

## Anya Grahn

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 1:04 PM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Deny CUP for Kimball Garage Private Event Roof Deck

Sent from my iPad

Begin forwarded message:

**From:** Diane Bernhardt <[diane.a.bernhardt@gmail.com](mailto:diane.a.bernhardt@gmail.com)>  
**Date:** March 29, 2017 at 12:44:23 PM MDT  
**To:** Council\_Mail <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** Deny CUP for Kimball Garage Private Event Roof Deck

Mayor and Council,

I am a PC resident at 630 Coalition View Ct and a property owner at 627 Park Avenue Unit B, the Motherlode Condominiums, at the intersection of Park and Heber, kitty-corner to the Kimball Garage.

I'm writing to you to request that you **DENY** the CUP for the Kimball Garage Private Event Roof Deck.

There are a number of aspects of this project that concern me: the proximity to a residences, light emission, sound radiation, traffic flow disruption, additional parking pressure, and the alteration to the historic character of the building itself.

The Motherlode HOA couldn't be closer to the Kimball Garage, and will be dramatically affected by the project. The 480 guests plus event staff and stagers, many arriving in vehicles, will be tempted to park in Motherlode's private parking garage on Park and outdoor stalls on Woodside. In addition, Uber drivers regularly wait in the Motherlode garage for their next rider. We've experienced this at Motherlode for years. Our attempts to control the use of our private driveways and parking area is inconvenient and difficult today without the pressure of a 500+ person event center across the street. Having to wait on a tow truck to simply park in your own parking space is frustrating. As added pressure of large events across the street increase, Motherlode may need to consider ways to safeguard our parking areas via installation of *expensive* gates or patrolling service. Just as we were recently forced to do because local commercial operators were using our garbage bins.

Management of transportation and parking are a top priority for our City and our Council. This building is being redeveloped with the intention of making it a commercial, "for profit" event center which would be able to book large events without a permit. I ask you to address two aspects of this project:

1. A formal study and mitigation plan addressing the issues as outlined in the appeal PRIOR to design and construction.
2. The requirement a permit that will allow the municipality to plan appropriately for our many, large, often concurrent events that seriously effect flow of traffic, parking, and security.

The owners of the Kimball Garage should not be allowed to proceed with the project without mitigation of its impacts. No entity, private or commercial, should be allowed to profit at the expense, discomfort and inconvenience of those who have invested their earnings to make quaint, historic Old Town their home.

Thank you for your consideration,

Diane Bernhardt  
530.575.0899

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:56 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Nightly open air parties in Old Town? NO! LMC 15 1 18  
**Attachments:** CUP Appeal.pdf; ATT00001.htm

Sent from my iPad

Begin forwarded message:

**From:** Barton Bodell <[bartonbodell@me.com](mailto:bartonbodell@me.com)>  
**Date:** March 27, 2017 at 10:52:49 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Cc:** Barton Bodell <[bartonbodell@me.com](mailto:bartonbodell@me.com)>  
**Subject: Nightly open air parties in Old Town? NO! LMC 15 1 18**

Hello-

I wanted to go on record that my wife and I are VERY MUCH IN OPPOSITION to the approval of a private event facility on the roof of the historic Kimball Garage Site at 638 Park Avenue.

Living on Norfolk Ave- I can hear the music from Park Silly every Sunday loud and clear until it ends early evening. It ends at 5pm- not that big of deal. Now you are giving a private business the right to create noise pollution in Old Town in the form of live music until 10pm and then continue until 12am- whenever they want? Even closer to the homes we live in daily???

We will not stand for this. Do you care about the citizens of Old Town? The people that pay taxes and actually live here year round? If you are in favor of this- you don't in my opinion. My guess is you don't actually live in town. This will get ugly for all of us that live here and you'll have a much larger issue if this is allowed to move on.

Please consider the rights of the people that live in Old Town. We should matter at least as much as the few that are always profiting off of it.

Thanks, Barton and Stacy Bodell

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Thursday, March 30, 2017 1:00 PM  
**To:** Polly Samuels McLean; Anya Grahn  
**Cc:** Michelle Kellogg  
**Subject:** Fwd: Kimball building appeal 03 /30

Sent from my iPad

Begin forwarded message:

**From:** Frederique Bouty <[frederique@astie.com](mailto:frederique@astie.com)>  
**Date:** March 30, 2017 at 11:51:53 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Cc:** <[jack.thomas@parkcity.org](mailto:jack.thomas@parkcity.org)>, <[andy@parkcity.org](mailto:andy@parkcity.org)>, <[tim.henney@parkcity.org](mailto:tim.henney@parkcity.org)>, <[cindy.matsumoto@parkcity.org](mailto:cindy.matsumoto@parkcity.org)>, <[nann.worel@parkcity.org](mailto:nann.worel@parkcity.org)>, <[becca.gerber@parkcity.org](mailto:becca.gerber@parkcity.org)>  
**Subject:** Kimball building appeal 03 /30

Hi

It is with great concern that we heard about the permit given by the planning commission for a CUP OPEN-AIR PARTY DECK/EVENT CENTER on top of the old Kimball Garage building.

This is quite worrisome as it will bring extreme noise pollution to the Old town area, among other things. This is serving a single set of private investors interests at the expense of hundreds of residents and renters in Old Town, who will also have to put up with the noise and trouble this will create in Old town.

We also support all issues raised in the appeal filed

We urge you to reconsider this blanket authorization today in the meeting, as an appeal has been filed.

Thank you for your consideration

Philippe and Frederique ASTIE  
944 Woodside Av  
Old town

## **Anya Grahn**

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**From:** Meghan Burchard <ctwobycake@gmail.com>  
**Sent:** Wednesday, March 29, 2017 4:00 PM  
**To:** Anya Grahn  
**Subject:** Regarding Kimball Event Space

To whom it may concern,

We are retailers on Main Street with two stores and familiar with the struggles of foot traffic and off season tourism. The idea of an event space for the kimball building, from what we see of their plans, seems it would be a great asset to the old town community. We hope this helps you make a decision that would be beneficial for bringing business to our community.

Thank you,

Cake Enterprise Management

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:55 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: kimball garage.. saving history

Sent from my iPad

Begin forwarded message:

**From:** Ronald S Butkovich <[rsb1261@aol.com](mailto:rsb1261@aol.com)>  
**Date:** March 28, 2017 at 12:07:36 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** kimball garage.. saving history

To whom it may concern.. please limit the loss of history with each renovation and every adaptive re use we loose more and more of the scale charm and historic fabric of or little city.. i know that we can't stop growth but to retain the maximum of historic fabric, sheds, roof lines scale,, whenever we can is of the utmost importance!!!!!!! the scale and historic charm is what brought you and i to park city and will continue to bring people IF we save it from ourselves!!!! sincerely ron butkovich

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:57 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Kimball Entertainment Complex

Sent from my iPad

Begin forwarded message:

**From:** Andrew Byrne <[ajbyrne2011@hotmail.com](mailto:ajbyrne2011@hotmail.com)>  
**Date:** March 24, 2017 at 2:38:33 PM MDT  
**To:** "[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)" <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Kimball Entertainment Complex**

Dear Council Members,

Regarding present plans for the old art center , I am not in favor of this project. Why is this meeting /party /event center being thrust on an already stressed neighborhood ? Traffic , congestion , non-stop construction , and noise have already made this area less desirable to live in. This could plop an extra 450 people , with outdoor decks , and music til 10:00PM into old town. I'm guessing these Southern California developers do not care about their 'neighbors' , but only how much money they can stuff into their bank account. This is not separated from local housing vs. the larger tent/ballroom facilities at someplace like Montage or The Canyons. I lived on upper Woodside for many years. The sound (and traffic) will travel (and climb) to these houses. My understanding is the few parking spots on the north side of the building will disappear. Are we naïve enough to believe that these crowds are all going to take the bus or private van service to these parties ? Hmm...maybe individual cars would be better to illegally park in the permit only neighborhood. It might be better than an exhaust spewing bus unloading 50 passengers at the chokepoint of Park and Heber Ave. Too bad for PC Transit drivers and emergency vehicles needing to 'round the bend'. It could be even more exciting to throw in a couple thousand Sunday Sillyiots into the scrum ! It seems to be the new mantra for Park City 'More People , less Parking !'. I am sure others will have additional worries. Don't fast-track this like the Planning Commission did.

Respectfully,

Andrew Byrne (34yr . resident)

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:51 AM  
**To:** Anya Grahn; Polly Samuels McLean  
**Subject:** Fwd: Kimball Garage Party Deck

Sent from my iPad

Begin forwarded message:

**From:** Christine Hult <[cnhult@comcast.net](mailto:cnhult@comcast.net)>  
**Date:** March 29, 2017 at 10:35:46 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject: Re: Kimball Garage Party Deck**

Dear Council Members:

We strongly urge you to overturn the CUP granted for the open party deck on the roof of the old Kimball Garage. As residents of Old Town who live directly above that area, we are very concerned about the noise nuisance, which will destroy our peaceful evenings on our outdoor patio. Please show concern for residents and set things right.

Sincerely,

Christine Hult 920 Lowell Ave.



## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Thursday, March 30, 2017 8:38 AM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: Kimball Garage Building

Sent from my iPad

Begin forwarded message:

**From:** D Constable <[decjic49@msn.com](mailto:decjic49@msn.com)>  
**Date:** March 30, 2017 at 7:42:46 AM MDT  
**To:** "[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)" <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Cc:** D Constable <[decjic49@msn.com](mailto:decjic49@msn.com)>  
**Subject:** **Kimball Garage Building**

Honored City Council Members, Although David and I will not be able to attend the Thursday evening city council meeting, we would like to express our agreement with the appeal that is being filed

by Sandy Melville, John Stafsholt, and the PC Historical Society against the Kimball Garage Buildings open air deck. We feel it is an inappropriate use for the building and would adversely effect the

quality of lower Main Street and the resident adjacent neighbors. Thank you.

David and Patricia Constable  
287 McHenry Ave  
Park City

## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:56 AM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: Events

Sent from my iPad

Begin forwarded message:

**From:** Roy Crandall <[rc0313@comcast.net](mailto:rc0313@comcast.net)>  
**Date:** March 25, 2017 at 12:29:38 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** Events

I'd like to see the pursuit of events for Park City dialed back and efforts be made to reduce the number of events. I'm in favor of denying the permit for roof top events at the Kimball Garage.

