side Yard Setback of five feet (5').
 - c. Side Yard: The minimum Side Yard is ten feet (10'). d. Rear Yard: The minimum Rear Yard is ten feet (10').
 - d. Rear Yard: The minimum Rear Yard is ten feet (10').
4. The lot currently contains one (1) single-family dwelling and one (1) detached garage, which both meet minimum rear and side yard setback requirements for main and detached accessory structures.
5. The applicant desires to construct an addition to connect the main single-family dwelling to the detached garage.
6. If the main structure is to be combined with the detached accessory building, the entire structure would no longer meet required rear and side yard setbacks of ten feet (10') each.
7. The applicant requests to reduce the required minimum rear and side yard setbacks of ten feet (10') each to 9.25 feet (9.25') and 5.25 feet (5.25'), respectively.
8. In order to grant the requested variance, the Board of Adjustment must find that all five (5) criteria located in LMC §15-10-8(C) are met. The Applicant bears the burden of proving that all of the conditions justifying a variance have been met.
9. The nature of the request comes from literal enforcement of the LMC, but stems from conditions that are general to the neighborhood, or any properties with similar configuration.

10. The applicant has the ability to build an addition onto the main single-family structure in a manner that decreases the distance between the main and accessory structures, thus, providing the connecting walkway with more cover from the elements in winter months.

11. The variance is not necessary for the property owner to update or remodel their home.

12. The variance would not substantially affect the General Plan, but would be contrary to public interest by setting a precedent for reduced rear and side yard setbacks, which are enforced in the name of the public interest.

13. The spirit and intent of the LMC would be observed with the addition, as long as the current use of the garage structure is maintained.

Conclusions of Law – 2389 Doc Holiday Drive

1. Literal enforcement of the Land Management Code for this property would not cause an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.

2. There are no special circumstances attached to the property that do not generally apply to other properties in the same district.

3. Granting the variance is not essential to the enjoyment of substantial property right possessed by other property owners in the same district.

4. The variance will not substantially affect the General Plan but will be contrary to the public interest.

5. The spirit of the Land Management Code will be observed.

Order

1. The variance to LMC §15-2.11-3(I) reducing the minimum rear yard setback of ten feet (10') to 9.25 feet (9.25') and the minimum side yard setback of ten feet (10') to 5.25 feet (5.25') to connect a single-family dwelling to a detached accessory building--is hereby denied.

2. 422 Ontario Avenue – Applicant is requesting a variance to Section 15-2.2-3 (E) (Front Yard Setbacks), Section 15-2.2-3(H) (Side Yard Setbacks), and Section 15-2.2-5 (A) Building Height of the Park City Land Management Code (LMC) for the purpose of constructing a basement garage addition and new above grade addition to a “Significant” historic house. (Application PL-16-03138)

Planner Anya Grahn provided a brief background on the site at 422 Ontario Avenue. This portion of Ontario is very steep and narrow and it is difficult for two cars to pass. An existing 14' boulder and concrete retaining wall was constructed by the neighbor in 2008. It was to improve the hillside along the road and hold it back. Planner Grahn reported that the previous owner, LS Sorensen, entered into an agreement with the neighbors for that wall, and it was built legally. The historic house is designated as Significant on the Historic Sites Inventory, and historically the Sorensen's accessed the property from the back where Echo Spur is now. However, when this applicant met with the developer of Echo Spur, Echo Spur was not interested in entering into any kind of vehicular access. Planner Grahn stated that there is no prescriptive right for that access because the access occurred over a property that was owned by the railroad and it could not be granted. She noted that currently the owners park along Ontario Avenue, which is public parking space in the public right-of-way. The LMC requires a 12' front yard setback, and the wall is setback approximately 12'. Planner Grahn explained that the wall is built right on the front property line, but front property line is 12' back from the paved Ontario Avenue because Ontario Avenue was not built within its platted right-of-way.

Bill Mammen, the project architect, discussed the quirks of the site and his approach to designing it. Mr. Mammen stated that they could build a garage 12' back from the front property line, but it would be buried because the grade at that point is 18' above the floor of the garage. He thought that would be visually be more harmful to the street than just having the garage at the retaining wall. Mr. Mammen noted that the plan is to use the existing retaining wall as the garage door. They would re-establish the historic grades after the garage is built.

Mr. Mammen commented on the height and noted that the steep slope requires 35' from the lowest floor entrance to the top plate. The City is counting the entrance to the garage door as that lowest point. Mr. Mammen stated that the plan is to build a separate structure that is only attached by a minimal connection to the historic house. The historic house stands alone, and any addition would stand alone as a new addition. Mr. Mammen stated that the plan is to come up from the garage with an elevator and stairway to make the house totally accessible and livable, which is rare in this part of Park City. Mr. Mammen remarked that some of the hardship is created once they build the structure. If they put the garage where it belongs it hurts everyone, and that is the biggest hardship.

Planner Grahn reviewed the criteria and the Staff findings as outlined in the Staff report.

Chair Gezelius asked Planner Grahn to clarify the size of the lot. Planner Grahn stated that the minimum lot size is 1875, which is a traditional 25' x 75' lot. The applicant had gone through the plat amendment process and they were working

through the redlines. The plat amendment had not yet been recorded. The proposed lot size would be 4,464 square feet.

Board Member Wintzer understood that the house was over three stories on one elevation. Mr. Mammen replied that the house would end with the garage and two stories. The two finished floor levels would be the existing floor of the house and one story above that.

Planner Grahn pulled up the east elevation that Ms. Wintzer was referring to. Ms. Wintzer asked if the applicant was proposing a height of 41' rather than 35'. Planner Grahn replied that she was correct. Mr. Mammen explained that the 41' was measured from the garage door entrance. Ms. Wintzer asked if measuring from the garage floor accounted for the space for the roof. Mr. Mammen replied that it was 41' from the garage floor to the top plate. He noted that stacking it reduces the overall height. He stated that the addition would only be 800 square feet. They were adding two bedrooms and two bathrooms. Ms. Wintzer stated that if they were adding 800 square feet, the total size would be 1600 square feet.

Barbara Easter, the owner, believed the proposed drawing showed a total of 2300 square feet including the original house. Chair Gezelius clarified that it was on a 4464 square foot lot. Mr. Mammen stated that the footprint is 1400 square feet. The total square footage of the house was 2300 square feet.

Chair Gezelius stated that the rules are written for flat lots, and then written for a certain slope. She pointed out that this was an unusual lot in terms of its setback, the slope, and its location. The idea of keeping the historic home instead of building a gigantic home on this parcel, made her much more receptive to the issue of a height exception based on the very steep slope. Chair Gezelius thought the request was reasonable for a smaller than a potential sized home. Saving the historic home and getting a functional home at the same time made her think differently because the size of the site justified extenuating circumstances. Having been a pedestrian on this street, she realized how dangerous it can be when cars back in and out, or try to pass each other, or trucks come and go. Chair Gezelius stated that her thinking changed as she kept reading the Staff report.

Board Member Wintzer referred to the west elevation on page 66 of the Staff report. She had concerns with the mass and scale appearing to be considerable with the small house. Mr. Mammen reviewed the plans to help Ms. Wintzer understand the mass and scale of the proposal. They really wanted to let old home shine, and the intent was to expose the actual T house that was built in 1905. The walls are very distinct. Chair Gezelius asked if that was the reason for changing the siding from the horizontal on the old house to the vertical in the back. Mr. Mammen pointed out that the 3-foot link will be all glass. He pointed to the original back porch on the original house, the T, the front porch and the

back porch. He noted that they were re-establishing the back porch and enclosing it with glass, and that would connect the old house to the new house.

Ms. Easter remarked that the plan is connected to the garage. If they could not put the garage in the hill, they would be forced to build a much larger structure on top of the hill, and it would overwhelm Shorty's house. It is a tiny house and putting an addition on to the side of it will allow the house to be used. It would also help to restore the historic house.

Mr. Mammen explained the dimensions of the garage and noted that it would be a two-car tandem garage.

Board Member Wintzer commented on the two public parking spaces that would be given up. She asked if the applicant would be using public property. Planner Grahn answered yes. She reviewed the site plan and indicated the area in front of the house that is within the public right-of-way that is currently available for public parking. Rather than be public parking it would now be the access into the tandem garage. Ms. Wintzer asked if the public parking spaces would remain if the variance was not granted. Planner Grahn replied that she was correct. If the variance was not granted they would be unable to construct the underground garage, and the two spaces would remain. Mr. Mammen pointed out that it was only one space; not two. Ms. Easter agreed that it was only one space, and it has always been used by whoever lives in the house. Chair Gezelius noted that that the parking space is challenged because the snow storage from the street is piled up on the site because there is no storage along this street.

Board Member Fuegi asked Mr. Mammen if he had any drawings showing the height at 35'. Mr. Mammen stated that there was no way to have a second floor and keep within 35'. Without the variance, they would be restricted to one level and would have to increase the 1400 square feet footprint. Mr. Mammen stated that they could lower the addition floor and add a second floor, but it would require changing the historic grade.

Board Member Fuegi understood historic grade, but there is also an existing Code. He thought it was a hard argument to swallow when on one hand Mr. Mammen needs a variance for the height, but they are going to build it up. It did not make sense until Mr. Mammen explained the historic grade.

Director Erickson asked if Planner Grahn had done an analysis of the alternatives before coming in with the Staff recommendation. Planner Grahn explained that the applicant had submitted a pre-Historic District Design Review application. They were only at the pre-app stage, because without a variance the design would change drastically and she did not want the applicant to submit the full HDDR. Planner Grahn stated that if the variance is granted, or even if not, they would likely need a steep slope conditional use permit that would go through and be approved by the Planning Commission. Something new to the Planning

Department is that last December the City Council required that the HPB start looking at material deconstruction applications. The HPB will be required to review the work that is being proposed on this house, as well as the demolition of the addition to the north that the Staff does not believe is historic or original to the building.

Planner Grahn outlined the options. If the variance is granted and the applicant was allowed to put in the basement garage addition, the height of the addition overall would have to be reduced. If the garage was not to be constructed, historic structures are exempt from parking and they could continue to park on the street. They would probably have the opportunity to keep the height but the basement floor would have to be raised.

Chair Gezelius wanted to know how high they could build if a house was built on the top of the lot. Planner Grahn replied that it would be 27' above the indicated line. She was only talking about height above grade and not the interior. Mr. Mammen stated that if the Board of Adjustment did not grant the variance for the garage, the only option for the garage would be to push it back 12', and it would obliterate the historic house. He thought the BOA needed to weigh which was more important.

Planner Grahn indicated on the site plan where the garage would line up if it was pushed back 12'. The amount of required excavation would probably not meet the design guidelines and a garage would not be accomplished.

Board Member Robinson understand that Mr. Mammen was proposing to connect the historic house with the new structure. He referred to the first level floor plan on page 63 and asked if it included the existing structure. Mr. Mammen reviewed the plans showing the existing historic structure, and the existing historic porch.

Chair Gezelius stated that was not unprecedented in this general area and that at least two historic homes were connected to additions behind or beside them. It is a way to save some element of the historic structures and provide enough living space for today's standards for a family. Chair Gezelius remarked that it is a challenged, steep site, and she rarely favors a height exception. However, she believes that saving the home and building correctly make it a good neighbor to have its own parking, and it becomes a much more functional home with the garage. She thought the applicant presented a garage that fits the direction of planning with a single car garage and tandem instead of two garage doors on the street. Chair Gezelius believed it fits with what has been done in this area planning-wise to save the historic structures that are left. She would be sad to see a big new house 27' high at the top of this hill. Height variation in the neighborhood is good and this comes in under other structures that were built. She considers that to be a neighborhood benefit.

Board Member Fuegi clarified that this historic house could not be torn down because it is on the HSI. Director Erickson stated that they have HPB review and material deconstruction. The Board is not happy about doing that to houses, and the Planning Department is very vigilant about protecting that house. Director Erickson remarked that the excavation required if the variance is not granted would put the Significant house at much more risk during construction, even if it was raised. He noted that part of the variance request is to do additional protection of the historic home.

Chair Gezelius asked if the Board was ready to make a motion. Board Member Wintzer stated that she was still struggling with the General Plan and the size and the mass and scale. She would not be making the motion.

Chair Gezelius stated that the motion should be to APPROVE the request at 422 Ontario for the variances as outlined on page 41 of the Staff report. The first variance is to the required 12' front yard setback; the second variance is to the required 5' side yard setback on the north property line for the construction of the garage; the third variance is for the maximum height to be increased to the 41' as outlined in the conditions, subject to the Findings of Fact, Conclusions of Law and Conditions of Approval and the Order as written.

MOTION: Board Member Robinson moved to APPROVE the variances requested for 422 Ontario, per the language stated by Chair Gezelius.

Board Member Fuegi asked for additional discussion on the motion.

Board Member Fuegi was uncomfortable with the height variance. He wanted to make sure they explored all the possibilities and alternatives. He liked the idea of the garage and the idea of maintaining the house. However, he thought they needed to further explore the possibilities of staying within the height restriction.

Mr. Mammen stated that if they only did an addition, the addition would be 18 feet taller than what is proposed. He felt like they were being penalized by the 35' height restriction because they want to build the garage right off the street. If they pushed the garage back, they are restricted by a 14% slope. If they did a 14% slope off the street and went 23 back from the back curb, it would be 3.8'. Mr. Mammen believed they were really only asking for 18" from a strict interpretation of the rule. The applicant was also cutting a story off of the house in order to get a garage. He thought it was a quid pro quo.

Ms. Easter stated that without the variance she would have to decide how to make this house livable for someone and just maintain the parking spot off the street that is public space. Ms. Easter noted that she could build an additional four-bedroom house above it that is 18" taller than this one, and not have to ask for a variance.

Board Member Wintzer could not reconcile the variance request with the five criteria.

Chair Gezelius suggested that the Board discuss each of the criteria.

Criteria 1. Literal enforcement of the LMC would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the LMC.

Chair Gezelius believed the Board members agreed with the applicant that the site is steeply sloped uphill.

Board Member Wintzer stated that in terms of an unreasonable hardship, this was a hardship that many homes in Old Town have faced or still face.

Chair Gezelius pointed to the photos of the surrounding structures and noted that the new homes were allowed to build underground garages and build higher. She stated that her issue since the 28' height was imposed on people who had not demolished their historic homes, is that the next door neighbor could build a new house at a taller height, but the historic house needs to remain lower. She thought it was grossly unfair and creates a hardship for people trying to maintain a historic home at a size that is livable for a family. From a planning standpoint, Ms. Gezelius thought the restrictions were punitive and penalize people who wish to follow the new rule. It made it difficult to accomplish the goal to maintain historic structures. She believed that granting the variance was a much better alternative than having the applicant build a much taller structure at the top. It would also save this historic home. Chair Gezelius commented on the hardship of trying to maintain a historic home on an extremely steep lot. She thought the excavation consideration to put a garage further back was not a good scenario for soils stability and the homes adjacent to it, as well as the back hillside. In her opinion, it did not make sense.

Board Member Wintzer stated that when the City did the Visioning people brought in pictures of houses they were upset about. This was occurring all over Old Town and she assumed the 27' rule was changed because they were seeing too much mass and height. She thought it was unfortunate and agreed that it is not always fair. However, when she reads the General Plan, the goal is to maintain the fabric of the community, and felt this variance request was a stretch to meet that goal.

Chair Gezelius pointed out that the purpose of the Board of Adjustment is to address the unusual and the hardships. The lots that were left are the hardest lots to build on. She remarked that if they could not have exceptions or the opportunity to maintain the historic structures they would be lost. Chair Gezelius gave Mr. Mammen a lot of credit for his design solution on a difficult site. She was amazed that he could envision a way to utilize the site and save the home.

Mr. Mammen remarked that this has been a work in progress for over a year and it was not approached lightly. He presented a picture of a structure that legally meets the LMC, even though it completely obliterates the street and the house is 27' above existing grade. Chair Gezelius thought it was questionable whether that home contributed to the Historic District. Mr. Mammen argued that this house and most of the other houses on the street have no place in the Historic District, and they should have never been built. He explained that Ms. Easter's house is 3 feet below the 27' height limit at its highest point. The ground keeps going up from there and the height is below 27' at the back of the house. Mr. Mammen agreed that too much bulk and mass was built in the Historic District years ago. He believed the Code was fine but too many things were allowed to slip by through misinterpretation of the Code.

Ms. Easter understood the concerns about massing, but her house would be nothing compared to the addition on McHenry and the new enormous glass house. Her house would be setback so far that it would be less visible from the street and very low in comparison to the hill. She intended to make Shorty's house stand out and that is what will be seen as the mass.

Board Member Wintzer referred to the criteria regarding public interest. She asked if the City makes the judgement call when it gives up public spaces, and whether there is a balance or always a price that the applicant or developer has to pay. Director Erickson stated that in the public interest portion, the BOA gets to decide whether the benefits to preserving this house and the reduction in overall height, warrants taking one publicly available parking space out of the system that may or may not be useful during the winter. The plan would eliminate one parking spot, but gain two parking spots, and protect the historic house. The Staff believes that is a quid pro quo; but the Board of Adjustment makes that decision.

Board Member Robinson understood from the Staff report that was one of 13 houses listed on the Historic Sites Inventory. However, this is the only historic house that has this very unique situation because most of the other houses are further down on Ontario where the road flattens out. Those homes do not have to deal with a severe slope and most of the access is to the rear of those properties. He believed this was a very unique situation for that reason. Mr. Robinson stated that another important issue is that the Historic Design Review still needed to take place, and he assumed the review team would look closely at the design elements of the house, along with the material deconstruction. Rather than the BOA getting involved in the design aspect, Mr. Robinson thought the idea of granting a variance to go from 35' to 41', but actually ending up with less mass than what could occur if they do not grant this variance, would act in favor of the applicant's request.

Board Member Wintzer asked the Staff if it was a definite fact that if the BOA grants this variance, they would end up with a house that is less than what could otherwise be built. Planner Grahn answered yes. Ms. Wintzer asked if that needed to be part of the motion to approve the variance. Chair Gezelius stated that it was outlined sufficiently in the Findings and did not need further clarification.

Assistant City Attorney McLean noted that Condition of Approval #1 states, "The variances are granted for the construction of an underground basement garage as indicated on the plans submitted with this application". Ms. McLean noted that the HDDR has not taken place and there might be some changes. She thought Condition #1 was clear that the variance was only for that underground basement garage. However, they could revise the language to indicate that the variance is granted only for that purpose.

Chair Gezelius suggested wording, stating that, "The variance for the height exception is granted on the understanding and condition that the finished height of the project could not exceed 18 feet at the top". Ms. McLean and the Board members were comfortable with that wording. Mr. Mammen suggested that they could go further and specify an elevation. Planner Grahn thought it should read "top wall plate" to match the LMC.

Chair Gezelius did not believe they needed to establish the actual elevation. She suggested language stating, "...from the lowest finished floor plane to the top of the highest wall top plate shall not exceed 41' per the applicant's request". She stated that if the applicant, the Planning Commission or the HPB wants something different, it would have to come back to the BOA.

Based on their comments, Planner Grahn drafted Condition #5 to read, "The variance for the interior height exception is granted and conditioned so that the lowest finished floor plane to the highest wall plate does not exceed 41 feet as per the variance requested, which will result in a structure that is lower in height and elevation than could be built on the site without the variance".

To address additional concerns regarding the height, Director Erickson suggested adding another sentence stating, "The height of the new structures shall not exceed 18' at the highest portion of the site to the top sill plate above existing grade." Planner Grahn suggested "to the roof height" instead of "the sill plate". Director Erickson suggested adding Condition #6, stating that while the height exception runs with the land, it is limited to the proposed drawings contained in the Staff report. If there is concern about vesting future height exception rights, it should be limited to this particular plan. If a future owner wants something different they would have to go through the variance process.

After further wordsmithing, Condition #5 was revised to read, "The variance for the interior height exception is granted and conditioned so that the lowest

finished floor plane to the highest wall plate does not exceed 41 feet as per the variance requested which will result in a structure that is lower in height above existing grade than what would otherwise be permitted. The height of the new structure shall not exceed 18 feet above existing grade from the tallest elevation of the site". Condition #6 would read, "The variance for height and setbacks is limited to the building plans submitted as part of this variance application."

Mr. Mammen asked if the applicant would have to come back to the Board of Adjustment if changes were made during the HDDR. Planner Grahn replied that it would only be in relation to the height and the variance granted. For example, if they needed 42' of interior height they would have to come back. If the setback changes for the garage, they would also come back to the BOA. Otherwise, the remainder of the house follows the normal LMC requirements.

Director Erickson suggested revising Condition #6 to read, "The variance for height and setbacks is limited to the building plans submitted as part of this variance application and subsequent to the Historic District Design Review (HDDR)".

MOTION: Board Member Robinson moved to Approve the requested variance as stated in his previous motion with the amendment to add Conditions Approval #5 and #6, subject to the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Board Member Fuegi seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 422 Ontario Avenue

1. The property is located at 422 Ontario Avenue in the Historic Residential (HR-1) District.
2. The HR-1 zone is characterized by historic and contemporary homes on one (1) to two (2) lot combinations.
3. The property consists of all of Lot 5, all of Lot 6, the south one-half (approx.) of Lot 7, and a portion of Lots 26, 27, and 28, Block 58 of the Park City Survey. On December 3, 2016, City Council approved a plat amendment at this location to create the Sorensen Plat Amendment; this plat amendment has not yet been recorded.
4. There is an existing 837.25 square foot historic house on the property. It is designated as Significant on the City's Historic Sites Inventory.
5. The existing historic house is setback from the front property line by 9 to 10 feet. It is setback from the edge of asphalt on Ontario Avenue by 21 to 22 feet, decreasing in setback from north to south.

6. There is an existing retaining wall along the front property line that varies in height from about 14 feet to about 15 feet from north to south as the grade on Ontario rises uphill. The retaining wall has a length of about 26 feet.
7. The City approved construction of the existing stone retaining wall in 2008.
8. The applicant is requesting a variance to LMC Section 15-2.2-3(E) to reduce the required twelve foot (12') front yard setback to 0 feet to allow for a two-car tandem garage to be constructed behind an existing retaining wall.
9. The applicant is requesting a variance to LMC Section 15-2.2-3(H) to reduce the required five foot (5') side yard setback to three feet (3') along the north property line to allow for construction of the proposed garage.
10. The applicant is requesting a variance to LMC Section 15-2.2-5(A) to the required maximum height of 35 feet measured from the lowest finished floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters; the applicant requests a variance to allow an interior height of 41 feet.
11. The applicant is requesting the variances in order to construct a new two-car tandem garage behind the existing retaining wall.
12. Literal enforcement of the LMC would make it impossible to make the garage accessible from the street given the required setbacks, interior building height requirements, and steep slope of the lot. The steepness of the lot and the distance of the front property line from paved Ontario Avenue are unique to this property.
13. There are special circumstances attached to this property that do not generally apply to other Properties in the same zone. This house is one of the few properties along Ontario Avenue that have preserved its original grade; only along the retaining wall has grade been altered to accommodate the right-of-way. This property is also unique in that paved Ontario Avenue is about 12 feet to the west of the front property line. Finally, this site was historically accessed by vehicles from the east or rear property line.
14. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone. Granting the variance allows the property owner to construct an attached garage at the street level without severely impacting existing grade, while also alleviating parking congestion on Ontario Avenue by providing off-street parking.
15. The variance will not substantially affect the General Plan and will not be contrary to public interest. It is within the public interest to eliminate parking

congestion on Ontario Avenue. Parked cars are a safety hazard to other cars, pedestrians, and cyclists utilizing Ontario Avenue. A reduction to the front and side yard setbacks will allow the façade of the garage to maintain the appearance of a retaining wall and have limited impacts to existing grade. One of the goals of the General Plan is to ensure that the character of new construction is architecturally-compatible to the existing historic character of Park City and this variance will permit a design that largely masks the mass and bulk of the addition by burying it underground.

16. The spirit of the Land Management Code is observed and substantial justice is done. The variance will preserve the historic character of the street by maintaining the hillside and reducing the overall height of the addition. It will create an accessible attached garage and alleviate parking congestion along Ontario Avenue.

17. The enclosed garages will help ensure that at least one vehicle for each dwelling unit can be parked off the street. The other parking space for each dwelling unit would be on the remaining area of the parking pads, as uncovered spaces.

18. Granting of the variance allows to the applicant the same rights as other property owners in the district. Most properties have enclosed parking in garages that discourage public from parking within/or behind them. This is not the case with the subject property parking pads, which are often utilized by trail users, resident guests, and other users as mistaken “on-street” parking.

Conclusions of Law – 422 Ontario Avenue

1. Literal enforcement of the HR-1 District requirements for this property causes an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district.
3. Granting the variance is essential to the enjoyment of substantial property right possessed by other property owners in the same district.
4. The proposal is consistent with the General Plan.
5. The spirit of the zoning ordinance is observed by this application.
6. It can be shown that all of the conditions justifying a variance, pursuant to LMC § 15-10-9, have been met.

Order

1. A variance to LMC Section 15-2.2-3 (E), to the required twelve foot (12’) side yard setbacks to allow a zero foot (0’) setback to the front property line, is hereby granted.

2. A variance to LMC Section 15-2.2-3 (H), to the required five foot (5') side yard setbacks to allow a three foot (3') setback to the north property lines, is hereby granted.
3. A variance to LMC Section 15-2.2-5 (A) to the required maximum height of thirty-five feet (35') to allow a maximum height of forty-one feet (41') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters, is hereby granted.
4. The variances run with the land.

Conditions of Approval – 422 Ontario Avenue

1. The variances are granted for the construction of an underground basement garage, as indicated on the plans submitted with this application.
2. No portion of the garage shall be used for additional living space.
3. The garage interior shall be used for parking. Limited storage is permitted to the extent that it does not preclude parking of a vehicle. Trash and recycling bins may be stored in the garages.
4. The area underneath the garages shall not be enclosed for use as habitable living space.
5. Recordation of the plat amendment is required prior to issuance of a building permit for the new construction.
6. The variance for the interior height exception is granted and conditioned so that the lowest finished floor plane to the highest wall plate does not exceed 41 feet as per the variance requested which will result in a structure that is lower in height above existing grade than what would otherwise be permitted. The height of the new structure shall not exceed 18 feet above existing grade from the tallest elevation of the site.
7. The variance for height and setbacks is limited to the building plans submitted as part of this variance application and the subsequent Historic District Design Review (HDDR).

Chair Gezelius adjourned the meeting at 6:39 p.m.

Approved by _____
Ruth Gezelius, Chair

Board of Adjustment Meeting
June 21, 2016

Board of Adjustment



Board of Adjustment Staff Report

PLANNING DEPARTMENT

Subject: 638 Park Avenue (Kimball Garage)
Author: Anya Grahn, Historic Preservation Planner
Date: October 18, 2016
Application: PL-16-03225
Type of Item: Quasi-Judicial – Appeal of Staff’s Determination of Compliance with the Design Guidelines for Historic Districts and Historic Sites

Summary Recommendations

Staff recommends the Board of Adjustment (BOA) review the submitted appeal of Staff’s determination approving the Historic District Design Review (HDDR) at the historic Kimball Garage, 638 Park Avenue. Staff has prepared Findings of Fact and Conclusions of Law affirming the determination of compliance for the Board’s consideration. Staff has also prepared Findings of Fact and Conclusions of Law based on an alternate solution for the Board’s consideration.

This Staff report reflects the professional recommendation of the Planning Department. The BOA, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: CPP Kimball LLC represented by Tony Tyler
Appellant: Park City Museum & Historical Society represented by Sandra Morrison
Location: Kimball Garage at 638 Park Avenue
Zoning: Historic Recreation Commercial (HRC)
Adjacent Land Uses: Residential single-family and multi-family; commercial
Reason for Review: Appeals of Staff decisions regarding the Design Guidelines for Historic Districts and Historic Sites are reviewed by the BOA

Background

The site is listed on the Park City Historic Site Inventory (HSI) as a Landmark structure, the City’s highest historic designation. It was also listed as contributory in 1979 as part of the Park City Main Street National Register Historic District. The structure was built circa 1929 during Park City’s historic Mature Mining Era (1894-1930). Construction of the brick building began in 1929, following demolition of an abandoned blacksmith building. When the garage opened in 1930, the Park Record noted that “it’s dollars to doughnuts there is not as large or as modern a garage in any city the size of Park City in the state, as the recently completed Kimball garage on lower Main.” (Figure 1)



Figure 1. Pop Jenks collection, courtesy of the Park City Historical Society & Museum.

The business changed hands only twice during its time as a service center—Silver Town Service occupied the structure from 1940-1949, and Fred Eley, Sr.'s Eley Motor Company followed from 1949-1968 (Figure 2). It appears from the historic photographs that a portion of the overhang, originally the fueling station, was enclosed by 1949 as the Park Avenue façade went from two open bays to a single open bay on the southwest corner of the building. Following Eley's death, the building fell into disrepair. Park City Ski Resort used the building for storage from 1972 through 1976, when Bill Kimball started the Kimball Art Center.



