



AGENDA

MEETING CALLED TO ORDER AT 5:00 PM	<i>pg</i>
WORK SESSION – <i>Discussion items only. No action will be taken.</i>	
General Plan – Discussion and review of draft Core Values for ‘Historic Character’	5
ROLL CALL	
ADOPTION OF MINUTES FOR NOVEMBER 7, 2012	13
PUBLIC COMMUNICATIONS – <i>Items not on regular meeting schedule.</i>	
STAFF/BOARD COMMUNICATION & DISCLOSURES	
ACTION ITEMS – <i>Discussion, public hearing, and action as outlined below.</i>	
Annual Historic Preservation Award Program	35
<i>Possible action</i>	
205 Main Street – Appeal of Historic District Design Review	PL-12-01710 37
<i>Quasi-Judicial hearing</i>	
ADJOURN	

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

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

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

WORK SESSION

Historic Preservation Board Staff Report



Subject: General Plan
Author: Katie Cattan, AICP
Date: December 5, 2012
Type of Item: Work Session

Below is the layout for the new General Plan. The elements within the new General Plan will be focused around the specific core values identified during the community visioning. The Core Values are those values identified by the community that must be preserved to maintain the Park City experience. The Core Values include: Small Town, Natural Setting, Sense of Community, and Historic Character.

Layout of the New General Plan

1. Park City Visioning Outcome
2. Park City Demographics
3. Small Town
 - a. Land Use
 - b. Regional Land Use Planning
 - c. Transportation
4. Natural Setting
 - a. Open Space
 - b. Resource Conservation
 - c. Climate adaptation
5. Sense of Community
 - a. Housing
 - b. Parks and Recreation
 - c. Special Events
 - d. Economy
 - e. Community Facility
6. Historic Character
 - a. Historic Preservation
7. The PC Neighborhoods
 - a. 1 – 9
 - b. Implementation Strategies
8. Indicators

During the December 5, 2012 work session, staff will be reviewing the draft Historic Character chapter (Exhibit A) of the new General Plan with the HPB. Staff requests that the HPB review the draft chapter and be prepared to discuss any questions or concerns. Staff will be incorporating the recommendations of the HPB to present to Planning Commission on December 11th, 2012 during a special General Plan work session meeting. The first complete draft of the General Plan will be released on January 31, 2013.

Exhibits

Exhibit A: Historic Character draft

Historic Character (revised 11.30.12)

During the 2009 Community Visioning process, the community identified “*Historic Character*” as one of four core values of Park City, emphasizing the importance of our rich mining history. The goal “Preserve a strong sense of place, character and heritage” was shaped during the 2009 Visioning process. Parkites have a great sense of pride for the *Historic Character* of the City.

Park City was established as a mining camp with the discovery of a large ore claim in 1872, the Ontario Lode. This claim drew miners to the small western town we now call Park City. As more large mining claims during the 1880’s, the area flourished with a thriving commercial district and a dense village mixed with miner’s homes, dormitories, and larger residences for the more prominent residents. Park City was incorporated as a municipality in 1884. In 1898, a devastating fire swept through the city destroying nearly 200 businesses and homes; nevertheless, residents diligently rebuilt, leaving a treasure of historic resources for future generations.

Park City is home to more than 400 historic sites, including two National Register Historic Districts. The Main Street Historic District was listed on the National Register of Historic Places in 1979. The Mining Boom Era Residences Thematic District, comprised of historically significant residential structures built during the mining boom period (1872-1929), was listed in 1984.

The City has taken great measures to protect its more than 400 historic resources through local designation on Park City’s Historic Sites inventory. It is the City’s official list of historic resources deserving of preservation and protection. The inventory is made up of Landmark Sites and Significant Sites.

The City adopted its first Historic District Design Guidelines in 1983 to preserve the *Historic Character* of individual historic resources and the local districts for future generations. With the announcement of a successful Salt Lake City Olympic bid came escalating values and increased development pressure on the historic districts. This required refinements to the Land Management Code and Historic District Guidelines to ensure further the protection of Park City’s *Historic Character* while balancing its livability and the contribution of the historic districts to the economic viability of town. In 2009, the City funded a complete overhaul of the regulating documents for the historic district including an updated Historic Sites Inventory, new design guidelines, and changes to the Land Management Code. These documents are meant to be living documents in which timely updates are encouraged. The goal was to maintain the integrity of the historic resources and allow for economic development that complements its *Historic Character*.

Protecting the rich history of place while allowing continued reinvestment into the districts is a balancing act; one that is an ongoing challenge for residents and City leaders. During the 2009 Community Visioning process, participants were asked to place photos under specific categories. Photos of historic structures were placed under the categories “most treasured”, “most illustrative”, and “most at risk”. Under the category “eyesore” were photos of incompatible development within the historic district and incomplete construction projects. The community visioning document summarized well the ongoing conflict between historic and new infill:

“The implication for the planning process and for public institutions addressing the issue of the town is to find the right balance between retaining the qualities that make the

town unique and permitting those activities that leverage Park City's uniqueness economically."

Goal 14 Preserve the integrity, scale, and historic fabric of the locally designated historic resources and districts for future generations. (Revised 11.30.12)

With building styles reflective of a time and place in American history, it is imperative that the cultural resources within the Park City locally designated historic districts be protected for future generations to experience. While the uses within these districts may evolve over time, the built environment of the local historic districts should stay true to its architectural roots, maintaining the mass, scale and historic fabric of the mining boom era (1872-1929). As a highly desirable place to own residential and commercial real estate, pressures to expand the small commercial properties and mining residences are tremendous. These pressures must be balanced with accepted preservation practices to maintain the integrity of Park City's historic resources.

Principles

- Maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.
- Maintain context and scale of local historic districts with compatible infill development.
- Increase local knowledge of historic preservation including historic preservation principles and accepted standards.

Action Strategies

- Increase the City's documentation of historic sites by conducting Intensive Level Surveys of all historic sites included in the Park City Historic Sites Inventory.

- Biennial review of the Park City's Historic Sites Inventory and update as necessary.
- Create a voluntary mechanism by which property owners of historic resources may request City staff for analysis identify steps that could be taken to improve the historic integrity of a site listed on the Park City Historic Sites Inventory.
- Review annually the Land Management Code (LMC) and Park City's Design Guidelines for Historic Districts and Historic Sites in order to maintain regulatory consistency.
- Expand the Park City Historic Sites Inventory to include historic resources that were built during the onset of the ski industry in Park City in an effort to preserve the unique built structures representative of this era.
- Encourage pedestrian-oriented development to minimize the visual impacts of automobiles and parking on Historic Buildings and Streetscapes.
- Periodically review newly constructed infill projects for suitability and compatibility of infill development within the Districts. Identify issues that threaten the aesthetic experience of the district and refine the Design Guidelines and/or LMC based on findings. The aesthetic experience should be measured from the pedestrian experience at street frontage. The influence of site design and architecture should be analyzed in the review.
- Continue to update review criteria for development on steep slope to prevent incompatible mass and scale within the historic districts based on findings of periodic reviews.

Organizational Strategies

- Identify an ongoing funding source to maintain the historic matching grant program through continued funding.
- Implement a historic district public outreach program to promote available incentives (local, state, and federal) for owners of historic resources.

- Conduct annual training related to historic preservation and design regulations for staff, boards, design professionals, commissions, and the public.
- Create a self-guided walking tour of Landmark Structures within the local historic districts.
- Restrict parking passes within the historic districts to limit the amount of on-street parking. Consider incentivizing parking in public parking garages for full-time residents occupying historic structures with no on-site parking.
- Require Park City Municipal Corporation to adopt a standard to consider adaptive reuse of historic resources prior to acquisition of new construction within the City.

Integrity can be defined as “the authenticity of a property’s historic identity evidenced by the survival of physical characteristics that existed during the property’s historic period.”

National Parks Service

Goal 15 Maintain Main Street as the heart of the City for cultural tourism for visitors and residents alike. (revised 11.30.12)

Historic Main Street is the pride of Park City representing a rich history tied to the early 1900's mining influence. The City has taken a series of proactive historic preservation measures and strategies to capitalize on its cultural tourism. Over the past two decades, the economic success of the street combined with shop owners' desire to upgrade structures, has created unintended consequences of jeopardizing the integrity of Main Street's historic resources. Park City should implement incentives in concert with regulations to maintain and enhance the integrity of the Main Street National Register District and maintain its cultural tourism appeal.

Another important role for Main Street is to maintain a presence by local residents. Although Main Street has evolved into an arts, culture, and entertainment district supported by the tourism industry, there are still businesses and services attractive to local Parkites. Local destinations such as the US Post Office, City Hall, the Egyptian Theatre, the Kimball Arts Center and a handful of coffee/sandwich shops are local haunts. The restaurants along Main Street do a great job of attracting locals during the tourist off-season with special marketing. If Main Street is to remain the heart of Park City, it is important that public facilities and local-oriented businesses remain in the Main Street historic district. This is important to maintain the local pride in the District, continue reinvestment in the historic resources, as well as to enhance the long term economic viability of the area. Where the locals go, the tourists will follow.

Objectives

- Improve the integrity of the historic resources within the Main Street National Register Historic District to exemplify historic preservation efforts in a highly visible cultural tourism center.
- Maintain uses within Main Street that appeal to locals.

Action Strategies

- Support "adaptive re-use" of buildings along Main Street through incentives to property owners and businesses.
- Limit uses within the first story of building along the frontage of the commercial district that engage visitors and are inviting to the passing pedestrian.

Organizational Strategies

- Maintain and enhance the long term viability of the Historic District as a destination for residents and tourists by providing necessary public facilities, businesses with a diverse mixture of goods and services, comfortable public access, opportunities to linger, activated gathering areas, and cultural tourism attractions.
- Support new services, attractions, and businesses along Main Street attract locals.
- Identify funding options to mitigate intrusions within the Main Street Historic District. Intrusions are components that do not contribute to the district's significance and because of their scale, size, design, and location they impact the integrity of the district as a whole.

ADOPTION OF MINUTES OF NOVEMBER 7, 2012

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF NOVEMBER 7, 2012

BOARD MEMBERS IN ATTENDANCE: Dave McFawn, Puggy Holmgren, Marian Crosby, John Kenworthy, Katherine Matsumoto-Gray, Judy McKie, David White.

EX OFFICIO: Thomas Eddington, Matt Evans, Kirsten Whetstone, Polly Samuels McLean, Patricia Abdullah

ROLL CALL

Chair McFawn called the meeting to order at 5:06 p.m. and noted that all Board Members were present.

Chair McFawn suggested that the Board rearrange the agenda and move the work session discussion to the end of the meeting, since there was only one item under the Regular Meeting agenda that involved an applicant and the public. The Board concurred.

REGULAR MEETING

1. 101 Prospect Street - Grant

Due to a conflict on this project, David White recused himself and left the room.

Planner Matt Evans reviewed the grant application for an accessory structure at 101 Prospect Avenue. Both the main dwelling and the accessory structure are Landmark Sites designated on the Historic Sites Inventory. The applicant recently received approval for Historic District Design Review to replace the foundation under the existing accessory structure, which is a traditional carriage house/garage.

As shown in the photos provided in the packet, the foundation of the existing garage is failing. The applicant proposed a solution to build the foundation as a solid cement foundation, which would create a basement under the existing garage. Planner Evans pointed out how the garage hangs off the downhill side of Prospect Street. The proposal is to rebuild a solid foundation and replace the existing pole structures with board form cement. Board form was typically common in the era the structure was constructed.