Thanks,

Roy Crandall  
Park City 20+ years resident

Sent from my iPad

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:52 AM  
**To:** Anya Grahn; Polly Samuels McLean  
**Subject:** Fwd: Kimball Art Center Events

Sent from my iPad

Begin forwarded message:

**From:** Kathryn Deckert <[deckertkathryn@gmail.com](mailto:deckertkathryn@gmail.com)>  
**Date:** March 29, 2017 at 10:13:28 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Kimball Art Center Events**

Park City Council Members

With concern I address all City Council members to appeal the approval granting the developers of the Kimball Art Center redesign in allowing nightly rooftop events to take place further disrupting the quality of life for residents of Old Town. Honestly i was appalled that the Planning Commission approved this use of space to add to the burgeoning insult to the residents of town.

We live with issues concerning quality of life that the rest of town does not experience - people driving up and down our streets all summer and winter out of curiosity, at least a 50% residential pool of 2nd home owners which lends itself to nightly rentals that many come with nightly partying, traffic concerns during city sponsored events necessitating obtaining special permits to we can even get to our houses after going through security check points, noise generated from a weekly street fair every single Sunday. We tolerate all of this and have come to accept it as we chose to live in old town.

But to keep adding to the onslaught is getting to be intolerable. The residential charm of living in old town is well loosing its charm and appeal and the residents that live here do have a breaking point.

The developer has stated that they need to have this entertainment angle to allow them to fiscally develop this project. Is the City neglecting the needs of its citizenry to aid in the developer creating this project to their needs?

Old town residents are also facing the redevelopment of an upper Main Street Plaza. I wonder

how much new noise will this generate with more outdoor activities. PLEASE put the rights of your constituency that elected you into office before developers needs. PLEASE do not further activity that will deteriorate our life here in old town.

Thank you for listening and considering our needs.

Respectfully,

Kathryn Deckert  
102 Daly Avenue  
45 years as Old Town Resident

## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:54 AM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: CUP Kimball Garage Site, 638 Park Avenue

Sent from my iPad

Begin forwarded message:

**From:** JULIE DUFOUR <[juliehdufour@gmail.com](mailto:juliehdufour@gmail.com)>  
**Date:** March 28, 2017 at 3:20:58 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** CUP Kimball Garage Site, 638 Park Avenue

Council members-

We are owners at the Motherlode Condominium project on Park Avenue/Woodside in old town. We are opposed to the CUP for the private event facility at the Kimball Garage Site. The noise and overall nuisance to the neighbors surrounding the site would be unbearable. This outdoor venue for events year round with the resultant activity and nightly noise would be unacceptable to any residents nearby.

Please do not approve this CUP.

Julie and Dave DuFour  
604 Woodside #6

## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 5:54 PM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: Proposed Open Air Party Deck at Former Kimball Art Center

Sent from my iPad

Begin forwarded message:

**From:** richard eichner <[rickeichner@hotmail.com](mailto:rickeichner@hotmail.com)>  
**Date:** March 29, 2017 at 5:30:19 PM MDT  
**To:** "[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)" <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Proposed Open Air Party Deck at Former Kimball Art Center**

We are opposed to this proposal - it will clearly impact the neighborhood with a barrage of noise.

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:54 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: PLEASE - Stop the Kimball Garage Party Deck

Sent from my iPad

Begin forwarded message:

**From:** kevin <[kg3200@gmail.com](mailto:kg3200@gmail.com)>  
**Date:** March 28, 2017 at 12:53:45 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **PLEASE - Stop the Kimball Garage Party Deck**

Dear Sir or Madam,

Let's keep Park City the dignified place we all love. Please protect the civil and considerate many from the irreverent and obnoxious few. We, the civil, respectfully object to being bound to the perpetual background static of a garage roof street party, complete with DJ's and "death metal" and who knows what else. And for what? Tell me again, what does Park City gain from this? Is there some principled cultural, historical, or altruistic benefit that we should all be aware of?

The last thing Park City needs is to be forced to hear and see a regular "a garage roof party" until 10 PM (plus) at night. How about we don't ruin Park City by accommodating this nonsensical noise pollution, drinking, and debauchery. If we wanted a garage roof party we would all be in Reno or Oakland.

We unequivocally do NOT need or want this endlessly unscheduled stream of here-today-gone-tomorrow garage party disrespect, impertinence, and outright absurdity polluting the peace and dignity of our wonderful town. I hopefully expect that as our elected officials, our City Council members will DO THE RIGHT THING, and put an immediate stop to this.

Thank you kindly for your thoughtful consideration in this matter.

Warm regards,

Kevin Gallagher  
1213 Empire Ave  
Park City, UT 84060

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Thursday, March 30, 2017 11:06 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Cc:** Michelle Kellogg  
**Subject:** Fwd: Please require impact studies on new proposed event center at old Kimball Arts square

Sent from my iPad

Begin forwarded message:

**From:** Eileen Galoostian <[eileengaloostian@gmail.com](mailto:eileengaloostian@gmail.com)>  
**Date:** March 30, 2017 at 10:44:37 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Please require impact studies on new proposed event center at old Kimball Arts square**

As I understand it, impact studies on traffic, noise and light pollution, Old Town character, etc. have not been required for CPP's proposed event center (locate at former Kimball Arts center). Please require these and publicize the results. If these studies have been completed, then please let me/us know where to find them.

I along with many citizens are very concerned. We love our "small town" and would love to keep it as such. We also understand there will be changes. However, please let ensure these changes are in tune with the vibe of this town. Keep it quaint and enjoyable as opposed to a traffic jam filled with a constant influx of more people than can reasonably be handled in this small space of Old Town. Once you change it, you can't go back, and the charm of Park City's Main street/Old Town will fade.

Thank you for your consideration.  
Eileen Galoostian  
8008 Long Rifle Road  
Park City, UT 84098

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Life ain't certain; ride your best horse first.



## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:53 AM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: parties at Old Kimball Garage

Sent from my iPad

Begin forwarded message:

**From:** Annie Lewis Garda <[annielewisgarda@yahoo.com](mailto:annielewisgarda@yahoo.com)>  
**Date:** March 28, 2017 at 6:48:16 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** parties at Old Kimball Garage

I am writing in regard to the appeal you are hearing on 3/30 regarding events on the roof of the Old Kimball Garage. Please do not allow outdoor parties with loud music any night of the week. There should be some limit on the number of events and definitely on how loud these events can be.

Annie Lewis Garda  
Old Town resident

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:53 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Patio approval at kimball arts center

Sent from my iPad

Begin forwarded message:

**From:** Ed Godycki <[ed@robbwallace.com](mailto:ed@robbwallace.com)>  
**Date:** March 29, 2017 at 9:37:49 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Patio approval at kimball arts center**

Dear Gentlepeople;

I am a full time resident of Old Town and I oppose the approval of the patio on the rooftop of the Old Kimball Art Center building site. Given the available history Of the new owner, I have no doubt that facility will be utilized as much as possible in order to maximize profits with no regard for the continuing comfort of those of us who live within earshot of this facility. Although I support growth in the area, I see absolutely no value in approving this facility as it does nothing to benefit the community and serves only to line the pockets of the owners.

Granted, I may not know the entire story, but with my current knowledge of the situation, I see absolutely no added value for our wonderful mountain community and again, I would be grateful if you would not approve this part of the project.

Ed Godycki  
CEO, Robb Wallace Motorsports  
[Ed@robbwallace.com](mailto:Ed@robbwallace.com)  
818 207 2055

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:56 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Kimball Garage Rooftop CUP

Sent from my iPad

Begin forwarded message:

**From:** Robert Gurss <[robert.gurss@gmail.com](mailto:robert.gurss@gmail.com)>  
**Date:** March 24, 2017 at 3:28:48 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** Kimball Garage Rooftop CUP

I am a full time Park City resident and support the Appeal of Sanford Melville, et al., regarding a Conditional Use Permit for a private event facility on the roof of the historic Kimball Garage site at 638 Park Avenue. For the reasons discussed in the Appeal, the proposed rooftop event space would create excessive noise and traffic, disrupting the lives of Old Town residents. Old Town provides more than tourist attractions, overnight accommodations and commercial business opportunities. It is also home for Park City residents (and voters) who cherish our city's historic character and bucolic setting. Allowing this CUP to stand will be one more nail in the coffin of Old Town as a place where people want to live, not just visit. Before long Old Town will be a "Disneyland" attraction without actual residents.

Bob Gurss  
[robert.gurss@gmail.com](mailto:robert.gurss@gmail.com)  
202-236-1743



# STRACHAN STRACHAN & SIMON, P.C.

ATTORNEYS AT LAW

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Tel (435) 649-4111 Fax (435) 645-9429  
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Park City Council

[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)

Appeal - March 30, 2017 Meeting

Opposition to Party Deck on Kimball Art Center

Dear Park City Council:

I have lived in Old Town since 1989 at 621 Park Ave. Before retirement I operated my Law firm for 35 years on Main Street, including restoring the Old City Hall as offices for my legal practice and for the Park City Historical Society.

My wife of 52 years, Kristine and our two children, Lauren and Adam who live in Park Meadows and Prospector respectively, continue the Family tradition of being active in Park City civic and community issues. Our family OPPOSES the Outside Music Stage Party Deck portion of the re-model of Kimball Art Center for many of the reasons stated by Syd Reed on my behalf and the Park City Historical Society Appeal. Other reasons for our opposition include:

1. Sound pollution from Outdoor music on the Party Deck Stage, possibly every night until at least 10 PM. There are plenty of Outdoor Music venues already - Deer Valley Concerts, City Park, Park City Mountain, Mountain Stages at the foot of Main Street, etc. This proposed Outdoor Party Deck Nightly Outdoor Bandstand with Volume at "11" will undermine, irrevocably, the character of Old Town to the detriment of our remaining permanent residents and increasing the transient tourists.

2. Other rooftops at Sweeny's, Sky Lodge, Silver Queen Hotel, Marriott Summit, etc. will likely convert Old Town to a constant Outdoor Sound Stage destroying the current tourist family friendly, walkable area for skiers and bikers and their families, who need their sleep, not a private band with sound pollution during walks, dinner and relaxing. The increasing use of condominiums for nightly rental will drop because I know tourists will be upset at the drastic change in comparative currently quiet, but with available clubs for music - Indoors on Main Street, with occasional specially approved concerts on lower Main Street.

3. Destroying the character of a commercially very successful Main Street with many Indoor music venues - Harry O's, Riverhorse and other bar/restaurants will, at core violate what makes Park City so successful - enforcement of zoning to authorize events - e.g. Deer Valley Concerts - where they belong and fit, not by jamming in a life-style change in character in the middle of an already fragile Historic Old Town.

Thanks you for your consideration of the worst example of the camel getting its nose in the Arab's tent I've seen in 43 years in Park City. Please grant Appeal and Deny CUP for Unlimited Outdoor Music Sound Stage Party Deck use in heart of Old Town.