Figure 2. 1949 photograph of the Eley Motor Service Company. Photo Courtesy of the Park City Historical Society and Museum. Note that only one (1) bay opens to Park Avenue.

The ca.1976 Kimball rehabilitation of the old garage required several notable changes to the building: the structure was gutted on the interior to transform the garage and service shop spaces into the arts center, and the brick façade was covered by wood siding. (Figures 3 and 4.)



Figure 3. ca.1982 Historic District Architecture Survey photograph by Ellen Beasley



Figure 4. Photo ca. 1995

The building was renovated once again in 1999. The renovation included removing the wood siding and residing the existing non-historic addition on the east side in corrugated metal. Original storefront window openings along Heber Avenue were restored, and corrugated metal was used as a bulkhead feature below these openings. A total of three exterior openings were also enclosed with corrugated metal—two fronting Main Street and one fronting Park Avenue. The project was also awarded \$20,000 in Historic District Grant funds for exterior masonry repair, including the restoration of the historic parapet wall and terra cotta cornice, and the ca.1900 Kimball Garage signage. The April 1999 plans note that the “existing (original) glazing” beneath the overhang on the southwest corner of the building will remain, but the concrete walls are to be removed. This renovation is largely what exists today.

In September 2001, the City approved an Olympic Master Festival/Temporary permit at this site in order that the site may serve as a marquis for the General Motors signing/insignia during the 2002 Olympic Games. Improvements made to the site included construction of a raised deck or patio area and handicap ramp accessible from Heber Avenue; five free-standing flag poles and spotlights; and a truss system consisting of six free-standing wood-covered steel framing that traversed the main Heber façade of the historic building (Figure 5). The Kimball Art Center requested that these improvements be made permanent in May 2002; however, the Historic District Commission was only supportive of maintaining the existing deck/patio and handicap

The historic site form, part of the HSI, indicates the following:

Design. The one-story brick structure reflects the building types being constructed in Utah to accommodate the automobile. It was built in 1929 to replace the Kimball Brothers Livery Stable as seen on the 1907 Sanborn Insurance map. The structure underwent extensive interior alterations in 1976 to accommodate use as an art center, but the exterior remains largely as it was originally constructed. The changes are minor and do not affect the site's original design character.

Setting. The setting has not been significantly altered over time, though the drive-through bays on the west side of the building have been enclosed to accommodate use as an art center.

Workmanship. The physical evidence from the period that defines this as a typical Park City mining era commercial building are the simple methods of construction, the use of pressed brick and concrete, the span of bays—some glazed, others open-- that are typical of automobile-related buildings built in Park City and Utah during the 1920s.

Feeling. The physical elements of the site, in combination, convey a sense of the automobile-related activity in a Utah town of the late nineteenth and early twentieth centuries.

Association. The structure was built in 1929 and represents the shift in Park City's transportation modes from horse to the automobile. Also, it is the site of the longstanding Kimball Brothers Livery and then, as noted, the Kimball Brothers Garage. The early livery was significant in providing transportation during the mining era boom.

A Historic District Design Review (HDDR) application was submitted by the Kimball Arts Center on March 3, 2013. The plan called for a new addition to be constructed on the southeast corner of the site along Heber Avenue and Main Street. The proposal was designed by Bjarke Ingels Group (BIG). The application was denied on August 21, 2014, as it was found not to meet the Design Guidelines and Land Management Code.

The site was then purchased by the current owners—CPP Kimball LLC—in 2015. The new owners submitted an HDDR application on January 20, 2015. The HDDR application was approved on June 20, 2016. Concurrent with the review of the HDDR application, several other applications were submitted and then withdrawn. These include:

- On February 13, 2015, the owner submitted an application for a Land Management Code amendment. This application was reviewed by the Planning Commission on April 8, 2015 which forwarded a negative recommendation to City Council for the amendment. The applicant withdrew the application on April 22, 2015, prior to a hearing with City Council.

- On February 13, 2015, CPP Kimball LLC submitted a Conditional Use Permit (CUP) application for a parking area of five (5) stalls and an Administrative CUP application for a private residence club. These applications were withdrawn on February 22, 2016.
- On January 12, 2016, Planning Director Erickson found that the updated submittal for the 638 Park Avenue project, submitted on November 19, 2015, was not a substantial modification as the November 19, 2015, submittal was a result of feedback from the Planning Department regarding compliance with the Land Management Code (LMC) and Design Guidelines. This determination was made pursuant to Municipal Code 11-12-6.

On June 30, 2016, the City received an appeal of the approved Historic District Design Review (HDDR) application approved on June 20th. This appeal was submitted by Sandra Morrison of the Park City Museum and Historical Society.

Historic District Design Standard of Review and Appeal Process

Pursuant to LMC § 15-1-18 Appeals and Reconsideration Process, appeals of decisions regarding the Design Guidelines shall be reviewed by the Board of Adjustment (HPB) as described in LMC § 15-1-18 (A). The BOA shall approve, approve with conditions, or disapprove the appeal based on written findings, conclusions of law, and conditions of approval, if any, supporting the decision.

Also pursuant to LMC 15-1-18(G), the BOA shall act in a quasi-judicial manner. The appellant has the burden of proving that the land use authority (Planning Staff) erred. The scope of review by the BOA shall be the same as the scope of review by Staff. Staff reviews a Historic District Design Review by determining compliance with the Guidelines. The BOA shall review factual matters de novo (as new) and it shall determine the correctness of a decision of staff in its interpretation and application of the Code.

Appeal

As shown by Exhibit C, the applicant proposes to rehabilitate the historic Kimball Garage. Rehabilitation, as defined by the Design Guidelines, is a treatment option when updating a building for a new use, and rehabilitation emphasizes the retention and repair of historic materials, though replacement is allowed when the condition of the existing materials is poor. Rehabilitation is also further defined by the Secretary of the Interior's Standards as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

The applicant proposes to rehabilitate the Kimball Garage in order to create commercial retail space. An addition is proposed on the east elevation of the historic structure along Heber Avenue and Main Street. The street and lower levels of the addition will contain commercial spaces, and the second level of the addition will be used as private event space. The applicant also proposes the construction of a deck on the second

floor level of the new addition, which will project over the east half of the historic building roof. Deck construction will require removal of one of the two low, vaulted roof forms on the historic building. These are flattened elliptical vaults rather than semi-circular barrel vaults, although the terms are used interchangeably in this document.

As detailed in the analysis, staff has found that the proposed addition and rehabilitation work on the historic building complies with the Design Guidelines for Historic Sites in Park City as well as the Land Management Code. Staff has found that the proposed work meets the Design Guidelines and will not cause the structure to lose its Landmark designation.

The appellant raised the following objections to the approval of this rehabilitation project:

1. Demolition/removal of the barrel roof does not meet the LMC or Historic District Guidelines.
2. Addition of new door in the front façade does not meet with LMC or Historic District Design Guidelines.
3. Recent additions to the front façade of the historic building are not being removed as defined in the Historic District Design Guidelines.
4. Renovation may affect the Historic Building's historic significance and eligibility to be listed on the National Register of Historic Places.
5. Staff's determination that retaining one of the barrel vaults of the roof "was a good compromise." Compromises are not defined in the LMC or Historic District Design Guidelines.
6. Historic windows are not being preserved as required by the Historic District Design Guidelines.
7. Other various issues do not meet the Historic District Design Guidelines or the LMC.
8. The plans do not meet the Secretary of the Interior's Standards for Historic Preservation as intended by the LMC.
9. The plans may affect the building's Landmark status on the Historic Sites Inventory contrary to LMC Chapter 15 that "Landmark Buildings" retain its historic integrity as defined by the National Park Service for the National Register of Historic Places and retain its historic integrity in terms of location, design, setting, materials, workmanship, feeling, and association as defined by the National Park Service.
10. The plans do not meet the intent of the LMC which is to preserve Landmark status.
11. Staff's determination that the barrel roofs are not character-defining features does not meet the LMC and the Historic District Design Guidelines.
12. Staff's determination that cantilevering the roof top deck above the historic barrel roof was not feasible should be revisited and more prudent alternatives than demolition be pursued.

Analysis

The appellant's 7th point argues that the proposal does not comply with the Secretary of the Interior's Standards for Historic Preservation and, thus, will result in the building losing its local Landmark designation on the City's Historic Sites Inventory (HSI) as well as its listing as "contributing" on the Park City Main Street National Register nomination.

First, staff does not review projects for compliance with the Secretary of the Interior's Standards, but for compliance with Park City's Design Guidelines for Historic Districts and Historic Sites. Park City's Design Guidelines are based on the Secretary of the Interior's Standards; however, they are intended to provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations. While not a technical manual for rehabilitating a historic structure, they serve to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects while at the same time allowing for reasonable changes to individual buildings to meet current needs. The Design Guidelines provide guidance in planning projects sympathetic to the unique architectural and cultural qualities of Park City while also providing Planning Department staff a framework for evaluating proposed projects to ensure the decisions are not arbitrary or based on personal taste.

If a project complies with the Design Guidelines then the project, in theory, should not cause the site to lose its Landmark designation. As defined by the Land Management Code (LMC) 15-11-10(A)(1), a Landmark Site retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling, and association as defined by the National Park Service for the National Register of Historic Places. Staff has found that the proposed project to rehabilitate the historic Kimball Garage meets the Design Guidelines and will not impact either its listing on the City's local Historic Sites Inventory nor the National Register of Historic Places.

To further clarify, the State Historic Preservation Office and National Park Service do not monitor or inspect National Register listings the way staff regularly reviews the City's HSI.

Secondly, integrity is the ability of a property to convey its significance and a property must have integrity to be listed on the National Register of Historic Places. Per our [Design Guidelines \(page 5\)](#), integrity is defined as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic period." Integrity is evaluated by the National Park Service in terms of location, design, setting, materials, workmanship, feeling, and association. Generally, the majority of the structure's materials, structural system, architectural details, and ornamental features as well as the overall mass and form must be intact in order for a building to retain its integrity. Park City's designated landmark buildings retain their historic integrity in terms of location, design, setting, materials, workmanship,

feeling, and association as defined by the National Park Service for the National Register of Historic Places.

Additionally, the process of assessing integrity begins with developing a historic context, defining the significance of a building within that context, and then identifying the aspects of integrity that give a building that significance. A building does not have to retain all aspects of integrity because they might not all be important in conveying its significance. “Character-defining” is another way of saying which aspects of integrity are important in conveying significance.

Because staff does not enforce the Secretary of the Interior’s Standards, the appeal discussion should just focus on the approved Historic District Design Review (HDDR) application. Staff finds that the appellant opposes the following in the approved HDDR:

- Demolition or removal of the barrel-vaulted roof to accommodate the new roof deck
- Addition of a new door opening in the front façade along Heber Avenue
- Retention of recent additions to the front façade of the main building
- Loss of historic steel-frame windows and replacement of corrugated metal with new window in an existing opening along Park Avenue

Finally, the appellant has not clearly outlined which LMC criteria the project has not met.

Staff has subdivided the analysis of the issues outlined in the appeal below:

1. Loss of one of two barrel-vaulted roof forms to accommodate the new roof deck.

The Park City Museum & Historical Society contests that the barrel-vaulted roof on the east side of the building is a historic, character-defining exterior feature that has distinctive materials and components. Therefore, the appellant finds that its removal and changes to the double-barrel vault do not meet the Land Management Code (LMC) or Historic District Design Guidelines as the intent of the Universal Guidelines requires that the historic roof—not just half of it—should be retained and preserved. The appellant has argued that this may cause the building to lose its listing on the National Register of Historic Places, and, consequently, its designation as a Landmark on the City’s Historic Sites Inventory. They also contest staff’s determination that retaining only one barrel-vault of the roof “was a good compromise” as compromises are not defined in the LMC or the Historic District Design Guidelines. Specifically, the appellant finds that staff erred in our interpretation of Universal Guidelines 3 and 4 as well as Specific Guideline B.1.1.

The appellant also argues that the rooftop deck addition as proposed will dramatically alter the appearance of the Landmark Structure as the new deck will destroy and replace half of the double barrel-vaulted roof. Adding a balcony from the adjacent new building and extending over the historic building will change and diminish the character of the Kimball Garage and change the essential form of the

historic Kimball Garage. Further, they find that any future removal of the rooftop deck will never reveal the original and essential form of the double-barrel roof. The appellant finds that the new rooftop balcony will obscure the remaining half of the historic barrel-vault roof. They argue that a rooftop deck could have been cantilevered above the existing barrel-vaulted roof, ensuring its preservation. Specifically, the appellant finds that staff erred in our interpretation of Universal Guidelines 9 and 10.

The Kimball Garage was constructed with two parallel barrel-vaulted roof forms running north to south. At the time of its construction ca.1929, the steel-frame bowstring truss roofs were utilized in order to span greater distances, allowing a more open interior, unobstructed by structural columns, for the service garage. The bowstring truss was a technical feature of commercial buildings constructed during this era; however, because they were not intended to be seen, they aren't a character-defining exterior feature. As defined by Park City's Design Guidelines, which only regulate building exteriors, a feature is a prominent or conspicuous part or characteristic, a typical quality or an important part of something. Generally, these features include the overall shape, pattern of openings, roof style, and projections like porch or balconies.

Staff finds the barrel-vaults were not intended to be a character-defining exterior feature as they were not meant to be seen. The character-defining exterior features of this structure correspond to the strong horizontality of the design, such as the concrete banding at the cornice, emphasis of wide and repeating horizontal bays separated by vertical brick columns, the horizontal rectangular glass windows along the Heber Avenue façade, and the drive-through bays on the southwest corner of the building. Because the structural technology was not available at the time to create a long-span flat roof, the bowstring truss provided a reasonable alternative for minimizing the appearance of the roof form behind the parapet, in essence making it all but disappear when viewed from the street, and thereby emphasizing the horizontality of the building's design.

Although the vaulted roofs are not a character-defining exterior feature, they do define the character of the interior, particularly structural elements like the exposed trusses and effects on space and volume like the uninterrupted interior spaces. However, neither the Design Guidelines nor the LMC regulate building interiors.

The following Design Guidelines provide direction on the treatment of historic roof forms:

Universal Guideline #3. The historic exterior features of a building should be retained and preserved.

Universal Guideline #4. Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved. Owners are encouraged to reproduce missing historic elements that were original to the building, but have been removed. Physical or photographic evidence should be used to substantiate the reproduction of missing features.

B.1.1 Maintain the original roof form, as well as any functional and decorative elements.

MSHS6. Rooftop additions may be allowed; they should generally not exceed one story and should be set back from the primary façade so that they are not visible from the primary public right-of-way.

Staff finds that as proposed, the rooftop deck complies with these guidelines. The historic exterior features of the building will be preserved. Though the eastern barrel vaulted roof will be impacted by the new rooftop patio addition, the historic barrel-vaulted roof will be structurally upgraded on the west side of the building in order to maintain a portion of the original roof form. By preserving one of the two barrel vaulted roofs, staff finds that if the new deck addition were to be removed in the future, the second barrel could be restored using the first as a template. The historic brick parapet wall, a more significant character-defining feature, will not be affected by the proposed project.

Staff finds that rooftop additions, such as the proposed rooftop deck, are permitted by the Design Guidelines. The new deck addition will only impact the eastern barrel-vaulted roof form and will be setback from the Heber Avenue façade of the building in order to minimize the visibility of the necessary railing from street view. Further, the western barrel-vault will be retained in order to preserve the historic roof form and also provide some shielding of the rooftop deck from uphill viewpoints. The patio does not exceed one story in height, and in fact its impact is further minimized by the removal of the barrel vault, which allows the deck to sit lower and be masked by the historic parapet.

When asked, staff explained to members of the Park City Museum and Historical Society that preserving one of the barrels was a compromise; however, our findings regarding its removal were not based on the compromise but staff's determination that it was not a character-defining feature and could be removed in order to accommodate the new rooftop deck addition because the removal complied with the Design Guidelines. Other rooftop decks along Main Street include the one at No Name Saloon, which is cantilevered over their barrel roof form; however, others have rooftop additions such as 305 and 501 Main Street.

Finally, the applicant was not able to cantilever the rooftop deck above the existing structure for number reasons. Had the terrace been constructed over the existing barrel-vaulted roof, it would have required new structural supports that would have penetrated through the barrel and into the interior of the space. The cantilevered deck would have required an eighteen to twenty-four inch horizontal structural support with decking and railings constructed atop of that.

Additionally, the cantilevering of the rooftop deck above the existing barrel-vaulted roof would have required the rooftop deck to exceed the height of center of the barrel, meaning the rooftop deck would have been almost two feet above the parapet of the building. This would have significantly increased the visibility of the

deck from the public right-of-way as it would have appeared as a second story volume floating above the historic structure.

Finally, the increased elevation of the deck would not have aligned with the third floor of the new addition which would have made it appear tacked on to the new addition and would have detracted from the cohesive appearance of both the historic structure and the new addition. Staff and the applicant found that a cantilevered deck would have had a greater negative impact to the historic integrity of the structure than the removal of the barrel-vault in order to accommodate the rooftop deck; in fact, the proposal of a cantilevered rooftop deck above the barrel-vault would have been denied outright (Figure 8).

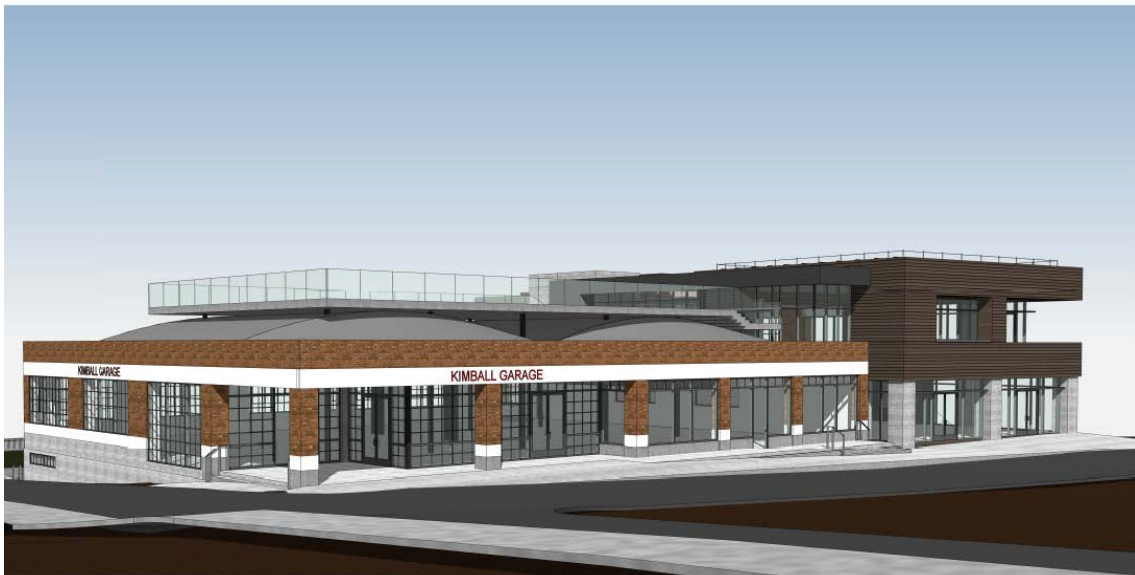


Figure 8. The south elevation shows the relationship of the historic building, proposed rooftop deck, and the new addition. Note that the eastern barrel-vault is removed and the deck sits below the parapet of the historic building. Had the deck been cantilevered over the barrel-vault, the deck would have been significantly higher than the parapet.

2. Addition of a door opening on the historic Heber Avenue façade.

The Park City Historical Society & Museum contests that the addition of a new door or opening on the front (Heber Avenue) façade does not meet the LMC or the Historic District Design Guidelines.

As existing, the entrances to the Kimball Garage are on the recessed southwest corner of the building beneath the overhang (Figure 9). There is one door on the south façade, facing Heber Avenue, and a second double-door entrance on the west façade, facing Park Avenue. These two entrances are both located on the non-historic ca.1976 divided-light glass addition beneath the historic overhang. On the façade, facing Heber Avenue, the three eastern bays consist of windows.

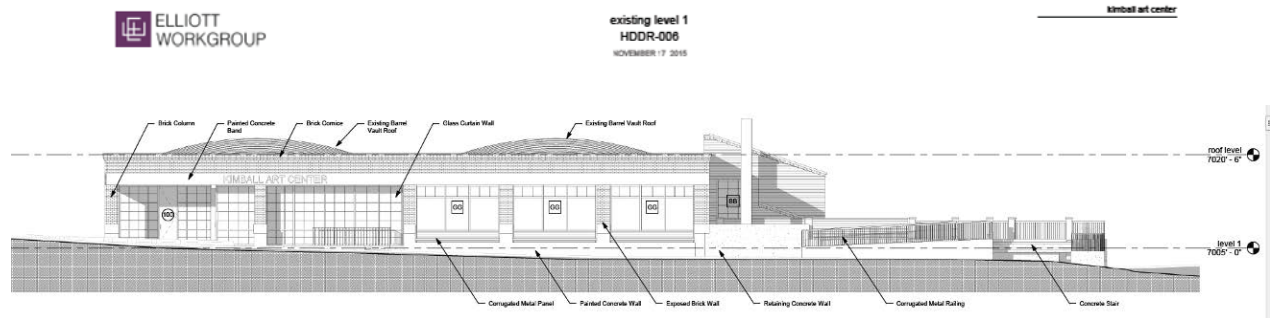
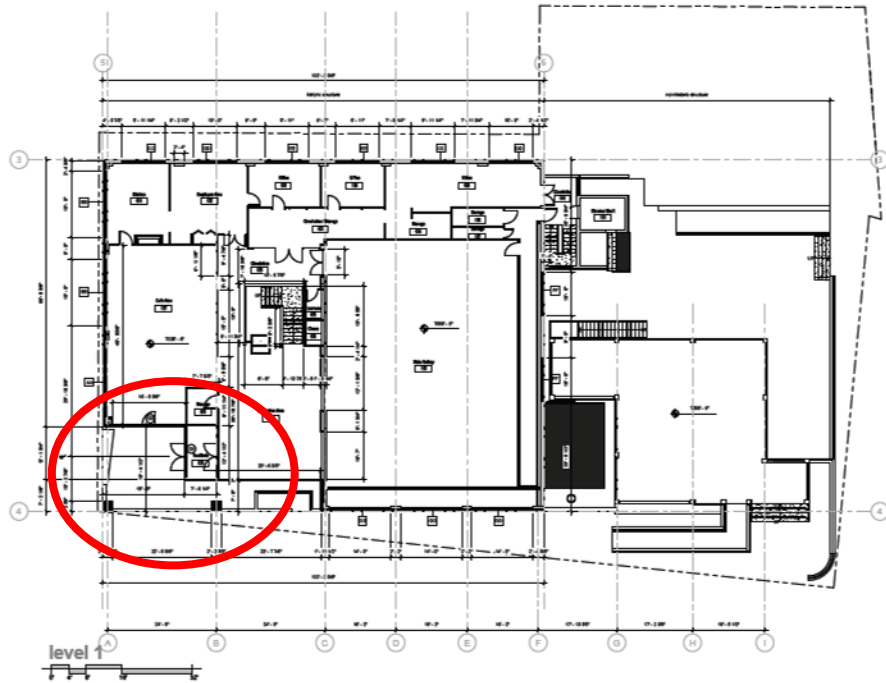


Figure 9. Present location of doors on Heber Avenue façade.

The applicant is proposing to relocate the double-entry doors on the west side of the ca.1976 addition to the Heber Avenue façade. They are also proposing to construct a single door on the fourth bay of the historic Heber Avenue façade that will provide an additional entrance (Figure 10). This entrance is necessary to access Retail Space #6.

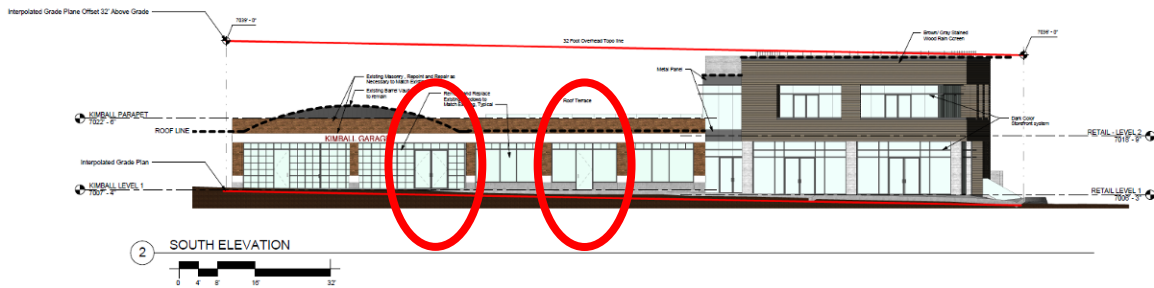


Figure 10. Proposed location of double-doors beneath recessed southwest corner and single door on principal Heber Avenue façade.

Staff finds that the following Design Guidelines provide direction for this alteration:

Universal Guideline # 4. Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved. Owners are encouraged to reproduce missing historic elements that were original to the building, but have been removed. Physical or photographic evidence should be used to substantiate the reproduction of missing features.

Universal Guideline #10. New additions and related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.

B.2.1 Primary and secondary facade components, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways should be maintained in their original location on the façade.

B.4.1 Maintain historic door openings, doors, and door surrounds.

MSHS3. Traditional orientation with the primary entrance on Main Street should be maintained.

Staff finds that there was a door in the fourth bay from the west since at least ca.1930, and that it was almost certainly original to the 1929 building (Figure 11). In the Pop Jenks ca.1930 photograph, although the door is partially obscured by a parked car, the top of the single-light door and a transom above it are clearly visible. The same door and transom are visible in the ca.1949 photograph, although by this time all of the transom windows had been painted white or boarded over, probably due to excess heat gain on this south exposure. It is likely that the door led to a retail area of the sales office, service area, and/or restrooms of the garage. Universal Guideline #4 encourages owners to reproduce missing historic elements that have been lost, such as this original door opening, based on photographic evidence. The applicant's intent to restore this door opening complies with Universal Guideline #4 as well as Specific Guidelines B.2.1, B.4.1, and B.5.1 that seek to maintain primary façade components, historic door openings, and the traditional orientation of primary entrances of commercial facades.



Ca. 1930 photograph. Pop Jenks Collection, Park City Historical Society & Museum.



CA. 1949 photograph.

Figure 11. Historic photographs documenting location of original or early single door in fourth bay from west on Heber Avenue façade.

3. Retention of recent additions to the front (Heber Avenue) façade of the main building, below the overhang.

The Park City Museum & Historical Society contests the recent additions to the front façade of the historic building are not being removed as defined in the Historic District Design Guidelines. The appellant finds that the non-historic divided-light glass entry detracts from the historic character and integrity of the Landmark Structure as the original buildings would not recognize this addition; historically, the area beneath the overhang was the open petrol pumping bay. Specifically, the appellant finds staff erred in our interpretation of Universal Guideline #7.

As previously noted, the divided-light glass addition beneath the overhang on the southwest corner of the building was likely installed as part of the ca. 1976 renovation to create the Kimball Art Center. The addition is not historic and the original walls of the Kimball Garage below the overhang no longer exist. The applicant is proposing to replace the non-historic windows in order to upgrade them to new, energy-efficient windows. The applicant is proposing to maintain this non-historic addition by replacing the existing window units; no change is proposed to the recessed area (Figure 12).



Figure 12. The area beneath the overhang on the west side of the building was enclosed early on as is evident in Figures 1 and 2. The divided-light glass addition beneath the overhang was constructed c.1976. The applicant is proposing to maintain the dimensions and transparency of the existing addition, though the window units will need to be replaced.

Universal Guideline #6 states that features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines.

The Design Guidelines define incompatible as incapable of associating or blending or of being associated or blended because of disharmony. Staff finds that while this addition is on the façade of the building, it is not incompatible with the overall design of the structure nor does it detract from the historic appearance of the garage. The glass addition was sensitively designed to be transparent in order to not diminish the historical significance of the facade. As designed, the addition is constructed behind the front wall of the Heber and Park Avenue façades and largely in the shadows of the overhang so as to diminish its appearance. The addition is small and distinguishable from the historic construction, both of which are important characteristics of compatible additions. Moreover, it could easily be removed to restore the original historic building and reopen the fueling area.

Because this glass addition is constructed of a self-supporting system of glass panels, the applicant will be replacing it with a new thermally broken steel window system with thermal glazing. The new steel window system will be rebuilt in the same location as the existing window system so that it is largely concealed beneath the overhang.

4. Loss of historic steel-frame windows.

The Park City Historical Society & Museum has also objected to the applicant not preserving the historic steel sash windows as required by the Historic District Design Guidelines. The appellant finds that the new windows do not match historic windows and instead detract from the historic exterior of the building. They find that the replacement of the windows in-kind does not meet Universal Guideline #5 as they found the applicant failed to show that the steel windows are beyond repair. Specifically the appellant argues that staff erred in our interpretation of Universal Guideline 5 and Specific Design Guideline B.5.2.