Planner Evans noted that the Planning Commission was provided with a copy of the grant breakdown that was submitted by the applicant. The Staff also provided a list of eligible amounts that the applicant could apply for, which included the outside prep and garage door and hardware. The total estimated cost to construction the foundation underneath the garage was \$51,857. The Staff determined that the cost of the eligible work was \$36,105. The ineligible costs would be items associated with making the new basement space habitable space, such as windows, electrical conduit, and other items to finish the interior. The only items that could be considered under the grant are things that reinforce the historic structure.

Under the grant program, that City would match a portion of the eligible cost. The Staff recommended that that the HPB review the grant request and consider awarding

\$18,052.50 to do the work necessary to stabilize the existing historic accessory structure.

Planner Evans noted that approximately \$24,000 remained in the CIP Account allocated for historic incentive grants. Therefore, the necessary funds would be available for this grant request.

Board Member Holmgren asked if the HPB had access to the CIP Fund. Chair McFawn replied that they would have access because the CIP is more of a general fund for all of the RDAs. Chair McFawn pointed out that the HPB has made several requests to have the funds replenished. He noted that with the last grant request, the Board did not award the full amount that was recommended because they wanted the ability to extend the same opportunity to future applicants. Director Eddington explained that this was the reason why they were using CIP money. Chair McFawn remarked that if they award the full recommended amount, it would only leave \$6,000 in the CIP Fund.

Director Eddington believed there was a potential opportunity in the near future to submit a request to the City Council for additional funds. He was unsure of specific amounts or a timeline and he could not guarantee that it could be accomplished.

Board Member Holmgren was concerned about depleting the fund. Chair McFawn understood that the applicant was trying to preserve this landmark structure, but he had a difficult time piecing together some items such as the foundation work versus things such as garage door installations, heating fixtures, and portable toilets and electrical work. Chair McFawn asked if more foundation work was being proposed than what was necessary to keep the accessory building a Landmark Structure.

Planner Evans stated that the Design Guidelines allow the structure to be raised by two feet but it cannot be moved. The applicant did not want to raise the structure because it is accessible from the street. Planner Evans referred to the steep hillside shown in the photos. In order to obtain the lift to keep the building at its current elevation and a functioning garage, a full foundation would be necessary.

Board Member McKie asked if the structure would be used for a garage or as a guest house. Planner Evans stated that currently the structure is used as a garage and that use would continue. The basement area would function as storage and it would not be habitable space.

Chair McFawn asked about the condition of the roof. Planner Evans replied that the roof is corrugated metal, which is the same material as the siding. The applicant is proposing to replace the roof because it is in disrepair and rusted out. Board Member Holmgren pointed out that in the past grants have been given for roofs, but typically for unusual situations. Roofs are like painting and most are considered maintenance and do not receive grant money. Board Member Matsumoto-Gray recalled that the last roof they funded was based on the fact that it was a Landmark Structure.

Board Member Matsumoto-Gray liked the project and the attention to the accessory structure. It was a nice proposal. However, it is a difficult situation because they were

running low on funds and future money is unpredictable. Board Member Matsumoto-Gray supported granting the proposed amount.

Chair McFawn opened the public hearing. There were no comments. Chair McFawn closed the public hearing.

Assistant City Attorney McLean suggested that Director Eddington speak to the aspects of painting. He thought the Board could apply it to roofs since they both fall into a similar category. Director Eddington explained that painting is left to the discretion of the Board based on certain criteria. The gist of the criteria is whether painting is necessary to protect the structure as a Significant or Landmark Structure and protect its integrity. Patricia Abdullah read the criteria for painting and roofing.

Chair McFawn asked if the garage would be used for off-street parking. Planner Evans stated that the structure has traditionally been used as a garage and he believed the applicant intended to continue with that use. However, in its current condition, the applicant was not able to park in the structure.

Board Member Holmgren asked if the garage door and the hardware were included in the grant request. She was told that it was listed in the breakdown. Board Member Holmgren thought \$2455 for a door and hardware was a significant cost. Board Member Matsumoto Gray noted that it was also a large part of the front face of the building.

Planner Evans stated that when the Design Review Team reviewed the request, they directed the applicant to keep the same material on the garage door when the door was replaced. The applicant proposes to reface the door with corrugated metal to match the building as it currently exists. Board Member McKie asked if the actual door would be replaced or if the existing door would just be refaced. Planner Evans stated that the actual wood door needs to be replaced. Chair McFawn wanted to know if replacing the door would affect the Landmark status. Planner Evans replied that it would still qualify as a Landmark structure. Director Eddington explained that the garage door was being replaced with like materials to match the building.

Board Member Kenworthy thought the project qualified for their support, but he was concerned about depleting the funds for future qualified projects. Board Member Kenworthy understood that in the past the HPB had compromised with applicants, and that was his struggle.

Board Member McKie thought a \$50,000 garage seems pricey, but the money would be spent at some point. They could sit and wait for the fund to be replenished, but that may never happen.

Board Member Crosby asked if the roof was in question in terms of qualifying for grant money. Chair McFawn stated that his interpretation based on comments from Director Eddington and Patricia Abdullah, was that the roof would qualify. Board Member Matsumoto agreed that it could be eligible; however, the HPB had the discretion to make that decision.

Chair McFawn pointed out that the Board also had the discretion to fund a portion of the requested costs and not necessarily the full amount recommended by Staff.

Board Member Matsumoto-Gray liked how it was one complete structure with the design being characteristic of historic accessory buildings. Board Member Holmgren liked the project and the fact that it is very visible. The goal of the HPB is to help people out with these projects and she would support it.

Chair McFawn suggested that reducing the available amount might spur the City into taking action to replenish the funds. Board Member Crosby clarified that if this grant request was approved, they would still have \$6,000 available for smaller requests.

Board Member Holmgren thought it was a worthwhile project and that the HPB should back their preservation intentions by supporting this grant.

MOTION: Board Member Holmgren moved to offer the grant in the amount of \$18,052.50. Board Member Matsumoto-Gray seconded the motion.

VOTE: The motion passed 6-0. Board Member White was recused.

MINUTES – August 15, 2012

MOTION: Board Member Holmgren made a motion to APPROVE the minutes of August 15, 2012. Board Member White seconded the motion.

VOTE: The motion passed 7-0.

PUBLIC COMMUNICATIONS

Jim Tedford, a resident at Sun Peak, recalled a statement in the newspaper a while ago regarding the 205 Main Street project and that it may come before the HPB. He asked about process and how they decide which project is reviewed by which body.

Director Eddington explained that the project at 205 Main Street has been submitted to the City for review. It is currently in Historic District Design Review, which is a Staff review, and that decision may be appealed. If there is an appeal it would come back before the Historic Preservation Board.

Chair McFawn noted that the Staff report had a flow chart of process and how applications are reviewed and noticed for public feedback. The decision of the HDDR is noticed and the public or the applicant has the opportunity to appeal that discussion. If a decision is appealed it goes before the HPB as a quasi-judicial body and they weigh the pros, cons, benefits, and all the facts to make a decision as to whether or not to uphold the appeal. Chair McFawn noted that the City was in the process of changing the process for the next step if the HPB's decision is appealed.

Mr. Tedford asked if anyone could appeal a decision and if there was a time frame. Director Eddington stated that the time frame to appeal is ten days from the date of

noticing. He noted that the City did receive an appeal on 205 Main Street within that time frame. Chair McFawn outlined the number of places where an application is noticed and noted that during the appeal public input is welcomed. Chair McFawn suggested that Mr. Tedford visit the City website and sign up for electronic communication.

Mr. Tedford asked about the projected schedule for 205 Main Street. Director Eddington did not expect anything to happen with that project until January.

STAFF/BOARD MEMBER COMMUNICATIONS AND DISCLOSURES

Director Eddington thanked the Board members who attended the open house. He introduced Anya Grahn, the new Historic Preservation Planner, to those who had not met her at the open house. Director Eddington stated that Planner Grahn's primary focus would be to work with the HPB and to work on Historic District Design Reviews and other historic projects. She would also be involved in other planning projects. Planner Grahn would be working on updating the Historic Sites Inventory and the Historic District design guidelines.

Planner Whetstone noted that the Staff had discovered preservation easements on historic properties that were tucked away in a binder and those would be reviewed on an annual basis. Planner Grahn would also help with that project.

Patricia Abdullah reviewed an updated list of historic projects that was provided to the Board members.

WORK SESSION

Land Management Code

Planner Whetstone reported that the City updates the Land Management Code on an annual basis. The HPB was given a set of amendments that pertained primarily to historic districts. The Planning Commission would review and discuss the amendment at their meeting on November 28th and the Staff wanted to hear feedback from the HPB on items more specific to the Historic District.

Planner Whetstone noted that page 3 of the Staff report outlined the Chapters that would be amended. She suggested that it might be easier to discuss the LMC amendment by topic rather than Chapter. Planner Whetstone reviewed the five topics as outlined in the Staff report.

- 1) Pre-application process and the appeals process. (Chapters 1 and 11)

Planner Whetstone explained the current process, where the Staff approves the application and if that decision is appealed it goes before the HPB. If someone appeals that decision, under the current Code it can then be appealed to the Board of Adjustment and the BOA rules on whether the HPB went through the criteria correctly. An appeal of the Board of Adjustment decision goes to the Courts. Planner Whetstone noted that the current process forces an applicant to go through several appeal processes. The proposed amendment streamlines the process.

Planner Whetstone noted that the first redline on page 5 of the Staff report was under the Pre-application Conference. The language was amended to recommend a pre-application conference rather than require it. Planner Whetstone remarked that requiring things could lead to vesting issues. The Staff would strongly recommend a pre-application conference because it benefits the applicant to come before the design review team for guidance and solutions. The applicant would still need to apply for a Historic District Design Review if the project qualifies for that review.

Board Member White asked if there was a difference between submitting a pre-application and having a pre-application conference. He understood that a pre-application was required to start a project. Planner Whetstone clarified that a pre-application is required currently, but that would change to "strongly recommended" under the proposed amendment. Board Member White did not think it made sense to submit a pre-application and not meet with the Planners. Director Eddington remarked that the amendment would make the pre-application optional. Board Member White personally recommended a pre-application because it is a benefit to the applicant.

Board Member Matsumoto-Gray thought the current process as described sounded necessary. Director Eddington stated that some of it is necessary and the Staff was not recommending taking away from that. The amendment pertained to larger applications. If an applicant wants to forego the benefits of the design review team meeting they would have that option. He thought applicants would be foolish not to take advantage of the free design review team meeting, but they could if they did not want to go through the dual process.

Chair McFawn understood that the City and the Planning Department have heard feedback that the process is cumbersome and some applicants just want to submit an application. Board Member McKie thought the reason for the DRT was to make the process easier for everyone. She questioned why they were making the change.

Assistant City Attorney McLean stated that she recommended the proposed change from a legal standpoint. One could say that because the pre-application conference is required, that they should be vested from the point where they had to submit the first application. In addition, the pre-application conference is not a formal process. Someone could come in with one application and that could get rejected. The proposed amendment would make it clearer and the vesting would start at the beginning of the HDDR where a complete application is required.