Sincerely:



Gordon Strachan

cc: Jack Thomas  
Andy Beerman  
Diane Murphy  
Jonathon Wiedenhammer  
Bruce Ericksen  
Syd Reed  
Sandra Morrison

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:53 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Private Event Facility on the roof of the historic Kimball Garage Site at 638 Park Avenue

Sent from my iPad

Begin forwarded message:

**From:** Laura Hanrahan <[lath77@yahoo.com](mailto:lath77@yahoo.com)>  
**Date:** March 28, 2017 at 5:17:26 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject: Private Event Facility on the roof of the historic Kimball Garage Site at 638 Park Avenue**

Dear Park City Council,

I was not aware of the Kimball Garage Building plans until the last council meeting when I came to support the Library Field Park (btw - thank you!).

I have lived at 517 Park Avenue for the last 6 years and am an 8 year voting Old Town resident. I like this area because it's convenient to walk everywhere and it's still quiet. I am used to the occasional "party" night of noise living so close to Main Street, but I never considered this town a "party town" with the exception of Sundance and maybe two holiday weekends a year. In the summer, I prefer to keep my windows open since we do not have central air. However, the last two summers the noise level on the weekends from Main Street has increased. I have attributed this to me noticing it more after Harry O's closed for a while and has since been "re-opened" as Park City Live. There are some nights when I feel like I am in their building because I can understand the lyrics. I am about a block away, and I am thankful their music is limited to indoors.

I am extremely disappointed to hear about the potential commercial use of the deck space at the newly renovated Kimball Garage building at Heber and Main. As I understand it, this would allow a commercial property to have music/events outside any night of the week provided the "party" stop at 10 PM without the need for a conditional use permit as required by other events like Sundance, the Arts Festival, etc.

I urge you to reconsider and require a temporary conditional permit only for ALL outdoor venues. To my knowledge there is no other property that is allowed to have outdoor events like this, and I do not believe it sets a good precedent.

Some points I hope you consider:

- It's not easy to stop a party, particularly when people have paid good money for it.  
The more it costs, the more entitled the party becomes only causing more trouble. Are you

prepared to further staff your Police Department to enforce this EVERY time they have a party? (I'd rather not have all my tax dollars go to enforcing this.)

- Does this use fit into our own Park City Mission Statement?

It was pretty clear to me from a year or so ago when we discussed what matters most to Park City, that this type of entertaining is not a good match for our community goals. Please re-read your mission statement which is on your wall in City Hall meeting room. I read it when I learned about this.

- While I'm sure there are decibel levels regulations, have we actually measured these during a busy night on Main Street in the summer and during Sundance/holiday weekend? And, more importantly, do you have a good understanding of not just how loud it is, but how far the sound travels and are there restrictions in place for that as well? I understand from some friends that live higher up from me that it can be just as loud where they are because of the shape of our little canyon.

On a more personal level, I occasionally have bad migraines and it can be tough to deal with the music at Silly Sundays during the day. I do not want even more trouble on more days from another source of outdoor music that is even closer to me.

Please reconsider the planning commissions decision. Old Town should not become a party town where anything goes if you pay enough money. If you are invested in keeping Park City, Park City, then you'll reconsider. We should all be able to enjoy a nice evening in Park City without hearing someone else's party.

Thank you.

Laura Hanrahan  
517 Park Avenue



## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 9:55 PM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Kimball Garage property

Sent from my iPad

Begin forwarded message:

**From:** Kay Haring <[kharing2@aol.com](mailto:kharing2@aol.com)>  
**Date:** March 29, 2017 at 8:54:42 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Kimball Garage property**

To Whom it May Concern,

My husband and I own a condo at Motherlode, Unit A, and we would like to express our support of the new property and the "OPEN-AIR PARTY DECK/EVENT CENTER" on top of the old Kimball Garage building.

I believe there are a number of residents who are vehemently opposed to the CUP awarded to these owners and there will be an appeal hearing on March 30. We do not oppose the project going forward as is.

Change is hard for many people however we believe if the city would not have changed and grown and added developed properties over the last 15 years we have owned a residence in Old Town, it would not be as valuable a property as it is today.

Thank you for your service to Park City.

*Kay*

Kay A. Haring and Tom Wessner  
714 Elvira Avenue #B  
Redondo Beach, CA 90277  
cell... (610) 413-9484



## **Anya Grah**

---

**From:** Cindy Matsumoto  
**Sent:** Thursday, March 30, 2017 3:08 AM  
**To:** Anya Grah  
**Subject:** Fwd: Kimball Garage property

Cindy

Begin forwarded message:

**From:** Kay Haring <[kharing2@aol.com](mailto:kharing2@aol.com)>  
**Date:** March 29, 2017 at 8:54:42 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Kimball Garage property**

To Whom it May Concern,

My husband and I own a condo at Motherlode, Unit A, and we would like to express our support of the new property and the "OPEN-AIR PARTY DECK/EVENT CENTER" on top of the old Kimball Garage building.

I believe there are a number of residents who are vehemently opposed to the CUP awarded to these owners and there will be an appeal hearing on March 30. We do not oppose the project going forward as is.

Change is hard for many people however we believe if the city would not have changed and grown and added developed properties over the last 15 years we have owned a residence in Old Town, it would not be as valuable a property as it is today.

Thank you for your service to Park City.

*Kay*

Kay A. Haring and Tom Wessner  
714 Elvira Avenue #B  
Redondo Beach, CA 90277  
cell... (610) 413-9484

## **Anya Grah**

---

**From:** Cindy Matsumoto  
**Sent:** Thursday, March 30, 2017 3:11 AM  
**To:** Anya Grah  
**Subject:** Fwd: Kimball Garage Party Deck

Cindy

Begin forwarded message:

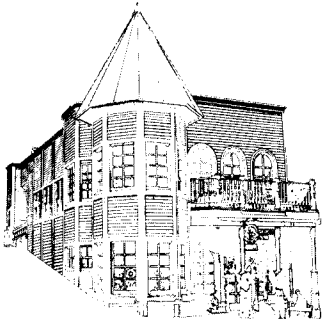
**From:** Christine Hult <[cnhult@comcast.net](mailto:cnhult@comcast.net)>  
**Date:** March 29, 2017 at 10:35:46 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject: Re: Kimball Garage Party Deck**

Dear Council Members:

We strongly urge you to overturn the CUP granted for the open party deck on the roof of the old Kimball Garage. As residents of Old Town who live directly above that area, we are very concerned about the noise nuisance, which will destroy our peaceful evenings on our outdoor patio. Please show concern for residents and set things right.

Sincerely,

Christine Hult 920 Lowell Ave.



# STRACHAN STRACHAN & SIMON, P.C.

ATTORNEYS AT LAW

401 Main Street, Upstairs  
P. O. Box 1800  
Park City, Utah 84060-1800  
Tel (435) 649-4111 Fax (435) 645-9429  
e-mail info@strachanlaw.com  
website www.strachanlaw.com

Park City Council

council\_mail@parkcity.org

Appeal - March 30, 2017 Meeting

Opposition to Party Deck on Kimball Art Center

Dear Park City Council:

I have lived in Old Town since 1989 at 621 Park Ave. Before retirement I operated my Law firm for 35 years on Main Street, including restoring the Old City Hall as offices for my legal practice and for the Park City Historical Society.

My wife of 52 years, Kristine and our two children, Lauren and Adam who live in Park Meadows and Prospector respectively, continue the Family tradition of being active in Park City civic and community issues. Our family OPPOSES the Outside Music Stage Party Deck portion of the re-model of Kimball Art Center for many of the reasons stated by Syd Reed on my behalf and the Park City Historical Society Appeal. Other reasons for our opposition include:

1. Sound pollution from Outdoor music on the Party Deck Stage, possibly every night until at least 10 PM. There are plenty of Outdoor Music venues already - Deer Valley Concerts, City Park, Park City Mountain, Mountain Stages at the foot of Main Street, etc. This proposed Outdoor Party Deck Nightly Outdoor Bandstand with Volume at "11" will undermine, irrevocably, the character of Old Town to the detriment of our remaining permanent residents and increasing the transient tourists.

2. Other rooftops at Sweeny's, Sky Lodge, Silver Queen Hotel, Marriott Summit, etc. will likely convert Old Town to a constant Outdoor Sound Stage destroying the current tourist family friendly, walkable area for skiers and bikers and their families, who need their sleep, not a private band with sound pollution during walks, dinner and relaxing. The increasing use of condominiums for nightly rental will drop because I know tourists will be upset at the drastic change in comparative currently quiet, but with available clubs for music - Indoors on Main Street, with occasional specially approved concerts on lower Main Street.

3. Destroying the character of a commercially very successful Main Street with many Indoor music venues - Harry O's, Riverhorse and other bar/restaurants will, at core violate what makes Park City so successful - enforcement of zoning to authorize events - e.g. Deer Valley Concerts - where they belong and fit, not by jamming in a life-style change in character in the middle of an already fragile Historic Old Town.

Thanks you for your consideration of the worst example of the camel getting its nose in the Arab's tent I've seen in 43 years in Park City. Please grant Appeal and Deny CUP for Unlimited Outdoor Music Sound Stage Party Deck use in heart of Old Town.

Sincerely:



Gordon Strachan

cc: Jack Thomas  
Andy Beerman  
Diane Murphy  
Jonathon Wiedenhammer  
Bruce Ericksen  
Syd Reed  
Sandra Morrison

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Thursday, March 30, 2017 1:00 PM  
**To:** Polly Samuels McLean; Anya Grahn  
**Cc:** Michelle Kellogg  
**Subject:** Fwd: Kimball garage

Sent from my iPad

Begin forwarded message:

**From:** Darius Keblinskas <[dkeblinskas@gmail.com](mailto:dkeblinskas@gmail.com)>  
**Date:** March 30, 2017 at 11:59:54 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Kimball garage**

Dear Park City Council members,

As an owner in the Motherlode condo complex at 627 Pak Ave, I would like to voice my strong opposition to the new OPEN-AIR PARTY DECK/EVENT CENTER construction at the Kimball Garage location.

I ask that you strongly consider the appeal being put forth to that effect.

Thank you for your consideration on this matter.

Regards,

Darius Keblinskas  
627 Park Ave #F  
Park City UT  
cell 312-330-6549

Tuesday, March 28, 2017

To: Park City Council Members

From: Jill Lesh  
327 Woodside Ave.  
Park City, UT 84060

Re: Appeal of Planning Commission's decision approving conditional use permit for the proposed Private Event Facility at 638 Park Ave.