Further, the appellant argues that this it is not appropriate to replace the non-historic corrugated metal, boarded window opening along Park Avenue with a new window as there is no evidence for the substitution.

When the structure was built ca. 1929, the building contained multi-light steel sash windows on the west (Park Avenue) and north sides, and what appears to be large, wood-framed, plate-glass windows and transoms on the Heber Avenue side (see Figure 1). It is unclear if the Eley Motor Company removed the transom windows or simply painted over them or boarded them from the exterior prior to the 1949 photograph. The storefront windows remained in place until the ca.1976 renovation of the historic building. As seen in the photograph below, the windows on the Heber Avenue façade had been modified by 1982 (Figure 13). Two of the bays had been completely covered with wood siding and the last bay to the east appears to have floor-to-ceiling windows.



Figure 13. Ca. 1982 photograph after building has been modified to house the Kimball Art Center.

In 1986, the City reviewed and approved a building permit to cover the two multi-paned windows on the west (Park Avenue) side of the building; however, it appears that only one was ultimately covered. As part of the 1999 remodel leading to the Olympics, the wood siding was removed and the windows on the Heber Avenue

façade were once again replaced. As seen in the photograph below (Figure 14), the style of the window does not match that visible in earlier photographs.



Figure 14. Kimball Art Center during renovations prior to 2002 Olympics. Photo courtesy of the Park City Historical Society & Museum.

The 1999 renovation sought to bring back the historic character of the building, and new steel windows were installed along the Heber Avenue façade, with corrugated metal bulkheads below (Figure 15). The Park Avenue opening was also covered with corrugated metal; the original multi-paned steel windows were not retained beneath these openings to the knowledge of the planner or applicant.



Figure 15. Typical replacement window and corrugated metal bulkhead along Heber Avenue.

Given the amount of façade modifications made between ca.1949 to the present, it seems unlikely that any original windows or bulkheads on the Heber Avenue facade were preserved; this is supported by the fact that the present windows do not match the historic photographs in any way. Also, the applicant has noted that no original bulkheads exist on the Heber Avenue façade. A 2007 building permit application found that the windows along the north (rear) elevation consisted of historic glazing. The applicant noted in the Physical Conditions Report that only six (6) of the original historic steel windows remain on the second level of the north (rear) elevation. It appears that the other older windows on the lower level of the north (rear) elevation and Park Avenue facades were early replacement windows. The existing windows on the north (rear) elevation and west (Park Avenue) elevations are in poor condition; those along the Heber Avenue façade are contemporary replacement windows. The photograph below shows their degree of corrosion, paint deterioration, bowing, and condition of the glazing (glass) (Figure 16). The applicant is proposing to replace these windows with new energy-efficient steel windows.



Figure 16. Historic multi-pane steel window on the north side of the building, reflecting typical conditions.

The applicant is proposing to replace the existing non-historic and historic windows with new windows, transoms, and bulkheads, similar to the original design and materials.

The following Design Guidelines address the treatment of deteriorated windows:
Universal Design Guideline #5. Deteriorated or damaged historic features and elements should be repaired rather than replaced. Where the severity of

deterioration or existence of structural or material defects requires replacement, the feature or element should match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.

B.5.1 Maintain historic window openings, windows, and window surrounds.

B.5.2. Replacement windows should be allowed only if the historic windows cannot be made safe and serviceable through repair. Replacement windows should exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.

Staff found that due to the poor condition of the historic and contemporary replacement windows and the applicant’s determination that these windows were beyond repair, it was appropriate to replace the existing steel sash windows in-kind with new steel sash windows that match the originals in design, dimension, material, and finish. The historic window openings on the Heber and Park Avenue facades will be preserved, and only two (2) window openings on the rear addition will be altered.

The applicant is proposing to convert two of the six lower level windows to doors on the north (rear) elevation (Figure 17). Staff has redlined the plans to allow only the double-door opening in the center of the window, but to incorporated shorter sidelights so as to maintain the line created by the height of the windows above grade. Additionally, this will have a minimal change to the configuration of window to door openings on the rear face. Given that the rear façade is in an inconspicuous location and is largely not visible from the public right-of-way along Park Avenue, staff found that there was greater flexibility in allowing changes to the windows on the rear façade.

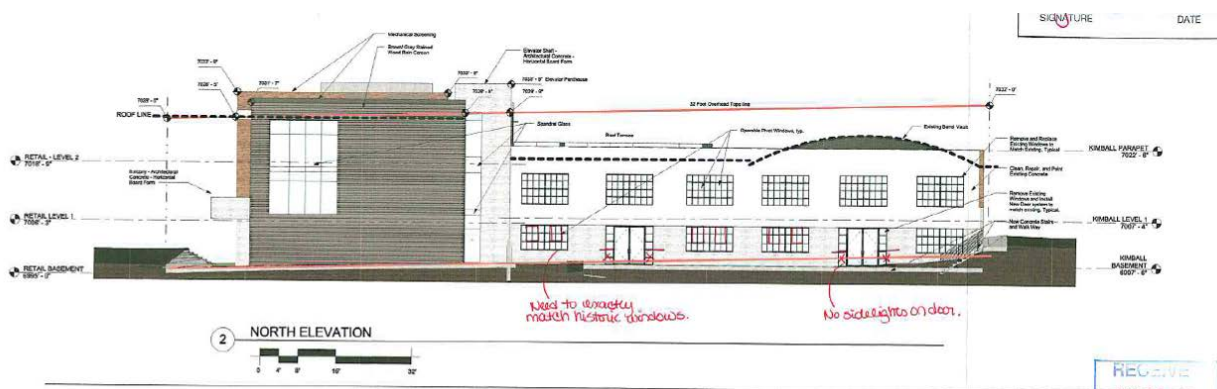


Figure 17. Proposed changes to windows and window openings on north side of the building.

Staff finds that the second bay from the south was enclosed early on as the height of Park Avenue was altered and made it impossible for automobiles to enter this bay into the fuelling station. The opening was further filled in during the 1976 renovation, but the opening was restored as part of the 1999 renovation. Corrugated metal was used to fill

this window opening in 1999, which once served as an automobile entrance to the fueling station from Park Avenue. The applicant is proposing to retain the existing opening, but replace the corrugated metal panel with a new window. The opening abuts interior space and staff finds the window will promote the transparency of this opening (Figure 18).



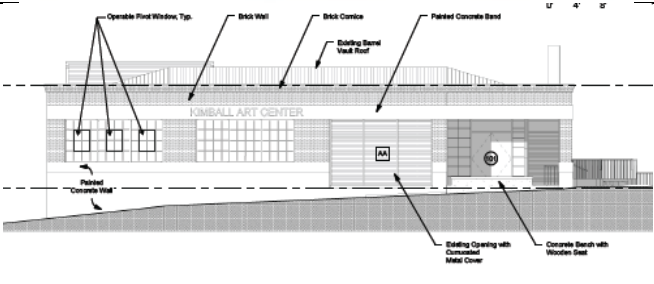

	<p>CA. 1949 photograph. Note that there is only one bay open and accessible from Park Avenue. (See figure 2 for more detail.)</p>
	<p>C.2002 photo of the Kimball, showing that the center two bay's openings had been boarded and in-filled.</p>
	<p>Existing conditions. The opening has been filled with corrugated metal.</p>
	<p>Applicant's proposed west elevation showing the removal of the corrugated metal and replacement with a new glass window that retains the opening.</p>

Figure 18. Chronology of changes to the Park Avenue façade.

Staff has found that, as redlined, the application complies with the Historic District Design Guidelines for Historic Sites as outlined in the analysis above.

Public Input

No public input has been received by the time of this report.

Alternatives

- The Board of Adjustment may deny the appeal and uphold the staff approval of the Historic District Design Review application and adopt the findings of fact, conclusions of law and order; or
- The Board of Adjustment may approve the appeal and reverse the staff approval of the Historic District Design Review application and adopt the alternative findings of fact, conclusions of law and order; or
- The Board of Adjustment may approve a portion of the appeal and deny a portion of the appeal and make findings to support this alternative; or
- The Board of Adjustment may request additional information or impose additional conditions as the Board's review of the Historic District Design Review is "de novo".

Summary Recommendations

Staff recommends the Board of Adjustment (BOA) review the submitted appeal of Staff's determination approving the Historic District Design Review (HDDR) at the historic Kimball Garage, 638 Park Avenue. Staff has prepared Findings of Fact and Conclusions of Law affirming the determination of compliance for the Board's consideration. Staff has also prepared Findings of Fact and Conclusions of Law based on an alternate solution for the Board's consideration.

Findings of Fact, Conclusions of Law, and Order for Denying the Appeal: Findings of Fact (Denying the Appeal)

1. The property is located at 638 Park Avenue.
2. The site is designated as Landmark on the City's Historic Sites Inventory (HSI).
3. According to the Historic Sites Form, the historic Kimball Garage was constructed in 1929. The building underwent an extensive renovation that significantly altered the interior and exterior of the structure for use as the Kimball Art Center in 1975-1976. The structure was renovated again in 1999.
4. In 1979, the site was designated as contributory as part of the Park City Main Street Historic District nomination for the National Register of Historic Places.
5. The property is in the Historic Recreation Commercial (HRC) District and Heber Avenue Subzone.
6. On January 20, 2015, LCC Properties Group submitted a Historic District Design Review (HDDR) application for the Landmark property located at 638 Park Avenue.
7. On June 20, 2016, staff approved the Historic District Design Review (HDDR) application for the site.

8. On June 30, 2016, the City received an appeal of a Historic District Design Review (HDDR) application approved by the Planning Department on June 20, 2016 at 638 Park Avenue.
9. This appeal was submitted by Sandra Morrison, representing the Park City Historical Society and Museum.
10. Pursuant to LMC § 15-1-18 (D) Standing to Appeal, the Park City Historical Society and Museum has standing to appeal the HDDR final action because they submitted written comment and testified on the proposal before the Planning Department.
11. The proposal complies with Universal Guideline #3 in that the historic exterior features of a building will be retained and preserved.
12. The proposal complies with Universal Guideline #4 in that distinctive materials, components, finishes, and examples of craftsmanship will be retained and preserved. The owner will reproduce missing historic elements that were original to the building, but have been removed, such as the original entrance along Heber Avenue. Physical or photographic evidence will be used to substantiate the reproduction of missing features.
13. The proposal complies with Universal Guideline #5 in that deteriorated or damaged historic features and elements should be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element should match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. The owner has demonstrated that the historic and early replacement steel frame windows are beyond repair and the owner will be replacing the remaining steel-frame windows along Park Avenue and the rear (north) elevation due to their poor condition.
14. The proposal complies with Universal Guideline #6 in that features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines. The applicant will maintain a non-historic ca. 1976 glass addition beneath the overhang of the original fueling station. Staff finds that this addition was sensitively designed so as not to detract from the historic structure and is compatible with the historic building.
15. The proposal complies with Universal Guideline #10 in that the new additions and related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.
16. The proposal complies with Specific Design Guideline B.1.1 in that the owner will maintain the original roof form, the western barrel vault, as well as any functional and decorative elements.

17. The proposal complies with Specific Design Guideline B.2.1 in that the primary and secondary facade components, such as window/door configuration, wall planes, recesses, bays, and entryways should be maintained in their original location on the façade.
18. The proposal complies with Specific Design Guideline B.4.1 in that the owner will maintain historic door openings, doors, and door surrounds on the Heber and Park Avenue facades.
19. The proposal complies with Specific Design Guideline B.5.1 in that the owner will maintain historic window openings, windows, and window surrounds on the primary facades.
20. The proposal complies with Specific Design Guideline B.5.2. in that the replacement steel windows will be allowed because the historic windows cannot be made safe and serviceable through repair. Replacement windows will exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.
21. The proposal complies with Specific Design Guideline MSHS3 in that traditional orientation with the primary entrance on Heber Avenue will be maintained.
22. The proposal complies with Specific Design Guideline MSHS6 in that rooftop additions may be allowed. The proposed rooftop deck does not exceed one story and will be set back from the primary façade so that it is not visible from the primary public right-of-way.
23. The proposed renovation and new addition meet all setbacks and has increased setbacks from the minimum towards the north side yard area.
24. Staff does not find that the proposed plan will substantially diminish the character of the neighborhood nor will it cause the structure to lose its local designation as a Landmark structure or its eligibility for the National Register of Historic Places.
25. The proposal complies with Universal Design Guidelines #9 in that the c.1976 exterior alteration does not destroy historic materials, features, and spatial relationships that characterize the site or building. The divided-light glass entry addition beneath the overhang on the west side of the building is visually subordinate to the historic building when viewed from the primary public right-of-way. The addition does not obscure or contribute significantly to the loss of historic materials.
26. The proposal complies with Specific Design Guidelines B.1. Roofs. The BOA has determined that the original roof form, consisting of two (2) barrel vaults running north-to-south are not character-defining features of the historic structure, and, thus, the applicant will only be required to maintain the western barrel-vault.
27. The proposal complies with Specific Design Guidelines B.5. Windows. The applicant will maintain historic window openings and window surrounds on the Park Avenue and Heber Avenue facades; the remaining historic and non-historic steel window will be replaced with new windows that exactly match the historic in size, dimensions, glazing pattern, depth, profile, and material. No storms are proposed at this time.

28. The proposal complies with Specific Design Guidelines D.1. Protection for Historic Structures and Sites. The addition will be visually subordinate to the historic building when viewed from the primary public rights-of-way of Park and Heber Avenue. The addition will not obscure or contribute significantly to the loss of historic materials as the applicant proposes to retain the west barrel-vaulted roof form.
29. The proposal complies with Supplemental Rehabilitation Guidelines—Main Street National Register Historic District. The proposed project will not cause the building or district to be removed from the National Register of Historic Places. The alignment and setback along Main Street are character-defining features of the district and will be preserved. Traditional orientation with the primary entrances of the new addition on Main Street will be maintained. The rooftop deck addition will not exceed one story in height and will be set back from the primary façade so that it is not visible from the primary public right-of-way.
30. Pursuant to LMC 15-1-18(G), the Board of Adjustment shall act in a quasi-judicial manner. The appellant has the burden of proving that the land use authority erred. The appellant fails to specifically indicate how staff erred.

Conclusion of Law (Denying the Appeal)

1. The proposal complies with the Park City Design Guidelines for Historic Districts and Historic Sites.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Recreation Commercial (HRC) District.

Order (Denying the Appeal)

1. The appeal is denied and Staff's determination is upheld.

Findings of Fact, Conclusions of Law, and Order to uphold the appeal:

Findings of Fact (Upholding the Appeal)

1. The property is located at 638 Park Avenue.
2. The site is designated as Landmark on the City's Historic Sites Inventory (HSI).
3. According to the Historic Sites Form, the historic Kimball Garage was constructed in 1929. The building underwent an extensive renovation that significantly altered the interior of the structure for use as the Kimball Art Center in 1975-1976. The structure was renovated again in 1999.
4. In 1979, the site was designated as contributory as part of the Park City Main Street Historic District nomination for the National Register of Historic Places.
5. The property is in the Historic Recreation Commercial (HRC) District and Heber Avenue Subzone.
6. On January 20, 2015, LCC Properties Group submitted a Historic District Design Review (HDDR) application for the Landmark property located at 638 Park

Avenue.

7. On June 20, 2016, staff approved the Historic District Design Review (HDDR) application for the site.
8. On June 30, 2016, the City received an appeal of a Historic District Design Review (HDDR) application approved by the Planning Department on June 20, 2016 at 638 Park Avenue.
9. This appeal was submitted by Sandra Morrison, representing the Park City Historical Society and Museum.
10. Pursuant to LMC § 15-1-18 (D) Standing to Appeal, the Park City Historical Society and Museum has standing to appeal the HDDR final action because they submitted written comment and testified on the proposal before the Planning Department.
11. The proposal does not comply with Universal Guideline #3 in that historic exterior features of a building will not be retained and preserved. The BOA finds that the barrel-vaulted roof is a character-defining feature and its partial loss does not comply with Universal Guideline #3.
12. The proposal does not comply with Universal Guideline #4 in that distinctive materials, components, finishes, and examples of craftsmanship will be retained and preserved. The owner will reproduce missing historic elements that were original to the building, but have been removed. Physical or photographic evidence will be used to substantiate the reproduction of missing features. The BOA finds that it is not appropriate to install a new single glass door along the Heber Avenue façade as this is not a historic element to the building.
13. The proposal does not comply with Universal Guideline #5 in that deteriorated or damaged historic features and elements should be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element should match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. The BOA finds that the historic steel frame windows are not beyond repair and could be made safe and serviceable through repair.
14. The proposal does not comply with Universal Guideline #6 in that features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, will be maintained. The BOA finds that the ca.1976 glass addition beneath the overhang of the original fueling station is incompatible and detracts from the historic Kimball Garage. As the owner is proposing to replace the glass addition, it is not being maintained and shall be removed.
15. The proposal does not comply with Universal Guideline #10 in that the new additions and related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could not be restored. The BOA finds that the roof-top deck, new door along Heber Avenue, and replacement of windows with new doors on

the lower level of the rear (north) elevation are too intrusive and prevent the building from being restored in the future.

16. The proposal does not comply with Specific Design Guideline B.1.1 in that the owner will maintain the original double-barrel roof form, as well as any functional and decorative elements
17. The proposal does not comply with Specific Design Guideline B.2.1 in that the primary and secondary facade components, such as window/door configuration, wall planes, recesses, bays, and entryways should be maintained in their original location on the façade.
18. The proposal does not comply with Specific Design Guideline B.4.1 in that the owner will not be maintaining historic door openings, doors, and door surrounds on the Heber and Park Avenue facades. The addition of a new single door along Heber Avenue is not based on historic photographs or physical evidence and the addition of the door has a detrimental effect on the historic building's façade.
19. The proposal does not comply with Specific Design Guideline B.5.1 in that the owner will not maintain historic window openings, windows, and window surrounds. The owner has proposed to replace the existing historic steel-frame windows with new steel-frame windows and the two window openings will be lost on the rear (north) elevation in order to accommodate new door openings.
20. The proposal does not comply with Specific Design Guideline B.5.2 in that the replacement steel windows should not be allowed because the historic windows could be made safe and serviceable through repair.
21. The proposal does not comply with Specific Design Guideline MSHS3 in that traditional orientation with the primary entrance on Heber Avenue will not be maintained. The primary entrance has been lost due to the retention of the ca.1976 glass addition beneath the overhang as well as the addition of a single door along the Heber Avenue façade.
22. The proposal does not comply with Specific Design Guideline MSHS6 regarding rooftop additions. The proposed rooftop deck destroys the historic barrel-vault, a character-defining feature, of the building's form. The roof-top deck addition will be visible from the primary public right-of-way and detracts from the historic structure.
23. The proposed renovation and new addition meet all setbacks.
24. The BOA finds that the proposal will substantially diminish the character of the neighborhood and will cause the structure to lose its local designation as a Landmark structure and its eligibility for the National Register of Historic Places. Pursuant to LMC 15-1-18(G), the Board of Adjustment shall act in a quasi-judicial manner. The appellant has the burden of proving that the land use authority erred. The appellant has successfully and specifically indicated how staff erred.

Conclusion of Law (Upholding the Appeal)

1. The proposal does not comply with the Park City Design Guidelines for Historic Districts and Historic Sites.
2. The proposal does not comply with the Land Management Code requirements pursuant to the Historic Recreation Commercial (HRC).

Order (Upholding the Appeal)

1. The appeal is upheld and Staff's determination is overturned.

Exhibits

Exhibit A — Park City Museum appeal submitted June 30, 2016

Exhibit B — Supplemental information from Park City Museum submitted on October 6, 2016

Exhibit C — Kirk Huffaker statement, October 13, 2016

Exhibit D — Elliot Work Group Written Project Description

Exhibit E — Elliot Work Group Plans as approved by staff on June 20, 2016

Exhibit F — Elliot Work Group Physical Conditions Report & Historic Preservation Plan

Exhibit G — Elliot Work Group Response to Park City Museum Appeal, October 14, 2016



Sandra Mawson
 Park City Historical Society: Museum
 P.O. Box 555
 Park City UT 84060
 435-649-7457

Relationship: Historical Society with mission to
 Preserve Park City's history: Heritage and
 standing to appeal based on written comments
 submitted at the Public Hearing June 7, 2016.

This appeal is filed due to:

1. Demolition/removal of the barrel roof
 does not meet the LMC or Historic District
 Guide line ^{or opening the}
2. Addition of new door in front facade does
 not meet the LMC or Historic District Design

over →

Guidelines

3. Recent additions to the front facade of the historic building are not being removed as defined in the Historic District Design Guidelines

4. Renovation may affect the Historic Building's historic significance and eligibility to be listed on the National Register of Historic Places.

5. Staff's determination that retaining only one barrel vault of the roof "was a good compromise". Compromises are not defined in the LMC or Historic District Design Guidelines

6. ~~Windows~~ Historic windows are not being preserved as required by the Historic District Design Guidelines.

7. Other various issues do not meet the Historic District Design Guidelines or the LMC.



8. The plans should do not meet the Secretary of the Interiors Standards for Historic Preservation as intended by the LMC.

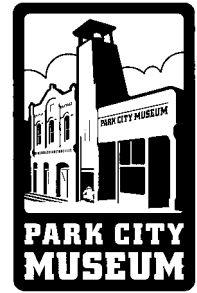
9. The plans may affect the buildings Landmark status on the Historic Sites Inventory contrary to LMC chapter 15. that Landmark buildings retain its historic integrity as defined by the National Park Service for the National Register of Historic Places" and "retain its historic integrity in terms of location, design, setting, materials, workmanship, feeling, and association as defined by the National Park Service

10. The plans do not meet the intent of the LMC which is to Preserve Landmark Status.

Staff's determination that the

Barrel roofs are not character defining features does not meet the LMC and Historic District Design Guidelines

12. Staff determination that cantilevering the roof top deck above the historic barrel roof was not feasible should be revisited and more prudent alternatives than demolition be pursued.



Thursday October 6, 2016

Board of Trustees

Ron Butkovich
President

Karen Keating
Vice President

Gil Williams
Treasurer

**Submission of Appellant,
Park City Historical Society & Museum**
for hearing on Tuesday October 18, 2016
Kimball Garage, 638 Park Ave

Hearing before the Park City Board of Adjustment

Dear Members of the Board of Adjustment,

- Monique Abbott
- Hal Compton
- Greg Cropper
- Marcie Davis
- Elisabeth Flaherty
- Lynn Fey
- Julie Hopkins
- Barbara Jones
- Noah Levine
- Cindy Matsumoto
- Linda McReynolds
- Michele Morris
- Sydney Reed
- Zibby Tozer

The historic Kimball Garage is one of Park City’s most prominent and cherished historic buildings. Rehabilitation and adaptive reuse of this iconic structure needs to demonstrate the best practices in historic preservation to meet the community’s desire to preserve our built environment and honor our unique history. To meet the community’s concerns, City Council adopted the Historic Sites Inventory in 2009 which identified Landmark Sites that would be protected by the strictest regulations and not suffer from decisions that are “arbitrary or based on personal taste.” (exhibit B page 2 para 2).

The community relies on the Land Management Code and Design Guidelines for Historic Districts and Historic Sites to protect these important historic sites for future generations. Each small concession or inconsistent approval is compounded over time, degrading the historic integrity of our historic buildings and our Historic District. Remarkably, our historic structures have survived from our mining era. Through our stewardship and precaution they can survive for many years into the future.

Preserving our Town’s historic character is so important that is identified as one of only four core values in Park City’s General Plan. The Plan states: “Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.”

The Park City Historical Society’s mission is to Preserve, Protect and Promote Park City’s History and remains diligent in representing the community’s desire to preserve our history. In carrying out this mission, we have filed this appeal.

Summary of Argument:

As discussed more fully below, staff's approval dated June 20, 2016 of the Kimball Garage project does not meet the requirements of Park City's Design Guidelines for the Historic District, nor the Federal Standards required for this Landmark Site, because:

- I. Removal and demolition of half the historic double-barrel roof fails to comply with Park City's Universal Design Guidelines 3 and 4, Park City's Specific Design Guidelines B.1.1, and does not meet the Federal Standards for Rehabilitation of Historic Roofs.
- II. Removal rather than restoration of historic windows fails to comply with Park City's Universal Design Guideline 5, Specific Guideline B.5.2, and does not meet Federal Standards for Rehabilitation of Historic Windows.
- III. The addition of a new roof-top balcony destroying the east half of the historic roof fails to comply with Universal Guidelines 9 and 10, Park City's Specific Design Guideline D.1.3, and does not meet the Federal Standards for Rehabilitation 9 and 10.
- IV. Replacing the incompatible non-historic 1999 divided-glass entry and non-historic corrugated iron with new materials, instead of removal, fails to comply with Universal Design Guideline 6, and does not meet the Federal Standards for Rehabilitation of Historic Building Exteriors.

I. Improper Removal and Demolition of Half of the Historic Double-Barrel Roof

The plans for the renovation of the historic Kimball Garage propose demolition and removal of one of the two historic double-barrel vaults of the roof. This double-barrel roof is shown in the photo attached as exhibit A (which is page 7 of the Historic Sites Inventory for the Kimball Garage). This double-barrel roof is an historic exterior feature of the building.

The double-barrel roof is made from distinctive materials and components reflecting the industrial craftsmanship of the time period. The roof's form and shape is a significant feature and part of the historic character of the Kimball Garage.

A. Failure to Meet Universal Design Guidelines

The city has adopted Design Guidelines for Historic Sites which must be applied to assess the renovations of historic buildings. Relevant pages of the Design Guidelines are provided in exhibit B. Demolition and removal of half of the roof of the historic Kimball Garage does not meet the requirements of Park City's Design Guidelines.

Universal Guideline #3 states "The historic exterior features of a building should be retained and preserved".

Universal Guideline #4 states “Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved”. (exhibit B page 28)

These Guidelines are mandatory and part of the Land Management Code, since the Code itself states in LMC 15-11-11 “The Design Guidelines are incorporated into this Code by reference.” (Exhibit C). Further, as stated in the Guidelines, “Whenever a conflict exists between the LMC and the Design Guidelines, the more restrictive provision shall apply.” (exhibit B, page 28 at paragraph 4)

The removal of half the historic double-barrel roof plainly does not meet either of the Universal Guideline #3 or #4 requirements. The historic roof is an **historic exterior feature**. The historic roof has **distinctive materials and components**. Therefore the intent and express language of these Universal Guidelines requires that the historic roof – not just half of it – should be **retained and preserved**.

The Notice of Planning Department Action Findings of Fact 24.c is in error since the applicant is only required to maintain the historic facades along Park and Heber Avenues, whereas the actual Guideline #3 states the historic exterior features “**of a building**” should be retained and preserved, not just two facades.

Staff’s Finding of Fact 24.d. is also in error since it only addresses reproducing missing historic elements, and does not meet the requirement of the Guideline #4 for the applicant to retain and preserve the “distinctive materials, components, finishes, and examples of craftsmanship” that currently remain, *i.e.*, retain and preserve the existing roof.

B. Failure to Meet Specific Guidelines:

Demolition and removal of half of the historic double-barrel roof of the historic Kimball Garage also does not meet the mandatory Specific Guidelines:

B.1. Roofs

B.1.1 states “Maintain the original roof form, as well as any functional and decorative elements”. (exhibit B page 30).

It is unquestionable that demolition and removal of half the historic Kimball Garage roof does not comply.

Staff’s Findings of Fact 25.f is in error in its assertion of compliance with Guideline B.1. Roofs. The Finding asserts that the original roof can be demolished on the basis that the “two (2) barrel vaults running north-to-south are not character-defining features of the historic structure....” Specific Guideline B.1.1 makes no allowance for character-defining and simply requires “**maintain the original roof form**”. “Character Defining Feature” is not a criteria in the Design Guidelines nor is it defined in the Glossary. Removing half of the double-barrel roof irrevocably changes the **original roof form** of the historic Kimball Garage.

In any event, Kirk Huffaker, Executive Director of the Utah Heritage Foundation, has provided his opinion that the historic roof in fact is a “character defining industrial feature[s] of the historic garage and should be retained”. (exhibit F paragraph 2 item #1)

C. Failure to Meet Requirements of Landmark Status and Federal Standards

The Kimball Garage is listed as a Landmark Site on Park City’s Historic Sites Inventory. LMC 15-11-10(A) (1) (b) defines a Landmark site as a building that “retains its Historic Integrity... as defined by the National Park Service for the National Register of Historic Places;” (exhibit D). As stated in the Design Guidelines, “Projects involving 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.” (exhibit B, page 28 at paragraph 2).

The standards set by the National Park Service are set forth in the Secretary of Interior’s Standards for Historic Preservation (<https://www.nps.gov/tps/standards/four-treatments/treatment-guidelines.pdf>). Pages of these Standards that are referenced below are provided in exhibit E). As stated in the Standards (exhibit E page 78):

Building Exterior – Roofs

- *Recommended:* “**Identifying, retaining and preserving** roofs – and their functional and decorative features – are important in defining the overall historic character of the building. This includes the roof’s shape...”
- *Not Recommended:* “Radically changing, damaging or destroying roofs which are important in defining the overall historic character of the building so that, as a result, the character is diminished.”
- *Not Recommended:* “Removing a major portion of the roof or roofing material that is repairable, then reconstructing it with new material in order to create a uniform or ‘improved’ appearance.”