Board Member McKie asked if that language could be put into the HDDR application. Ms. McLean answered no. Under the existing language a pre-application is required. Therefore, an applicant could claim in Court that they should be vested back from the point where they were required to do that step. Ms. McLean pointed out that making it a requirement poses a risk to the City.

Board Member Crosby asked if the Staff was recommending that an applicant could have a pre-app conference without filling out an application. She thought that was already part of the process. Director Eddington clarified that currently the applicant is required to complete a short application free of charge and submit it to the Planning

Department. The Planning Department then schedules a pre-application meeting the following Wednesday. Under the proposed amendment it would be recommended that the same process continue. Planner Whetstone noted that even though the process is required, plans are not required. The purpose of the meeting is to discuss a conceptual plan and ideas.

Planner Whetstone stated that the capacity of the HPB is to discuss the amendments and provide a recommendation to the Planning Commission. The Planning Commission would consider the recommendation in their discussion and make a formal recommendation to the City Council. The City Council would approve or deny the amendments.

Board Member Kenworthy recommended removing the requirement for a pre-application and accept the revised language.

Board Member McKie was less worried about the people who come in with small projects. She was more concerned about those who do a lot of work in town who will see it as one less step in the process; yet they will get upset when their plan does not fit the Code. Board Member Matsumoto-Gray thought it would make more work for the Staff if they review a project and have to send it back to the applicant. Director Eddington stated that it is easier when a project comes in as a pre-application because they can discuss and understand the design guidelines. It is better to know the requirements upfront before they design a project that ends up going back and forth between the Staff and applicant.

Board Member Kenworthy understood that the revised language would better protect the City. Director Eddington replied that this was correct because there is no formal vesting. However, he expected less than 5% of applicants would forego the DRT process.

Board Member White stated that in his experience with the process he has always been told when the applicant was vested. He never makes that assumption with any project. However, he understood the legal concerns in terms of risk.

Assistant City Attorney McLean pointed out that the Board did not need to be unanimous in their recommendation. She referred to the first page of Proposal Section and noted that one of the purposes of the HPB is to recognize the Planning Commission and City Council ordinances that may encourage Historic Preservation. This work session was brought to the HPB for input so the Planning Commission could consider their comments when making their recommendation to the City Council.

Board Member Crosby wanted to know what check and balance would assure that the pre-application meeting was recommended by the Planning Department when an applicant comes, if it is no longer a requirement. Director Eddington remarked that the recommendation could be added to the standard design review application. Planner Whetstone agreed that language could be added with a box to check asking if the applicant applied for or attended a design review. The application would be on file and there would be no question.

Planner Whetstone summarized that she would recommend the revised language to the Planning Commission with the suggestion to add language to the standard design review application.

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

Planner Whetstone noted that current language in the Code states that the roof pitch must be between a 7:12 and a 12:12. A green roof or a roof that is not part of a primary roof design, such as a shed roof or a minor roof can be below the required 7:12 pitch. That requirement applies to all of HR1, HR2, HRL and also in the RC zone within two blocks of the Historic District. Planner Whetstone pointed out that the LMC also allows height exceptions for specific items.

Based on comments from Dina Blaes, the current language conflicts with the Design Guidelines because some designs on major roofs in the Historic District are appropriate and the 7:12 pitch would cause compatibility issues with the surrounding historic character. Planner Whetstone remarked that the roof pitch exception would allow the Staff to be more flexible during the design review process, but staying within the design guidelines for roof forms.

Planner Whetstone read the proposed language from page 6 in the Staff report.

Chair McFawn felt the language, “compatible with sites in the area” was ambiguous and he asked for clarification. Planner Whetstone replied that the notification area is 100 feet and a streetscape is typically three structures away. She cautioned against narrowing the area to be within 300 feet.

Director Eddington gave examples to demonstrate that it would need to be based on qualitative common sense. He understood that it is not always popular and some of it is a gray area, but that would be the best approach.

Board Member Matsumoto-Gray supported the proposed amendment regarding roof pitch. There was no opposition from the remaining Board members.

3. Clarification for permitting relocation and reorientation of historic structures and well as disassembly and reassembly (Chapter 11).

The proposed amendment was outlined on page 7 of the Staff report. Planner Whetstone noted that the language on the bottom of page 7, assembly and reassembly, was existing language and was redlined in error. The new proposed language in 15-11-14 was on page 8, and was simply the footnote in subsection (4) and the language of the footnote.

Planner Whetstone reviewed the criteria for the relocation and reorientation on page 7 and noted that criteria 1, “A portion of the Historic Building(s) and/or Structures(s) encroaches on an adjacent Property and an easement cannot be secured” was being removed. Criteria 2, 3 and 4 would remain. The footnote under the criteria was also added, as redlined on page 7 of the Staff report. The footnote says that the Historic

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

Planner Whetstone noted that the intent of this section is to preserve the historic and architectural resources; and primarily preserve them where they exist if possible. Chair McFawn asked if any of the conditions would be changed. Planner Whetstone answered no.

Director Eddington corrected the redlined language to accurately state that the HPB shall make this determination if the HPB is hearing the application on appeal, since that is their formal role. That revision was consistent with the footnote language on page 8.

Board Member Holmgren questioned the reason for eliminating Criteria 1. Assistant City Attorney McLean explained that the recommendation came about in part because that particular exception can be manipulated. She used the example of the Claimjumper as a property that encroaches over the property line. The City would not allow the Claimjumper to move just because the adjacent property owner would not give them an encroachment agreement. If someone has a situation where a neighboring historic house encroaches onto someone's property and the owner refuses to give an encroachment agreement, the issue would need to be settled in District Court. Ms. McLean remarked that the City preferred to address the issue as opposed to creating manipulated situations.

Board Member Matsumoto-Gray understood that the unique conditions determination would still be in place for the HPB to consider if an issue could not be resolved.

The Board was comfortable with the proposed changes.

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

Planner Whetstone stated that there are situations where MPDs are allowed in the Historic District. A typical master planned development for more large scale projects requires 60% open space and looks at architecture, affordable housing, etc. In the Historic District, requiring 60% open space on an infill or urban site would not result in compatible development. The language states that redeveloping projects or infilling and doing a master planned development in the Historic District, the minimum open space requirements is 30%. Language further states that for applications proposing the redevelopment of existing developments or infill sites, the Planning Commission can reduce the required open space to 25%.

Planner Whetstone noted that it was a two-tier process. One is to add redevelopment and infill sites; and the second is that the Planning Commission has the ability to reduce the amount of open space in exchange for project enhancements. Planner Whetstone read the project enhancements as outlined in the Staff report. The added

enhancements were “sustainable building design” and “including historic structures that are either on or off the site”.

Director Eddington explained that another reason for a reduction in open space is that in places like Bonanza Park and other areas a lot of the open space is incorporated in the setbacks around buildings. As the City tries to create a walkable community, those types of open space are not necessitating walkability and the village characteristics they would like. Having the ability to have smaller lots might encourage people to create more walkable districts. Requiring 60% open space for MPDs on Main Street or in Bonanza Park was not feasible, which was the reason for proposing the reduction.

Planner Whetstone noted that a master planned development is not required in the Historic District but they are allowed. An MPD in the Historic District allows flexibility for trade-offs and it gives the Planning Commission a larger review of the project.

Planner Whetstone pointed out that the recommended changes apply to MPDs throughout the City.

Chair McFawn understood that they were not talking about removing Landmark sites and that the changes would help towards restoring them. Planner Whetstone replied that this was correct.

Planner Whetstone noted that type of open space was another issue. The Planning Commission has the ability to designate the preferable type and mix of open space in a master planned development. She explained the different types of open space that can be considered in a project. Planner Whetstone read the proposed added language under Type of Open Space on page 9 of the Staff report, for redevelopment and infill projects in the GC, HRC, HCB and HR-1, HR-2 and HRM zones. The language states that for those zones open space may be utilized for project amenities such as gardens, greenways, pathways, plazas and other similar uses. Another option being considered is a fee-in-lieu for purchase of open space and parkland that may count towards open space requirements at a rate twice as much as the amount of open space required. The fee would be based on an appraisal and market analysis of the property. The in-lieu fee would be set aside in a fund designated for open space. Planner Whetstone stated that the fee-in-lieu process would be similar to the current processes for parking and affordable housing.

Planner Whetstone noted that an MPD allows additional height. The proposed change adds language more specific to the Heber Avenue sub-zone, which is part of the HRC Zone, on the north side of Heber Avenue between Park Avenue and Deer Valley Drive. The properties within the Heber Avenue sub-zone are the Kimball Arts Center and the vacant lot they own, Zoom, Sky Lodge and the Poison Creek Mercantile. She recalled that the current height in the HRC zone is 32 feet.

Board Member Kenworthy asked if the amendment would allow all those properties to go an additional 18 feet. Planner Whetstone replied that Poison Creek Mercantile and Sky Lodge were already an MPD and Zoom is a historic structure. That leaves the Kimball Arts Center.

To address the height question, Director Eddington stated that the current MPD does not have any height restriction. The 32 foot height Planner Whetstone mentioned was the HRC zone height. Director Eddington explained that the HRC zone has a height restriction of 32 feet. If a project qualifies for an MPD based on the criteria outlined on page 10 of the Staff report, the applicant could do an MPD, which allows for height exceptions. He noted that the Sky Lodge qualified to do an MPD several years ago and they were allowed to apply for a height greater than 32 feet.

Planner Whetstone clarified that the exception was not necessarily unlimited height. The current language states that, "The increase in building height does not result in increased square footage or building volume over what would be allowed in the zone with the required height."

In terms of the Sky Lodge, Board Member Kenworthy asked if the reduced height on Easy Street was used to go higher on the hotel portion. Director Eddington replied that it was.

Planner Whetstone pointed out that there were other existing criteria that may limit the height. The Staff recommendation for this LMC amendment is that height exceptions for Master Planned Developments in the Heber Avenue sub-zone shall be limited to 50 feet, even if all the volume has not been used.

Board Member Kenworthy asked about the potential height for the Kimball Arts Center. Planner Whetstone replied that a portion of the Kimball building could be 50 feet above the existing grade. The height can be moved around but it cannot be higher than 50 feet.

Director Eddington noted that there have never been height limits on MPDs and he anticipated an interesting discussion with the Planning Commission. As a comparison, Director Eddington believed the height of the Sky Lodge was 62-68 feet.

Board Member Matsumoto-Gray asked about the status of the Kimball Arts Center application. Director Eddington replied that the Kimball Arts Center has not submitted a formal application to the Planning Department. However, a conceptual design has been presented in terms of changes to the LMC for allowing MPDs. Any public input should relate directly to the LMC and not the Kimball Arts Center.

Board Member Crosby wanted to know what was compelling the need for this specific change to the LMC. In her opinion, if it isn't broken why fix it.

Planner Whetstone noted that on August 23rd the City Council held a work session regarding the Kimball Arts Center. At that time the City Council recommended that the Staff come up with options that would allow public dialogue regarding the award winning design of the Kimball Arts Center. She explained that under the current Code, if that design came into the Planning Department as a formal application, it could not be accepted because it would not meet the requirements of the Land Management Code. There would be no way to put the application out for public input. Planner Whetstone

stated that the City Council can talk about the design, but the Planning Commission is the approval body. The Staff could not bring an application to the Planning Commission unless it complies with the LMC. Director Eddington explained that the City Council directed the Staff to explore some opportunities for public dialogue. The MPD process would allow for that dialogue. The proposed change would also address master plans and clean up the language for other areas, including Bonanza Park. With regard to the Heber Avenue sub-zone, the change in the MPD could potentially open dialogue for the City with regard to the Kimball Arts Center and other properties within the Heber Avenue sub-zone.