Dear Council Members,

I am concerned about the **noise** that will be generated from rooftop events at the Kimball Garage Building and the **negative impact** this will have on the quality of life in residential neighborhoods of Old Town. As a permanent resident at 325 Woodside Ave., I know that outdoor speaker music from lower Main Street is quite discernible at my house. Music at occasional public events that benefit all residents & visitors is expected and appreciated, but this is for unlimited private commercial use.

If noise from rooftop events becomes a frequent detriment to the quality of life in Old Town residential neighborhoods, the longterm impact will be negative & significant. Permanent residents will no longer find the neighborhoods desirable. The number of owner-occupied residences will shrink, and the number of nightly-rentals will increase. This is not the scenario that the City nor we residents want to see.

Please reverse the Conditional Use Permit decision. The Private Event Management Company should not have a pre-approved, unlimited event Use Permit. Minimally, the Company should obtain individual Administrative Permits for each rooftop occasion. The number of events should be limited and subject to the oversight that the City normally has over such events and their impacts on the City and residents.

Sincerely,  
Jill Lesh

February 4, 2017

Lynn Fey  
[address]  
Park City, Utah

Re: PL-16-03412 - Appeal of 638 Park Avenue CUP  
Hearing before City Council on [tentatively, February 23, 2017]

Dear Members of City Council,

I understand that the City is being asked to approve a Conditional Use Permit (CUP) for an indoor/outdoor commercial event center at the site of the historic Kimball Garage. To accommodate the requested rooftop outdoor event space, the developer plans to remove half of the original barrel-vaulted roof of the historic building and replace it with a 2530 square foot flat rooftop deck.

Any such approval by the City of this requested rooftop event space on the Kimball Garage would constitute inconsistent and arbitrary application of City codes and would be improper, and I strongly urge you not to make such a mistake.

I was a member of the Board of the Kimball Art Center when KAC asked the City to approve KAC's request to replace the original barrel-vaulted roof of the historic Kimball Garage building with a flat rooftop deck as part of our proposed renovation project. The KAC's proposal was flatly denied as failing to comply with the requirement that for renovation of a historic building the original roof form must be maintained. In fact, the Notice of Planning Action dated August 21, 2014, which denied the KAC's proposed renovation, expressly stated in paragraph 41:

**41. The proposed renovation does not comply with Specific Guideline B.1.1 as the original barrel-vaulted roof structure will not be maintained. Because of its structural incapacities, the applicant proposed reconstructing a flat roof on the building that would also act as a rooftop deck. The rooftop deck consumed the entire rooftop space.**

It couldn't be more clear — the KAC was required to maintain the original barrel-vaulted roof, and was not allowed to replace it with a rooftop deck.

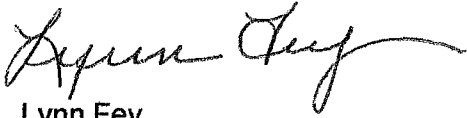
However, that is just what the City is being asked to approve for the current applicant. Any such approval would be no less than inconsistent and arbitrary application of City rules.

I am aware that the City's Historic Guideline B.1.1 requires that renovation of a historic building must "maintain the original roof form", (as was required of the KAC in 2014). I am informed that LMC 15-11-11 states that "The Design Guidelines are incorporated into this Code by reference." Further, LMC 15-1-10(D)(1) expressly requires that a CUP cannot be issued unless the application "complies with all requirements of this LMC".

Therefore, I do not see how the requested CUP for a rooftop deck outdoor event space on top of the Kimball Garage can be allowed, as such does not comply with all the requirements of the LMC.

I urge you to consistently apply our City codes and, in fairness, deny approval of the requested CUP for a rooftop deck outdoor event space at the site of the historic Kimball Garage.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynn Fey", with a long horizontal flourish extending to the right.

Lynn Fey





PLANNING DEPARTMENT

August 21, 2014

Matt Mullin  
Kimball Art Center, Inc.  
638 Park Avenue  
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Project Address</u>	638 Park Avenue
<u>Description</u>	Historic District Design Review - Denial
<u>Date of Action</u>	August 21, 2014
<u>Project #</u>	PL-14-02270
<u>Project Representative</u>	Steve Brown
<u>Project Architect</u>	Elliott Workgroup – Craig Elliott
<u>Design Architect</u>	BIG – Bjarke Ingels Group

Summary of Staff Action – Denial

This letter serves as the final action letter denying the proposed rehabilitation of 638 Park Avenue pursuant to the Historic District Design Guidelines subject to the following Findings of Fact and Conclusions of Law. Staff reviewed this project in accordance with the Historic District Design Guidelines, specifically with Specific Guidelines A. Site Design, B. Primary Structures, and D. Additions to Historic Structures. The applicant proposed to rehabilitate the historic landmark structure and construct a new addition.

Findings of Fact

1. The property is located at 638 Park Avenue.
2. It is identified by Summit County as Tax Parcel PC-107-108-X.
3. The Historic District Design Review Application was submitted on March 3, 2014; it was deemed complete on March 14, 2014. A public hearing was held on March 31, 2014.
4. The first property and courtesy mailing notices were mailed out on March 14, 2014.
5. During staff's review of the project, staff uncovered discrepancies between the Physical Conditions Report and Historic Preservation Plan. An updated Historic Preservation Plan was submitted to the Planning Department on May 16, 2014.

6. Throughout the process, staff was in discussion with the application regarding the application's issues of non-compliance with the Design Guidelines. The applicant requested staff on August 6, 2014, for a determination based on the original submittal.
7. The property is located in the Heber Avenue Subzone of the Historic Recreation Commercial (HRC) District.
8. The allowed uses within the Heber Avenue Subzone are identical to the allowed uses of the Historic Commercial Business (HCB) District. Entertainment Facility, Indoor is an allowed use within this zone.
9. The site is a developed parcel with a historic structure, identified on the City's Historic Sites Inventory (HSI) as a "Landmark" site.
10. The historic building is approximately 22,883 square feet in size. The proposed addition is approximately 15,092 square feet.
11. The landmark structure was constructed in 1929 to replace the Kimball Brothers Livery Stable. It was rehabilitated in 1976 to house the Kimball Arts Center. The building was listed as part of the Park City Main Street National Register Historic District in 1979.
12. The structure was renovated in 1976 with minor changes that did not affect the site's original design character.
13. The total lot size is 18,526 square feet.
14. The required front yard setbacks along Heber and Park Avenues are ten feet (10'). On a corner lot, the side yard that faces a street is ten feet (10') for the main structure.
15. The minimum rear yard setback along Main Street is ten feet (10').
16. The minimum side yard setback along the north property line is five feet (5').
17. Per Land Management Code (LMC) 15-2.5-5, no structure shall be erected to a height greater than thirty-two feet (32') from existing grade. Church spires, bell towers, and like architectural features subject to the Historic District Design Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exceptions are granted by the Planning Director. As proposed the southeast corner of the structure rises gradually to form a point that is roughly 46 feet in height. No habitable space is located in this section of the building. This architectural feature was not reviewed for a height exception by the Planning Director because the design of the addition did not meet the Design Guidelines as outlined below.
18. The proposed renovation complies with Universal Guideline #1 as the site will be used as it was historically and will require minimal changes to the distinctive materials and features. In 1976, the Kimball Brothers Garage underwent extensive interior alterations in order to accommodate its new use as an art center. The applicant intends to repair and maintain the existing structure and its steel window frames.
19. The proposed renovation complies with Universal Guideline #2 as changes to the site or building that have acquired historic significance in their own right shall be retained and preserved. Rather, the applicant proposed to remove additions made in 1976 for the conversion of the art center as well as other c. 1976 exterior additions added at later dates; these include the corrugated metal and CMU

structures such as the kiln room and stair and elevator rooms attached to the east side of the building. These additions are not historic.

20. The proposed renovation complies with Universal Guideline #3 as the applicant does not propose to remove any historic exterior features of the building. Those features that are so deteriorated that they required replacement—such as the steel frame windows on the north elevation—were proposed to be replaced in-kind.
21. The proposed renovation complies with Universal Guideline #4 as distinctive materials, components, finishes, and examples of craftsmanship will be retained and preserved. As no historic exterior finishes had been lost, there was no need to reproduce missing historic elements.
22. The proposed renovation complies with Universal Guideline #5 as deteriorated or damaged historic features and elements will be repaired rather than replaced. The only historic features requiring repair are the historic steel-frame windows on the south elevation. The applicant proposed to repair and preserve these windows; those that could not be repaired due to the severity of deterioration would be replaced in-kind. Other non-historic windows on the south elevation were to be replaced in-kind.
23. The proposed renovation complies with Universal Guideline #6 as features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines such as the c.1976 additions on the northeast corner of the structure were intended to be removed. These additions housed the elevator, stairs, and fire kiln. No other incompatible features are known to exist.
24. The proposed renovation complies with Universal Guideline #7 as the owner did not propose to introduce any architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exist.
25. Compliance with Universal Guideline #8 is incomplete as the Preservation Plan did not specify whether or not chemical or physical treatments would be undertaken using recognized preservation methods to ensure that these treatments did not damage or alter the appearance of historic materials.
26. The proposed renovation does not comply with Universal Guideline #9 as the new addition will destroy a significant percentage of historic materials along the east wall of the building as approximately 76 linear feet of the east wall would be enclosed by the new addition.
27. The proposed renovation complies with Specific Guideline A.1.1 as it maintains the existing front and side yard setbacks of Historic Sites. The applicant does not intend to change the front and side yard setbacks of the historic site along the north, west, and south elevations. The addition was proposed to be added to the east elevation.
28. The proposed renovation complies with Specific Guideline A.1.2 as the main entry, as it exists today, will be retained and will provide access to a reception area for employees and office spaces. A new entrance on the corner of Main Street and Heber is proposed for the museum exhibition space.