Removing half of the historic double-barrel roof of the Landmark Kimball Garage does not meet the National Park Service Standards for Historic Preservation. Further, such removal does not meet the mandatory Design Guidelines requirement to retain designation as a Landmark Site.

In addition, the section Standards for Rehabilitation & Guidelines for Rehabilitating Historic Buildings include: (exhibit E page 62)

1. “A property will ... be given a new use that requires minimal change to its distinctive materials, features ...”
2. “The historic character of property will be retained and preserved. The removal of distinctive materials or alterations of features, spaces, and special relationships that characterize a property will be avoided.”

5. “Distinctive materials, features, finishes, and construction techniques... will be preserved.”

Again, removing half roof of the Kimball Garage does not comply with these Federal Standards, which instead call for such historic and distinctive materials, features and historic character to be preserved.

II. Improper Removal of Historic Windows

The approved application allows for replacement of the historic steel windows with matching new windows. New windows do not ever match and instead detract from the historic exterior of buildings, as shown by the numerous replacements that have occurred throughout the Historic District. In contrast, restoring and maintaining the historic windows helps keep the historic character, as anyone looking at the buildings can readily see and distinguish. Merely replacing entire historic windows with new windows does not meet mandatory local or federal historic preservation guidelines for a Landmark Site.

A. Failure to Meet Universal Design Guidelines

Demolition and removal of the historic windows from the Kimball Garage does not meet the requirements of Park City’s Design Guidelines for Historic Sites.

Universal Guideline #5 states “Deteriorated or damaged historic features and elements should be repaired rather than replaced.... The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/serviceable condition”. (exhibit B, page 29)

Staff’s Finding of Fact 24.e is in error since replacement of the historic steel windows with new windows has been allowed without the required demonstration that the historic materials are no longer safe and cannot be repaired. Other examples in Park City exist where historic steel windows have been repaired and retained.

B. Failure to Meet Specific Guidelines

B.5.2 states “Replacement windows should be allowed only if the historic windows cannot be made safe and serviceable through repair”. (exhibit B page 32)

The applicant has failed to make the required showing to comply with this Guideline. Staff’s Finding of Fact 25.j is in error and gives no justification for replacing the historic steel windows.

C. Failure to Meet Requirements of Landmark Status and Federal Standards

Similarly, the National Park Service Standards include the following:

Building Exterior - Windows

- *Recommended* “**Identifying, retaining and preserving** windows...that are important in defining the overall historic character of the building.”
- *Recommended* “**Protecting and maintaining** the wood and architectural metals which comprise the window frame ... through appropriate surface treatments such as cleaning, rust removal, limited paint removal, and re-application of protective coating systems. Making windows weathertight by re-caulking and replacing or installing weatherstripping. These actions also improve thermal efficiency.”
- *Not Recommended:* “Replacing windows solely because of peeling paint, broken glass, stuck sash and high air infiltration. These conditions, in themselves, are no indication that the windows are beyond repair.” (exhibit B page 81)

The Kimball Garage is a Landmark Site for which the Federal Standards are not met by simply replacing the historic steel windows with new windows that match.

III. Improper Addition of New Roof-top Balcony Destroying the East Half of the Historic Kimball Garage Roof

Staff’s approval allows demolition and destruction of half of the historic barrel-roof of the Kimball Garage to allow for the installation of a new roof-top balcony extending from the new addition above the east half of the historic building. This addition will dramatically alter the appearance of the Landmark Structure from all angles and is unprecedented.

A. Failure to Meet Universal Design Guidelines

Universal Guideline #9 states “New Additions, exterior alterations, or related new construction should not destroy historic materials, features, and spatial relationships that characterize the site or building.”

Universal Guideline #10 states “New additions and related new construction should be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment could be restored.” (exhibit B page 29)

Staff’s Findings of Fact 24.i is in error and does not comply with mandatory Universal Guideline #9. The new construction of the roof top balcony will destroy and replace half of the historic double-barrel roof, including the historic materials, features and the spatial relationship of the historic roof with the building. Adding a balcony from the adjacent new building and extending over the historic building will change and diminish the character of the Kimball Garage.

Staff's Findings of Fact 24.j is in error and does not comply with mandatory Universal Guideline #10 . Any future removal of the roof-top deck can never reveal the original and essential form of the double-barrel roof since it will be gone.

B. Failure to Meet Specific Guidelines

D.1.3 states "Additions should not obscure or contribute significantly to the loss of historic materials." (exhibit B page 34)

The new roof-top balcony will both obscure the remaining half of the historic double-barrel roof, as well as causing the loss of the other half of the historic double-barrel roof. Accordingly, the new roof-top balcony plainly does not meet the requirements of Guideline D.1.3.

Staff's Findings of Fact 25.n erroneously asserts that "The addition will not obscure or contribute significantly to the loss of historic materials". This is not accurate.

C. Failure to Meet Requirements of Landmark Status and Federal Standards

Similar to Universal Guidelines 9 and 10, the Federal Standards for Rehabilitation specify:

9. "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property...."

10. "New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." (exhibit E pages 62)

As stated above, addition of a new roof-top balcony through the demolition of half of the historic double-barrel roof does not comply with the Federal Standards for Rehabilitation. Historic roof materials will be destroyed and any future removal of the new addition would not reverse this loss of the historic roof materials. The new balcony addition changes the essential form of the historic Kimball Garage.

IV. Failure to Require Incompatible Features be Brought into Compliance with the Guidelines

A. Failure to Meet Universal Design Guidelines

Universal Guideline #6 states "Features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows... may be maintained;

however, if it is proposed they be changed, those features must be brought into compliance with these guidelines. (exhibit B page 29).

Staff's Findings of Fact 24.f recognizes that the 1999 divided-glass entry on the south-west corner of the building was a non-historic addition. Yet staff allows this feature to be changed without bringing it into compliance with the Guidelines. Prior to 1999 this divided-glass entry did not exist and it does impact the historic character and integrity of the Landmark Structure. (see exhibit G, historic images of the Kimball Garage).

The Guidelines address the "Concept of Integrity" by asking "Would the person who built the structure still recognize it today?" (exhibit B page 5 para 1). Plainly the Kimball brothers would not recognize the 1999 divided-glass entry since this area was the open petrol pumping bay. The divided-glass entry is not among any of the "physical characteristic that existed during the property's historic period" so it affects the property's integrity and "authenticity of the property's historic identity". (exhibit B page 5 para 1). To meet the Universal Guideline #6 the divided glass-entry should be removed and not replaced with new windows or features that were never present in this location.

Universal Guideline #7 states "Owners are discouraged from introducing architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists". (exhibit B page 29)

Accordingly, staff's Findings of Fact 24.g is also in error in that it allows substitution of the non-historic divided-glass entry and non-historic corrugated iron with new windows, in violation of Universal Guideline #7. No evidence exists for such a substitution.

B. Failure to Meet Requirements of Landmark Status and Federal Standards

Federal Standards for Rehabilitation specify that "Alterations may also include the selective removal of ... features of the environment or building site that are intrusive and therefore detract from the overall historic character." (exhibit E page 65 col. 2 para 1)

The Standards further specify:

Building Exterior – Storefronts

- *Recommended:* "The removal of inappropriate, non-historic ... later alterations can help reveal the historic character of a storefront. (exhibit E page 88)
- *Not Recommended:* "Creating a false historical appearance because the replaced storefront is based on insufficient historical, pictorial and physical documentation." (exhibit E page 89)

Replacing the non-historic divided-glass entry or the corrugated iron covering with windows does not meet the Federal Standards since this was historically a large open bay. Instead the Standards recommend the 1999 non-historic alterations be removed entirely as they detract from the Kimball Garage's historic integrity. These non-historic alterations should not be replaced with features that were never there.

V. Historic District Design Review Process

The Park City Historical Society has attempted to actively participate in the Historic District Design Review process for the Kimball Garage renovation project. We attended both public hearings (referenced in Findings of Fact #29), giving verbal input during the February 27, 2015 hearing and written comments for the HDDR hearing on June 7, 2016. We received no response and our concerns were not addressed. We were notified of staff's action approving the project, but were given no details of the basis for approval. Staff informed us that we were required to file a Gramma request to obtain any details of the HDDR Approval. We apologize for the filing of our handwritten appeal, but since we had no details of the approval action, we were unsure what to file. Therefore, our detailed statement of the reasons for this appeal are set out in this document.

VI. Conclusion

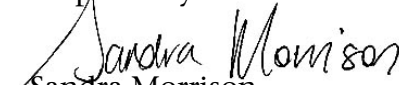
Over the past 30 years, the Park City Historical Society has witnessed how the approval of inappropriate renovations and re-renovations have impacted the Historic District. The historic integrity of our town has slowly diminished and now our authenticity at risk. Both large and small concessions and compromises given during project approvals are cumulative over time and set a precedent for the next application. Staff informed me on June 30, 2016 that demolition of half of the historic double-barrel roof was a "good preservation compromise."

Why are we compromising? We have strong Design Guidelines in place to preserve our historic sites and we should so apply them. Undoubtedly, allowing demolition of half the roof and changing its essential form will provide precedent for demolishing the remaining half at some point in the near future. With the loss of all the historic windows, we'll be left with just historic bricks. With further compromises to allow updating the 1999 additions and the intrusion of new roof-top additions, likely an application to remove the Kimball Garage from Landmark Site will soon follow. This is a slippery slope!

For all the reasons stated above, we ask this Board to rescind the approval of the Historic District Design Review for the Kimball Garage project at 638 Park Avenue. We ask the Board to direct staff to make new Findings of Fact consistent with the Design Guidelines and Federal Standards for Landmark Sites including:

- No demolition of the historic double-barrel roof form.
- No removal and replacement of historic steel windows.
- No new roof-top balcony extending from the new addition and destroying the historic roof.
- Removal (not replacement) of the 1999 non-historic divided-glass entry addition.
- Removal (not replacement) of the non-historic corrugated iron.
- Re-establishment of the historic open-bay on Heber Avenue.

Respectfully submitted


Sandra Morrison
Executive Director


Ron Butkovich
President

exhibit A





Design Guidelines

FOR

Historic Districts

AND

Historic Sites



UTAH



June 19, 2009

Prepared

FOR

**Park City
Municipal Corporation**

BY

**Dina Williams-Blaes
Trent Jameson**



Purpose of the Design Guidelines

The Design Guidelines for Park City’s Historic Districts and Historic Sites (referred to throughout the document as the “Design Guidelines”) is intended to fulfill the policy directives provided in the General Plan and the Land Management Code.

The goal of the Design Guidelines is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs. For property owners, design professionals, and contractors, it provides guidance in planning projects sympathetic to the unique architectural and cultural qualities of Park City. For the Planning Department staff and the Historic Preservation Board, it offers a framework for evaluating proposed projects to ensure that decisions are not arbitrary or based on personal taste. Finally, it affords residents the benefit of knowing what to expect when a project is proposed in their neighborhood.

The Design Guidelines are not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction booklet for completing the Historic District/Site Design Review Application. Instead, they provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations.

The Historic District includes the following six zoning districts (See Appendix A: Maps):
HRL: Historic Residential-Low Density
HR-1: Historic Residential
HR-2A/B: Historic Residential
HRM: Historic Residential-Medium Density
HRC: Historic Recreation Commercial
HCB: Historic Commercial Business
Corresponding chapters of the Land Management Code can be viewed at www.parkcity.org

Park City’s Historic Districts (See Appendix A: Maps)

Park City’s Historic Districts are often referred to collectively as “Old Town” or “The Historic District” because they are associated with the earliest development of the City and retain the greatest concentration of Park City’s historic resources. The Historic Districts are comprised of six separate zoning districts, each of which is preceded in name by the term “Historic” or “H”. Four districts are made up of residential neighborhoods and two are commercial areas, including Park City’s historic Main Street. The zoning classifications define the base land use regulations and building code requirements for each district, but also require design review for all new construction, preservation, rehabilitation, restoration, reconstruction, additions and exterior work proposed in these areas.

The Land Management Code, in which the Historic Districts are legally established, recognizes that historic resources are valuable to the identity of the City and should be preserved. It also recognizes that change is a normal part of a community’s evolution, without which the long-term health and vitality of neighborhoods are at risk.

Park City’s Historic Sites

The Park City Historic Sites Inventory is the City’s official list of historic resources deserving of preservation and protection. The current inventory, adopted by the Historic Preservation Board on February 4, 2009, includes more than 400 separate sites. The inventory is made up of Landmark Sites and Significant Sites.

Landmark Sites

Landmark Sites are those with structures that are at least fifty years old, retain their historic integrity as defined by the National Park Service for the National Register of Historic Places, and are significant in local, regional or national history or architecture. Landmark Sites have structures that exemplify architectural styles or types that were constructed during significant eras in Park City's past.

Significant Sites

Significant Sites have structures that are at least fifty years old, retain their essential historical form (as defined in the Land Management Code), and are important in the history of Park City. These sites have structures that contribute to the historic character of the community and convey important information about the development history of Park City.

Owners of Historic Sites may not demolish buildings or structures without first going through a rigorous demolition permit approval process. However, the City balances this regulation with financial incentives and regulatory relief. Historic Sites are eligible for specific Land Management Code exceptions and also for matching grants for projects that adhere to recognized preservation methods and techniques.

Most of Park City's Historic Sites are located within one of the six historic districts. However, those Historic Sites located outside the geographic boundaries of the "H" Districts are also subject to these guidelines.

The City's Two National Register Historic Districts

The National Register of Historic Places is the Nation's official list of cultural resources worthy of preservation. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect our historic and archeological resources.

Park City has two National Register Historic Districts. The Main Street Historic District, listed in the National Register in 1979 (See Appendix A: Maps), comprises structures between 3rd Street and Heber Avenue, located primarily along Main Street. The Mining Boom Era Residences Thematic District, listed in 1984, includes residential structures throughout Park City built during the mining boom period (1872-1929) that were found to be both architecturally and historically significant (See Appendix A for a list of structures by address and corresponding map).

Under Federal law, owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that there is no federal involvement. Owners have no obligation to open their properties to the public, to restore them or even to maintain them, if they choose not to do so.



More than 400 sites have been listed as Historic Sites in Park City. The complete Historic Sites Inventory can be viewed at www.parkcity.org/hsi. Historic Site Forms, like this one, document Park City's Historic Sites.

While listing in the National Register is honorary, local designation as a Historic Sites brings with it certain benefits and limitations that are spelled out in the Park City Land Management Code.

A roster of current Historic Preservation Board members and links to agendas and meeting packets can be found on the web at www.parkcity.org/citydepartments/planning or by calling 435/615-5060.

The Historic Preservation Board

The Historic Preservation Board (HPB) serves as an advisory body to the City on all matters pertaining to historic preservation. The HPB is an important resource for the public in helping to preserve and protect the City's historic sites.

The HPBs purpose includes reviewing the Design Guidelines on a regular basis and making recommendations to the City Council to update them when necessary. In addition, the HPB provides input to staff and the City Council on historic preservation policies and programs, reviews all appeals of design review applications as they relate to compliance with the Design Guidelines, designates buildings and structures within Park City as Historic Sites, and promotes the benefits of historic preservation to the general public.

The HPB consists of seven members appointed by the Mayor with the consent of the City Council. All members need not reside in Park City to serve, but at least one must live in Old Town and one must be associated with Main Street business and commercial interests.

Historic Preservation Theory

Historic Preservation theory centers on two important principles; historical significance and integrity.

The Concept of Historical Significance

In Park City, a site may be considered historic if:

- It is at least fifty years old,
- It is associated with events or lives of important people in the past,
- It embodies distinctive characteristics of type, a period, or construction method, or is the work of a notable architect or craftsman.

In most cases, Historic Sites in Park City provide an understanding of the culture and lifestyle of the area's mining activity and early ski industry. Buildings and structures obviously change over time, but the materials and features that date from the mining and early ski eras typically contribute to the character and significance of the property.

Park City's Landmark Sites have structures with the highest level of importance. They not only convey the history of Park City, but also are physical representations of Park City's past influence in shaping the region and the nation. Park City's Significant Sites have structures primarily of local importance. They are the structures that define the fabric of historic Park City and reflect the community's past development patterns.

The Concept of Integrity

In addition to historical significance, a property must also have integrity. Integrity can be defined as “the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic period” (National Park Service). Another way to look at a site’s integrity is to ask, “Would the person who built the structure still recognize it today?” Generally, the majority of the structure’s materials, structural system, architectural details, and ornamental features, as well as the overall mass and form must be intact in order for a building to retain its integrity.

Park City’s Landmark Sites have structures that possess the highest level of historic integrity. Landmark Sites, and their associated buildings and structures, must retain their historic integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places (listing in the National Register is voluntary and not required as part of Park City’s Land Management Code). Significant Sites have structures that retain their essential historical form, meaning that the buildings must retain the physical characteristics that make it identifiable as existing in or relating to an important era in Park City’s past.

Approach and Treatments for Historic Sites

Each project involving a Historic Site is unique, but how you approach the project should follow a specific path.

Approach to Historic Sites

Begin by evaluating the character of the site. What changes have been made to the site and its structures over time and were the changes made during the historic period or later? Have windows been blocked or added, have additions been constructed, has the original plan been altered? Changes may or may not contribute to the historic character of the site and should be evaluated as the project is being planned. It is important to identify what it is about your site and its structures that contributes to its historical significance.

Then, the architectural integrity and physical condition of the property should be assessed. Are historic features hidden behind later materials? Are there physical problems that could lead to structural failure? Is there damage to materials that will require repair? If the materials cannot be repaired, can they be replaced in-kind? Historic preservation philosophy places a high premium on the retention of historic building materials and your plans will dictate how much of that material remains after the work is complete.

Following the physical conditions assessment, check the Land Management Code and other legal requirements. Will the project require design review? How do the building codes apply and will they impact the integrity or character of the structures? Are there encroachments or easements? Are there funds available from the City to assist with the project?

Finally, based on answers to the questions above, determine which of the Four Treatments for Historic Sites you will use. The Four Treatments for Historic Sites are: preservation, rehabilitation, restoration, and reconstruction. Projects often include two or more treatments in combination. Before you start your project, it is important to know which treatments or combination of treatments you will use.

Four Treatments for Historic Sites

Preservation

If you want to stabilize a building or structure, retain most or all of its historic fabric, and keep it looking the way it does now, you will be preserving it. **Preservation** is the first treatment to consider and it emphasizes conservation, maintenance and repair.

Rehabilitation

If you want to update a building for its current or a new use, you will be rehabilitating it. **Rehabilitation**, the second treatment, also emphasizes retention and repair of historic materials, though replacement is allowed because it is assumed that the condition of existing materials is poor.

Restoration

If you want to take a building back to an earlier time by removing later features, you will be restoring it. **Restoration**, the third treatment, centers on retaining materials from the most significant period in the property's history. Because changes in a site convey important information about the development history of that site and its structures, restoration is less common than the previous treatments.

Reconstruction

If you want to bring back a building that no longer exists or cannot be repaired, you will be reconstructing it. **Reconstruction**, the fourth treatment, is used to recreate a non-surviving building or one that exists now, but is extremely deteriorated and un-salvageable. Reconstruction is rarely recommended.

DESIGN GUIDELINES FOR HISTORIC SITES

If your structure or lot is located within one of Park City's historic zoning districts—HRL, HR1, HR2, HRM, HRC or HCB—but is not a Historic Site, you should seek guidance in the "Guidelines for New Construction in Historic Districts" section of these guidelines.

These Design Guidelines apply to all Historic Sites in Park City. Because residential, commercial, civic, and institutional buildings are found in all of Park City's six "H" zones, these guidelines are inclusive and may include sections that do not apply to your particular building or project.

The City, through the Planning Department staff, will determine when a project complies with the Design Guidelines. **Projects involving 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.** Projects involving Significant Sites are also held to a high standard, but because in many cases the sites have been substantially modified in the past, there is greater flexibility when interpreting the Guidelines. However, these projects must be designed and executed in such a manner as to retain designation as a Significant Site.

Compliance with the Design Guidelines is determined when a project meets the Universal Guidelines and Specific Guidelines. Because the scope of one project will differ from another, the City requires each application to meet all of the Universal Guidelines and Specific Guidelines unless the Design Review Team determines certain Specific Guidelines are not applicable.

All proposed projects must also meet the legal requirements of the Land Management Code before a building permit can be issued. **Whenever a conflict exists between the LMC and the Design Guidelines, the more restrictive provision shall apply.** As a result, elements such as building height, building pad and/or building footprint may be limited.

UNIVERSAL GUIDELINES

1. A site should be used as it was historically or be given a new use that requires minimal change to the distinctive materials and features.
2. Changes to a site or building that have acquired historic significance in their own right should be retained and preserved.
3. **The historic exterior features of a building should be retained and preserved.**
4. **Distinctive materials, components, finishes, and examples of craftsmanship should be retained and preserved.** Owners are encouraged to reproduce missing historic elements that were original to the building, but have been removed. Physical or photographic evidence should be used to substantiate the reproduction of missing features.

5. Deteriorated or damaged historic features and elements should be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element should match the original in design, dimension, texture, material, and finish. The applicant must demonstrate the severity of deterioration or existence of defects by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.

6. Features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines, such as incompatible windows, aluminum soffits, or iron porch supports or railings, may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines.

7. Each site should be recognized as a physical record of its time, place and use. Owners are discouraged from introducing architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists.

8. Chemical or physical treatments, if appropriate, should be undertaken using recognized preservation methods. Treatments that cause damage to historic materials should not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.

9. New additions, exterior alterations, or related new construction should not destroy historic materials, features, and spatial relationships that characterize the site or building.

10. New additions and related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.

Front yard setbacks provide a transitional space between the public street and the private building entrance. The pattern along the street created by historic setbacks is critical to defining community character.



Stone retaining walls and fences like these contribute to the character of the districts and help to define the street edge.

SPECIFIC GUIDELINES

A. SITE DESIGN

A.1. Building Setbacks & Orientation

A.1.1 Maintain the existing front and side yard setbacks of Historic Sites.

A.1.2 Preserve the original location of the main entry, if extant.

A.1.3 Maintain the original path or steps leading to the main entry, if extant.

A.2. Stone Retaining Walls

A.2.1 Maintain historic stone retaining walls in their original locations.

A.2.2 Maintain the original dimensions of historic retaining walls.



Landscaping and site grading, particularly in the front yard setback, are important elements in defining the character of the street. Unlike the example above, original grading in the front yard setback and compatible landscaping should be maintained.

A.3. Fences & Handrails

A.3.1 Maintain historic fences and handrails.

A.3.2 Historic fences and handrails may be reconstructed based on photographic evidence. The reconstruction should match the original in design, color, texture and material.

A.3.3 New fences and handrails should reflect the building's style and period.

A.4. Steps

A.4.1 Maintain historic hillside steps that may be an integral part of the landscape.

A.5. Landscaping & Site Grading

A.5.1 Maintain landscape features that contribute to the character of the site.

A.5.2 Incorporate landscape treatments for driveways, walkways, paths, building and accessory structures in a comprehensive, complimentary and integrated design.

A.5.3 The historic character of the site should not be significantly altered by substantially changing the proportion of built or paved area to open space.

A.5.4 Landscape plans should balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the significance of the site.

A.5.5 Landscape plans should allow for snow storage from driveways.

A.5.6 Provide a detailed landscape plan, particularly for the front yard, that respects the manner and materials used traditionally in the districts.

A.5.7 Provide landscaped separations between parking areas, drives, service areas, and public use areas including walkways, plazas, and vehicular access points.

A.5.8 Maintain the original grading of the site when and where feasible.

B. PRIMARY STRUCTURES

B.1. Roofs

B.1.1 Maintain the original roof form, as well as any functional and decorative elements.

B.1.2 New roof features, such as photovoltaic panels (solar panels) and/or skylights should be visually minimized when viewed from the primary public right-of-way. These roof features should be flush mounted to the roof.



These skylights are flush mounted and unobtrusive when viewed from the public right-of-way.

B.1.3 Avoid removing or obstructing historic building elements and materials when installing gutters and downspouts.

B.1.4 Roof colors should be neutral and muted and materials should not be reflective.

B.2. Exterior Walls

B.2.1 Primary and secondary facade components, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways should be maintained in their original location on the façade.

B.2.2 Repair deteriorated or damaged facade materials using recognized preservation methods.

B.2.3 If disassembly of a historic element—window, molding, bracket, etc.--is necessary for its restoration, recognized preservation procedures and methods for removal, documentation, repair, and reassembly should be used.

B.2.4 If historic exterior materials cannot be repaired, they should be replaced with materials that match the original in all respects; scale, dimension, texture, profile, material, and finish. The replacement of existing historic material should be allowed only after the applicant can show that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition.

B.2.5 Substitute materials such as fiber cement or plastic-wood composite siding, shingles, and trim boards should not be used unless they are made of a minimum of 50% recycled and/or reclaimed materials. In addition, the applicant must show that the physical properties of the substitute material—expansion/contraction rates, chemical composition, stability of color and texture, and the compressive or tensile strength—have been proven not to damage or cause the deterioration of adjacent historic materials.

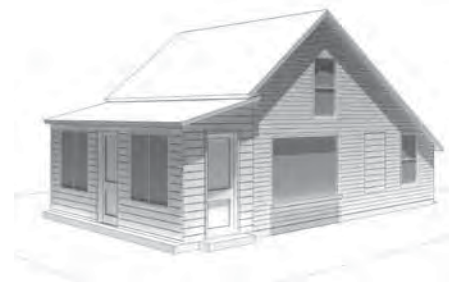
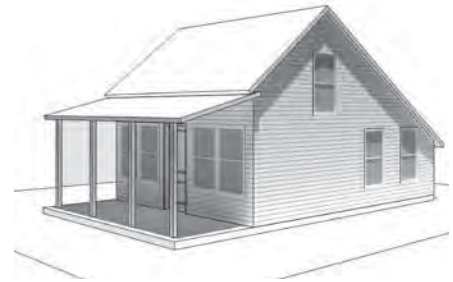
B.2.6 Substitute materials should not be used on a primary or secondary façade unless the applicant can show that historic materials cannot be used (as stated in B.2.4 and B.2.5).

B.2.7 Avoid interior changes that affect the exterior appearance of facades, including changing original floor levels, changing upper story windows to doors or doors to windows, and changing porch roofs to balconies or decks.

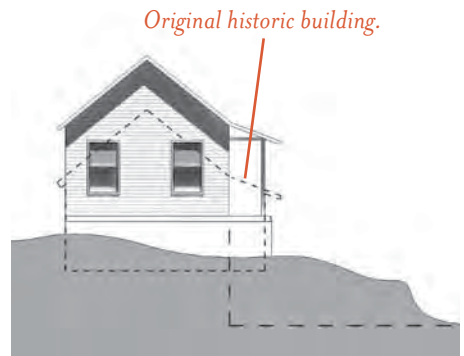
B.3. Foundations

B.3.1 A new foundation should not raise or lower the historic structure generally more than two (2) feet from its original floor elevation. See D.4 for exceptions.

B.3.2 The original placement, orientation, and grade of the historic building should be retained.



Top: The front porch and window configurations are original. Bottom: Window openings have been altered and the front porch enclosed. These treatments are incompatible and should be avoided.



Raising the historic building as shown above does not significantly diminish its integrity.

B.3.3 If the original grade cannot be achieved, no more than two (2) feet of the new foundation should be visible above finished grade on the primary and secondary facades.

B.4. Doors

B.4.1 Maintain historic door openings, doors, and door surrounds.

B.4.2 New doors should be allowed only if the historic door cannot be repaired. Replacement doors should exactly match the historic door in size, material, profile, and style.

B.4.3 Storm doors and/or screen doors should not be used on primary or secondary facades unless the applicant can show that they will not diminish the integrity or significance of the building.



Top: These window openings are tall and narrow with wide trim and are spaced evenly on the wall plane. Middle/bottom: Original window openings and trim should not be altered, nor should the window itself be replaced with a type or style that is incompatible.

B.5. Windows

B.5.1 Maintain historic window openings, windows, and window surrounds.

B.5.2. Replacement windows should be allowed only if the historic windows cannot be made safe and serviceable through repair. Replacement windows should exactly match the historic window in size, dimensions, glazing pattern, depth, profile, and material.

B.5.3 Storm windows should be installed on the interior. If interior installation is infeasible, exterior wood storm window dimensions should match the historic window dimensions in order to conceal their presence. Frames should be set within the window opening and attach to the exterior sash stop.

B.6. Mechanical Systems, Utility Systems, and Service Equipment

B.6.1 Mechanical equipment and utilities, including heating and air conditioning units, meters, and exposed pipes, should be located on the rear façade or another inconspicuous location (except as noted in B.1.2) or incorporated into the appearance as an element of the design.

B.6.2 Ground-level equipment should be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials.

B.6.3 Avoid removing or obstructing historic building elements when installing systems and equipment.