Assistant City Attorney McLean pointed out that the proposed LMC amendment should be looked at in the realm of the direction from the City Council and not specific to any application because an application has not been submitted.

Planner Whetstone noted that the Staff did an analysis and looked at heights in that area before determining that 50 feet should be the maximum.

Planner Whetstone remarked that these LMC Amendments have been delayed with the Planning Commission because the Staff was researching historic information on the history of MPDs at the request of the Planning Commission. When that history is compiled, the Staff would present it to the HPB as well.

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

Planner Whetstone read the language on page 10 of the Staff report. "The Master Planned Development process shall be required in all zones, except the HR-1, HR-2 and HRL for the following: 1) a project of ten lots or greater; 2) hotels and lodging with 15 or more residential unit equivalents; 3) commercial, public, quasi-public or industrial projects greater than 10,000 square feet gross floor area; 4) all projects utilizing Transfer of Development Rights. Planner Whetstone noted that the primary change is that MPDs would be allowed in the HRM zone, which is the lower Park Avenue area.

Board Member Matsumoto-Gray understood that the Master Planned Development process would be required everywhere for the large projects Planner Whetstone had outlined, except in Old Town. Director Eddington stated that an MPD is required because the project must adhere to 15 stringent criteria. When reviewing a larger project it is important to look at more details and what the project entails. It is not required in the historic zones because large projects are not allowed in most of the historic districts.

Planner Whetstone noted that Part B of the Section identifies where MPDs are allowed but not required. An MPD process is allowed in the HR-1 and HR-2 zones only where HR-1 and HR-2 zones or properties are combined with an adjacent HRC or HCB zoned property. Planner Whetstone explained that there is an allowance for master planned Developments for properties on the west side of Main Street. She cited examples of different situations where an MPD would occur. Director Eddington noted that the

language in Part B was not changed; however, additional language was added for clarification.

Katherine Matsumoto-Gray thought it would be helpful to have a list that specifically identifies where MPDs are required, allowed but not required, and not allowed at all.

Planner Whetstone remarked that the MPD is required everywhere with some exceptions. However, language added as number 3 under Part B states that, "The property is located within the Heber Avenue Sub-zone", which means that a master planned development could be done in the Heber Avenue Sub-zone. That goes back to the City Council work session when the Council asked for a mechanism that allows for public dialogue. Planner Whetstone stated that there were several options, but the only viable option that provides the opportunity for public dialogue with a full application and public hearing is to allow an applicant to propose a master planned development in the HRC zone. Poison Creek and Sky Lodge were MPDs because those properties bisected a zone. The Kimball Arts Center was only in the HRC zone; however, the Staff did not think MPDs should be allowed in the entire HRC zone. Therefore, they decided that properties within the Heber Avenue Subzone should be allowed to do an MPD because the criteria would allow the dialogue.

Chair McFawn noted that the HPB could oppose the recommendation and it could still be included. Director Eddington stated that the Planning Commission also has the opportunity to provide input.

Planner Whetstone clarified that the primary change for the HPB to consider was the recommendation that "allowed but not required" would be the properties located in the Heber Avenue Sub-zone.

Board Member Crosby clarified that the Sky Lodge was allowed an MPD because it met the criteria of being a residential/hotel/commercial project. Planner Whetstone replied that it also met the crossed-out language on page 11 of the Staff report that said, "Provided the subject property and the proposed MPD include two or more zoning designations". That language allowed the Sky Lodge to be submitted under an MPD. She pointed out that the Kimball Arts Center does not cross zones, which is why it cannot submit an MPD under the current LMC.

Board Member Holmgren was opposed to the height limit and preferred to leave it open. Planner Whetstone asked if Ms. Holmgren was suggesting that they allow an MPD to be submitted, but eliminate the height restriction and let the criteria dictate the height. Board Member Holmgren answered yes.

Chair McFawn disagreed with Item 3 on page 11, which would allow MPDs within the Heber Avenue sub-zone. He did not think they should be exclusive to one section. Director Eddington asked if Chair McFawn would allow an MPD up and down Main Street. Chair McFawn thought they should allow it for everyone or not at all. His preference was not to allow any more MPDs in the historic district.

Board Member Matsumoto-Gray concurred with Chair McFawn. She could not see the motivation for singling out the Heber Avenue sub-zone.

Board Member McKie thought the motivation was the ability to open up dialogue. If they make this change the City can open up dialogue specifically with people they know are trying to create a project.

Chair McFawn felt they would be endorsing changes to this section of the Master Planned Development, as opposed to thinking about what they would want to do as the Historic Preservation Board. The Staff will take their recommendations to the Planning Commission and the Planning Commission will send a recommendation to the City Council. He believed the Staff came to the HPB as a courtesy to hear their input on these recommendations and how it affects historic preservation.

After further consideration, Board Members Holmgren, McFawn and Matsumoto-Gray did not favor allowing MPDs at all.

Board Member Kenworthy stated that the Mall is sitting vacant and he believed an MPD would allow something nice. He considers the Mall to be the biggest eyesore on Main Street and he would love to have a developer come in and do the right thing. However, that would probably need to include Park Avenue, similar to the No Name and other projects mentioned that were successful. Board Member Kenworthy was concerned that if they say not at all to MPDs, it would affect the Mall and other potential projects on that side of the street where they still need to address the sensitivities of Park Avenue.

Director Eddington explained that currently that side of Main Street is allowed to come in for an MPD because it bifurcates two zones. Board Member Kenworthy pointed out that the other side of Main Street would not be allowed an MPD and he was concerned about being too selective. He thought they should look at other exceptions that may allow something to function.

Board Member Matsumoto-Gray wanted to know the motivation for deleting the language in (B) on page 11. Director Eddington explained that the language in (B) was re-written for better clarification in new (B), Allowed but not Required, as Item 3 regarding the Heber Avenue Sub-zone.

Board Member Crosby could not support Item 3, allowing MPDs in the Heber Avenue Sub-zone. Planner Whetstone stated that if Item 3 was eliminated, the Kimball Arts Center would not be able to submit an MPD application because it is in the HRC zone, and an MPD would not be allowed in that area unless it crosses two zones. Therefore, it would have to meet the requirements of the zone.

Board Member Matsumoto-Gray understood that striking Item 3 would not prevent the Main Street Mall from being an MPD. Director Eddington replied that this was correct. Board Member Kenworthy noted that without Item 3 they would not be able to have the conversation with the public.

Board Member Crosby clarified that the City Council directed the Staff to explore LMC amendments that would allow public input on the Kimball Arts Center. Director Eddington explained that it was not direction from the City Council to the Staff. The Council only gave an indication that the Staff should consider methodologies and opportunities to possibly open the dialogue.

Planner Whetstone noted that the HRC language could be amended to allow MPDs in the HRC zone and not just specific to the subzone. Chair McFawn clarified that it would be broader than just the subzone area, but it would still allow for dialogue and not just for the Kimball Arts Center. Planner Whetstone noted that HRC is the Heber Avenue subzone and the east and west side of Park Avenue from the condos next to Bad Ass Coffee and down to where the bridge lands.

Board Member Kenworthy asked if the other property owners in the Heber Avenue subzone would have the same opportunity to come and have their discussions. Director Eddington stated that they would have the same opportunity, but it would depend on their density opportunities. Planner Whetstone noted that two properties were already MPDs, so if they came in with another application they would have to amend their MPD.

Chair McFawn was struggling because he likes historic preservation and he was nervous making changes to a master planned development that would prevent historic preservation. Board Member Crosby agreed. Chair McFawn stated that whether the City Council hinted or gave direction, the Staff came to the HPB for input and they could provide feedback either individually or as a unified Board. The Staff could take their comments under advisement or do whatever they wanted. Director Eddington clarified that their comments would be forwarded to the Planning Commission.

Board Members McFawn, White, Matsumoto-Gray, Crosby, and Holmgren thought the language in Item 3 that would allow MPDs for properties located within the Heber Subzone, should be removed.

Board Member Matsumoto-Gray also favored removing the height restrictions as suggested by Board Member Holmgren. She was uncomfortable picking out areas within the Historic District. Chair McFawn agreed because it was like targeting winners and losers.

Planner Whetstone asked if the Board thought the Master Planned Development process should just be allowed in the Historic District. It does have criteria that addresses historic preservation.

Director Eddington clarified that the majority of board members recommended not including the language to allow MPDs in the Heber Avenue sub-zone. He asked if they would allow additional language that allows MPDs in the HRC or HCB zone, which is the Main Street zone.

Board Member White recalled talking about the west side of Main Street that backs up to the residential zone. Director Eddington recalled that the Board was not in favor of that change. He referred to page 11 and asked if they favored the changes to (B) 1 and 2,

Allowed but not Required. That language has been in the Code and the change was only for clarification.

Chair McFawn was comfortable with the change if it was only clarification of existing language. He personally was hesitant to make broad changes.

Board Member McKie was comfortable with the change in just the Heber Avenue sub-zone because there is a project that they want to look at and it does involve historic preservation. The Kimball Arts Center is a historic building and the HPB should be very involved. If this is what it takes to open a dialogue to make sure it retains its historic aspect for the future, she thought the HPB would want to play a role in that and be open-minded.

Board Member Matsumoto-Gray stated that the role is that the Kimball Arts Center has to follow the guidelines. Planner Whetstone noted that they have to follow the guidelines and they also have to follow the Code.

Board Member McKie felt Park City should be an adaptable community where they can adapt their guidelines for future growth and change. Opening a dialogue allows the community to explore a project but it does not imply approval. Board Member White agreed with Board Member McKie.

Board Member Holmgren wanted to know why the Staff could not open the dialogue with the Kimball Arts Center without changing the Code. Director Eddington stated that the conversation would be limited without an application. He assumed the Kimball would prefer to know what they could or could not do before proceeding with an application.

Assistant City Attorney McLean stated that as soon as the Staff engages in a discussion where the concept is not permitted by Code, it creates certain expectations, as well as accusations that the Code is being changed for one specific project, when the LMC amendment should apply to everything. Regardless of whether they like the project, if it does not fit within the Code it is useless.

Board Member Kenworthy stated that if Item 3 was added for one specific project, it creates a slippery slope for a neighbor who wants the same consideration. Board Member Holmgren noted that it was very specific to the Heber Avenue sub-zone and the reason was apparent. Board Member Matsumoto-Gray felt they were putting the cart before the horse by recommending changes that allows someone to come forth with a project they put on the internet. She could not understand why this was even happening.

Assistant City Attorney McLean reiterated that from a legal standpoint, the City could not have a conversation if the plan does not meet the Code. As it currently stands, if they want to talk to the Kimball Arts Center without changing the Code, they should make that recommendation and the applicant should submit an application that meets Code. If they want to consider that the Code change would allow something that fits within the General Plan and the purpose statement of the zone, they should consider recommending the proposed change.

Board Member White asked if any of the projects submitted fit within the Code. Director Eddington replied that the Kimball Arts Center asked the Staff to potentially consider one plan, which is what they took to the City Council. They did not analyze any of the others. Planner Whetstone noted that the Planning Department provided the Kimball Arts Center with the specifics requirements of the zone before the design competition.