29. The proposal complies with Specific Guideline A.1.3 as the original path or steps leading to the main entry will be maintained. The applicant does not intend to change the steps or ramps at the southwest corner of the historic building.
30. Specific Guidelines A.2.1 and A.2.2 are not applicable as there are no historic stone retaining walls to maintain.
31. Specific Guidelines A.3.1, A.3.2, and A.3.3 are not applicable as there are no historic fences and handrails to maintain.
32. Specific Guideline A.4.1 is not applicable as there are no historic hillside steps that may be an integral part of the landscape to maintain.
33. The proposed renovation complies with Specific Guideline A.5.1 as landscape features that contribute to the character of the site will be preserved. The applicant does not propose to change any landscape features of the site. Rather, additional landscaping will be added along the north elevation of the structure. Minimal landscaping existed here historically.
34. The proposed renovation complies with Specific Guideline A.5.2 as landscape treatments for walkways, paths, and the building were incorporated in a comprehensive, complementary, and integrated design. The applicant intends to preserve the urban characteristics of the site that relate to the historic district and commercial core as a whole. Additional landscaping is proposed along the rear of the structure on the north elevation.
35. The proposed renovation complies with Specific Guideline A.5.3 as the historic character of the site shall not be significantly altered by substantially changing the proportion of built or paved area to open space. As proposed, the new addition would replace an existing terrace and parking area. The new addition would provide additional density to the historic commercial district and fill a gap that exists in the current urban fabric of this neighborhood.
36. The proposed renovation complies with Specific Guideline A.5.4 as the proposed landscape plans 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. Additional plantings were proposed for the existing planting bed along the north elevation.
37. Specific Guideline A.5.5 is not applicable as there is no driveway proposed for this site that would require snow storage.
38. The proposed renovation complies with Specific Guideline A.5.6 as the applicant provided a detailed landscape plan that respects the manner and materials used traditionally in the districts. Due to its location in the commercial core, there is very little room for landscaping on this site. The applicant however, did expand an existing planting area on the north elevation and planned to plant additional shrubs along this elevation.
39. The proposed renovation complies with Specific Guideline A.5.7 as landscaped separations are proposed between parking areas, drives, service areas, and public use areas including walkways, plazas, and vehicular access points. The planter along the north elevation will help separate the driveway and parking area to the east of the adjacent historic structure along Park Avenue.
40. The proposed renovation complies with Specific Guideline A.5.8 as the original grading of the site will be maintained when and where feasible.

41. The proposed renovation does not comply with Specific Guideline B.1.1 as the original barrel-vaulted roof structure will not be maintained. Because of its structural incapacities, the applicant proposed reconstructing a flat roof on the building that would also act as a rooftop deck. The rooftop deck consumed the entire rooftop space.
42. Specific Guideline B.1.2 is not applicable as new roof features, such as photovoltaic panels (solar panels) and/or skylights were not proposed.
43. Compliance with Specific Guideline B.1.3 is incomplete as the applicant did not specify if gutters and downspouts would be installed during the renovation.
44. Compliance with Specific Guideline B.1.4 is incomplete as the applicant did not indicate if the proposed roof colors would be neutral and muted and materials would not be reflective.
45. The proposed complies with Specific Guideline B.2.1 in that primary and secondary façade components, such as window/door configuration, wall planes, recesses, bays, balconies, steps, porches, and entryways will be maintained in their original location on the façade. Rather, the historic structure will remain largely as-is from the exterior, though repairs and restoration will occur. The only elevation impacted by the new addition is the east side of the historic structure.
46. The proposed renovation complies with Specific Guideline B.2.2 as the applicant intended to preserve damaged and deteriorated façade materials by repointing the historic brick and restoring the historic steel-frame windows on the north elevation.
47. Compliance with Specific Guideline B.2.3 is incomplete as the Preservation Plan does not identify that the disassembly of historic elements—window, molding, bracket, etc.—is necessary for its restoration, recognized preservation procedures and methods for removal, documentation, repair, and reassembly should be used. The preservation methods to be used on the restoration of the historic steel-frame windows on the north elevation were not specifically outlined.
48. The proposed renovation complies with Specific Guideline B.2.4 as the Preservation Plan specifies that if historic exterior materials cannot be repaired, they will be replaced with materials that match the original in all respects: scale, dimension, texture, profile, material, and finish. The applicant has indicated that any historic windows on the north elevation that cannot be restored will be replaced in-kind.
49. Specific Guideline B.2.5 is not applicable as substitute materials such as fiber cement or plastic-wood composite siding, shingles, and trim boards have not been proposed.
50. Specific Guideline B.2.6 is not applicable as substitute materials have not been proposed on a primary or secondary façade (as stated in B.2.4 and B.2.5).
51. The proposed renovation complies with Specific Guideline B.2.7 as no 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 are proposed.
52. Specific Guideline B.3.1 is not applicable as no new proposed foundation will raise or lower the structure generally more than two feet (2') from its original floor elevation. The only proposed foundation work is in the southwest corner of the

- building where excavation will occur beneath the structure to create additional basement space.
53. Specific Guideline B.3.2 is not applicable as the original placement, orientation, and grade of the historic building is not proposed to change.
  54. Specific Guideline B.3.3 is not applicable as no new foundation is proposed beneath the historic structure, and the original grading will be retained.
  55. Specific Guideline B.4.1 is not applicable as there are no historic door openings, doors, and door surrounds.
  56. Specific Guideline B.4.2 is not applicable as there are no historic doors that will need to be replaced. Any replacement doors will be compatible to the historic structure.
  57. Specific Guideline B.4.3 is not applicable as there is no intent to add storm doors and/or screen doors on primary or secondary facades.
  58. The proposed renovation complies with Specific Guideline B.5.1 as historic window openings, windows, and window surrounds will be maintained. Historic window openings and historic steel-frame windows on the north elevation will be maintained. Those historic windows that cannot be made safe and serviceable through repair will be replaced in-kind.
  59. The proposed renovation complies with Specific Guideline B.5.2 as replacement windows will only be installed 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. Historic steel-frame windows on the north elevation will be restored, except for those windows that cannot be made safe and serviceable through repair.
  60. Specific Guideline B.5.3 is not applicable as the applicant does not propose to install any storm windows.
  61. The proposed renovation complies with Specific Guideline B.6.1 as mechanical equipment and utilities, including heating and air conditioning units, meters, and exposed pipes, will 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. Any new rooftop mechanical equipment would be installed on the northeast corner of the existing structure and screened from view.
  62. The proposed renovation complies with Specific Guideline B.6.2 as ground-level equipment should be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials. The applicant intends to install new mechanical equipment on the northeast corner of the roof of the historic structure.
  63. The proposed renovation complies with Specific Guideline B.6.3 as the plan avoids removing or obstructing historic building elements when installing systems and equipment. The rooftop location of new mechanical equipment would not remove or obstruct historic building elements.
  64. Specific Guideline B.6.4 is not applicable as contemporary communication equipment such as satellite dishes or antennae have not been proposed.
  65. The proposed renovation complies with Specific Guideline B.7.1 as original materials such as brick and stone that are traditionally left unpainted will not be

66. painted. The applicant did not propose to paint any original masonry materials traditionally left unpainted. Existing painted concrete surfaces will be repainted. Specific Guideline B.7.2 is not applicable as there are no wood surfaces on the historic building that will be painted.
67. Compliance with Specific Guideline B.7.3 is incomplete as the applicant did not specify if low-VOC paints would be used.
68. Specific Design Guideline C.1 Off-street parking is not applicable as the applicant does not intend to provide off-street parking.
69. Specific Design Guideline C.2 is not applicable as the applicant is not proposing to construct any driveways.
70. Specific Design Guideline C.3 is not applicable as the applicant is not proposing any detached garages.
71. The proposed addition complies with Specific Design Guideline D.1.1 as the applicant has demonstrated that the existing structure cannot accommodate the growing needs of the Kimball Art Center and an addition to the historic building is necessary.
72. The proposed addition does not comply with Specific Design Guideline D.1.2 as the addition is not visually subordinate to the historic building when viewed from the primary public right-of-way along Heber Avenue. The height of 46 feet at the corner of Heber Avenue and Main Street as well as the scale of the proposed new addition overpowers the historic structure and blocks the view of the historic structure from the intersection of Heber Avenue and Main Street. Further, the heavy massing of the new addition detracts from the historic structure.
73. The proposed addition does not comply with Specific Design Guideline D.1.3 as the addition obscures and contributes significantly to the loss of historic materials. The new addition consumes nearly the entire length of the east elevation of the existing structure. The transitional element is setback two feet (2') from the plane of the north and south walls. The east wall is roughly eighty feet (80') in length; however, four feet (4') of the eighty (80) will remain visible on the exterior.
74. The proposed addition does not comply with Specific Design Guideline D.1.4 where the new addition abuts the historic building, a clear transitional element between the old and the new has not been designed. The proposed transitional element is 2'6" in width. The transitional element should provide greater visual connection between the historic structure and the new addition.
75. The proposed renovation complies with Specific Design Guideline D.1.5 as the applicant intends to remove additions that were constructed c.1976 and have not achieved historic significance in their own right.
76. The proposed renovation does not comply with Specific Guideline D.2.1 as the Addition does not complement the visual and physical qualities of the historic building. There is no reflection of the historic building's materials, rhythm, patterning, or solid-to-void ratio that would tie the new addition to the old building.
77. The proposed addition does not comply with Specific Guideline D.2.2 as the building components and materials used on addition are not similar in scale and size to those found on the original building.

78. The proposed addition does not comply with Specific Guideline D.2.3 as the window shapes, patterns and proportions found on the historic building are not reflected in the new addition.
79. The proposed addition does not comply with Specific Guideline D.2.4 as the large addition is not significantly visually separated from the historic building when viewed from the public right of way.
80. Specific Guideline D.3. Scenario 1: Residential Historic Sites is not applicable.
81. Specific Guideline D.4. Scenario 2: Residential Historic Sites is not applicable. Specific Guideline E. Relocation and/or Reorientation of Intact Buildings is not applicable..
82. Specific Guideline F. Disassembly/Reassembly of All or Part of a Historic Structure is not applicable.
83. Specific Guideline G. Reconstruction of an Existing Historic Structure is not applicable.
84. Specific Guideline H. Accessory Structure is not applicable.
85. Specific Guideline I. Signs is not applicable as no signage has been proposed as part of this application. Any new signs would require a sign permit.
86. Specific Guideline J. Exterior Lighting is not applicable as no exterior lighting has been proposed as part of this application.
87. Specific Guideline K. Awnings is not applicable as no awnings have been proposed as part of this application.
88. The proposed renovation complies with Specific Guideline L.1 as the owner will maintain a substantial percentage of interior floors, walls, and non-structural elements. The Kimball Art Center was remodeled in 1976 and the majority of the interior walls are from this prior remodel. With the exception of the east exterior wall, the applicant did not intend to remove a substantial percentage of original interior walls.
89. Specific Guideline L.2 is not applicable.
90. The proposed renovation complies with Specific Guideline L.3 as it retains the inherent energy-conserving features of historic buildings and its site, including shade trees, porches, operable windows, and transoms. Any historic operable windows that could not be made safe and serviceable through repair would be replaced in-kind.
91. The proposed renovation complies with Specific Guideline L.4 as it increases the thermal efficiency of historic buildings by observing traditional practices such as weather-stripping and insulating. The applicant intends to improve the thermal efficiency of the historic structure by replacing non-historic windows with new thermal-pane windows.
92. Specific Guideline L.5 is not applicable as the owners are not proposing to use sources of renewable energy—on- or offsite.
93. The proposed renovation complies with Specific Guideline M.1 as the visual impact of exterior treatments associated with seismic upgrades will be minimized. The applicant did not intend for seismic upgrades to affect the exterior of the structure. The Preservation Plan notes that exterior tie-rod anchor plates will be inspected and repaired where necessary.