B.6.4 Contemporary communication equipment such as satellite dishes or antennae should be visually minimized when viewed from the primary public right-of-way.

B.7. Paint & Color

B.7.1 Original materials such as brick and stone that are traditionally left unpainted should not be painted. Materials that are traditionally painted should have an opaque rather than transparent finish.

B.7.2 Provide a weather-protective finish to wood surfaces that were not historically painted.

B.7.3 When possible, low-VOC (volatile organic compound) paints and finishes should be used.

The City does not require the use of specific colors on Historic Sites or in the Historic Districts. Instead the City encourages applicants to apply colors in a manner that will enhance the character of the Historic Site and the district.

The Land Management Code provides exceptions to off-street parking requirements for existing Historic Sites in the HRL, HR1, HR2, HRM, and HRC zones. Because off-street parking is not required in these circumstances, applicants must show that proposed parking areas, detached garages, and/or related driveways will not substantially diminish the integrity and significance of the Historic Sites.

C. PARKING AREAS, DETACHED GARAGES, & DRIVEWAYS

Accommodating the automobile, specifically off-street parking, garages, and driveways, is one of the greatest challenges in the Historic Districts. It is the city’s intention to encourage a range of design solutions that address the conditions of the site and meet the needs of the applicant while also preserving the character of the Historic Site and the Historic Districts.

C.1 Off-street parking

C.1.1 Off-street parking areas should be located within the rear yard and beyond the rear wall plane of the primary structure.

C.1.2 If locating a parking area in the rear yard is not physically possible, the off-street parking area and associated vehicles should be visually buffered from adjacent properties and the primary public right-of-way.



Because of the narrow lots in Old Town, off-street parking areas may need to be located in the front yard. The visual impact and total paved surface of front yard parking areas should be minimized.

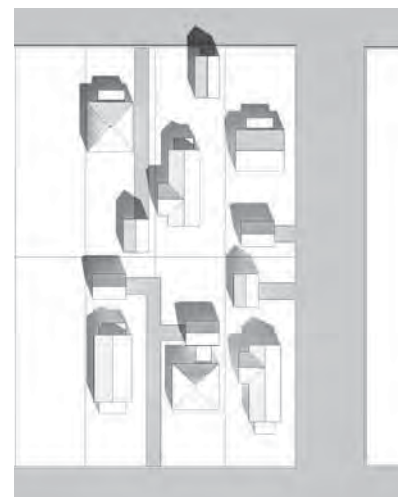
C.1.3 When locating new off-street parking areas, the existing topography of the building site and significant site features should be minimally impacted.

C.2 Driveways

C.2.1 When locating driveways, the existing topography of the building site and significant site features should be minimally impacted.

C.2.2 New driveways should not exceed twelve (12) feet in width.

C.2.3 Shared driveways should be used when feasible.



Above are preferred locations for driveways on flat lots; the grade and orientation of buildings on uphill and downhill lots may dictate a different design solution.

C.3. Detached Garages

C.3.1 New detached garages built on sites with existing historic structures should have an interior dimension that does not exceed twelve (12) feet in width.

C.3.2 Garage doors should not exceed the dimension of nine (9) feet wide by nine (9) feet high.

C.3.3 Roof form, exterior materials, and architectural detailing of a detached garage should complement the primary structure.



These detached garages complement the primary structures. Left: The garage complements the new house--the garage and the front gable of the house are original to the site. Right: The house was moved to this site and rehabilitated.

D. ADDITIONS TO HISTORIC STRUCTURES

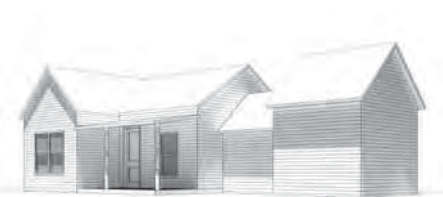
D.I. Protection for Historic Structures and Sites

D.I.1 Additions to historic buildings should be considered only after it has been demonstrated by the owner/applicant that the new use cannot be accommodated by altering interior spaces.

D.I.2 Additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way.



Left: This rear addition complements the historic building and is a preferred solution. Right: This rear addition overwhelms and engulfs the historic building and is not recommended.



A transitional element between a historic building and an addition is preferred.

D.I.3 Additions should not obscure or contribute significantly to the loss of historic materials.

D.I.4 Where the new addition abuts the historic building, a clear transitional element between the old and the new should be designed and constructed. Minor additions, such as bay windows or dormers do not require a transitional element.

Application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure will be removed from the Historic Sties Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(d) **Appeal.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision 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 pending appeals shall be made pursuant to Section 15-1-21 of 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. 09-05; 09-23; 15-53)

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.

(Amended by Ord. No. 09-23)

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.

PARK CITY MUNICIPAL CODE - TITLE 15 LMC, Chapter 11 - Historic Preservation
15-11-5

Preservation Plan as determined by the Chief Building Official and the Planning Director, or their designees, the City shall have the right to keep the funds of the Guarantee, including the ability to refuse to grant the Certificate of Occupancy and resulting in the requirement to enter into a new Historic Preservation Plan and Guarantee. The funds of the Guarantee shall be used, in the City's discretion, for Historic preservation projects within the City.

(F) RELEASE OF GUARANTEE.

The Guarantee shall not be released prior to the issuance of the final Certificate of Occupancy or at the discretion of the Chief Building Official and Planning Director, or their designees, based on construction progress in compliance with the Historic Preservation Plan.

(Amended by Ord. Nos. 09-09; 09-23)

15-11-10. PARK CITY HISTORIC SITES INVENTORY.

The Historic Preservation Board may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community.

(A) CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

- (1) LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated

to the Historic Sites Inventory as a Landmark Site if the Planning Department finds it meets all the criteria listed below:

- (a) It is at least fifty (50) years old or has achieved Significance or if the Site is of exceptional importance to the community; and


- (b) It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and

- (c) It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:

- (i) An era that has made a significant contribution to the broad patterns of our history;

- (ii) The lives of Persons significant in the history of the community, state, region, or nation; or

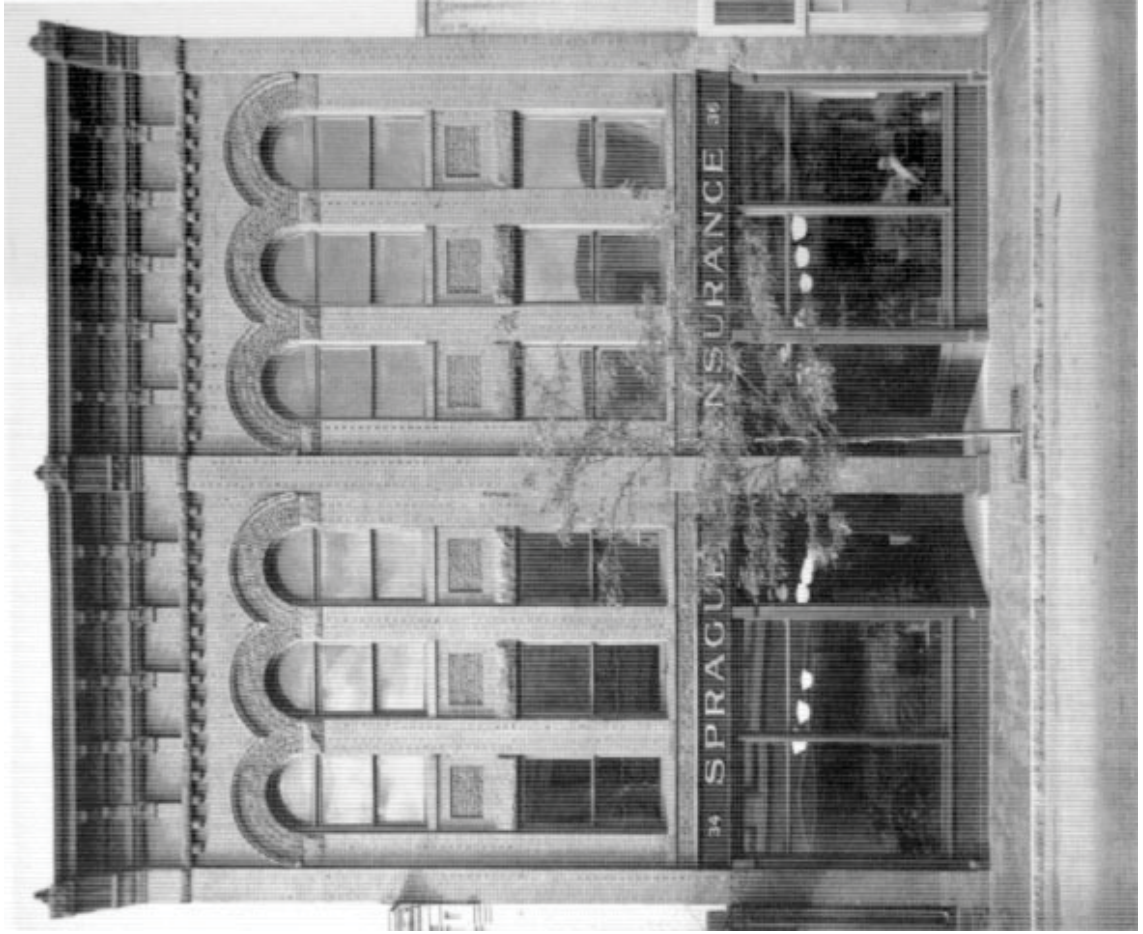
- (iii) The distinctive characteristics of type, period, or method of



The Secretary of the Interior's Standards
for the Treatment of Historic Properties
with Guidelines for
Preserving, Rehabilitating,
Restoring & Reconstructing
Historic Buildings

Standards for Rehabilitation & Guidelines for Rehabilitating Historic Buildings

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.



Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Design for the Replacement of Missing Historic Features

When an entire interior or exterior feature is missing (for example, an entrance, or cast iron facade; or a principal staircase), it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing through the process of carefully documenting the historical appearance. Although accepting the loss is one possibility, where an important architectural feature is missing, its replacement is always recommended in the **Rehabilitation** guidelines as the *first* or preferred, course of action. Thus, if adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, and if it is desirable to re-establish the feature as part of the building's historical appearance, then designing and constructing a new feature based on such information is appropriate. However, a *second* acceptable option for the replacement feature is a new design that is compatible with the remaining character-defining features of the historic building. The new design should always take into account the size, scale, and material of the historic building itself and, most importantly, should be clearly differentiated so that a false historical appearance is not created.

Alterations/Additions for the New Use

Some exterior and interior alterations to a historic building are generally needed to assure its continued

use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. **Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character.**

The construction of an exterior addition on a historic building may seem to be essential for the new use, but it is emphasized in the **Rehabilitation** guidelines that such new additions should be avoided, if possible, and considered *only* after it is determined that those needs cannot be met by altering secondary, i.e., non character-defining interior spaces. If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining features are not radically changed, obscured, damaged, or destroyed.

Additions and alterations to historic buildings are referenced within specific sections of the **Rehabilitation** guidelines such as Site, Roofs, Structural Systems, etc., but are addressed in detail in *New Additions to Historic Buildings*, found at the end of this chapter.

Building Exterior

Roofs

Recommended

Identifying, retaining, and preserving roofs—and their functional and decorative features—that are important in defining the overall historic character of the building. This includes the roof’s shape, such as hipped, gambrel, and mansard; decorative features such as cupolas, cresting chimneys, and weathervanes; and roofing material such as slate, wood, clay tile, and metal, as well as its size, color, and patterning.

Not Recommended

Radically changing, damaging, or destroying roofs which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Removing a major portion of the roof or roofing material that is repairable, then reconstructing it with new material in order to create a uniform, or “improved” appearance.

Changing the configuration of a roof by adding new features such as dormer windows, vents, or skylights so that the historic character is diminished.

Stripping the roof of sound historic material such as slate, clay tile, wood, and architectural metal.

Applying paint or other coatings to roofing material which has been historically uncoated.

Failing to clean and maintain gutters and downspouts properly so that water and debris collect and cause damage to roof fasteners, sheathing, and the underlying structure.

Allowing roof fasteners, such as nails and clips to corrode so that roofing material is subject to accelerated deterioration.

Permitting a leaking roof to remain unprotected so that accelerated deterioration of historic building materials—masonry, wood, plaster, paint and structural members—occurs.

Protecting and maintaining a roof by cleaning the gutters and downspouts and replacing deteriorated flashing. Roof sheathing should also be checked for proper venting to prevent moisture condensation and water penetration; and to ensure that materials are free from insect infestation.

Providing adequate anchorage for roofing material to guard against wind damage and moisture penetration.

Protecting a leaking roof with plywood and building paper until it can be properly repaired.

Building Exterior

Windows

Recommended

Identifying, retaining, and preserving windows—and their functional and decorative features—that are important in defining the overall historic character of the building. Such features can include frames, sash, muntins, glazing, sills, heads, hoodmolds, panelled or decorated jambs and moldings, and interior and exterior shutters and blinds.

Conducting an in-depth survey of the condition of existing windows early in rehabilitation planning so that repair and upgrading methods and possible replacement options can be fully explored.

Protecting and maintaining the wood and architectural metals which comprise the window frame, sash, muntins, and surrounds through appropriate surface treatments such as cleaning, rust removal, limited paint removal, and re-application of protective coating systems.

Making windows weathertight by re-caulking and replacing or installing weatherstripping. These actions also improve thermal efficiency.

Not Recommended

Removing or radically changing windows which are important in defining the historic character of the building so that, as a result, the character is diminished.

Changing the number, location, size or glazing pattern of windows, through cutting new openings, blocking-in windows, and installing replacement sash that do not fit the historic window opening.

Changing the historic appearance of windows through the use of inappropriate designs, materials, finishes, or colors which noticeably change the sash, depth of reveal, and muntin configuration; the reflectivity and color of the glazing; or the appearance of the frame.

Obscuring historic window trim with metal or other material.

Stripping windows of historic material such as wood, cast iron, and bronze.

Replacing windows solely because of peeling paint, broken glass, stuck sash, and high air infiltration. These conditions, in themselves, are no indication that windows are beyond repair.

Failing to provide adequate protection of materials on a cyclical basis so that deterioration of the window results.

Retrofitting or replacing windows rather than maintaining the sash, frame, and glazing.

Building Exterior

Storefronts

Recommended

Identifying, retaining, and preserving storefronts—and their functional and decorative features—that are important in defining the overall historic character of the building such as display windows, signs, doors, transoms, kick plates, corner posts, and entablatures. **The removal of inappropriate, non-historic cladding, false mansard roofs, and other later alterations can help reveal the historic character of a storefront.**

Not Recommended

Removing or radically changing storefronts—and their features—which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Changing the storefront so that it appears residential rather than commercial in character.

Removing historic material from the storefront to create a recessed arcade.

Introducing coach lanterns, mansard designs, wood shakes, nonoperable shutters, and small-paned windows if they cannot be documented historically.

Changing the location of a storefront's main entrance.

Failing to provide adequate protection of materials on a cyclical basis so that deterioration of storefront features results.

Permitting entry into the building through unsecured or broken windows and doors so that interior features and finishes are damaged by exposure to weather or vandalism.

Stripping storefronts of historic material such as wood, cast iron, terra cotta, carrara glass, and brick.

Failing to undertake adequate measures to assure the preservation of the historic storefront.

Protecting and maintaining masonry, wood, and architectural metals which comprise storefronts through appropriate treatments such as cleaning, rust removal, limited paint removal, and reapplication of protective coating systems.

Protecting storefronts against arson and vandalism before work begins by boarding up windows and installing alarm systems that are keyed into local protection agencies.

Evaluating the existing condition of storefront materials to determine whether more than protection and maintenance are required, that is, if repairs to features will be necessary.

Recommended

Repairing storefronts by reinforcing the historic materials. Repairs will also generally include the limited replacement in kind—or with compatible substitute materials—of those extensively deteriorated or missing parts of storefronts where there are surviving prototypes such as transoms, kick plates, pilasters, or signs.

Replacing in kind an entire storefront that is too deteriorated to repair—if the overall form and detailing are still evident—using the physical evidence as a model. If using the same material is not technically or economically feasible, then compatible substitute materials may be considered.

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of Rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

Not Recommended

Replacing an entire storefront when repair of materials and limited replacement of its parts are appropriate.

Using substitute material for the replacement parts that does not convey the same visual appearance as the surviving parts of the storefront or that is physically or chemically incompatible.

Removing a storefront that is unrepairable and not replacing it; or replacing it with a new storefront that does not convey the same visual appearance.

Not Recommended

Design for the Replacement of Missing Historic Features

Designing and constructing a new storefront when the historic storefront is completely missing. It may be an accurate restoration using historical, pictorial, and physical documentation; or be a new design that is compatible with the size, scale, material, and color of the historic building.

Not Recommended

Creating a false historical appearance because the replaced storefront is based on insufficient historical, pictorial, and physical documentation.

Introducing a new design that is incompatible in size, scale, material, and color.

Using inappropriately scaled signs and logos or other types of signs that obscure, damage, or destroy remaining character-defining features of the historic building.

22 Sep 2015

Roger,

After a careful review of your plans for a proposed addition and treatment of the historic Kimball Garage and review of historic photos in consideration of the Secretary of the Interior's Standards, I believe this project does not meet the Standards and therefore I cannot provide an endorsement of the project on behalf of Utah Heritage Foundation. There are a few reasons for my decision.

1) As I wrote to Kimball Art Center Director Robin Marrouche in 2012, one of the major disadvantages of the BIG/Bjarke Ingels Group competition-winning design was the removal of the two historic ceiling coves that are supported by the open truss system on the interior. I believe that these are **character-defining industrial features of the historic garage and should be retained.**

2) It is unclear whether historic steel sash windows on the west and north facades will be retained. While replacing these original windows with closely matching new windows may meet the Standards, the spirit of the Standards to encourage conservation of original materials will not be attained.

3) Historic photos indicate that the east half of the main façade (Heber Street) has a fenestration pattern of three bays with the center bay including a single door. Each of the bays includes a distinctive window division pattern that includes large display windows. While the current proposal continues to maintain three bays, the division of the windows (which also includes three sets of double doors) within each bay does not accurately reflect the historic character of the main façade and therefore, I believe does not meet the Standards.

I do believe that the proposed addition does meet the Standards as it is clearly differentiated in design from the historic structure, yet maintains a relationship with the existing building as well as its surrounding context. However, given the extent of the proposed alterations in the proposal, I do not believe there will be enough historic fabric retained of the historic Kimball Garage that would allow it to remain a Landmark site on the local register and contributing to the National Register Historic District of Park City. As I stated to Interim Planning Director Bruce Erickson in a letter on September 9, 2015, "It should be a declared goal and policy that the city through its processes, shall not facilitate moving a structure from landmark, significant or contributing status to non-contributing status. This should include both the National Register and local register." I believe that if this project were approved as proposed, the city would in fact be facilitating the movement of the Kimball Garage to non-contributing status.

At this point, I believe we've provided all the input available from Utah Heritage Foundation and recommend that you continue with the public process in Park City in seeking your approval.

Sincerely,
Kirk Huffaker
Executive Director
Utah Heritage Foundation
(801) 533-0858 ext. 105
www.utahheritagefoundation.org



Kimball Garage ca 1930s
Courtesy: Park City Museum, Pop Jenks collection



Eley Motor Company ca 1950s
Courtesy Park City Museum



October 13, 2016

Anya Grahn
Park City Planning Division
445 Marsac
P.O. Box 1480
Park City, UT 84060

Dear Anya,

On behalf of Utah Heritage Foundation, I'm submitting comments for consideration by the Board of Adjustment at their hearing next week on the rehabilitation proposal for the historic Kimball Garage. Utah Heritage Foundation has a long history of comments regarding proposals for this site and building, from which I will summarize those that remain relevant and applicable to the current application. Please make our comments available to the Board of Adjustment and public.

Since 2012, Utah Heritage Foundation has promoted the idea of adaptive use that would balance preservation with program requirements, economic viability, site constraints, and new design. We continue to believe that the historic Kimball Garage is a significant landmark in Park City and requires sensitive treatment in rehabilitation. It is also our opinion that if the *Secretary of the Interior's Standards* are to be applied here, they should be at the Rehabilitation level.

One previous proposal for this site from 2015 included a four-story addition. Utah Heritage Foundation believed that addition was out of scale with the historic Kimball Garage as well as within its context of the Main Street Historic District, and advocated to the Planning Commission to deny the owner's application for amending the Land Management Code. A later proposal in 2015 reduced the addition's height but posed some new issues with treatment of the historic building, many of which continue to be discussed in the context of the current application.

With the current application, it appears that the past information has been substantially considered in order to better meet our stated concerns. There are several positive aspects of this project, including the following:

- The new addition is clearly differentiated from the historic Kimball Garage by orientation on the site, a stepped-back and mostly transparent connector between, and a contemporary design.

- The new addition is two-stories in height at the Heber Ave./Main St. corner and where it adjoins the historic Kimball Garage, bringing a more compatible scale to the context of the historic district.
- The contemporary design of the addition, in our opinion, is compatible adjacent to the historic Kimball Garage and within the historic district, and does not compete for attention.
- Treatment of the historic Kimball Garage includes the retention, preservation, and interior and exterior display of one of the roof barrel vaults.
- The addition of a roof terrace on top of the historic Kimball Garage will activate a currently underutilized space, should not present structural or safety issues that cannot be proactively addressed during rehabilitation, will be set back from the parapet, and will not exceed the parapet height. Therefore, we believe that the roof terrace, as designed in-and-of-itself, does not diminish the character of the historic Kimball Garage.

However, there are also negative aspects of the proposal that remain:

- Without further information, we cannot definitively conclude and agree that wholesale replacement of the steel windows on the west and north facades is the best option.
- It is unclear whether the new storefront on the south elevation will be matched to the historic fenestration pattern, or be built as submitted on plans.
- The roof treatment preserves only one of the two barrel vaults. Whereas, this may generally be found to be an acceptable preservation compromise, there are numerous local ordinances, standards, and guidelines, as well as national guidelines that take precedent over general application.

Utah Heritage Foundation expresses its support for this proposal to move forward as we believe that none of the alterations proposed would precipitate the site being removed from the National Register of Historic Places. The appeal by Park City Historical Society & Museum makes many strong points, but still leaves several questions unanswered and in need of resolution by the Board of Adjustment.

- Should the double barrel vault roof be defined as being of "Distinctive materials, components, finishes, and examples of craftsmanship" that should be retained and preserved? As outlined in Universal Guideline #4, clarifying the definition and interpretation is at the center of the discussion and the Park City Historical Society & Museum's appeal.

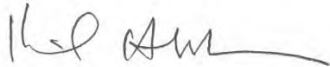
- Has the applicant provided sufficient information to the city's satisfaction in meeting Universal Guideline #5 and Specific Guideline B.5.2 that window replacement is necessary? Has selective replacement been considered?

- The concept of having a roof terrace is inextricably linked to whether or not the east barrel vault is preserved or removed. If it is determined that the double barrel vault is a "distinctive component" that requires preservation, having a roof terrace at all should be a moot point as the two could not likely exist at the same time in the same location and still meet standards and guidelines.

- It is a national trend that many buildings are now reaching the end of their second major use or useful life and are requiring re-renovation. It has been common practice in the field of historic preservation to correct incompatible design features that have been added or made in the recent past and since the first preservation project. Little national guidance exists on this topic and should therefore be administered according to local policies, conditions, and interpretations. In the last twenty years, preservation-sensitive treatment options in this area have included filling in previously open-air bays or garage doors with materials that retain the original size of the opening and create transparency.

If you have any questions about our comments or position, please contact me at (801) 533-0858 ext. 105 or kirk@utahheritagefoundation.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Huffaker", with a long horizontal flourish extending to the right.

Kirk Huffaker
Executive Director

cc: Sandra Morrison, Park City Historical Society & Museum



ELLIOTT WORKGROUP



WRITTEN PROJECT DESCRIPTION

638 Park Avenue
 Kimball Garage
 November 19, 2015

This application is an update to the previous submittal and is intended to address the issues brought forth in the earlier review process.

Historic Structure Use

The proposed design anticipates an adaptive re-use of the existing Kimball Garage, through a *Rehabilitation* of the existing structure, converting it from its original use as a gas station and car service garage, and from its most recent use as an art gallery. The new uses will be retail/commercial. The upper level retail/commercial will be accessed from Heber Avenue. The lower level retail/commercial may include a restaurant/bar use. The lower level access is proposed along the north face with an approach from the Park Avenue sidewalk.

Historic Structure Addition Design

The existing structure was designed to be a street front property as evidenced by the brick locations along Park Avenue and Heber Avenue. The side yard facades on the north and east are industrial in nature and are typical of buildings built in urban areas where structures are expected to be constructed immediately adjacent. On the east of the historic structure a new building is proposed that fronts both Heber Avenue and Main Street. This new building steps away from the historic structure along the Heber Avenue elevation and attaches lightly to the historic structure with a glass element designating the connection. Along Main Street the building responds in scale to the rhythm and scale found on the street. The building design also acknowledges the historic structure's aesthetic along Main Street, and the importance of the corner of Heber and Main. All of the proposed building roofs have been designed to be below the maximum height of the zone.

Historic Structure Addition Uses

Since Main Street slopes significantly on the east side of the property, there are two levels of retail that front the street. The lower level is approached from the sidewalk along Main Street. The lowest part of the site houses two level retail approached from Main Street. The upper end of Main Street has a lower level accessed from Main Street and an upper level that is accessed from Heber Avenue. The top floor of the addition is accessed from a lobby located along Heber Avenue and recessed from the building facades. This level is proposed to be used as an event space, providing a much needed meeting and conference area for the historic district. This will provide services needed for the bed base at the town lift area and the rest of Main Street.

Historic Structure Modifications

The garage door that has been filled in on Park Avenue is proposed to be reinstalled, allowing visual access into the lower level from Park Avenue. The contemporary additions along the east side of the site are proposed to be removed. The contemporary corrugated wall infill on Park Avenue is proposed to be removed and replaced with compatible industrial glazing. The contemporary glazing along Heber Avenue is proposed to be replaced with compatible industrial glazing and entrances. As the existing roof structure does not meet current codes and has been a source of leakage and general problems for many years, the western most modified barrel vault will be restored and structurally

MAY 02 2016

upgraded. Maintaining this roof form on the corner of Heber Avenue and Park Avenue is intended to balance and buffer the roof terrace and adaptive re-use needs. A non-reflective metal roof system with a flat seam detail is proposed for the barrel vault. The eastern modified barrel vault is proposed to be replaced with a flat roof. Through the roof structural upgrade and replacement the existing seismic plates and bolts that have been added to supplement the structure will be removed to the greatest extent possible. Additionally, a roof terrace is proposed over the new eastern most roof section with direct access from the event space on the upper level of the new building. (see **Historic Modifications Support at the end of this document*)

Site

The site has been designed to address the streetscapes along Main Street and Heber Avenue. The design proposes expanded bulb outs at the corner of Heber and Park Avenue and the corner of Heber and Main. Heber Avenue is one of the only south facing streetscapes available in Historic Park City and presents a unique opportunity. By providing expanded site areas at the corners and a drop-off / bus stop at the entry to the event space, gathering spaces are created within the historic core in front of the historic structure and the new building. In addition, along Main Street a series of stairs step up to the retail at the corner and down to the retail along lower Main Street. These stairs will create gathering spaces along Main Street that will further enliven the street and help to knit together upper and lower Main Street. On the north side of the historic building an entrance to the lower level is proposed. This entrance and use will further the vibrancy already in place on Park Avenue that has been created with the current businesses of Devanza's, High West, Butchers, and Flying Sumo.

Parking

The design as proposed is under the total FAR of 1.5 as required of the properties that paid into the Parking Fund.

**Historic Modifications Support*

In order to analyze the historic integrity of the structure, we have used the documents provided by the National Park Service and applied their approaches as required on page 5 of Park City's Historic District Design Guidelines. This information is provided below:

To support review of historic structures, the National Park Service provides Technical Preservation Services Preservation Briefs that are intended to support the process of analysis. We have used briefs "#4 Roofing for Historic Buildings" and "#17 Architectural Character" to assess the historic nature of the existing roof structure.

Brief #4 Roofing for Historic Buildings Analysis

The roof consists of two rows of bow string trusses that reduce in height at each end resulting in a termination below the parapet of the existing structure. This design greatly minimizes the visual appearance of the structure. It also results in a form that is extremely difficult to maintain a weather-tight condition. Brief #4 refers to roof forms that are intended to add to or impart architectural character to the building. This roof clearly is not intended to add to the architectural character of the historic structure.

The surface material of the roof consists of a built-up system. This product is generally not applied to any roof with intent of presenting a finished presence as it is neither visually attractive or consistent in finish. In fact this surface material is not even listed in Brief #4 as it is not intended to be a material that adds to the architectural character of a structure.



Brief #17 Architectural Character Analysis

Within the text of Brief #17 a three-step process to identify the visual character is described.

Step 1: Identify the Overall Visual Aspects

Looking at the visual character from a distance to understand it within its site and setting shows that the building has two more important facades. The facade on Park Avenue and the facade on Heber Avenue are more highly articulated and consists of a brick surface material. The north and east sides generally have no other significant architectural features.