Board Member Kenworthy was cautious about their comments being construed or referenced as a pre-approval. Board Member McKie could not see the problem with one specific project if it benefits the entire community. Chair McFawn stated that the benefits to the community were outside of the scope of the HPB. The Board needed to focus on whether the changes proposed were beneficial to historic preservation. Board Member McKie reiterated that the Kimball Arts Center is a historic building and in her opinion it all ties together. She felt it was a disservice to the community to say that they only look at historic preservation by specific and narrow guidelines and they have no interest in making changes.

Dick Peek, the Council liaison, stated that he started on the Historic District Commission and he cares about things historic. He referred to the purpose statements of the MPD section of the LMC. He has seen the application and sat through the presentation. Council Member Peek was not prepared to express his opinion about a future pending application. He noted that the purpose statement talks about infill redevelopment where the MPD process can provide design flexibility necessary for well-planned, mixed-use developments that are compatible with the surrounding neighborhood. It also talks about goals to complement the natural features, ensure neighborhood compatibility, strengthen the resort character of Park City, and result in a positive net contribution of amenities to the community. He asked if that was an appropriate tool for that area to achieve an appropriate infill development on that site.

Chair McFawn called for public input.

Jim Tedford, representing a group called Preserve Historic Main Street, was taken aback that the HPB had not had a lot of input until this evening. He was amazed that the Staff was looking for opinions from the HPB based on an hour of conversation. Mr. Tedford stated that he first got involved on August 23rd and he was still trying to figure it all out. He did not believe the HPB could come close to making a recommendation without an opportunity to study the issues further. Mr. Tedford could find nothing to indicated that the Kimball Arts Center could not build above the old building.

Planner Whetstone stated that it was in the design guidelines.

Mr. Tedford agreed with a previous comment asking why they would change the LMC to accommodate something that may never happen. He had read several recommendations from Staff on different dates and the recommendations keep changing. He believed the continually changes were being done to accommodate the Kimball Arts Center. Tedford stated that he and the group he represents fully support the Kimball Arts Center and their need for an addition to their current facility. However, they believe the expansion can and should be accomplished within the existing Park City

LMC and the Park City Design Guideline for Historic Districts and Historic Site. In terms of options, it was stated this evening that the Kimball Arts Center could submit a proposal that meets the current Code. In addition, the Heber Avenue Sub-zone could be amended to allow for public dialogue. Mr. Tedford and his group were very opposed to changing the Land Management Code.

Planner Whetstone clarified that amending the zone would be amending the LMC. Board Member Matsumoto-Gray asked if a zone change could be initiated by someone outside of the City. Planner Whetstone answered yes, but it would still be a change to the Land Management Code and the change would be for that particular project.

Hope Melville, a resident on Park Avenue, understood that the City Council wanted to explore way for the Kimball Arts Center project to be considered with public input. She was confused about the current proposal to allow MPDs in the Heber Avenue sub-zone with a maximum height of 50 feet. Ms. Melville did not understand how that would allow an application since the design the Kimball is promoting is an 80 foot tower. She was unsure how an 80 foot tower design would be evaluated under the change to allow an MPD in the Heber Avenue sub-zone. Ms. Melville was concerned about potential changes to the LMC for all MPDs without thinking about how that affects other areas and other projects under consideration. She was uncomfortable changing the LMC in the Heber Avenue sub-zone and elsewhere until they understood the long-term affect. Ms. Melville was opposed to changing the LMC to allow an MPD for the Kimball Arts Center at the location. She also felt that changing the Code to a maximum height of 50 feet was not the right thing to do.

Chair McFawn closed public input.

Chair McFawn stated that the Board members could give an up or down vote to approve something, each person could individually state what they would like to see, or they could request more time to think about it.

Assistant City Attorney McLean stated that the Board could request more time, but she believed that the amendments would be moving forward to the Planning Commission and the City Council.

Board Member Kenworthy needed to consider it further before making a decision.

Board Member McKie was open to changing the Land Management Code. She could see no harm in terms of future development and it was not a rubber stamp approval for the Kimball project or any project in that zone. She believed it would open dialogue that otherwise could not occur because the proposed design does not meet Code.

Chair McFawn understood that the Kimball Arts Center could apply for an exception once they submit an application. Director Eddington stated that every property owner can submit an application for a zone change. Chair McFawn believed the Kimball Arts Center has the ability to initiate the conversation but they have not done so.

Board Member McKie did not believe the Staff would have brought this to the HPB if they had not carefully evaluated the best way to open the dialogue. If the concern is changing the Land Management Code for something that might never be built, they need to understand that it definitely will never be built if they do not change the LMC. She was concerned about totally shutting the door and eliminating any possibility to explore it further.

Board Member Matsumoto-Gray would not recommend the changes to the MPD language in the Code because she could see no motivation for a potential sacrifice to historic preservation. She could not understand the reason for opening up this area to MPDs when there is no application for a specific project. It seemed targeted, ad hoc and unmotivated.

Board Member Crosby felt the HPB was not given enough time to adequately address this issue. She has been watching and listening in the community and she did not feel comfortable with what was being proposed. Board Member Crosby remarked that the existing zone was implemented to allow for the expansion and preservation of the Historic District. She was concerned that supporting the proposed changes to the Land Management Code would appear to be a pre-approval on the part of the HPB. Board Member Crosby would feel more comfortable if they could have time to consider it and to hear more public input. She believed an application could be processed under the existing Code. She was supportive of the concept because it has the potential to provide what the community needs. However, talking about an 80 foot structure or to amend the LMC to allow 50 feet in that area was concerning and she could not support what was being proposed.

Board Member White agreed with Council Member Peek about needing a tool for the dialogue. Although it seems that the proposed project does not meet the Code, there are still many things to talk about. Preservation is the most important issue for the HPB in terms of whether any project fits with Main Street and the Historic District. Board Member White wanted more time to consider the proposed changes; however, Director Eddington and Ms. McLean had indicated that there was no time because the amendments would be moving forward to the next level.

Assistant City Attorney noted that the amendments were scheduled to go before the Planning Commission on November 28th. The next HPB meeting would be after that date.

Board Member White did not agree with changing the LMC just for one project. If they did that they would be opening the door for more projects with similar situations. However, he agreed with Board Member McKie on the need to talk about projects; but if changing the LMC was the only way to accomplish that, he was bothered by the process. Board Member White suggested that the City find another vehicle that would allow them to have those discussions.

Board Member Holmgren felt they should not change this portion of the LMC because it is obviously aimed at one project. She agreed that the City should find another vehicle

to address these types of projects. Board Member Holmgren supported eliminating the addition of Item 3 regarding the Heber Avenue sub-zone, and the 50 height limitation.

Planner Whetstone stated that the minutes from this HPB meeting would be included in the Planning Commission packet for the November 28th meeting.

Board Member Kenworthy agreed with the rest of the Board. The Kimball Arts Center is a great asset to the community, but the LMC should not be changed to accommodate one project. The changes clearly address the Kimball Arts Center and neither he nor the other Board members have had enough time to make an appropriate and informed decision. They were blindsided by the proposed changes and knowing that it is specific to one project did not feel right.

Chair McFawn concurred with all the comments of the Board members. He needed more time, and while he wants the City to have a dialogue, his instinct is to avoid change when he feels rushed. Chair McFawn implored the Planning Department to find any possible way to get a dialogue going, even if it is initiated by the applicant in the form of a zone change application.

Chair McFawn remarked that the Staff and the Planning Commission would have the HPB minutes and he felt the Board was very clear on their position.

Director Eddington stated that the discussion would continue as the amendments move through the process. The Staff has no agenda and the question will be whether or not they can open the dialogue.

The meeting adjourned at 7:46 p.m.

Approved by _____

Dave McFawn, Chair
Historic Preservation Board

REGULAR AGENDA

Historic Preservation Board Staff Report



Subject: Annual Historic Preservation
Award Program
Author: Anya Grahn
Date: December 5, 2012
Type of Item: Administrative
Project Number: GI-11-00124

Summary Recommendations

Staff recommends the Historic Preservation Board choose an awardee for the annual Preservation Award.

Background

Over the course of the last year, the Historic Preservation Board (HPB) has indicated as part of their Visioning goals the intent to continue the Preservation Awards program. The awards program is to be based on a Project utilizing the *Design Guidelines for Historic Districts and Historic Sites* and the focus of the award may change from year to year. The Board has agreed that the HPB Preservation Award should not compete with any of the Historical Society's awards, but complement the existing joint preservation efforts already taking place and highlight the *Design Guidelines for Historic Districts and Historic Sites* by which all development in the Historic Districts must comply.

Properties are selected for this award based on the following categories:

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

In 2011, the Historic Preservation Board recognized the exemplary adaptive reuse of the High West Distillery. The Board commissioned artist Sid Ostergaard to create a twenty (20) by thirty (30) inch oil painting that currently hangs in the entry area of City Hall. Future art work will likely be displayed in conference rooms at City Hall.

During the July 18, 2012, Board meeting, Board Member Matsumoto-Gray communicated that she and Board Member McKie had met with the Arts Advisory Board and provided a summary of the Historic Preservation Board in terms of artwork. At this time, the HPB formed a subcommittee of three members—McKie, Matsumoto-Gray, and White—who would interview the list of

six (6) artists provided by the Arts Advisory Board and select an artist to recommend to the board. The topic has not been readdressed since the July meeting. Because Member McKie is resigning, Staff advises that the Board choose an alternate to serve on the subcommittee.

Earlier this year, the Board discussed who should receive the award, and the general consensus among Board Members was to award the Washington School Inn at 543 Park Avenue the annual Preservation Award for its Excellence in Restoration. However, because the Washington School Inn at that time had not been in compliance with its prior approvals, the Board had elected to postpone their final decision until the Washington School was compliant. At this time, the property is compliant.

The restoration of the landmark Washington School Inn promotes historic preservation within Park City, which adds to our community's identity and sense of place. Preservation is an integral part of the City, and supports our cultural-heritage tourism and resort-based economy.

Staff advises that the Board move forward and award the Washington School Inn the annual Preservation Award or choose another recipient for the award.

Previously discussed nominations include:

- 130 Sandridge
- 108 Park Avenue
- 543 Park Avenue
- 841 Empire Avenue
- 1101 Norfolk Avenue
- 1059 Park Avenue

Recommendation

Staff recommends the Historic Preservation Board choose an awardee for the annual Preservation Award.

Historic Preservation Board Staff Report



Subject: 205 Main Street
Author: Mathew Evans, Senior Planner
Date: December 5, 2012
Application: PL-12-01710
Type of Item: Quasi-Judicial – Appeal of Staff’s Determination of Compliance with the Design Guidelines for Historic Districts and Historic Sites

Summary Recommendations

Staff recommends the Historic Preservation Board review the submitted appeal of Staff’s determination of compliance with the Design Guidelines for Historic Districts and Historic Sites at 205 Main Street. Staff has prepared findings of fact, conclusions of law, and conditions of approval affirming the determination of compliance for the Board’s consideration.