94. The proposed renovation complies with Specific Guideline N.1 as barrier-free access will be provided that promotes independence for the disabled to the highest degree practicable, while preserving the character-defining features of historic buildings. There is an existing ADA entrance to the structure on the southwest corner of the main entrance that will remain.
95. The proposed renovation complies with Specific Guideline N.2 in that the appearance of accessibility ramps or elevators will not significantly detract from the historic character of the building. The existing ADA entrance meets the grade of the sidewalk at this location and does not significantly detract from the historic character of the building.
96. Specific Guideline N.3 is not applicable as there are no existing historic doors.
97. Specific Guideline MSHS1 does not comply as the proposed addition will cause the building to be removed from the National Register of Historic Places, and it will be listed as a non-contributing building within the Main Street National Historic District. The new addition does not contribute to the historic character of the district. It does not reflect the materials, composition, rhythm, patterning, or proportions of the historic district nor the historic Kimball Garage.
98. The proposed addition does not comply with Specific Guideline MSHS2 in that the alignment and setback along Main Street are character-defining features of the district. Within the Main Street commercial district, the historic rhythm and pattern of building heights and widths has been maintained. The proposed addition alters this pattern and does not relate to the existing module of historic buildings along the street. The proposed addition complies with Specific Guideline MSHS3 in that the orientation of the primary entrance is located on the corner, consistent with other non-historic structures on the south side of the Heber Avenue-Main Street intersection and maintains the original historic corner entrance as well along Heber and Park Avenue
99. Specific Guideline MSHS4 is not applicable as street furniture, planters and other elements proposed for the building-sidewalk interface have not been proposed as part of this application.
100. Specific Guideline MSHS5 is not applicable as no exterior lighting elements have been proposed as part of this application.
101. The proposed renovation does not comply with Specific Guideline MSHS6 as the proposed rooftop deck addition is not set back from the primary façade. The plans show that the rooftop deck will consume the entire roof structure of the historic structure. It is not evident how visible the rooftop deck or its railings would be from the primary facades.
102. Specific Guideline MSHS7 is not applicable as this property does not front Swede Alley.
103. The plans subject to review are dated March 10, 2014.

#### Conclusion of Law

1. The proposal does not comply with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites.

The owner, applicant, or any person with standing as defined in Section 15-1-18(D) of the Land Management Code (LMC) may appeal any Planning Department decision made on a Historic District Design Review Application to the Historic Preservation Board. All appeal requests shall be submitted to the Planning Department within ten (10) days of the decision. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his/her relationship to the project, and a comprehensive statement of the reasons for the appeal, including specific provisions of the Code and Design Guidelines that are alleged to be violated by the action taken. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

If you have any questions, please do not hesitate to contact me. I can be reached at (435) 615-5067, or via e-mail at [anya.grahn@parkcity.org](mailto:anya.grahn@parkcity.org).

Sincerely,



Anya E. Grahn  
Historic Preservation Planner



Thomas E. Eddington Jr., AICP, PLA  
Planning Director

March 13, 2017

To: Park City Council members

From: Sarah Klingenstein  
2131 Lucky John Drive  
Park City, UT 84060

Re: Appeal of the Conditional Use Permit for a Private Event Facility on the roof of the historic Kimball Garage Site

Dear Council,

When I heard that the Planning Commission approved this application and what it meant, I asked myself: *“Why would the City go to great lengths evaluating, mitigating and possibly scaling back events on the one hand, and allow this kind of unbridled event expansion on the other?”*

I was so discouraged to hear that this approval creates a space that can hold outdoor events with music and lighting for as many nights a year as they want to program it. I believe it will also create parking and traffic issues in a section of town that is already stressed by tourism and events, in spite of Staff’s assumptions that there will not be increased traffic generation. It is hard for me to believe that the Kimball Art Center held events several nights a week that brought in up to 480 people nightly.

As a member of the Special Events Advisory Committee, I have heard the vehement concerns of residents of that part of town regarding events such as Sundance and Silly Market. I have heard our Council wrestle thoughtfully with the question of event fatigue. Most recently, you expressed a desire to either take the City’s foot off the gas or apply it to the brakes on events. To me, this approval means “gunning it”, “putting the pedal to the metal, or whatever automotive analogy you care to use to describe a significant increase in noise, lighting, traffic, and parking problems to Old Town.

Not only do I predict that Old Town residents will find their days and nights much less livable, especially during our beautiful Park City summers. I also predict that Old Town will become less enjoyable for residents around the City and County, and for visitors seeking Park City’s small town charms. I also predict

that the same issues we saw at their height during Sundance 2017 with airBnB and Uber will only grow with this venue.

The argument that the proprietors must adhere to City noise, light, and traffic ordinances in the management of this space does not satisfy. The event planners can be made to adhere to those ordinances, yet that won't be enough. And there is no way to mitigate some of these impacts. A band on the rooftop till 10 p.m. every weekend all summer (as a new Park City wedding venue is discovered) will make former noise concerns pale in comparison.

I have been so encouraged to read the City's newly crafted visions and goals for our small town. Please have these forefront in your minds as you hear this appeal. And please come down on the side of what is best for your citizens.

Thanks for your hard work each week on our behalf,

Sarah Klingenstein

## **Anya Grah**

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**From:** Jared McMillen <jared@jaredmcmillen.com>  
**Sent:** Wednesday, March 29, 2017 7:24 PM  
**To:** Anya Grah  
**Subject:** Event Space, Kimball building

Hi Anya,

Wanted to reach out as a business owner on Main Street here in Park City. Recently it was brought to my attention of an event space which will, I hope, be taking place in the former Kimball building. Having a high end event space on Main Street would only add to the flavor of the town, I strongly feel it is needed and wanted to help bring people to the street. Event space would only add to the buzz of our already amazing town. My thoughts.

All the Best,  
Jared McMillen

--

Award Winning Landscape Photographer  
PPA 2015 Loan Collection  
PPA 2013 Loan Collection  
Silver and Bronze 2013 Epson Pano Competition  
Bronze 2014 Epson Pano Competition

McMillen Fine Art Photography  
Park City, Utah

[www.mcmillenfineart.com](http://www.mcmillenfineart.com)

435.575.1270

Park City, UT

"Because Mother Nature is the Best Artist"

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:55 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Kimball Art Center Building events

Sent from my iPad

Begin forwarded message:

**From:** Linda McReynolds <[linda@lindamcreynolds.com](mailto:linda@lindamcreynolds.com)>  
**Date:** March 27, 2017 at 1:15:01 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Kimball Art Center Building events**

Dear City Council:

Please add my voice to those appealing the ability of the new Kimball Art Center development to host large events until midnight at their building.

The commercial core of the Historic District lies in a valley and noise is funneled up the hillsides to our homes. We Old Town residents hear every event, every band, every loudspeaker, every fireworks display, every police siren, every fire engine, every clang as barriers are put up, every microphone, every drunken argument, every thing!

It's bad enough listening to the beep beep of the delivery trucks at 5 am. We are regular people with children and jobs. Please don't force us to accommodate the traffic and late night events of this development. We have a right to a decent quality of life too.

Thank you,

Linda McReynolds  
843 Norfolk Avenue  
PO Box 680723  
Park City, Utah 84068  
435-640-6234 cellular  
[linda@lindamcreynolds.com](mailto:linda@lindamcreynolds.com)

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:55 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Feed back from an Old Town resident

Sent from my iPad

Begin forwarded message:

**From:** Rebekka Hall Monson <[crm@monson.com](mailto:crm@monson.com)>  
**Date:** March 27, 2017 at 5:22:54 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** **Feed back from an Old Town resident**

Hello,

I oppose the planning commission's approval of the CUP for an open air private deck/event center in the Kimball building. Old Town residents are getting fed up. Park City will lose its charm if there are no families living in OT and it is all second homes and nightly rentals. PLEASE think about the residential homes that surround Main Street and other areas in OT when events are scheduled.

I have asked this before and I ask it again: Would you want this in your back yard or across the street from your home?

Thank you,

--

Rebekka Hall Monson

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:51 AM  
**To:** Anya Grahn; Polly Samuels McLean  
**Subject:** Fwd: Kimball Garage Party Deck

Sent from my iPad

Begin forwarded message:

**From:** Nathan Hult <[nathanhult@gmail.com](mailto:nathanhult@gmail.com)>  
**Date:** March 29, 2017 at 10:30:27 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>, Chris Hult <[cnhult@comcast.net](mailto:cnhult@comcast.net)>  
**Subject:** **Kimball Garage Party Deck**

Dear Council Members:

We have learned, with considerable dismay, about the Planning Commission's approval of an open party deck on the roof of the old Kimball Garage. We are told it will have a capacity of up to 480 people and music will be permitted any night of the week to 10 pm. We assume this is amplified music as well as microphone amplification for DJs, masters of ceremony, etc. and the parties themselves may continue to midnight.

What a horrible idea. What a tremendous burden to impose on these residents of Old Town that at present have to deal occasionally with loud music and noise from Silly Sunday concerts or other special events on lower Main Street. Fortunately, those presently occur only in early afternoon or very sporadically. It is hard to imagine having to deal with this noise on a regular basis through the summer.

We bought our residence in Old Town 15 years ago aware of how hard Park City has worked over the years to preserve its character. Its character is not only in the look of the place, but having it as a pleasant place to be, to spend a summer evening with windows open or out on our balcony or patio, without having our peace invaded so blatantly by a business making a bundle of cash at our expense.

We were unaware of this proposal when it came before the Planning Commission. If we had known about it, they would have heard from us loud and clear, and hopefully could have avoided this foolish error on their part. Please set things right. Overturn the granting of this ill-advised CUP.

Thanks, Nathan and Christine Hult, 906 Lowell Ave. Park City



Stephen J. Neff

513 Main Street  
Park City, UT 84060

March 30, 2017

Anya Grahn and City Council  
Park City, Utah

Dear Anya and City Council,

I've been a property owner on Main Street since 1973 and have lived through the ups and downs of our community. We constantly seek opportunities to improve Old Town, and I strongly feel the proposed Kimball Event space will be an excellent asset to our community. The void left from the departure of The Kimball Arts Center has been significant, please don't make that mistake again with this new proposed space. We've all enjoyed events at the Kimball over the years with little impact on traffic and noise, it's been the go-to gathering place for Old Town since the War Memorial building was converted to a bar. We need a local space for events, and the corner of Main and Heber seems to be the most logical place for this.