The overall shape of the building is rectangular and horizontal. The parapets project above the roof at the perimeter and screen from most vantage points the roof shape. The subsections that deal with the roof and the roof related features use examples of roofs that are crucial to understanding the visual character of the building. The examples are highly visible and are distinctly important to defining the form and character of the structure. This is simply not the case with the Kimball Garage.

Step 2: Visual Character at Close Range

This step essentially is not applicable as there is no place currently or historically that the roof could be observed at close range. Additionally, this step is intended to analyze the craftsmanship of the surface material. There is no specific visual craftsmanship that can be expected from a built-up roofing system.

Step 3: Identify the visual Character of Interior Spaces, Features and Finishes

This step is not applicable as the aspects of the interior are not applicable under the Land Management Code or the Historic District Guidelines.

FLORIDA
MAY 02 2016

SURVEYOR'S CERTIFICATE

I, **Michael Morrison**, a duly Licensed Professional Surveyor, State of Florida, License No. 45323, do hereby certify that the foregoing map, plan, or plat was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor, State of Florida, License No. 45323, and that the map, plan, or plat was prepared in accordance with the laws of the State of Florida. I further certify that this topographic survey was conducted in accordance with the laws of the State of Florida and that the same is in compliance with generally accepted industry standards for accuracy.



1:5000 15-44-024.1

NOTES

1. Site boundaries: Water: Mowata Ltd
2. The contractor is responsible for existing building projects, zoning requirements and building heights
3. This topographic map is based on a field survey performed on November 15, 16, 17, 2011
4. Property corners were set

LINE	BEARING	DISTANCE
1	S. 75°10' W	2.40



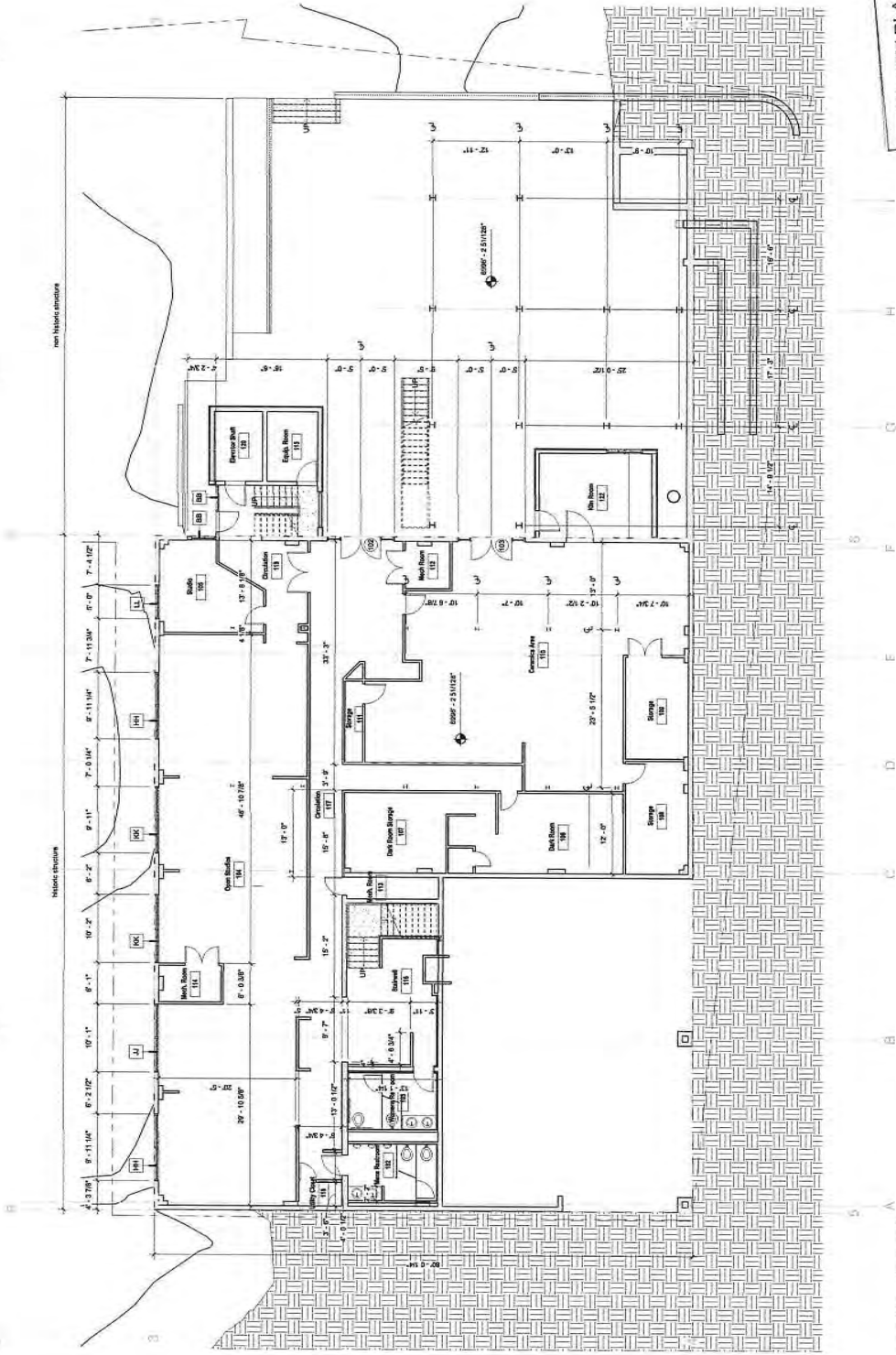
	STAFF: MICHAEL MORRISON MICHAEL MORRISON FOR: KIMBALL ART CENTER JOB NO.: 15-11-11 FILE: K:\Survey\addition\45323\Topo011\001111.dwg DATE: 12/7/11	SHEET 1 OF 1
	KIMBALL ART CENTER 638 PARK AVENUE TOPOGRAPHIC SURVEY	

Kimball Garage Expansion

Existing Site Plan
HDDR-001
JANUARY 8, 2016



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patio level

PARK CITY PLANNING DEPT.
APPROVED
Amber Johnson
 SIGNATURE
 6.20.16
 DATE

kimball art center

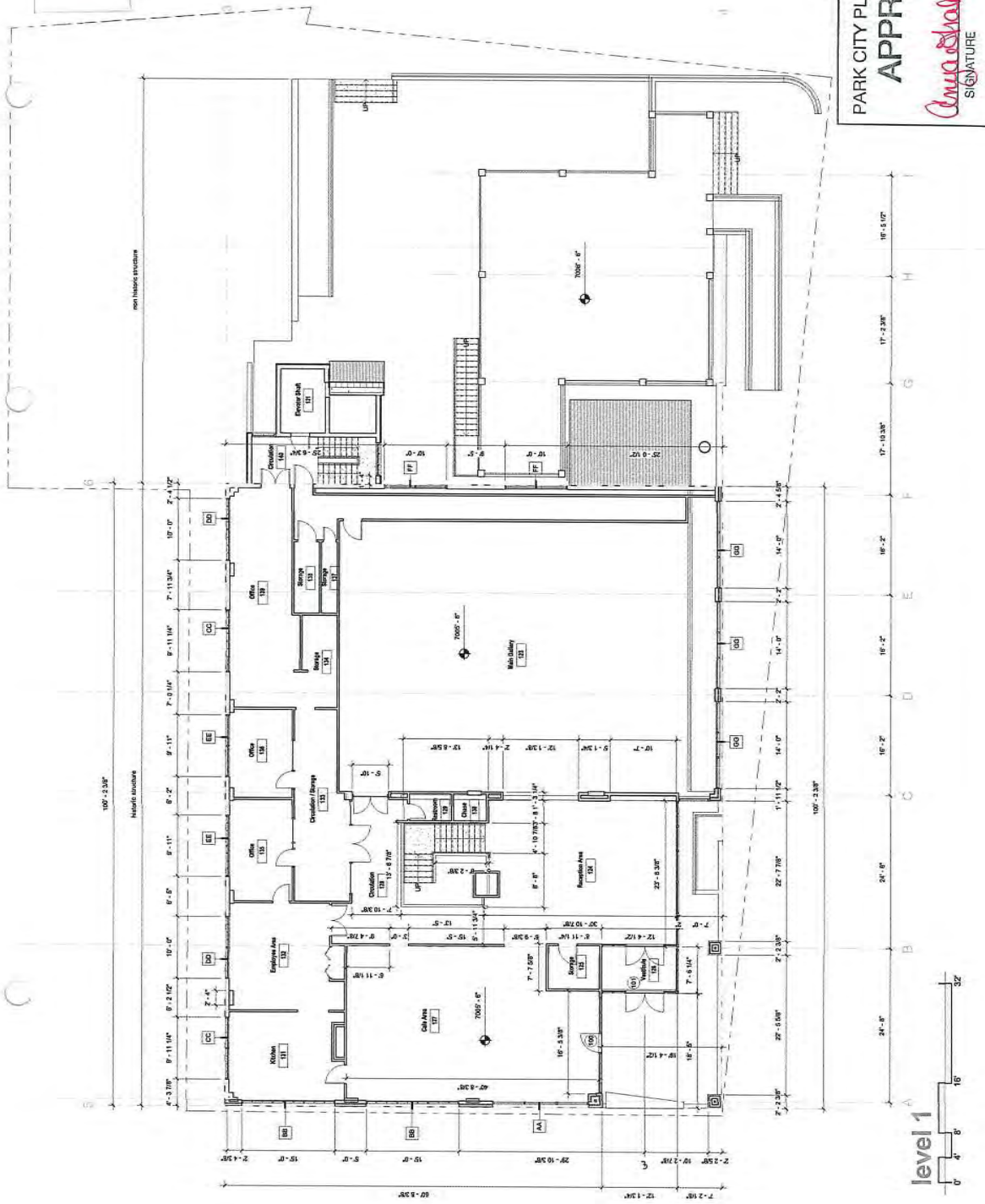
existing patio level
HDDR-005

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APPROVED
Christy Johnson SIGNATURE
6.20.16 DATE

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existing level 1
HDDR-006

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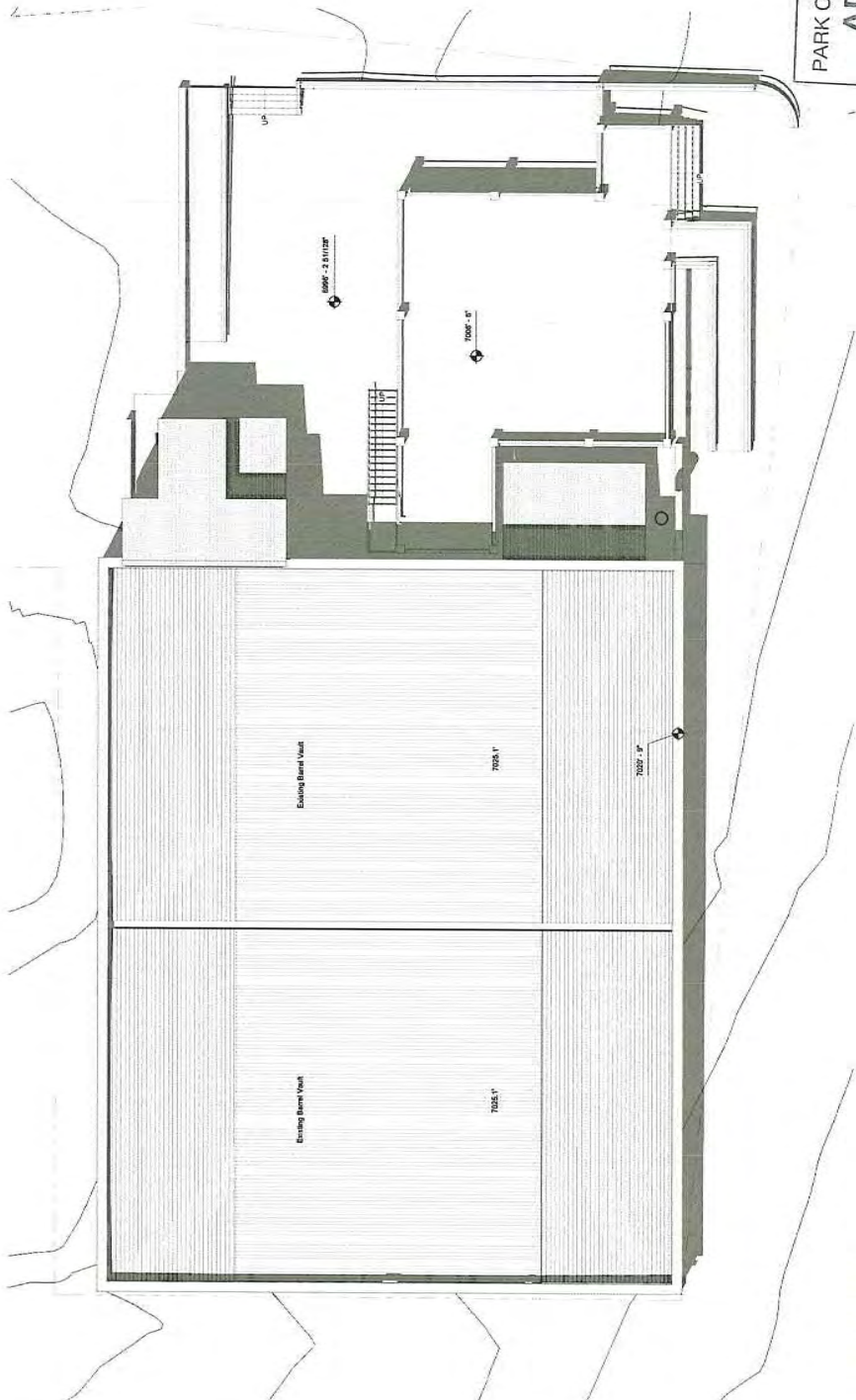
MAY 02 2016

PARK CITY PLANNING DEPT.

APPROVED

Amiya Shaha
SIGNATURE

06.20.16
DATE

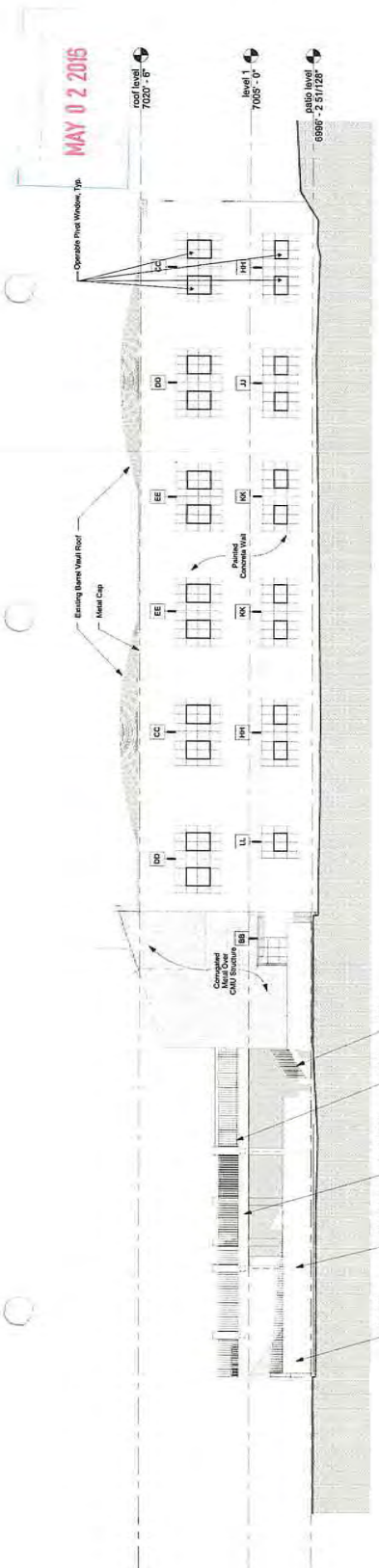


existing roof level
HDDR-007

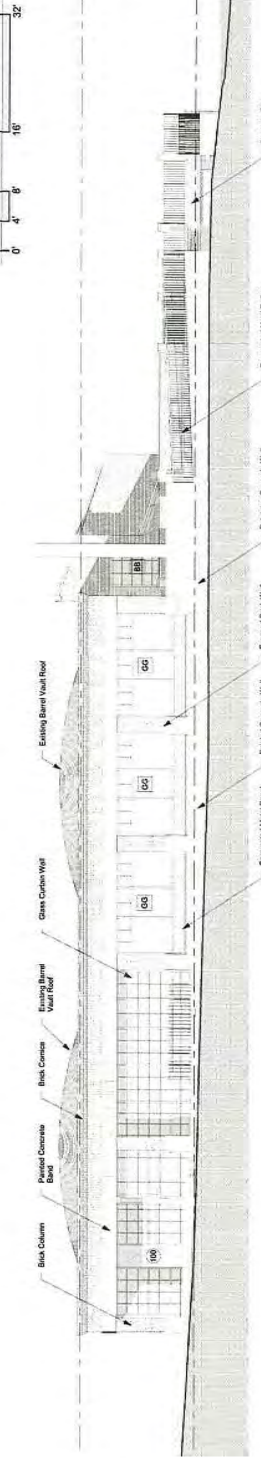
kimball art center

ELLIOTT
WORKGROUP

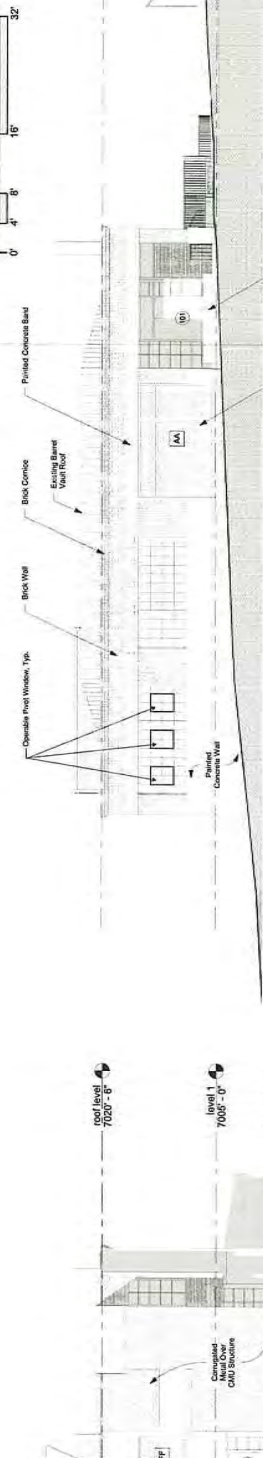
MAY 0 2 2015



north elevation



south elevation



west elevation



east elevation

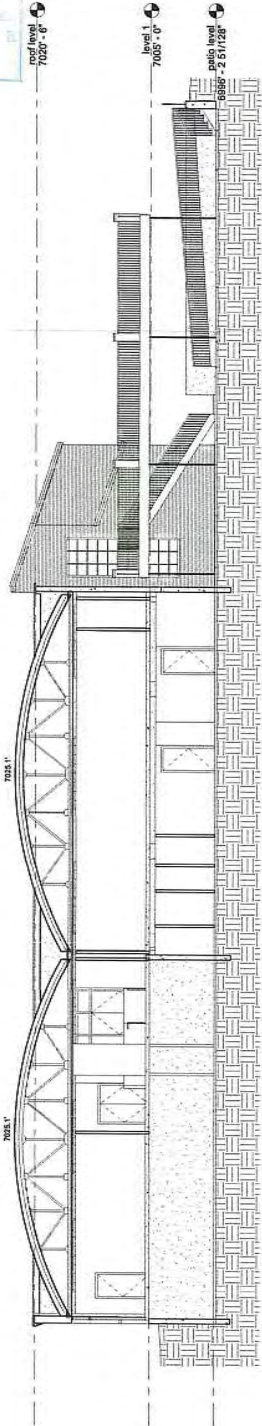
PARK CITY PLANNING DEPT.
APPROVED
Amegashiro
 SIGNATURE
 DATE 6-20-16



existing elevations
 HDDR-008

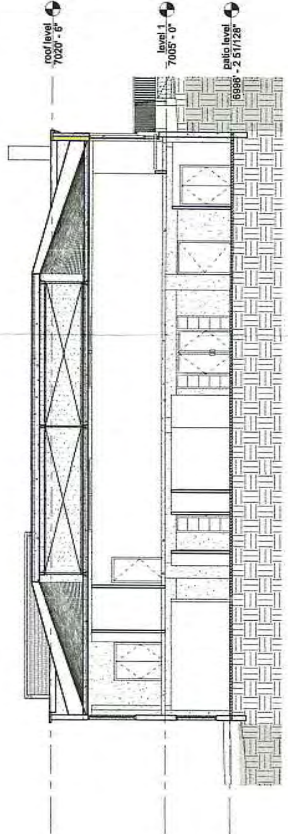
kimball art center

MAY 02 2016

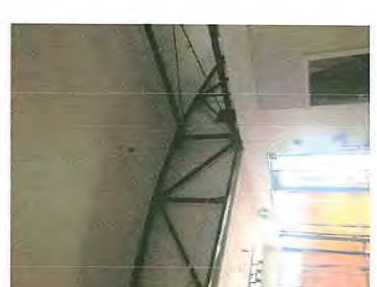
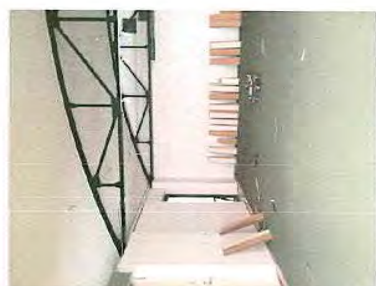


East West Building Section

PARK CITY PLANNING DEPT.
APPROVED
Amundson SIGNATURE
 6.22.16 DATE



North South Building Section





Cornice Detail



Cornice Detail



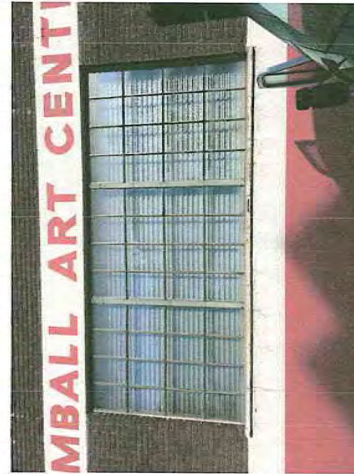
Cornice & Brick Detail - South Facade



1976 Addition - East Facade



Storefront Detail W/ Operable Glazing - East Facade



Storefront Detail - East Facade



Patio Level Storefront Detail - North Facade



1976 Addition - East Facade



Main Storefront Entry Detail



Main Storefront Entry Detail



East Patio Storefront Entry Detail



North Patio Storefront Entry Detail



Storefront Detail - East Wall

PARK CITY PLANNING DEPT.

APPROVED

DATE

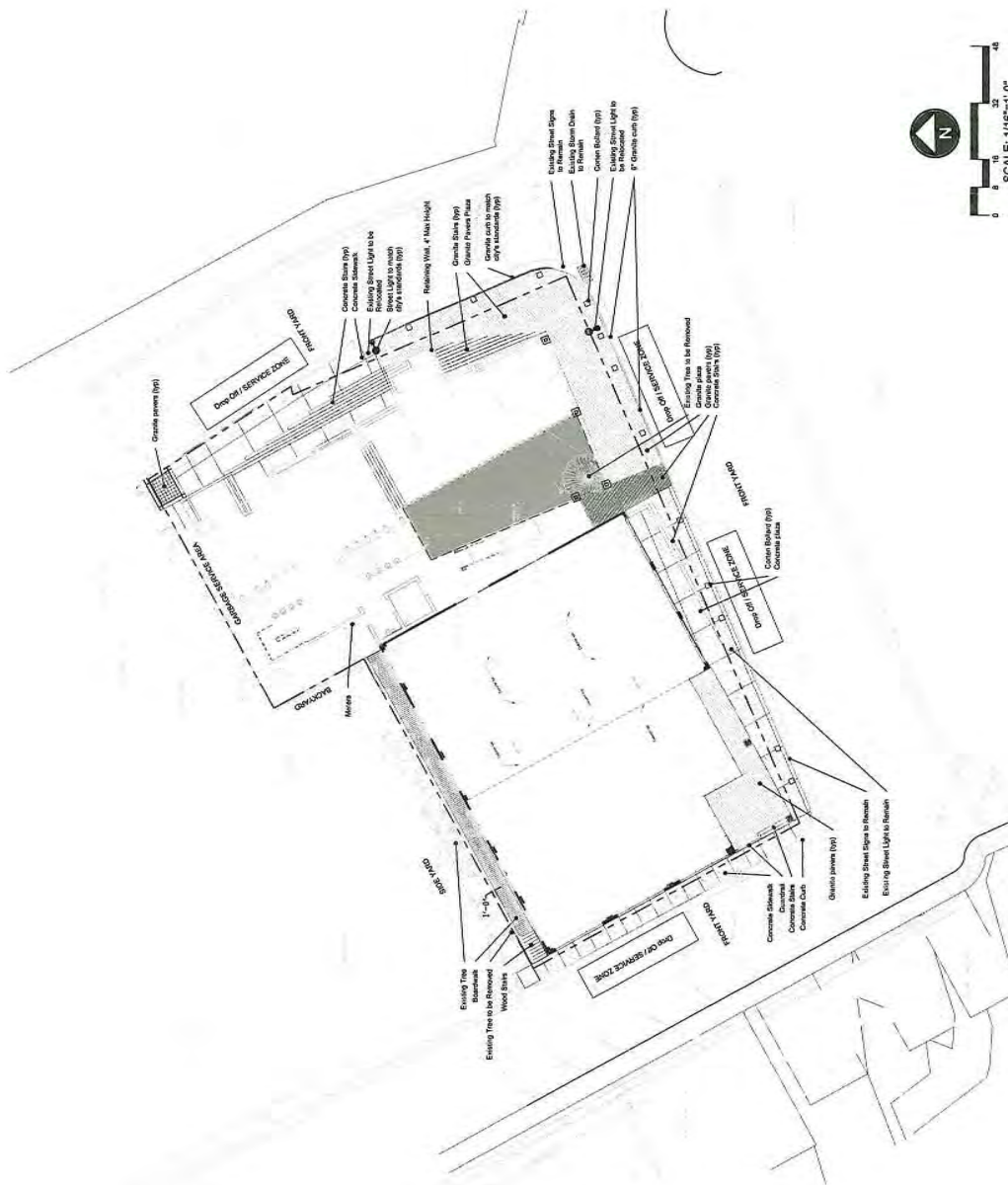
Amy G. Johnson 6-20-16

SIGNATURE DATE

ELLIOTT WORKGROUP

existing building details
HDDR-011

kimball art center



PARK CITY PLANNING DEPT.
APPROVED
Amy Anderson 6.20.16
 SIGNATURE DATE
Street-scape improvements are not included as part of this HDE.

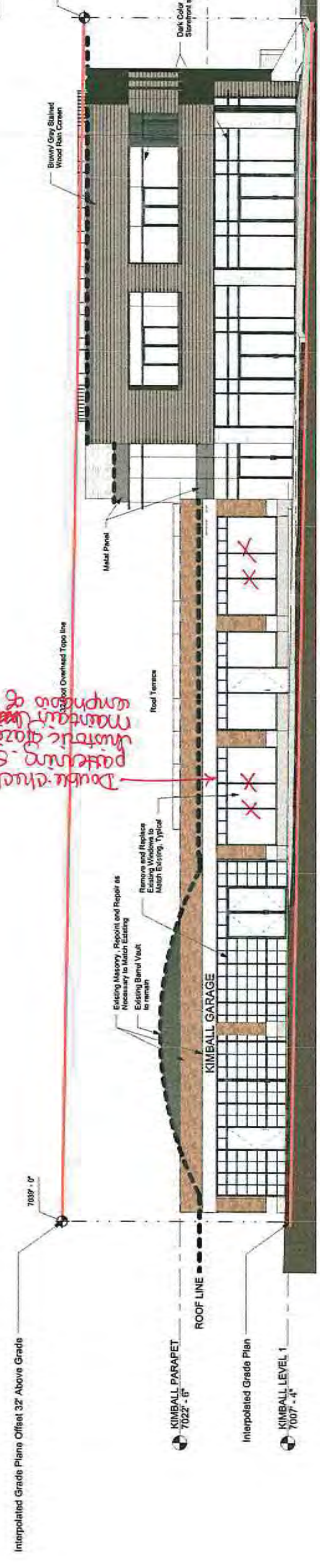
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1 EAST ELEVATION



Double check window patterns - should match pattern. Glazing pattern to maintain horizontal emphasis of bldg.