Description

Appellant: Joseph Tesch (Attorney) on behalf of Bill Kranstover representing the Jefferson House Home Owners Association
Applicant: 205 Main Street, LLC represented by Craig Elliot, Architect
Location: 205 Main Street
Zoning: Historic Commercial Business (HCB) District
Adjacent Land Uses: Commercial, Residential, Public Parking
Reason for Review: Appeals of Staff decisions on compliance with the Design Guidelines for Historic Districts and Historic Sites are reviewed by the HPB per 15-1-18(A) of the Land Management Code.

Background

On November 5, 2012 the City received an appeal of a Historic District Design Review (HDDR) application approved on October 29, 2012 for 205 Main Street (PL-12-01603). The appeal is specific to Staff’s determination that the 205 Main Street project is in compliance with the Design Guidelines for Historic Districts and Historic Sites (Design Guidelines) as well as in compliance with all applicable Land Management Code requirements. The appeal and includes references to two e-mails received by Staff during the review period (See Exhibit “A” with additional labeled exhibits provided by the appellant), as well as a Supplemental Appeal received on November 13, 2012 (Exhibit “B”). The initial appeal was filed within ten (10) business days from the approval date. The specifics to the appeal are detailed within this Staff Report under the “Appeal” section.

On September 28, 2012, the City received a HDDR application for a proposed six-unit residential project to be located at 205 Main Street, a vacant lot situated between the

Imperial Hotel and the Grappa Restaurant Building, within the Historic Commercial Business (HCB) District. The property, which is identified as the “Park Place on Main Street Plat” originally consisted of five (5) full “Old Town” lots and is 9,148 square feet, and is not listed as a Historic Site on the City’s Historic Sites Inventory (HSI).

On September 26, 2012, the application was taken to the Development Review Committee (DRC) for their review of the project. Although Historic District Design Reviews are not required to have a DRC review, the size and complexity of the project prompted Staff to have the item reviewed. DRC comments that resulted in conditions that are proposed in the Conditions of Approval section of this Staff Report.

On September 26, 2012, the Planning Staff requested that the applicant submit a statement of compliance to Land Management Code Section 15-2.6-2(A)(2) and Section 15-15-1.248. Staff noted that the footnote in Section 15-2.6-2(A)(2) prohibits residential uses in storefront properties adjacent to Main Street. On September 27, the applicant responded in writing to Staff’s request for a statement of compliance (see Exhibit E).

On September 29, 2012, the first mailing (fourteen day notice) was sent to all property owners within 100 feet based. On this same day the property was posted and cursory information regarding the project was provided on the sign. On October 29th, a ten-day notice was sent to all property owners within 100 feet based informing said owners of Staff’s determination that proposed plans comply with the Design Guidelines.

Historic District Design Standard of Review and Appeal Process

Pursuant to LMC § 15-1-18 Appeals and Reconsideration Process, appeals of decisions regarding the Design Guidelines shall be reviewed by the Historic Preservation Board (HPB) as described in LMC § 15-11-12(E). The HPB shall approve, approve with conditions, or disapprove the proposal based on written findings, conclusions of law, and conditions of approval, if any, supporting the decisions.

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

Appeal

The appellant raised the following objections to the approval of the proposed 205 Main Street six-unit residential building (in order as presented by the appellant):

- Building Height at rear lot line
- Parking
- Screening of mechanical equipment
- Snow Storage
- Concerns regarding construction mitigation issues and monitoring related to the

adjacent Jefferson House building.

In addition, in their supplemental Appeal, the appellants reiterate their concern regarding the 25' height of the rear of the 205 Main Street building. The Appellant is also appealing Staff's determination regarding the parking requirements and options that the applicant has to meet those standards. The appellant also questions how the applicant will handle snow shedding onto their property, and objects to Staff findings with regards to the Design Guidelines for Historic Districts and Historic Sites – Specific Guidelines A.4, A.6, and B.2 (which is also related to the screening of mechanical equipment). The appeal and the supplemental appeal are attached hereto as exhibit "A" and the specific issues raised by the appellant are addressed under the "Analysis" section below.

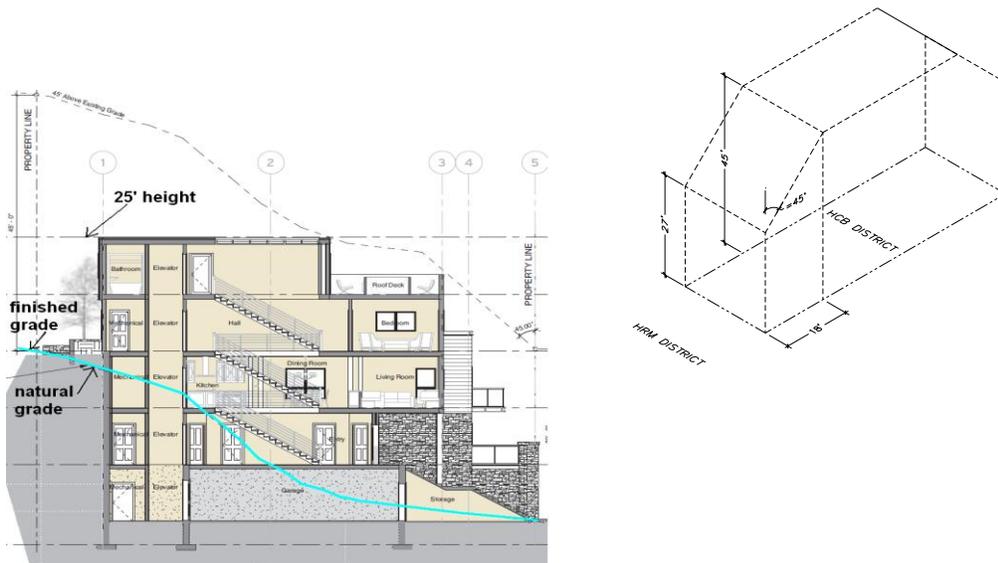
Analysis

Height

The first objection raised by the appellant is the specific height requirements for new construction in the HCB District. Specifically the applicant references LMC § 15-2.6-5.(D) (Maximum Building Volume and Height) which states:

Wherever the HCB District abuts a residential Zoning District, the abutting portion of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line to a height matching the maximum height of the abutting Zone, measured from Existing Grade, and then proceeds at a forty-five degree (45°) angle toward the opposite Lot Line until it intersects with a point forty-five feet (45') above Existing Grade.

The appellant objects to the fact that the applicant did not show the forty-five degree angle in the rear and only showed this on the front elevation. The appellant indicates in the supplemental appeal that they "object to the fact that the height of the building will be 25' tall at the rear setback." According to LMC § 15-2.6-5.(D) and § 15-2.4-7, the maximum height permitted in the residential zoning district (HRM) is twenty seven feet (27'). Therefore, the building complies. Staff noted that the building height measured from the existing grade at the rear setback was only twenty-five (25) feet, and thus the showing the forty-five degree angle would not result in a height reduction of the building (see rear elevation below). Height is measured from "natural grade" and because the finished grade at the rear setback does not change for the purpose of meeting the building height, the measurement would be taken at the required rear yard setback to determine the building height. There are no setback requirements in the HCB District. In theory, the building could be taller than proposed and still meet the height requirement (see diagrams on the following page).



The appellant further objects to the height calculation as it relates to mechanical equipment or future mechanical equipment that may be placed on the roof. The height requirement in the HCB Zone is forty-five feet (45') as measured from the finished grade to the highest point of the roof. There are also building height exceptions as listed in LMC § 15-2.6-5(E). Specifically subsection 3 of the aforementioned code gives an exception for mechanical equipment and “associated screening” and allows both to extend up to five feet (5') above the height of the building. At the rear setback the building height is measured from the finished grade, which is twenty five (25) feet. The plans show a mechanical equipment room next to the garage, but no exterior mechanical equipment. The conditions of approval require that any mechanical equipment and associated screening that is placed on the roof not extend more than five feet above the roof line. However, any future mechanical equipment located outside of the building shall be required to meet the specific design guidelines associated with such (see “Mechanical Equipment” section of this Staff Report).

The appellant also notes Finding of Fact #27 makes findings for compliance with Specific Design Guideline A.6 [sic] (note: Staff typo - This Guideline is Specific Design Guideline B.1). “Mass, Scale and Height” specifically with respect to the finding that the proposed building will not “tower over the adjacent Jefferson House Building”. The appellant argues that building will not provide adequate light and air circulation and that the building will obstruct views from “several of the apartments”. Design Guideline B.1 consists of 8 subsections. Appellant does not specify which of the subsections they believe the project is not meeting. The only subsection which may be implicated is B.1.4 “Taller portions of buildings should be constructed so as to minimize obstruction of sunlight to adjacent yards and rooms.” Here, the tallest part of the building is not in the rear. Furthermore, the building is constructed to minimize obstruction of sunlight. Here, the HCB Zone does not require a rear-yard setback and in theory could have been built on the property line. However, the applicant is proving a ten-foot (10') setback between the building and the rear property line. The height of the building could also increase as it steps up the hill, thus achieving up to forty-five feet (so long as the building met the requirements of LMC § 15-2.6-5.(D) and § 15-2.4-7) at the rear setback. However, the building stays the same consistent height from Main Street back, rather than attempting

to step up the hill. Thus the applicant has proposed a building that is less than the total building potential and minimizes obstruction to the structure to the rear.

Parking

The second objection is to Staff's determination on the parking. There are two issues that the appellant brings up in the appeal. The first is that the proposed parking area does not adequately provide the required parking that would be required by the LMC, and the second is that Staff noted that the parking layout provided on the plans did not appear to meet code. Staff noted this in the findings and addressed this concern in the Conditions of approval. Within the Final Action letter approving the HDDR, Staff made the following findings with respect to parking:

Finding of Fact 11. The applicant is required to provide three parking spaces per dwelling unit. The plans only show two spaces per unit. Section 15-3-6(A) Parking Ration Requirements for Specific Land Use Categories – Residential Uses, requires three parking spaces for all residential dwellings (apartment or condominium) over 2,500 square feet. Section 15-2.6-9 Parking Regulations (in the HCB District) requires that the required off-street parking either be provided on-site, or that a fee established by the City be paid in lieu of the required parking and multiplied by the required spaces. In this case, the applicant can either provide the six (6) additional spaces within the garage or pay the required fee as calculated by the City.

Finding of Fact 12. The parking stalls within the garage do not appear to meet the minimum parking standards set forth in Section 15-3-3(F) Parking Space Dimensions, which requires that each stall have a minimum of nine-feet (9') in width by eighteen-feet (18') long. The back-up drive aisle must be twenty-four feet (24') wide between spaces. It appears that this area can be reconfigured to meet this code and will be a condition of approval.

Based on above findings, Staff made the following conditions of approval:

Condition of Approval 17. A fee in lieu of on-site parking for six (6) additional parking spaces shall be required. Payment of the fee shall be required prior to the issuance of the building permit.

Condition of Approval 18. The parking garage lot layout shall be re-designed to meet the LMC requirements of Section 15-3-3(F) of the LMC.

Specifically, the applicant objects to the unresolved nature of the parking situation and request that the applicant be required to declare what parking will be on-site and what parking will be paid for and provided off-site.