This new event space is simply replacing the old space. The impact on traffic will be minimal, as shuttles and taxi services would be the logical way for access. The noise impact of an elegant event space would be sporadic and is a lot better than a bar operating every day and night. Let's face it, if you choose to live in Old Town you must accept the fact that it's a vibrant exciting small town.

Do the right thing and approve this space so we can once again all enjoy the opportunity of having a local place to gather for fundraisers, weddings and small events.

Sincerely yours,

Stephen J. Neff

Tuesday, March 28, 2017

To: Park City Council Members

From: Jill Lesh  
327 Woodside Ave.  
Park City, UT 84060

Re: Appeal of Planning Commission's decision approving conditional use permit for the proposed Private Event Facility at 638 Park Ave.

Dear Council Members,

I am concerned about the **noise** that will be generated from rooftop events at the Kimball Garage Building and the **negative impact** this will have on the quality of life in residential neighborhoods of Old Town. As a permanent resident at 325 Woodside Ave., I know that outdoor speaker music from lower Main Street is quite discernible at my house. Music at occasional public events that benefit all residents & visitors is expected and appreciated, but this is for unlimited private commercial use.

If noise from rooftop events becomes a frequent detriment to the quality of life in Old Town residential neighborhoods, the longterm impact will be negative & significant. Permanent residents will no longer find the neighborhoods desirable. The number of owner-occupied residences will shrink, and the number of nightly-rentals will increase. This is not the scenario that the City nor we residents want to see.

Please reverse the Conditional Use Permit decision. The Private Event Management Company should not have a pre-approved, unlimited event Use Permit. Minimally, the Company should obtain individual Administrative Permits for each rooftop occasion. The number of events should be limited and subject to the oversight that the City normally has over such events and their impacts on the City and residents.

Sincerely,  
Jill Lesh

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 5:57 PM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Letters to the Editor, Dec. 10-13, 2016 | ParkRecord.com

Sent from my iPad

Begin forwarded message:

**From:** Mellie Owen <[mellieowen@gmail.com](mailto:mellieowen@gmail.com)>  
**Date:** March 29, 2017 at 12:40:41 PM MDT  
**To:** <[Council\\_Mail@parkcity.org](mailto:Council_Mail@parkcity.org)>  
**Cc:** Hope Melville <[hopemelville@outlook.com](mailto:hopedmelville@outlook.com)>, Anya Grahn <[anyagrahn@gmail.com](mailto:anyagrahn@gmail.com)>  
**Subject:** Letters to the Editor, Dec. 10-13, 2016 | [ParkRecord.com](http://www.parkrecord.com)

Mayor and Council members,

I sent this letter to the Planning Commission in December and was unfortunately surprised to learn the CUP was approved.

Tomorrow is your turn to address this request. My thoughts remain the same as stated below. Please consider the residents of Park City when you make your decision. Residents whom make this town authentic. Residents that continue to endure traffic, too many events in the Main Street area, noise pollution and too much commercial building. Big business or Park City residents well being. The choice is yours....

Please let me know if you have any questions.

Mellie Owen  
1030 Norfolk Avenue

<http://www.parkrecord.com/opinion/letters/letters-to-the-editor-dec-10-13-2016/>

## Letters to the Editor, Dec. 10-13, 2016

### Submissions from Park Record Readers

December 9, 2016 |

### Residents need to keep an eye on new Main Street project

In just a few days a ruling from the Planning Commission could drastically change the character and culture of our town. One of the great things about living in Park City is that people get involved in the decisions that affect our community. Because I am not able to be there in person for the meeting at 5:30 p.m. on Wednesday, Dec. 14 at the City Council Chambers, I want to voice my deep concerns and strong objections to the following proposal.

Up for consideration is a Conditional Use Permit application for a Private Event Facility at the historic Kimball garage (formerly the Kimball Art Center building) at 638 Park Avenue. The applicant is proposing to rehabilitate the existing historic building for Retail and other Commercial uses and ADD a new addition to the east, adjacent to Main Street. The upper level of the addition, approximately 3,785 square feet, will be reserved for a rooftop Private Event Facility for parties and events of up to 480 people.

I believe this Private Event Facility as submitted would significantly impact Park City. This proposal has the potential to add traffic, parking problems and serious issues around noise. The location of this property borders on a densely populated residential area which already bears a great deal of the burden that arise as Park City continues to grow.

Not only would this approval disrupt Old Town and Main Street but it could also encroach on other non-profits events in that area that have been a part of our community for a long time. There is also the potential for event fatigue as well as additional manpower requirements of our police force in order to address potential noise code violations which would likely result with an event space for 480 people and the opportunity for live music nightly until 10 p.m..

Old Town residents are already working hard to understand the proposed Treasure Hill project and this new Conditional Use Permit application should be rejected or revised to address the impact in this historic neighborhood area. I urge everyone to learn more about this issue and attend the meeting to voice your concerns.

**Mellie Owen**  
ParkCity

\* \* \*

## **Anya Grahn**

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**From:** Ed <edp.edco@gmail.com>  
**Sent:** Thursday, March 30, 2017 4:52 AM  
**To:** Council\_Mail  
**Cc:** Anya Grahn  
**Subject:** Please REJECT the Kimball Event Deck

Honorable Mayor and City Councilors,

I ask that you REJECT the Planning Commission approval of the CUP for the Open-Air Event Deck on top of the Kimball Garage. I think approval of this deck will permanently and negatively affect our local homeowners' quality of life. In addition, it will invite the owners of the nearby Town Lift Plaza, and others, to seek the same rights...and there is nothing to stop them as the precedent will have been set. In effect you are probably approving at least 2 open-air party decks by denying this appeal.

Bear in mind that these developers have no vested rights for this deck. They can only build and operate it if it conforms with all the codes involved...and it doesn't. This CUP fails to abide by the code in many ways that have not been mitigated thru the approval process, as outlined in the appeal...and each failure is grounds for you to uphold the appeal and send the project back to the developers for further change, refinement, and/or limitations:

- 1) NOISE- The noise level set in the CUP, per city ordinance, is 65db. This is the acknowledged level of normal conversation, not the level of almost 500 alcohol-fueled people, at a party, talking over the music and each other. There is no way the operators can conform to that level. If there is a way, that needs to be empirically proven by the operators beforehand, not left as an experiment to be determined after the fact, when enforcement and remedies will be extremely difficult to enact. The government should pro-actively protect its' citizens, not put them in the awkward position of fighting against the very town they love.
- 2) TRAFFIC/PARKING- There is minimal, if any, mitigation of traffic and parking impacts in the CUP approval. If the stated goal of PC is to reduce the cars traveling into Old Town, for both traffic and environmental reasons, how can we approve something that will attract hundreds of cars per event? Maybe every night of any given week in the summer, maybe even 2 events in one day...the CUP applies no limits other than closing times. Do we think these attendees, coming from who knows where, will want to take the bus in their party clothes? I think that answer is a resounding NO...they will drive their cars, drink alcohol, make a bunch of noise on their way out, and drive intoxicated thru our streets on their way home.
- 3) HISTORICAL- There is a reason we have a Historic Board. That Board has not approved the alterations planned for the Kimball Bldg, and are a part of the CUP appeal for those stated reasons.

At the very least, postpone your decision until we can get some definitive noise and traffic studies done. I have not read in any document where this was presented in a way that it could be determined what exactly we are dealing with here. Perhaps spend a few \$\$ to hire a firm that both sides will recognize, and direct the developers to do the same. The small expenditure is well worth it vs. the enormity and permanence if the CUP approval is upheld.

Just because the developers have made this deck a vital part of their business plan does not mean that the Council or Planning Commission should feel obligated to approve it. On the contrary, because it is such a vital

part of their business plan means they plan to use it extensively...all the more reason to study the impact in more detail.

Generally we rely on our gov't to do and allow things that make it's residents happy, to make their living experience better, not worse. Please consider locals' rights to a peaceful existence, as stated in our bldg. codes and the Council's own priorities...there is too much at stake for a hasty decision.

Thanks for all you do, Ed Parigian, Old Town resident 11 yrs

## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 1:05 PM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: Rooftop at Kimball

Sent from my iPad

Begin forwarded message:

**From:** Kyra <[kyra1017@aol.com](mailto:kyra1017@aol.com)>  
**Date:** March 24, 2017 at 10:14:55 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** Rooftop at Kimball

What part of a rooftop bar that faces Old Town, instead of facing Main Street is historical.

What is this town becoming....LA party scene????

Most homes in Old Town do not have air conditioning, that means we keep our windows open all night.....this is not right and will only open Pandora's box to everyone wanting one, and then the homes will want them.

PLEASE DO NOT DO THIS TO OUR TOWN...ENOUGH IS ENOUGH....the patio venue on the corner will be enough to attract small group functions and would provide a bit of a buffer.

The sounds carry like an amphitheater from Main Street.



PLEASE PEOPLE LIVE IN  
OLD TOWN...we thought you  
wanted more full time residents  
in Old Town as opposed to  
renters...this will certainly  
discourage full time residents.  
please care about our town....

Kyra Parkhurst  
1058 Empire Ave

## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:55 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: CUP for Kimball Garage rooftop event space

Sent from my iPad

Begin forwarded message:

**From:** Ellen Rosenberg <[ellen.rosenberg@me.com](mailto:ellen.rosenberg@me.com)>  
**Date:** March 28, 2017 at 9:41:31 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** CUP for Kimball Garage rooftop event space

Esteemed Park City City Council Members,

Our family has owned a home at 633 Park Avenue in Old Town since 2009. We love it. Yes, there is noise from the cars, revelers, and that underground club at Main and Heber. But we understand it's a vacation area and all that existed when we acquired our home. We also live in Manhattan Beach, California which is a similarly densely populated beach town with small lots and vertical homes. Basically Park City at the Beach. I'm also in my second term on the Manhattan Beach Unified School District Board of Trustees so I understand the role of an elected official and constituents with opinions. This is why until now I've stood down when I receive notices about the projects and variances accompanying those projects in our neighborhood. However, the rooftop event space is a lot to process. I think it is more than the neighborhood can tolerate on top of the existing noise environment of active Old Town. I hope the Council and Planning Commission will think carefully about this request and consider the the negative environment it will create for the neighborhood. I hope a reasonable compromise can be reached.

Thank you for your consideration.  
Ellen Rosenberg, homeowner  
310-721-3785  
633 Park Avenue, Park City

## **Anya Grahn**

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**From:** Becca Gerber  
**Sent:** Wednesday, March 29, 2017 1:24 PM  
**To:** Anya Grahn  
**Subject:** FW: Kimball Garage/Event Center Deck

Here you go!