2 SOUTH ELEVATION



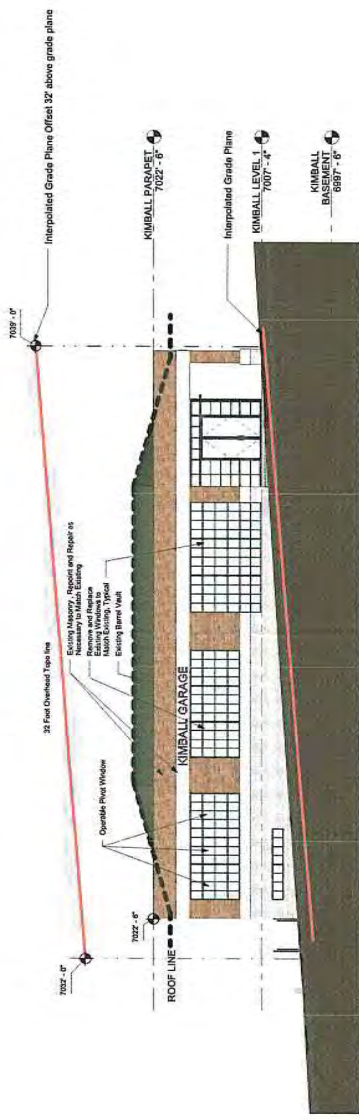
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APPROVED
Amundson
 SIGNATURE
 DATE **6.20.16**

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Kimball Garage Expansion

ELEVATIONS
 A104
 May 16, 2016

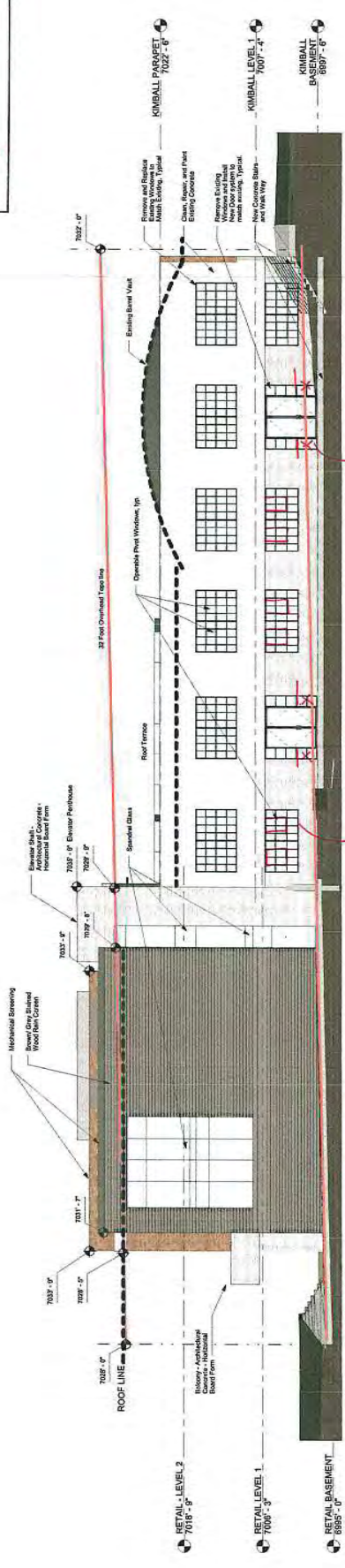




1 WEST ELEVATION



PARK CITY PLANNING DEPT.
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Amgadshah 6.20.16
 SIGNATURE DATE



2 NORTH ELEVATION



Need to exactly match historic windows.

No sidegates on door.

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 PLANNING DEPARTMENT

Kimball Garage Expansion
 PLANNING DEPARTMENT

ELEVATIONS
 A104.1
 May 16, 2016

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MAY 02 2016



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APPROVED
Carissa Stokoh
 SIGNATURE
 6.25.16
 DATE



Kimball Garage Expansion

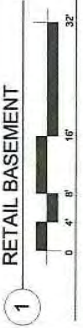
SUB BASEMENT
A100
ANNEX OF MAIN

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Conyia Shahn SIGNATURE
 6.20.16 DATE

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Kimball Garage Expansion

BASEMENT
A101
 May 16, 2016

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Amynul Haque
 SIGNATURE
 DATE **6-20-16**

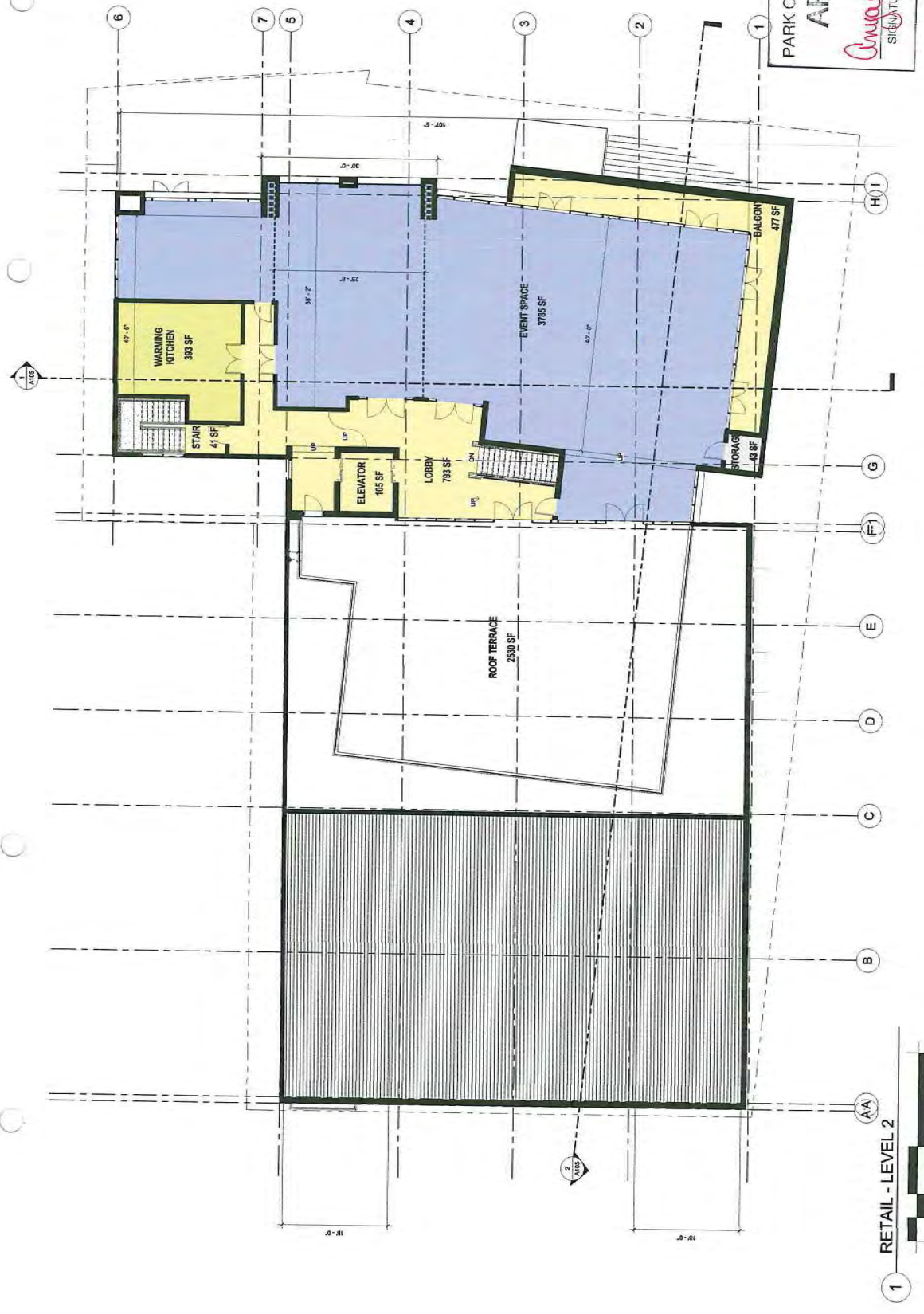
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Kimball Garage Expansion

MAIN LEVEL
 A102
 May 15, 2016

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MAY 02 2016



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APPROVED
Amber Schalm
 SIGNATURE
 6-20-16
 DATE

Kimball Garage Expansion

UPPER LEVEL EVENT SPACE
A103





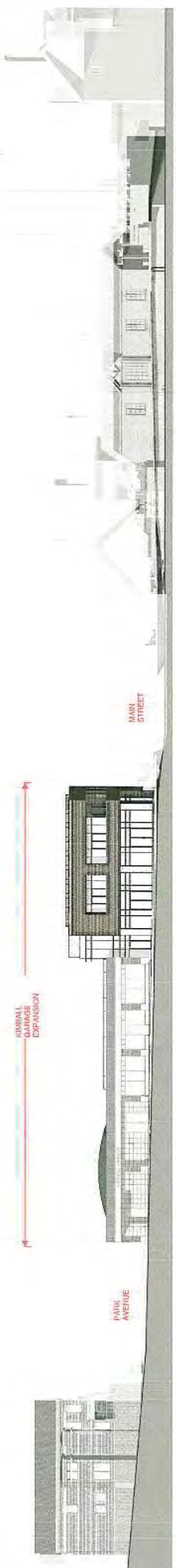
PARK CITY PLANNING DEPT.
APPROVED
Angushah
 TITLE
 DATE **6.20.16**

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MAY 17 2016
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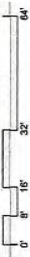
ROOF TERRACE FROM ABOVE
 A113
 May 16, 2016

Kimball Garage Expansion

 ELLIOTT
 WORKGROUP



Heber Avenue Elevation

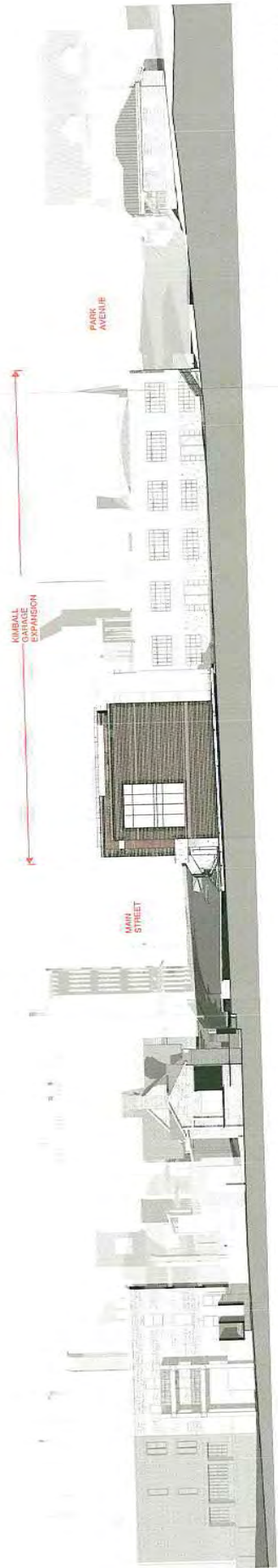


Main Street Elevation



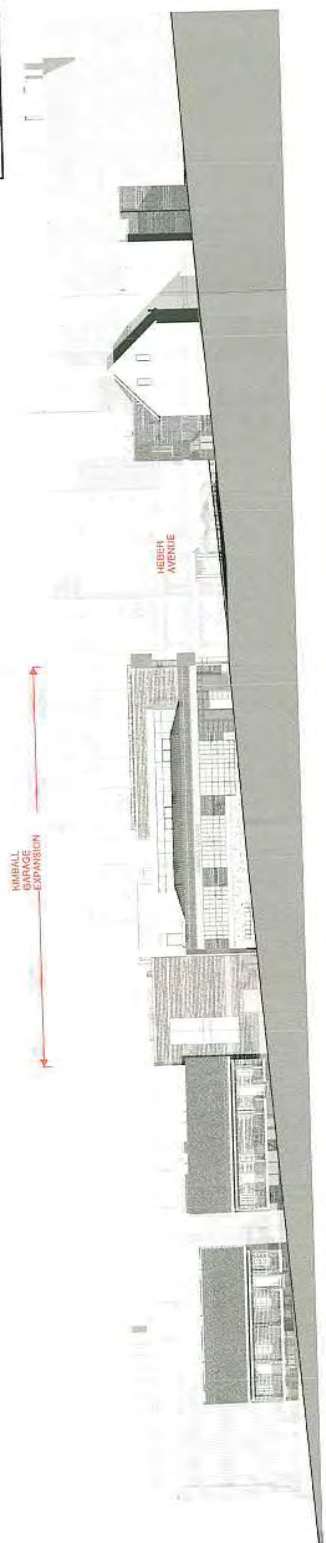
PARK CITY PLANNING DEPT.
APPROVED
Christina Johnson SIGNATURE
 6.20.16 DATE

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North Elevation
 0 8 16 32 64'

PARK CITY PLANNING DEPT.
APPROVED
Amir Hashemi
 SIGNATURE
 DATE **05.20.16**



Park Ave Elevation
 0 8 16 32 64'

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MAY 17 2016
 PARK CITY
 PLANNING DEPT.

Kimball Garage Expansion

Street Scene Elevations
 A104.3
 May 16, 2016



MAY 02 2015



PHYSICAL CONDITIONS REPORT

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

For Official Use Only

PLANNER: Anya Grahn APPLICATION #: _____
DATE RECEIVED: _____

PROJECT INFORMATION

NAME: 638 Park Avenue
ADDRESS: 638 Park Avenue
Park City, UT 84060

TAX ID: PC-107-108-X OR _____

SUBDIVISION: _____ OR _____

SURVEY: _____ LOT #: _____ BLOCK #: _____

HISTORIC DESIGNATION: LANDMARK SIGNIFICANT NOT HISTORIC

APPLICANT INFORMATION

NAME: Craig Elliott - Elliott Workgroup Architecture
MAILING ADDRESS: PO Box 3419
Park City, UT 84060

PHONE #: (435) 649 - 0092 FAX #: () -

EMAIL: celliott@elliottworkgroup.com

APPLICANT'S REPRESENTATIVE INFORMATION

NAME: Caleb Menge - Elliott Workgroup Architecture

PHONE #: (435) 649 - 0092 ext. 326

EMAIL: cmenge@elliottworkgroup.com

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

ACKNOWLEDGMENT OF RESPONSIBILITY

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

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

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

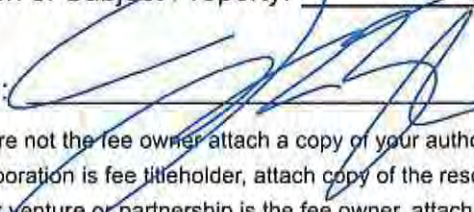
I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: 
Name of Applicant: Craig Elliott - Elliott Workgroup Architecture
Mailing Address: PO Box 3465
Park City, UT 84060
Phone #: (435) 649 - 0092 Fax #: () -
Email: celliott@elliottworkgroup.com
Type of Application: PCR with HDDR

AFFIRMATION OF SUFFICIENT INTEREST

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

Name of Owner: CPP Kimball, LLC
Mailing Address: 638 Park Avenue
Park City, UT 84060
Street Address/ Legal: 638 Park Avenue, Park City, UT 84060
Description of Subject Property: Existing Garage Building and Vacant Land

Signature:  Date: 11/16/15

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

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

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

PHYSICAL CONDITIONS REPORT

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

1. Site Design

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

Element/Feature: Landscaping, Site Grading, Parking, Retaining Walls, Stairs

This involves: An original part of the building 1976, 2002
 A later addition Estimated date of construction: _____

Describe existing feature:

A majority of the site is hardscaped, including a parking area on the east side and a yard covered in brick pavers. Additionally, there is a terrace structure at the corner of Main Street and Heber Avenue. There are concrete retaining walls that accomodate the elevation change at the yard with brick pavers on the southeast corner of the lot which runs along the sidewalks of Heber Avenue and Main Street. One face of the retaining wall has a mural. There are also minor retaining walls between the parking area on the northeast part of the lot and the adjacent parking on the west. There are concrete stairs on the south east corner of the lot that access the terrace structure. There is also a stair (single step) at the corner of Heber Avenue and Park Avenue.

Describe any deficiencies: Existing Condition: Excellent Good Fair Poor

A majority of the sidewalk is in poor condition. The sidewalk widths are poor due to the restrictions at the corners of Main Street and Heber Avenue along with Heber Avenue and Park Avenue. The area of the parking lot and the area with pavers is in Fair condition and the terrace structure is in Fair condition. The stairs are in fair condition. None of these items are historic in nature.

Photo Numbers: 1 - 39 Illustration Numbers: _____

2. Structure

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

Element/Feature: Building Structural System

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

Estimated date of construction: _____

Describe existing feature:

The structural system includes a combination of several systems:
Reinforced Concrete Footings and Foundations
Concrete Columns and Shear Walls
Modified Bow-Truss Roof Framing with Wood Decking
Brick Clad Exterior Walls and Columns
Steel Columns, Steel Beams, Steel Floor Joists and Metal Deck

Describe any deficiencies:

Existing Condition: Excellent Good Fair Poor

The Primary Structural Load Bearing System and Roof System is not constructed to meet current code requirements with respect to snow load and seismic loads. The Masonry wall systems require additional reinforcing. Connections of Roof Structural Systems and Bearing Wall Systems will require additional work to remove the non-historic tie-bar plates prevalent at the exterior of the building. The conditions are Fair to Poor though the capabilities do not meet today's code requirements.

Photo Numbers: 75- 83

Illustration Numbers: _____

3. Roof

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

Element/Feature: Roofing System

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

Estimated date of construction: _____

Describe existing feature:

The Roofing System consists of a rolled-roofing material along with built-up bitumen roofing detailing and joining systems. The downspouts are primarily internal in detail. Rooftop mechanical systems have been added to the peaks of the roofing system and are noticeably out of context. The roofing system has been replaced/modified many times since initial construction. A small part of the building includes a corrugated metal roofing material. This portion of the roof was added to the historic structure and is not historic.

Describe any deficiencies:

Existing Condition: Excellent Good Fair Poor

The Roofing System is inappropriately used for the site location and weather conditions. The system is in poor condition due to the shape of the roof which creates large areas for snow and ice build-up. This build-up has caused significant damage to the roof performance for many years. The expansion and contraction of the snow and ice has constantly created failures and leaks in the roof membrane.

Photo Numbers: 40 - 43

Illustration Numbers: _____

4. Chimney

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

Element/Feature: Flues

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

Estimated date of construction: 1976

Describe existing feature:

No historic traditional chimneys are part of the structure. There are several flues that exist on the structure for ventilation of mechanical equipment and kilns.

Describe any deficiencies:

Existing Condition: Excellent Good Fair Poor

Photo Numbers: NA Illustration Numbers: _____

5. Exterior Walls

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

Element/Feature: Exterior Walls

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

Estimated date of construction: 1976

Describe existing feature:

South Facade (Heber Avenue):
Brick Masonry with terra-cotta cap, Board Formed Concrete and Glazing.
West Facade (Park Avenue):
Brick Masonry with terra-cotta cap, Board Formed Concrete and Glazing.
East Facade (Open Site towards Main Street):
Board Formed Concrete and Corrugated Metal Siding.
North Facade (Side Yard adjacent to Davanza's)
Board Formed Concrete, Painted and Glazing.
See HDDR Package for Sizes and Dimensions.

Describe any deficiencies:

Existing Condition: Excellent Good Fair Poor

The majority of the glazing is non-historic with the exception of the north facade and a portion of the west facade. The glazing that is historic is steel sash/non-thermally broken industrial windows that have failed and does not meet today's energy codes. The Brick Masonry has penetrations that are not treated and parts of the wall requires repointing. The Board Formed Concrete has multiple layers of non-historic finishes that are flaking and chipping from the substrate. Exterior steel painted reinforcing plates pepper the exterior masonry walls at the roof level and detract from the historic nature of the masonry facades. The corrugated metal siding is serviceable but is not historic.

Photo Numbers: 44- 57, 82 - 104

Illustration Numbers: _____

6. Foundation

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

Element/Feature: Foundation

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

Estimated date of construction: _____

Describe existing feature:

Original reinforced concrete footings and foundation.

Describe any deficiencies:

Existing Condition: Excellent Good Fair Poor

[Empty box for describing deficiencies]

Photo Numbers: 58 - 60

Illustration Numbers: _____

7. Porches

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

Element/Feature: Portico

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

Estimated date of construction: 1976

Describe existing feature:

The corner of Heber Avenue and Park Avenue consists of a covered area that was originally a portico used as cover for the filling station component of the original garage building. The column at the south west corner remains exposed though portions of the portico have been infilled with glazing. The ground surface is covered with non-historic brick pavers and a non-historic wood bench.

Describe any deficiencies:

Existing Condition: Excellent Good Fair Poor

The existing non-historic paver flooring is deteriorating and is a material not suited for the installation as it is subject to extreme temperature swings and freeze thaw conditions that generally are difficult for this material to be maintained in a suitable manner. The bench has a significant drop along Park Avenue and may not meet code for drop distance.

Photo Numbers: 61 - 63

Illustration Numbers: _____

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

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

Element/Feature: Mechanical and Electrical Systems

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

Estimated date of construction: 1976

Describe existing feature:

As the use of this building has changed over the years, the mechanical and electrical systems have changed dramatically to accommodate the needs of the new uses. The existing utility services include, gas, electricity, telephone, internet and culinary water. The services are adequate for the building. The existing mechanical system is a conglomeration of several natural gas fueled furnaces with exterior air conditioning condensers located in the north sideyard of the site. An additional roof mounted mechanical unit is located on the west barrel vault exterior.

Describe any deficiencies: Existing Condition: Excellent Good Fair Poor

The systems have been able to service the building in its current state, though they are minimally capable by today's standards and code requirements. The electrical systems are adequate for the existing uses, but will not be capable of serving the needs of uses other than a gallery and coffee shop on the upper level and the lower level current uses.

Photo Numbers: 58, 70 - 74 Illustration Numbers: _____

Door Survey Form

Total number of door openings on the exterior of the structure: 5 - 2 single, 3 pair
 Number of historic doors on the structure: 0
 Number of existing replacement/non-historic doors: 5 - 2 single, 3 pair
 Number of doors completely missing: 2 - (1) garage door and (1) entry

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

Number of doors to be replaced: _____

<i>Door #:</i>	<i>Existing Condition (Excellent, Good, Fair, Poor):</i>	<i>Describe any deficiencies:</i>	<i>Photo #:</i>	<i>Historic (50 years or older):</i>
100	Good			NO
101	Good			NO
102	Fair	to be removed with addition		NO
103	Fair	to be removed with addition		NO
BB	Good	to be removed with additon		NO
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5050 or visit us online at www.parkcity.org. Updated 10/2014.

Window Survey Form

Total number of window openings on the exterior of the structure: 25
 Number of historic windows on the structure: 13
 Number of existing replacement/non-historic windows: 12
 Number of windows completely missing: (4) counted but covered today

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

Number of windows to be replaced: 25

<i>Window #:</i>	<i>Existing Condition (Excellent, Good, Fair, Poor):</i>	<i>Describe any deficiencies:</i>	<i>Photo #:</i>	<i>Historic (50 years or older):</i>
AA	Fair	Covered by corrugated metal siding today Single-Glazed non-thermally broken steel sash industrial will not meet code		YES
BB	Poor	Covered by corrugated metal siding today Single-Glazed non-thermally broken steel sash industrial will not meet code		YES
CC	Poor	Single-Glazed non-thermally broken steel sash industrial will not meet code		YES
DD	Poor	Single-Glazed non-thermally broken steel sash industrial will not meet code		YES
EE	Poor	Single-Glazed non-thermally broken steel sash industrial will not meet code		YES
FF	Poor	Covered by corrugated metal siding today Single-Glazed non-thermally broken steel sash industrial will not meet code		YES
GG	Good	Single-Glazed non-thermally broken steel sash industrial will not meet code		NO
Storefront	Good	Single-Glazed non-thermally broken steel sash industrial will not meet code		NO
	Fair			
	Fair			
	Fair			
	Fair			
	Fair			

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org Updated 10/2011

11. Interior Photographs

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

Element/Feature: Not Applicable as Adaptive Re-Use and Rehabilitation

This involves: An original part of the building
 A later addition Estimated date of construction: _____

Describe existing feature:

Interior spaces are defined for use by a gallery and coffee shop on the main level. The patio level uses are for art classes and gallery space. These spaces are not historic as the original use as a garage has been modified significantly.

Describe any deficiencies: Existing Condition: Excellent Good Fair Poor

As an adaptive re-use the interior wall locations do not service the flexibility required for future uses.

Photo Numbers: 80, 81 Illustration Numbers: _____

Site Features

A.1. TOPOGRAPHY



1 Corner Heber Ave & Park Ave - Looking North



2 Corner Heber Ave & Park Ave - Looking East

PHYSICAL CONDITION REPORT - PHOTOS



3 Corner Main St & Heber Ave - Looking West



4 Corner Main St & Heber Ave - Looking North

PHYSICAL CONDITION REPORT - PHOTOS



5 Corner Park Ave & North Property Boundary - Facing East



6 Corner Park Ave & North Property Divide - Facing South

A.2. LANDSCAPING



7

North Property Divide - Landscaping



8

Patio - Brick Paver Hardscape

PHYSICAL CONDITION REPORT - PHOTOS



9

Patio - Brick Paver Hardscape



10

Parking Lot

A.3. RETAINING WALLS



11

Main St- Street View



12

Patio - Above

PHYSICAL CONDITION REPORT - PHOTOS



Main St - Below

13



Below Heber Ave - With Mural

14

PHYSICAL CONDITION REPORT - PHOTOS



15 To Heber Ave - From Deck



16 Below Heber Ave

PHYSICAL CONDITION REPORT - PHOTOS



17

Below Heber Ave & Deck



18

Patio

PHYSICAL CONDITION REPORT - PHOTOS



19

Parking Lot



20

Parking Lot - Cont.

PHYSICAL CONDITION REPORT - PHOTOS



21

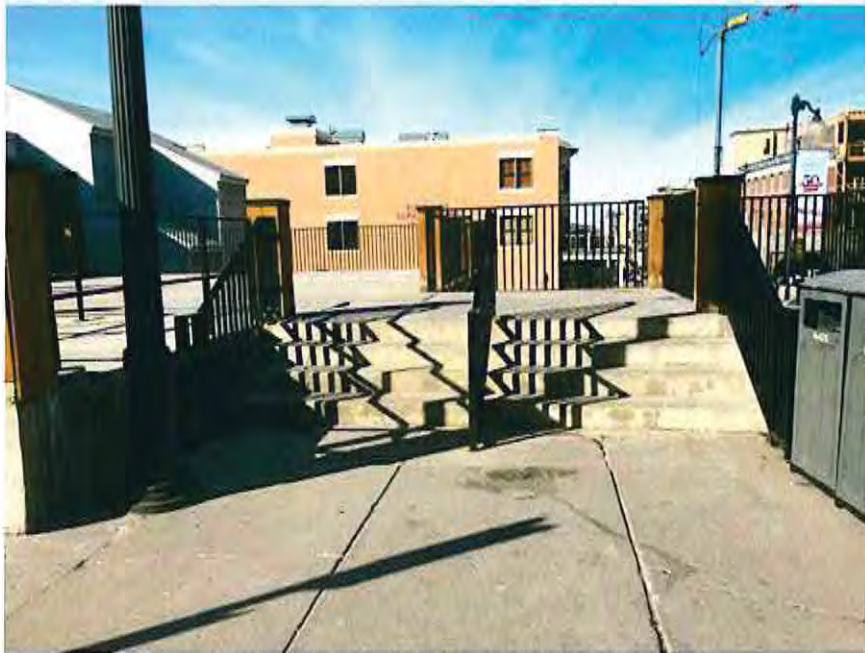
North Property Divide



22

North Property Divide - Cont.