Staff noted in the redlined plans that there appeared to be plenty of area within the proposed garage to meet the City Standards. The applicant has drawn the plans to show storage spaces within the parking garage. These storage spaces are not required and thus could be eliminated to provide for the additional parking. Furthermore, since

the Final Action letter was issued, the applicant has been in contact with Staff and has informed us the wrong scale was shown on the drawing for the parking layout. Regardless, the parking lot layout with the proper sized parking stalls will be required on the building plans, and the plans must comply with LMC requirements prior to the issuance of the building permit. It appears that the parking lot layout does comply with the code requirements for parking stall and drive aisle widths for twelve (12) parking spaces. And although it is unlikely that the applicant could achieve the additional parking needed to comply with the Section 15-2.6-9, it is conceivable that some additional area could provide for additional parking spaces. Either way, if parking cannot be achieved on-site, the applicant has the ability to pay a fee in lieu of as provided by Section 15-2.6-9 of the LMC. It is extremely unlikely that the parking lot layout would change the exterior design of the building. If the applicant needed to make substantial changes to the plan, then they would be required to amend their HDDR application, which would require that they go through the process of review that is similar to that of the initial HDDR. Thus the public would have the same review of the proposal.

Staff is currently working on various LMC amendments, and one amendment proposed, which the Planning Commission has reviewed and has forwarded to the City Council, is to reduce the amount of parking for multi-tenant buildings. Under one of the current proposed changes to the LMC, the parking requirement for multi-unit buildings would be capped at two spaces, regardless of the unit size. If this proposed LMC amendment is adopted before the applicant applies for a building permit, they would not be required to provide the additional parking. As it stands, they can either provide it on-site or pay a fee. If the code changes as proposed, then they will be compliant. Regardless of the aforementioned facts, if the need for additional parking if necessary, it does not automatically change the design of the building.

Mechanical equipment

The third objection is to the lack of information provided by the applicant with respect to mechanical equipment and how it could potentially affect the tenants/owners of the Jefferson House. The appellant correctly points out that the applicant has shown no mechanical equipment on the roof at this time and that it is likely that there will be mechanical equipment. The appellant would like the mechanical equipment to be shown so that can review the location and potential impact to their property.

The code sections which address this are LMC § 2.6-10 and Specific Guideline B.2.15 LMC § 2.6-10 requires that mechanical equipment be screened to minimize noise infiltration to adjoining properties and to eliminate visual impacts. Similarly the Design Guidelines for Historic Districts and Historic Sites, Specific Guideline B.2.15 requires that:

Mechanical and Utility Systems and Service Equipment

B.2.15 Equipment should not be located on the roof or primary façade (except as noted in Supplemental Guidelines main Street National Register

Historic District). If equipment is located on a secondary façade it should be placed behind the midpoint or in a location that is not visible from the primary public right-of-way.

B.2.16 Ground-level equipment should be screened using landscape elements such as fences, low stone walls, or perennial plant materials.

In the Final Action Letter of Approval, Staff determined that the applicant was compliant with Design Guidelines for Historic Districts and Historic Sites, Specific Guideline B.2.15 “Key Building Elements – Mechanical Equipment” No mechanical equipment is shown by the applicant. Staff noted that any mechanical equipment, including future mechanical equipment, would need to comply with this section of the Design Guidelines. If any roof-mounted mechanical equipment is proposed in the future, it would be an amendment to the HDDR and Staff would review it to ensure that it meet the criteria as listed above.

The applicant correctly points out that mechanical equipment is required to be shown on architectural plans for review by the Planning Department (LMC § 2.6-10). However, the requirement to show the mechanical equipment is at the time when the building plans are submitted with a building permit application, not the HDDR.

The appellant further brings up the point that roof vent locations are unknown at this point, which is also true. However, roof vents are not reviewed in a HDDR. The design guidelines do require that roof vents be painted to match the roof, which is typically noted on the building plans during the building permit review process.

Snow shedding

The fourth objection is to snow shedding. Staff noted that the roof of the proposed multi-tenant building is flat and thus has been designed to minimize snow shedding onto adjacent properties. The appellant takes exception to this finding and argues that others in Old Town with flat roofs sometimes shovel snow off their roofs. Staff noted that there is no direct roof access to the units, thus it is unlikely that tenants and owners would attempt to shovel snow off of the roof. However, the applicant has provided a ten-foot rear yard setback between the property line and the building. This area is more than adequate for snow shed storage if necessary.

Construction Mitigation Plan and Construction Drawings

The appellant also takes issue with proposed Condition of Approval 1 that requires Construction Mitigation Plan that considers all adjacent properties. The appellant contends that the Jefferson House may suffer the following adverse effects because of the development of the neighboring property:

- Vertical cut excavations (of 32’ within 10’ or less of the property line) could affect the fragile, historic foundations of the Jefferson House
- Construction will require temporary shoring (vertical soldier piers, logging between, and tieback anchor rods below grade) that they believe will be installed beyond the property line and under the Jefferson House

- Construction could disrupt natural ground water flows and impact soils near/around/beneath the Jefferson House

The appellant would like additional conditions of approval that would require additional monitoring and conditions assessments of the historic site during construction to prevent the displacement/damage to their building. Although not directly related to the approval of the HDDR, Construction Mitigation Plans are typical requirements of a building permit. The HPB could consider imposing the additional condition of monitoring and conditions assessments of the historic site during construction of the 205 Main Street building, perform soils test and proving engineering drawings and opinions demonstrating that that the excavation will not in any negative way impact the foundation of the Jefferson House building when the construction mitigation plan is provided with the Building Permit application. The HPB could require that the applicant provide the appellant with a copy of such prior to the submittal for the Building Department review.

The appellant further asserts that the applicant should be required to submit “construction drawing and engineering opinions demonstrating that the installation of the public improvements, drainage plans, flood plain issues and the construction mitigation excavations plans...” (see Exhibit B – supplemental appeal). Construction drawings are not a requirement of an HDDR approval, but rather are required with the building permit submittal. The HPB could consider a condition requiring that the applicant submit said drawings to the appellant prior to the issuance of a building permit, for comment on plans to adequately protect their property.

The last objection by the appellant is to Condition of Approval #13, which states:

Snyderville Basin Water Reclamation District – Sewer service will have one master line. If future plans are to subdivide each unit, a separate sewer service would be required for each. The applicant may want to consider this up-front to avoid issues in the future.

The applicant requests that this entire sentence be struck and replaced with the following language: “*The six proposed units may not be subdivided.*” Staff has no legally binding abilities to make this a condition of the HDDR. The applicant could in theory split the ownership of the building by recording a condominium plat. If the applicant met all of the criteria to do so, there would be no legally binding way to prohibit them from doing so in the future. Although such action is unlikely due to various constraints (such as the sewer issues), there is no mechanism to require the applicant forfeit their current or future property rights.

Notice

The property was re-posted and a new notice was mailed to adjacent property owners. Legal notice was also placed in the Park Record.

Public Input

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

Summary Recommendation

Staff recommends the Historic Preservation Board review the submitted appeal of Staff's determination of compliance with the Design Guidelines for Historic Districts and Historic Sites for the six-unit residential building to be located at 205 Main Street. Staff has prepared findings of fact and conclusions of law affirming the determination of compliance for the Board's consideration below.

Alternatives

- The Historic Preservation Board may affirm the determination of compliance of the Design Guidelines for Historic District and Historic Sites, wholly or partly; or
- The Historic Preservation Board may reverse the determination of compliance of the Design Guidelines for Historic District and Historic Sites; wholly or partly; or
- The Historic Preservation Board may continue the discussion to a specified or unspecified date.

Exhibits

Exhibit A – Appeal and Appellant Exhibits

Exhibit B – Supplemental Appeal

Exhibit C – Final Action Letter

Exhibit D – Elevations

Exhibit E - Statement of Compliance by Applicant regarding Land Management Code Section 15-2.6-2(A)(2) and Section 15-15-1.248.

Findings of Fact:

1. The property is located at 205 Main Street, more specifically Parcel 1 of the Park Place on Main Street Plat Amendment which originally consisted of five (5) full Old Town lots.
2. The parcel is approximately 9,148 square feet in size. The minimum lot size in the Historic Commercial Business (HCB) District is 1,250 square feet.
3. The property is located in the HCB District.
4. Multi-Unit dwellings are a permitted use in the HCB District.
5. This is a vacant parcel not identified on the City's Historic Sites Inventory and is not designed as a Historically Significant or Landmark Site.
6. The proposed building is a four (4) story structure with a parking garage at the main level and three (3) stories of residential above.
7. The maximum building height allowed in the HCB District is forty-five feet (45') feet measured from the natural grade. Wherever the HCB District abuts a residential Zoning District, the abutting portion of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line to a height matching the maximum height of the abutting Zone, measured from Existing Grade, and then proceeds at a forty-five degree (45°) angle toward the opposite Lot Line until it intersects with a point forty-five feet (45') above Existing Grade.

8. The proposed building is approximately thirteen feet (13') tall at the front-yard setback (property line) with a maximum height of forty-five feet (45') at the highest point from the natural grade and twenty-five feet (25') tall at the rear yard setback.
9. There are no required setbacks in the HCB District; however, the applicant is proposing a ten-foot (10') rear yard setback.
10. The proposed building meets the minimum requirements of Section 15-2.6-5(A) and (d) – Maximum Building Volume and Height of the LMC.
11. The applicant is required to provide three parking spaces per dwelling unit. The plans only show two spaces per unit. Section 15-3-6(A) Parking Ration Requirements for Specific Land Use Categories – Residential Uses, requires three parking spaces for all residential dwellings (apartment or condominium) over 2,500 square feet. Section 15-2.6-9 Parking Regulations (in the HCB District) requires that the required off-street parking either be provided on-site, or that a fee established by the City be paid in lieu of the required parking and multiplied by the required spaces.
12. Applicant is required to have eighteen (18) parking spaces. They propose twelve (12) parking spaces on site, and must either provide the six (6) additional spaces within the garage or pay the required fee as calculated by the City unless the LMC is amended to require only two (2) parking spaces per unit prior to the issuance of the building permit for the building.
13. The HDDR plans submitted showing the parking stalls within the garage did not appear to meet the minimum parking standards set forth in Section 15-3-3(F) Parking Space Dimensions, which requires that each stall have a minimum of nine-feet (9') in with by eighteen-feet (18') long. The applicant has indicated that the plans showed the incorrect scale and that the garage was designed to accommodate twelve parking spaces that meet and/or exceed the minimum standards. Applicant will submit revised plans to Staff prior to the scheduled HPB Meeting.
14. The proposed building design complies with the Universal Guideline #1 for New Construction in that the proposed building uses simple building forms, unadorned materials, and restrained ornamentation.
15. The proposed building complies with Universal Guideline #2 for new construction because it does not directly imitate existing historic structures located on surrounding properties or within the Historic District.
16. The proposed building complies with Universal Guideline #3 due to the fact that the architecture of the proposed building is designed in a manner consistent with a contemporary interpretation of its chosen style and that the stylistic elements are not simply applied to the exterior. The building does not replicate a style that never appeared in Park City and does not radically conflict with the character of Park City's Historic Sites.
17. The proposed building complies with Universal Guideline #4 because the proposed building and site design respect the existing topography, character, and site defining features. There are a limited numbers of existing trees or vegetation on the site, and cuts, fill, and retaining walls will not be visible to the

public as the building will be constructed to follow the contour of the existing hillside.