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**From:** Becca Gerber  
**Sent:** Tuesday, March 21, 2017 2:40 PM  
**To:** James Tedford  
**Subject:** RE: Kimball Garage/Event Center Deck

Thank you for your email James. I will take your concerns to heart during our discussion.

Best,

Becca Gerber

---

**From:** James Tedford [weskipc@gmail.com]  
**Sent:** Monday, March 20, 2017 9:17 PM  
**To:** Council\_Mail  
**Subject:** Kimball Garage/Event Center Deck

Dear Council,

I would like to express my concerns about the approval of an Event Center CUP for the Kimball Garage Deck.

1. The deck should never have been approved in the first place. One of the barrel vaults in the roof is being removed to build the deck. The HDDG clearly states in D.d1 that the "original roof form must be maintained". This is not gray language. It is black and white. There is no room for a compromise. It doesn't matter if the roof can be seen or not ( the roof can clearly be seen from the street).
2. The loud music that will come from the deck is not compatible with the adjoining residential neighborhood.
3. Who is going to enforce the "no music after 10pm rule"?

It is disappointing that the Planning Department and the Board of Adjustment chose to disregard the very clear language in the HDDG that prohibits the destruction of one of the barrel vaults. I am glad I do not live anywhere near the Event Center since it could be constant very loud noise. The nearby residences deserve to have a quiet neighborhood. This approval would set a terrible precedent. Please do not approve this CUP.

Thank you,  
James Tedford  
1961 Mahre Dr., Park City

## Anya Grahn

---

**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 5:52 PM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: CUP for Kimball Garage rooftop event space  
**Attachments:** image003.png

Sent from my iPad

Begin forwarded message:

**From:** Danny Temkin <[danny@temkininternational.com](mailto:danny@temkininternational.com)>  
**Date:** March 29, 2017 at 3:44:02 PM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** CUP for Kimball Garage rooftop event space

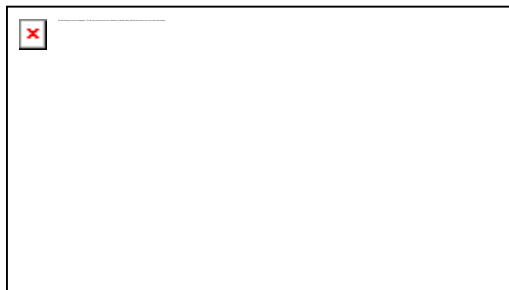
Dear Park City City Council Members,

We own a home at 631 Park Avenue in Old Town and have for many years. We love Park City and the great feeling of just being there. We are concerned about the rooftop event space right across the street from our home. We know that some noise is to be expected with our location but feel that this outside event space is just too much.

We are absolutely opposed to the rooftop event space. Please consider the impact on our local neighborhood.

Thank you for your consideration.

Danny Temkin  
631 Park Ave.  
Park City, UT  
801-319-0834



## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:53 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: Opposed to outdoor event space above Kimball

Sent from my iPad

Begin forwarded message:

**From:** Jule Thomas <[jtwerks@yahoo.com](mailto:jtwerks@yahoo.com)>  
**Date:** March 28, 2017 at 7:42:18 PM MDT  
**To:** "[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)" <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject: Opposed to outdoor event space above Kimball**  
**Reply-To:** Jule Thomas <[jtwerks@yahoo.com](mailto:jtwerks@yahoo.com)>

Dear Council Member,

I wanted to voice my objection to the proposed outdoor event space above Kimball. A Park Record article of 3/28 stated that "Park City staffers support" the proposed event space. It refers to Anya Grahn as the Planner who drafted the report. I don't know where Anya lives, but I know that many property owners in the area of Kimball do not support the outdoor event space.

As a homeowner of homes in Old Town and Snyderville Basin, I believe our government representatives should heed and protect the interests of Park City stakeholders and property owners. I'm asking you to stand and protect the quality of life of Park City property owners and our visiting tourists, and to protect the valued charm of Old Town. Outdoor party places that are allowed to host hundreds of people nightly do not equate to anything relating to charm.

The City turned down Kimball Art Center's redesign and by doing so caused Old Town to lose a valued cultural anchor for the area. The City has approved a permit for an outdoor party space that can host hundreds of people nightly and will create nothing less than outdoor noise pollution for surrounding residences. Where is the good thinking in either of these choices?

I applaud the residents who have filed the appeal, and hope that you, as a Council Member, correct a poor choice on the City's behalf and refuse the permit.

With Regards,

Julie Thomas

## **Anya Grahn**

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**From:** Jeff Trocin <Jeff.Trocin@RaymondJames.com>  
**Sent:** Thursday, March 30, 2017 8:18 AM  
**To:** Council\_Mail; Anya Grahn  
**Subject:** Kimball Garage rooftop event space

Members of the Park City Planning Department,

I am writing you in regards to the upcoming public hearing for the appeal of the Planning Commission's approval of the Kimball Garage rooftop event space. I am Jeff Trocin, my wife and I own a property in the Caledonian building at 751 Main Street. Our condominium in the Caledonian is our second home ( we do not rent it out as an income property ) and we are in Park City on a regular basis.

We are concerned with the proposed use of the Kimball Garage rooftop event space. The size of this venue combined with the fact that it is an elevated, outdoor, open-air space, makes the potential for noise and other disruption in the neighborhood inevitable. I would point out that while the surrounding area around the Kimball Garage has plenty of commercial activity, it also has a large confluence of residential use. The other entertainment venues in this area are indoors, confined, smaller and/or do not operate late into the evening and if they do -- they don't incorporate loud music or other noise in an elevated, open-air space that will be transmitted for hundreds of yards from the venue.

I do not believe the nature of the commercial and residential uses in Old Town are conducive to this proposed use of the Kimball Garage rooftop. I would encourage the Planning Department to seriously consider rejecting or further restricting the conditional use of this venue in order to protect the rights of nearby residential property owners to enjoy their homes without the noise and disruption that this venue will bring to the neighborhood.

Thank you for your consideration.

Jeff Trocin  
Old Town homeowner  
Caledonian 201

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## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 1:05 PM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: Deck on former Kimball Building

Sent from my iPad

Begin forwarded message:

**From:** Mary Whitesides <[mary@dancindeerdesign.com](mailto:mary@dancindeerdesign.com)>  
**Date:** March 24, 2017 at 9:50:30 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** Deck on former Kimball Building

Dear Council

I live just two blocks up on the hill by the town lift and above the Kimball building that is being renovated. I am unhappy to learn that there will be an open air deck on top of the building to sponsor parties and gatherings with music. Right now I am overwhelmed with noise whenever there is a concert on the lift plaza. The valley located at the foot of the mountains acts like a funnel or a bull horn enhancing the noise. Please consider something else as it will be noise pollution for the residents of old town. As time goes on, more and more development encroaches on the residents. I have lived here 38 years. I am happy that visitors love to come to old town and peruse Main Street. But, I think we need to maintain a sense of balance between loyal tax paying citizens and our visitors venues.

Thank you for considering an alternative.

Mary Whitesides  
812 Crescent Tram



## **Anya Grahn**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:55 AM  
**To:** Polly Samuels McLean; Anya Grahn  
**Subject:** Fwd: the appeal of the Kimball Art Center deck

Sent from my iPad

Begin forwarded message:

**From:** <[wintzermc@aol.com](mailto:wintzermc@aol.com)>  
**Date:** March 28, 2017 at 10:00:35 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** the appeal of the Kimball Art Center deck

Dear Mayor and Council...

We are writing to support the appeal by Sandy Melville and John Stafsholt regarding the Kimball Garage.

Forget the HEART of Old Town ...if this active roof deck is allowed to go forth.... the SOUL of Old Town will have been sacrificed for the sake of a new Disneyland Park City.

Say goodbye to "Keep Park City, Park City" and any authenticity of our Historic Main Street.

This last year the City has had to listen to numerous festival fatigue discussions ranging from reduction of events , to modifying the Silly Market , the Brew Pub plaza and Sundance Festival.

There is a difference between listening and actually hearing. No one is talking about more mitigation of traffic, better signage or any other event planning tools.

Residents both in Old Town and beyond are talking about the crush of too much activity and energy at the expense of our daily lives. It is the enjoyment of peace and quiet in the neighborhoods.

For example, in January, the very day the post office alley and lower Main were closed to accommodate the mobile theater and other festival activity.....people were upset about the expansion of Sundance.

It is important to note that this feeling of disgruntlement reverberated though the town 3 days before the snow and the Women's March. The frustration of not being heard clearly enough by the Council so that there would be any expansion of Sundance was the root cause of the angst.....not the weather and not the march.

Now we are at a "critical cliff" with the Kimball Garage. A choice between community and commercialism .

For over a year citizens of Old Town have been speaking about the negative impacts of active rooftop party decks to our neighborhoods.

The Kimball Garage deck will be the "mother of all party decks"...it will be able to impact the greatest number of Old Town residents.

..There will be music in the summer, tents in the winter , lights, action, activity and more activity wafting through the night... invading the space of the residential neighborhoods of Old Town.

This is a critical juncture for Park City.. ...to decide what we believe about the importance of community and neighborhoods and the right of a citizen to peaceful enjoyment of their property.

Please support the Appeal.

We respectfully submit these thoughts for your review.

Kind regards,

Mary & Charlie Wintzer  
320 McHenry Street

## **Anya Grah**

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**From:** Tim Henney  
**Sent:** Wednesday, March 29, 2017 10:52 AM  
**To:** Polly Samuels McLean; Anya Grah  
**Subject:** Fwd: Kimball Garage Deck -

Sent from my iPad

Begin forwarded message:

**From:** <[woodhead\\_d@comcast.net](mailto:woodhead_d@comcast.net)>  
**Date:** March 29, 2017 at 9:46:12 AM MDT  
**To:** <[council\\_mail@parkcity.org](mailto:council_mail@parkcity.org)>  
**Subject:** Kimball Garage Deck -

Hello Council,

As a residence of Woodside Ave. we are asking for your appeal to this bad approval. Anybody that lives in Old Town understands the noise level that moves up and down the streets and back yards, as well as, up the mountain from Main Street!!

We know this because we live here and hear the bands from all main street performances!

Thus, allowing private functions to occur any day of the year is subjecting all of us in Old Town to noise that could continue to be very offensive on a nightly basis. We see that all functions must be shut down by 10 PM, however, what assurances can the Kimball give us that party goers will NOT continue to stay on the deck until well after 10 PM and their voice and laughter carry right up the corridor well into the evening!!

This is not a good policy for Park City residence's and a good policy for non resident's!!

We strongly oppose this approval as it now stands!

Thank you for your consideration!!

Dan & Linda Woodhead  
933 Woodside Ave.