A.4. EXTERIOR STEPS



23

Heber Ave to Deck - Concrete Steps



24

Heber Ave to Deck - Concrete Ramp

PHYSICAL CONDITION REPORT - PHOTOS



25 Heber Ave to Main Entrance - Concrete Step with Brick Pavers



26 Heber Ave to Main Entrance - Concrete Ramp

PHYSICAL CONDITION REPORT - PHOTOS



27

Patio to Deck - Steel/Concrete Stairs



28

Main St to Patio - Concrete Steps

PHYSICAL CONDITION REPORT - PHOTOS



29

Main St. to Patio - Brick Paver Ramp

A.5. FENCES



30 Main St - Black Steel Fence above Retaining Wall



31 Main St - Black Steel Fence above Retaining Wall Cont.

A.6. OTHER SITE FEATURES (RAILINGS)



32 Deck - Rectangular Black Steel Railing with Stained Timber Posts



33 Deck - Corrugated Aluminum Railing with Stained Timber Posts

PHYSICAL CONDITION REPORT - PHOTOS



34 Deck to Patio - Rectangular Black Steel Stair Railing



35 Deck to Heber Ave Sidewalk - Rectangular Black Steel Stair and Ramp Railing with Stained Timber Posts

PHYSICAL CONDITION REPORT - PHOTOS



36 Patio - Rectangular Black Steel Mounted Ramp Railing



37 Patio - Rectangular Black Steel Stair Railing

PHYSICAL CONDITION REPORT - PHOTOS



38 Main Street - Rectangular Black Steel Street-side Railing



39 Heber Ave to Main Entrance - Black Steel Pipe Ramp Railing

MAIN BUILDING

B.1. ROOF



40

East Stairwell and Elevator



41

Kiln Room

MAIN BUILDING



42 Exterior Brick Cornice and Metal Flashing



43 Bow-truss Roof Shape

B.2. EXTERIOR WALL - PRIMARY FACADE



44



45

MAIN BUILDING



46



47

MAIN BUILDING



48

B.2. EXTERIOR WALL - SECONDARY FACADE 1

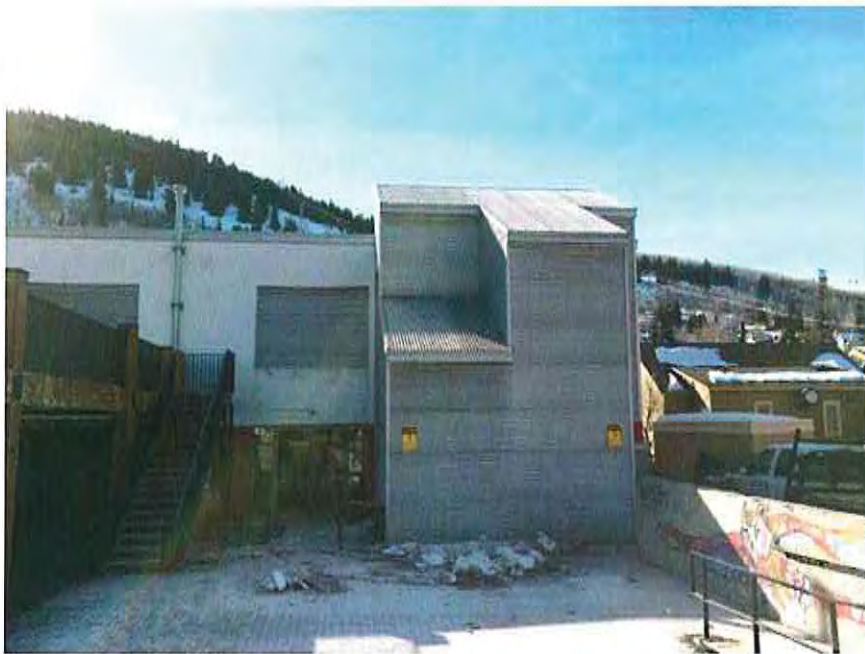


49

MAIN BUILDING

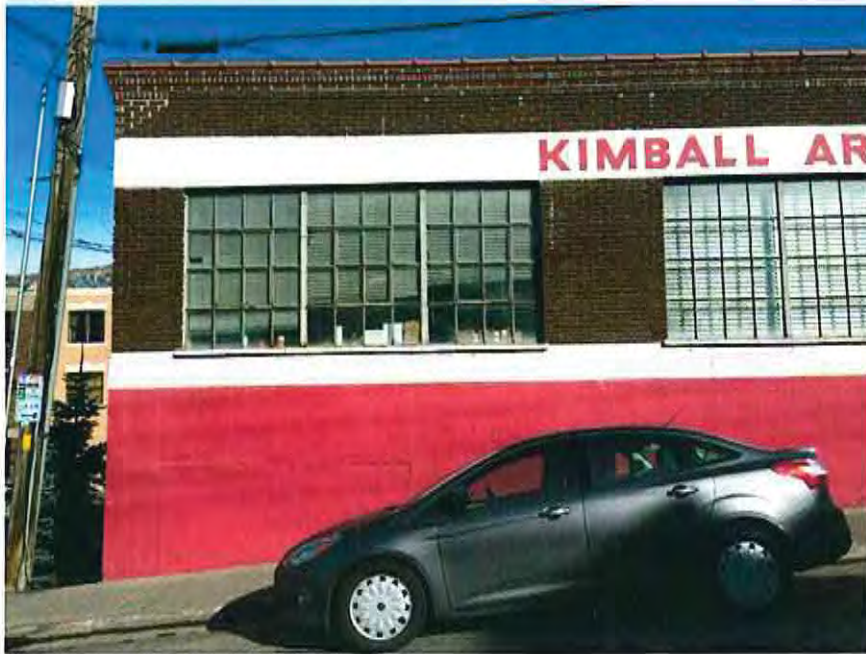


50



51

B.4. EXTERIOR WALL - SECONDARY FACADE 2



52



53

B.4. EXTERIOR WALL - REAR FACADE



54



55

MAIN BUILDING



56



57

B.6. FOUNDATION



58

Pottery Wall Below Heber Ave.



59

Corner Condition

MAIN BUILDING



60

Concrete Infill Adjacent to Park Ave.

B.7. PORCHES



61

Covered Main Entrance

MAIN BUILDING



62

Covered Main Entrance



63

Covered Main Entrance

MAIN BUILDING

B.9. ADDITIONS



64

New Deck Addition



65

Stairwell & Elevator Shaft Addition - Southeast

MAIN BUILDING



66 Stairwell & Elevator Shaft Addition - North Face



67 Kiln Room & Stair Shaft Addition

MAIN BUILDING



68

Kiln Room - East Face



69

Concrete Ramp Addition

B.10. MECHANICAL SYSTEM



70

Mechanical Room 115



71

Mechanical Room 109

MAIN BUILDING



72

Mechanical Room 124



73

Exterior AC Units



74

Elevator Equipment Room 128

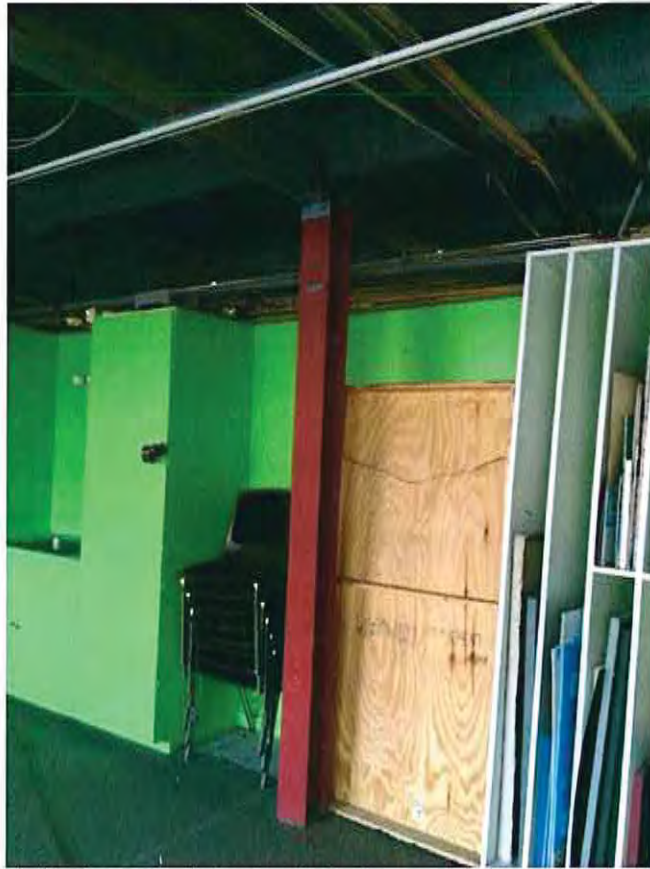
B.12. Structural Systems



75

Patio Level - Interior I Column

MAIN BUILDING



76

Patio Level - Interior I Column, Beam, & Joists



77

Patio Level - Interior Joists on Concrete Column W/ Original Metal Decking

MAIN BUILDING



78 Patio Level - Interior Beam on Concrete Column W/ Patched Metal Decking



79 Patio Level - Exterior I Column, & Beam W/ Metal Decking

MAIN BUILDING



80 Level 1 - Bow Truss Roof W/ Rolled Roofing Material



81 Level 1 - Bow Truss Roof on Brick/Concrete Columns

MAIN BUILDING - DETAILS



82 Level 1 - Exterior Concrete/Brick Column on Slab on Grade



83 Level 1 - Exterior Concrete/Brick Column on Slab on Grade

MAIN BUILDING - DETAILS

C.1. WINDOWS



84

Level 1 - #1 Entry Storefront



85

Level 1 - #2 Entry Storefront

MAIN BUILDING - DETAILS



86

Level 1 - #2 Entry Storefront



87

Level 1 - #2 Entry Storefront

MAIN BUILDING - DETAILS



88

Level 1 - #2 Entry Storefront



89

Level 1 - #2 Entry Storefront

MAIN BUILDING - DETAILS



90

Level 1 - 14'x7'7 Storefront



91

Level 1 - 15'x6'6 Storefront

MAIN BUILDING - DETAILS



92 Level 1 - 15'x6'6 Storefront Operable



93 Level 1 - 10'x6'6 Storefront Operable

MAIN BUILDING - DETAILS



94

Level 1 - 3'9"x8' Storefront



95

Level 1 - 5'3"x15'3" Storefront

MAIN BUILDING - DETAILS



96 Level 2 - 10'x6'6" Storefront W/ Operable



97 Level 2 - 10'x6'6" Storefront W/ Operable

MAIN BUILDING - DETAILS



98

Level 2 - 5'x4'6" Storefront Operable



99

Patio Level - #1 Entry Storefront

MAIN BUILDING - DETAILS



100

Patio Level - #1 Entry Storefront



101

Patio Level - #2 Entry Storefront

MAIN BUILDING - DETAILS



102 Patio Level - #3 Entry Storefront

C.2. TRIM



103 Brick Cornice

MAIN BUILDING - DETAILS



104

Metal Trim

Section 15

Historic Preservation Plan

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



HISTORIC PRESERVATION PLAN

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

For Official Use Only

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

PROJECT INFORMATION

LANDMARK SIGNIFICANT DISTRICT: _____

NAME: 638 Heber Avenue

ADDRESS: 638 Heber Avenue

Park City, Utah 84060

TAX ID: PC-107-108-X OR _____

SUBDIVISION: _____ OR _____

SURVEY: _____ LOT #: _____ BLOCK #: _____

APPLICANT INFORMATION

NAME: Craig Elliott - Elliott Workgroup Architecture

PHONE #: (435) 649 - 0092 FAX #: () -

EMAIL: celliot@elliottworkgroup.com, cmenge@elliottworkgroup.com

Site Design

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

Element/Feature: Sidewalks

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

This project proposes extending the sidewalk on Heber Avenue to the south and removing the on street parking and replacing with a drop-off lane for buses and other vehicles. The sidewalk expansion will improve the turning radii at both Heber Avenue intersections. The expansion will also improve safety at the intersections for pedestrians and create a gathering space that has southern exposure. A rarity in the historic district. Additionally, a boardwalk is proposed along the north face of the building providing access to the patio level from Park Avenue. We see this as an access to a use that is consistent with the uses along that portion of Park Avenue.

No street improvements are approved as part of this HDR. The applicant shall submit a final streetscape improvement plan as part of the Building permit application. The streetscape improvements shall be to the satisfaction of the Planning Director + City Engineer.

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

Element/Feature: Roof and Seismic

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

The proposed structural modifications will maintain and upgrade the structural system for the modified barrel-vault structural system on the western most portion of the building. The eastern barrel-vault will be removed and replaced with a new flat roof structure with terrace above. The exterior walls will be additionally reinforced on the inside of the exterior masonry walls. The existing plate and tie connections to the roof from the walls will be removed from the exterior and designed to resolve the structural requirements from the interior of the building and concealed. Columns will be increased in size where required and may require additions to the interior spot footings for the columns.

Roof

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

Element/Feature: Roofing Systems

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

The west barrel-vault is proposed to be clad with a non-reflective metal flat seam roofing. The area on the east will have a single-ply membrane roofing under a cementitious roof paver system. All fasteners will be concealed from the exterior.

The new roof membrane shall be installed without removing the historic terra cotta caps. Staff provided direction on this via memo on 1-19-16 to the applicant, in which staff forwarded the recommendation of State Historic Architect Don Handley for installation of new roofing membranes on masonry bldgs.

Chimney

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

Element/Feature: Not applicable

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

Exterior Walls

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

Element/Feature: Masonry and Board Formed Concrete

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

The contemporary additions clad with corrugated metal siding will be removed on the entire building skin. Penetrations in the brick masonry will be filled with color compatible masonry filler. Mortar joints will be assessed and repointed with physically and color compatible mortar. Multiple layers of finishes will be removed from the board formed concrete surfaces. Repairs will be made where surface is marred or penetrated. Areas identified in the drawings will be treated with a concrete surface sealer. Other areas identified in the drawings will be painted with treatments compatible with concrete.

Please test a small area with the concrete sealer prior to total application to ensure the sealer will not physically damage / alter the appearance of the existing concrete.

Element/Feature: Terra-Cotta Parapet Cap

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

The terra-cotta parapet cap will be carefully removed during construction and reinstalled over the waterproof membrane. This will protect the masonry wall from water infiltration that has occurred over the history of the structure. Where any cap is broken or has failed a new cap will be installed to match the color, texture and profile of the existing.

No! The new roof membrane shall be installed without removal of the terra cotta caps.

Foundation

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

Element/Feature: Concrete Foundation Waterproofing

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

It does not appear that the foundation has perimeter drainage, but minimal evidence of leaking in the concrete is apparent. A waterproofing product will be applied from the interior of the exposed foundation wall. The product is Xypex or approved equal. This waterproofing is known to penetrate the concrete surface and create a crystalline substructure within the concrete wall that protects against water infiltration.

Please check a small area of concrete prior to applying Xypex totally to ensure the product will not physically damage/alter the appearance of the historic concrete.

Porches

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

Element/Feature: Portico

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

The existing portico will remain intact in the current form with the exception of replacing the failing non-historic brick pavers with an extension of the concrete sidewalk pattern. This will be more in keeping with the historic access into the portico as a fueling station.

-Use a different material beneath the portico. It should not be the same as the fiber tile sidewalks.

Doors

Use this section to describe the proposed scope of work and preservation treatment for all exterior doors, door openings, and door parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior door, use supplemental pages if necessary.

Element/Feature: Door Systems

- This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

All doors will be replaced with new thermally broken, thermal glazed, steel sash doors within the new steel sash systems. See drawings for size, and profile. Doors located on the east facade of the building will be removed as the addition will attach to the historic building along this facade. New doors will be installed along the north facade of the building providing access to the patio level of the historic structure.

Element/Feature: Garage Door

- This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

A new thermally broken, thermal glazed, steel sash overhead garage door will be installed along Park Avenue at the historic access location.

Windows

Use this section to describe the proposed scope of work and preservation treatment for all exterior windows, window openings, and windows parts referenced in the Door Survey of the Physical Conditions Report. Please describe the scope of work for each individual exterior window, use supplemental pages if necessary.

Element/Feature: Window Systems

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

All of the window systems will be replaced with new thermally broken, thermal glazed, steel sash window systems that are consistent in facade dimension with the existing historic glazing systems. The GG windows will be replaced with the same window and door systems, but the patterns and large glazed openings will be consistent with the historic photos. See HDDR drawings for layout.

New steel windows shall match the original in all respects: scale, dimension, texture, profile, material, + finish.

Element/Feature: _____

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

Mechanical System, Utility Systems, Service Equipment & Electrical

Use this section to describe proposed scope of work and preservation treatment for items such as the existing HVAC system, ventilation, plumbing, electrical, and fire suppression systems. Supplemental pages should be used to describe additional elements and features. Use supplemental pages if necessary.

Element/Feature: Mechanical and Electrical Systems

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

The historic building will have all distribution systems removed and replaced with systems that are appropriate for the proposed uses and meet the existing building code performance requirements. All mechanical equipment will be screened behind parapets on the new structure and enclosed in mechanical areas within the historic building and the additions.

Additions

Use this section to describe the proposed scope of work for any additions. Describe the impact and the preservation treatment for any historic materials. Supplemental pages should be used to describe additional elements and features. Use supplemental pages if necessary.

Element/Feature: Addition

This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

An addition/new structure will be created on the undeveloped land east of the historic building. The uses will be commercial and retail on the patio level and first floor level. The upper level is proposed as a flexible event space. The new structure lightly engages the historic structure with a glazed connection that is recessed from the south facade. This allows the historic structure to maintain a clear identity. The new structure is broken in scale along Main Street to address a compatibility with the adjacent structures. The materials are a mixture of new wood siding, storefront windows, brick masonry and board formed concrete to create variety and compatibility with both the historic structure and the adjoining properties along Main Street.

4. PROJECT TEAM

List the individuals and firms involved in designing and executing the proposed work. Include the names and contact information for the architect, designer, preservation professional, contractor, subcontractors, specialized craftspeople, specialty fabricators, etc...

Provide a statement of competency for each individual and/or firm listed above. Include a list or description of relevant experience and/or specialized training or skills.

Will a licensed architect or qualified preservation professional be involved in the analysis and design alternatives chosen for the project? Yes or No. If yes, provide his/her name.

Will a licensed architect or other qualified professional be available during construction to ensure the project is executed according to the approved plans? Yes or No. If yes, provide his/her name.

5. SITE HISTORY

Provide a brief history of the site to augment information from the Historic Site Form. Include information about uses, owners, and dates of changes made (if known) to the site and/or buildings. Please list all sources such as permit records, current/past owner interviews, newspapers, etc. used in compiling the information.

6. FINANCIAL GUARANTEE

The Planning Department is authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan. (See Title 15, LMC Chapter 11-9) Describe how you will satisfy the financial guarantee requirements.

7. ACKNOWLEDGMENT OF RESPONSIBILITY

I have read and understand the instructions supplied by Park City for processing this form as part of the Historic District/Site Design Review application. The information I have provided is true and correct to the best of my knowledge.

Signature of Applicant:  Date: 2015-11-19

Name of Applicant: Craig Elliott, AIA

Supplemental Sheets

Supplemental pages should be used to describe the scope of work and preservation treatment for any additional elements and features not previously described in this packet.

Element/Feature: Project Team

- This involves:
- Preservation
 - Restoration
 - Reconstruction
 - Rehabilitation

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

Elliott Workgroup Architecture is the design firm for the project. Services provided by Elliott Workgroup include architecture and landscape architecture. Elliott Workgroup is located at 364 Main Street, Park City, Utah. Since the firm opened offices as EMA in 2002 they have completed or modified numerous historic projects in Historic Park City. Elliott Workgroup has also completed many new projects and additions within the District. Elliott Workgroup is responsible for the historic preservation of over twenty-five historic structures in Park City and has worked with the Park City Planning Department on over thirty Historic District Design Review Applications. Additionally, Elliott Workgroup was the historic district consultant to Park City Planning Department for several years.

Element/Feature: Project Team Members

- This involves:
- Preservation
 - Restoration
 - Reconstruction
 - Rehabilitation

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

Team Members with Relative Project Short List:
 Craig Elliott, AIA, Principal (Sky Lodge, Parkwood Place, 260 Main Street, Parkite)
 Dallas Davis, AIA, Lead Designer (Parkite, 912, 914 Norfolk, 919 Woodside Avenue)
 Caleb Menge, AIA, LEED, Project Architect (Parkite, Seattle Art Museum, Hines Bellevue)
 Sid Ostergaard, Landscape Architect and Planner (Parkite, University of Utah Basketball)

Structural, Mechanical, Electrical and Civil Engineering Consultants will be selected with the completion of the Historic District Design Review completion.

Element/Feature: Site History

- This involves: Preservation Restoration
 Reconstruction Rehabilitation

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

See attached historic documentation for ownership, use and dates.

Element/Feature: _____

- This involves: Preservation Restoration
 Reconstruction Rehabilitation

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



ELLIOTT WORKGROUP

October 13, 2016

Board of Adjustment
Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060

re: Appeal of Historic District Design Approval for the Kimball Garage, 638 Park Avenue

Members of the Board of Adjustment,

Before addressing the individual arguments, it is important to understand what standard this submittal is to be reviewed under. The Design Guidelines for Historic Districts and Historic Sites (HDDG) provides four different treatment options. This project was submitted as a Preservation and Rehabilitation project.

Preservation

*If you want to stabilize a building or structure, retain most or all of its historic fabric, and keep it looking the way it does now, you will be preserving it. **Preservation** is the first treatment to consider and it emphasizes conservation, maintenance and repair.*

Rehabilitation

*If you want to update a building for its current or a new use, you will be rehabilitating it. **Rehabilitation**, the second treatment, also emphasizes retention and repair of historic materials, though replacement is allowed because it is assumed that the condition of existing materials is poor.*

So, the two items above are the standards that were submitted for the project and the filters through which the Guidelines are to be applied. These two Treatment Options are very telling and inherently disqualifies Items II and IV from the Appellant's argument.

Additionally, the project consists of an adaptive re-use of the historic structure. The historic use as a gas station and auto garage were replaced by the use of an arts center for over four decades. The new uses will support the historic district and as an adaptive re-use of an historic structure will support the preservation of the building for years to come. The treatment option of a Restoration is not expected or required as described in the HDDG:

Restoration

"If you want to take a building back to an earlier time by removing later features, you will be restoring it..... Because changes in a site convey important information about the development history of that site and its structures, restoration is less common than the previous treatments."

Response to Appellants Arguments

Item I. Removal of Eastern Barrel Roof.

Both the Appellant in their appeal and the HDDG references “The Secretary of the Interior’s Standards and Guidelines for Rehabilitation”. These guidelines are a very important standard-bearer for historic preservation. The National Park Service has provided multiple Preservation Briefs to assist in determining whether “*an exterior feature of a building should be retained or preserved*” as referenced in the HDDG.

Preservation Brief 4 - Roofing for Historic Buildings provides two specific items to review when considering the preservation of a roof. The first is *Significance of the Roof* and the second is *Historic Roofing Materials in America*.

In the first section it states “*During some periods in the history of architecture, the roof imparts much of the architectural character. It defines the style and contributes to the building's aesthetics.*” And in the second section it describes in detail many different roofing materials that are intended for sloped roofs and materials that also provide architectural character.

In the instance of this structure, the roof form is not a significant contributor to the aesthetics, as the building was designed in the modern style of the day of its construction and included a parapet to screen the roof from view. Additionally, the material is typical of what would be found on any flat roof of the time and the roofing material provides no additional architectural character when viewed from above.

Additionally, *Preservation Brief 46 - The Preservation and Reuse of Historic Gas Stations* provides additional insight into understanding the Kimball Garage historic structure.

According to the Preservation Brief, the Kimball Garage falls under the category of a Multiple Use Station as it provided both gas sales, automotive services and a portion was dedicated to automotive retail.

Multiple Use Stations

While shed stations were often located in central business districts, it was common in rural areas to see gas stations appended to existing structures. Businesses such as restaurants, inns, repair garages, oil depots, and general stores with gas pumps out front were an extension of the original urban curbside gas stands (and precursors to late-twentieth century convenience store and rest stop-gas station combinations). Compared with earlier curbside stands, multiple use stations usually had ample land to accommodate separate drive-in spaces for cars to park while filling up—an especially important feature on higher speed rural roads.

Some of these early multiple use stations had the gas retail function located within the existing structure; in other cases, a separate shed or house-type station was constructed on the site. Canopies were an increasingly common feature, extending over the refueling area to shelter the attendant and parked car. Soon canopies came to serve as large signifiers that the otherwise nondescript establishment was a gas station.

The Preservation brief also provides insight into how roofs were treated. In this instance it falls in the category of a very low-sloped roof concealed behind a parapet. As such, it was generally not considered an important element in the building design.

Roof

While some gas stations were defined, in part, by historicized roofs, others were characterized by the absence of a pitched roof. Flat roofs or very low-sloped roofs concealed behind parapets were common on both articulated contemporary designs, such as glass-sheathed Streamline, Moderne, and International Style gas stations, as well as basic utilitarian boxes.

The rehabilitation section of the Brief describes how an “unrelated new use” will “call for (an) increasing degree of alteration”.

Rehabilitation

“Rehabilitation” is “the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.” Some historic stations may be converted to an entirely new commercial, office, or other use. Photographs from the 1930s and 40s show new businesses established in a variety of gas station types. Rehabilitation projects with these three intended outcomes: continuing use, traditional reuse, and unrelated new use, in that order, generally call for increasing degrees of alteration of the historic station.

So, although the references to the HDDG Universal Guidelines #3 and #4, and all of the other items that are mentioned in the argument on the surface appear to have some relevance, the measures by which the determination is to be made about “features that are necessary to be retained” are clearly not met. In general, both the Historic District Design Guidelines and the National Park Service Technical Briefs allow the removal of the barrel vault and provide the tools to determine that the barrel vaults are not a feature necessary to be retained. As for the western barrel vault, although it is not technically require to be retained, the owner has elected to repair and retain the vault.

Item II. Removal of Historic Windows.

First, most of the references and issues that are described in the HDDG with reference to windows are based on smaller openings in wood structures and do not really address the issues of the detail and scale of the window systems that are in the Kimball Garage. A tremendous amount of research has gone into the existing historic windows. The existing historic windows are single pane, industrial glazed, steel windows. They were installed to provide significant natural light and some ventilation to an industrial use. The existing windows are not serviceable and are not able to be repaired or restored into a system that will be serviceable. Below are the details to the conditions:

1. The way the steel windows work provides no thermal break between exterior and interior. A wood window by comparison has thermal properties that reduces the transfer of heat and cold from exterior to interior. Steel is an excellent thermal conductor and as such will transfer heat and cold very effectively. Because of this, during times of cold weather (which Park City is known for), the cold will transfer through the steel mullions to the inside of the space. With the difference in temperature on the inside and the increased humidity on the inside, the mullions will sweat, collecting the water in the air and condensing it on the inside of the window.
2. The glazing in the existing historic steel windows are held in place with an installation of putty. This is essentially all that separates the exterior from the interior and it also functions as a seal. The physical interactions between steel, glass and putty are troubling as each material has a different rate of thermal expansion and contraction and putty has significant issues of maintaining adhesion when steel mullions begin to sweat. This combination creates a failure at

the connection and opens up the window system to penetration from the exterior elements. Without making significant modifications to the existing window systems that changes the appearance of the window, it is very unlikely that a repair can be applied that creates a serviceable window.

3. With a wood window, it is fairly easy to add a storm window on the exterior, that has minimum impact to the exterior aesthetic. With the size and expanse of this project, a storm window would dramatically alter the exterior appearance of the building, which is all that the HDDG regulate.
4. Installing a second window at the interior of the window will fail due to the failure of the existing window system, allowing moisture in between the two window panes and once again creating a window that isn't serviceable.

Since the windows as they exist are not able to be modified to become truly serviceable, they are not required to be maintained as per the HDDG. Fortunately, there are steel windows made specifically for this condition. The proposed design is using thermally broken steel windows with thermal glazing. The steel profiles are extremely close in profile, size and configuration and will retain the historic character of the building and will work to protect the historic structure for years to come.

Item III. Addition of Roof Top Terrace.

All of the arguments presented in the appeal concerning the proposed roof terrace are based on the removal of the east barrel vault. See response to Item I.

Item IV. Replacing Divided-Glass Entry and Corrugated Metal.

First, the glazing configuration at the current entry has been in place for four decades as it was the configuration developed for the Kimball Arts Center. This is not a 1999 addition as falsely stated in the Appellants Argument. This configuration can be seen in the photographs that are included in the Park City Historic Sites Inventory which are circa 1995.

Second, part of the history of this building is attached to its four decade, former use, as the Kimball Arts Center. The HDDG recognizes the need to honor the development history of a project.

Restoration

If you want to take a building back to an earlier time by removing later features, you will be restoring it. Restoration, the third treatment, centers on retaining materials from the most significant period in the property's history. Because changes in a site convey important information about the development history of that site and its structures, restoration is less common than the previous treatments.

Third, there are no guidelines that demand the removal of additions to historic structures. What the guidelines say is:

The Concept of Integrity

In addition to historical significance, a property must also have integrity. Integrity can be deemed as "the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic period" (National Park Service). Another way to look at a site's integrity is to ask, "Would the person who built the structure still recognize it today?" Generally, the majority of the structure's materials, structural system, architectural details, and ornamental features, as well as the overall mass and form must be intact in order for a building to retain its integrity.

ELLIOTT WORKGROUP

This question was answered in the original filing on the “Utah State Historical Society, Historic Preservation Office, Structure Site Information Form” dated March 1978. At the time the building was significantly modified and the response was:

One story frame structure; altered in 1975-1976 to accommodate an Arts Center. The interior has been significantly altered; but the exterior, while changed, resembles the original appearances.

Over the past two decades, significant improvements have been made to bring the building closer to its original appearance. The proposed design will improve upon its resemblance and in addition will help protect it for many more years to come. Replacing the glazing in the current entry location with a glazing system that is compatible with the historic windows works towards providing an architectural expression that is wholistic and closer in identity to the historic structure than it is today.

I have worked on historic preservation projects throughout my career, starting with the New York Studio School (former Whitney Art Museum), the renovation of the Bayer Mansion on the upper east side of New York City, and throughout my career 30 year career as an Architect. It has always been my goal to preserve the heritage and history of the places that I have had entrusted with my professional care. What has been proposed for this project is not about how we feel about the project but about how the local and national guidelines are applied to provide direction for the project. The proposed solution will provide an architectural expression that is wholistic in vision, provides value to the historic district, and results in a structure that is closer in identity to the historic structure than it is today.

Respectfully Submitted,



Craig Elliott, AIA