18. The proposed building complies with Universal Guideline #5 as the proposed exterior elements of the building, including roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc., are to be of human scale and are designed to be compatible with neighboring Historic Sites, including the adjacent Imperial Hotel and Grappa restaurant building.
19. The proposed building complies with Universal Guideline #6 because the scale and height of the proposed structure follows the predominant pattern of the neighborhood with special consideration given to Historic Sites, including the aforementioned buildings.
20. The proposed building complies with Universal Guideline #7 due to the fact that the size and mass of the structure will be compatible with the size of the property Lot coverage, building bulk, and mass are compatible with Historic Sites in the neighborhood, including most of the surrounding sites.
21. The proposed building complies with Universal Guideline #8 as the construction of said building will not physically damage nearby Historic Sites. The applicant will be required to submit a construction mitigation plan, including a plan to mitigate potential damage to surrounding buildings as part of the building permit submittals.
22. The proposed building complies with Specific Guideline A1. Building Setbacks & Orientation in that the location of the structure on the site is proposed in a manner that follows the predominant pattern of historic buildings along Main Street, maintaining traditional setbacks, orientation of entrances, and alignment along Main Street. The proposed building avoids a design that will cause snow shedding onto adjacent properties due to the fact that the building will have a flat roof. The applicant also has a ten-foot (10') setback between the building and the property line for additional snow shedding if necessary.
23. The proposed building complies with Specific Guideline A2. Lot Coverage; in that the proposed coverage is in fact compatible with the surrounding Historic Sites. Most of the adjacent sites have lot coverage equal to 90-100%. The applicant is proposing a rear yard setback to provide for an open space area between the proposed building and the adjacent Jefferson House Condominium. The proposed building footprint takes up approximately 70% of the total lot.
24. The proposed building complies with Specific Guideline A.4. Site Grading and Steep Slope Issues. The proposed building and site design respond to the natural contour of the property. The proposed structure steps down the hill to follow the existing contours slopes, and building scale is minimized in the rear-yard as the building is designed to limit/limiting the height to twenty-five feet (25') so as not to tower over the adjacent Jefferson House Condominiums. The building design minimizes cuts into the hillside, respect the sites natural slope. There is no fill proposed and the proposed retaining wall will be the rear of the building visible from only the interior of the parking garage. The proposed excavation will not exceed one-story in depth.
25. The proposed building complies with Specific Guideline A.5 Landscaping. The landscape plans propose planters in front and rear that will have water efficient

drip irrigation with seasonal plant materials. Because the building is proposed to have a zero-lot setback in the front, there is no other landscaping proposed. The proposed landscape treatment adjacent to the sidewalk is part of a comprehensive, complementary and integrated design. Adjacent buildings provide no landscaping between Main Street and the buildings and, this proposal will offer visual relief between the street and the building. Rear landscaping will also be planters which will be placed in the rear yard setback area and will include the planting of trees and shrubs between the proposed structure and the Jefferson House Condominium.

26. The proposed building complies with Specific Guideline B.1. Mass, Scale and Height. The building will have a mass that is visually compatible with the surrounding Historic Sites along Main Street. The proposed building will have articulation in the wall plane and roof heights for each unit to help diminish the visual impact of the overall building mass, form, and scale. The proposed variations in roof height and vertical element will break up the form, mass, and scale of the overall structure. The building is designed not to tower over the adjacent building to the rear, and a twenty-five foot (25') height and has a ten foot (10') rear setback which will allow for light and air into the adjacent building. The proposed structure is not stepped up the side of the hill to maintain a constant height or to appear as a building that "crawls" up the side of the hill. The proposed building is not significantly taller or shorter than surrounding historic buildings along Main Street. The proposed structure maintains a similar height as the adjacent Imperial Hotel and Grappa restaurant building. All windows, balconies and decks are oriented towards Main Street in order to respect the existing conditions of adjacent neighboring properties to the rear and sides. The primary façade of the proposed building is compatible with the width of surrounding historic buildings and the structure is set back significantly from the plane of the primary façade, not only for design consideration, but for functionality of the front porch as well.
27. The proposed building complies with Specific Guideline B.2 Key Building Elements, including compliance with Foundations, Roofs, Materials, Windows and Doors, Porches, Paint & Color, Mechanical and Utility Systems and Service Equipment. The proposed flat roof is compatible with surrounding Historic sites and a majority of roof forms in Old Town. Windows and doors are compatible with surrounding historic buildings and proportional to the scale and style of the building. The Porches have been incorporated into the initial construction of the building and are compatible with the building style, scale and proportion, Paint and Colors are opaque and there are no transparent painted surfaces proposed. Mechanical and Utility Systems and Service Equipment is proposed to be screened from public view.
28. The proposed building complies with Specific Guideline D. off Street Parking Areas. The structure includes an at-grade parking structure on the main floor that is completely enclosed and screened from public view. The applicant is required to provide three (3) parking spaces per unit, has shown a total of twelve (12) parking spaces on-site, and will be required to pay a fee in lieu of for the remaining six (6) spaces needed.

29. Per LMC § 15-1-18(G) the appellant has the burden of proving that Staff erred in its approval of HDDR for 205 Main Street.
30. No specific Historic District Design Guideline Criteria were appealed.
31. The discussion in the Analysis section of this Staff Report is incorporated herein.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Commercial Business (HCB) District (lot size, setbacks, etc.).
3. Multi-Unit Dwellings are an Allowed Use in the HCB District per Section 15-2.5-2(A)(2) of the LMC.
4. The proposed building meets the applicable Historic District Design Guidelines for New Construction, as well as applicable Universal Design Guidelines..

Order:

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

Conditions of Approval

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing adjacent structures (Jefferson House Condominiums, Imperial Hotel, and the Grappa restaurant building (et al), and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on August 28, 2012, redlined and approved by the Planning Department on October 29, 2012 (with a new sheet showing correct scale for parking lot). Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in appearance to the approved architectural drawings/documents shall be reviewed and approved prior to construction. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
4. All standard conditions of approval shall apply (see attached).

5. If a building permit has not been obtained by December 5, 2013 this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
6. Any area disturbed during construction surrounding the proposed work shall be brought back to its original state prior to issuance of a Certificate of Occupancy.
7. Construction waste should be diverted from the landfill and recycled when possible.
8. Exterior lighting is not approved. Cut sheets and locations shall be submitted to the Planning Department for review and approval prior to installation. All exterior lighting shall meet Park City's lighting ordinance and be downward directed and shielded.
9. The City Engineer shall review and approval all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance. Furthermore, the applicant shall submit a soils test and proving engineering drawings and opinions demonstrating that that the excavation will not in any negative way impact the foundation of the Jefferson House building when the construction mitigation plan is provided with the Building Permit application. A copy of which shall be submitted to the Jefferson House HOA Representative prior to the submission to the Building Department, for review.
10. All electrical service equipment and sub-panels as well as all mechanical equipment, except those owned and maintained by public utility companies, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain. Mechanical equipment shall be located within the garage as shown on the original plans. Exterior mechanical equipment shall require additional review through the HDDR process and shall be consistent with LMC § 2.6-10 and Specific Guideline B.2.15.
11. Water Department – Street pressure is about 60 psi, the highest fixtures and fire sprinklers in that building will sit at about 35 – 40 psi static. The water system for the building shall be required to be design with these figures in mind.
12. Questar Gas – The natural gas line is on the east side of Main Street and at the time of building we will have to cut the asphalt road to install a service line to this new building. There will be costs incurred for this, and Questar will need city approval to cut the road. The applicant shall contact Jeff Hundley at 435-654-6186 or at Jeff.Hundley@questar.com prior to the connection of the gas line.
13. Snyderville Basin Water Reclamation District – Sewer service will have one master line. If future plans are to subdivide each unit, a separate sewer service would be required for each. The applicant may want to consider this up-front to avoid issues in the future.
14. Engineering – The property is located in the Soils Ordinance boundaries. All soil removed from the property will have to be properly disposed of at a hazardous waste facility that can accept contaminated soils.
15. Building Department – the conditions of approval for the previously approved project regarding window egress on the north side of the proposed building next

to the Imperial Hotel shall apply. Specific language will be included in the final action letter.

16. Transportation - Only one curb cut will be allowed onto Main Street. The location of the existing curb cut is proposed to stay and is the preferred location.
17. Unless the LMC is amended to require only two parking spaces per unit prior to the issuance of the building permit, a fee in lieu of on-site parking for six (6) additional parking spaces shall be required, and payment of the fee shall be required prior to the issuance of the building permit for the six-unit residential building.
18. The parking garage lot layout shall be re-designed to meet the LMC requirements of Section 15-3-3(F) of the LMC, and updated drawing with the correct scale shall be submitted by the applicant prior to the acceptance of a building permit application for the six-unit residential building.
19. Approval of this HDDR was noticed on October 26, 2012, and any approval is subject to a 10 day appeal period.

TESCH LAW OFFICES

A Professional Law Corporation

Joseph E. Tesch
jocht@teschlaw.com

314 Main Street - Suite 200
PO Box 3390
Park City, Utah 84060-3390
Tel: (435) 649-0077
Fax: (435) 649-2561

November 5, 2012

VIA HAND-DELIVERY & U.S. MAIL
Park City Board of Appeals
Park City Preservation Board
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060-1480

Re: *Appeal of Planning Department's Approval of Proposed Building at 205 Main St.*

Dear Park City Board of Appeals/ Historic Preservation Board,

This is an Appeal pursuant to Title 15, Chapter 11 of the Park City Municipal Code of the Planning Department's decision made on its Historic District/Site design revision of the submittals to construct a building at 205 Main Street. *See Park City Land Management Code Section 15-11-5.*

The appellant is the Jefferson House HOA ("Appellant"). Its property is located at 206 Park Avenue and shares a common property line with 205 Main Street. The proposed construction will impact Appellant's rights and enjoyment of its property.

The basis of this appeal are the issues raised in the attached letter from Michael Stoker of Stoker Architecture, Inc. dated October 9, 2012, attached hereto as Exhibit A; and Stoker's e-mail to Mathew Evans dated October 16, 2012, attached hereto as Exhibit B, and the issues raised in the attached letter from Barry H. Welliver of BHW Engineers, L.L.C. dated October 19, 2012, attached hereto as Exhibit C.

These issues have been previously presented to Mathew Evans of the Planning Department and Jefferson House HOA has not received full or acceptable responses as of this date. Should you have additional questions, please let us know immediately.

Sincerely,
TESCH LAW OFFICES, P.C.



Joseph E. Tesch
Attorney for Jefferson House HOA



cc: Bill Kranstover
President
Jefferson House HOA *(via e-mail)*

Mark Harrington *(via e-mail)*
City Attorney

Mathew Evans *(via e-mail)*
Planning Department



EXHIBIT A

RECEIVED
NOV 05 2012
PARK CITY
PLANNING DEPT.



October 9, 2012

Mr. Bill Kranstover
President, Jefferson House HOA
206 Park Avenue
Park City, Utah

RE: Architectural Plan Review
205 Main Street Condominiums

Dear Mr. Kranstover:

As requested, I have completed an initial architectural plan review of the 205 Main Street Condominiums that are currently under review at the Park City Municipal Corporation Planning Department.

This review was based on viewing the architectural drawings produced by Elliott Workgroup, titled "HDDR Application Set" dated August 28, 2012.

There are several issues that could impact the Jefferson House if this project is constructed as currently designed. My concerns, that I believe should be raised with the Planning Department prior to the project moving any further in the design review process, include:

1. **Building volume and height.** The Park City Land Management Code (LMC) Title 15, Chapter 2.6-5 describes the maximum building volume and height allowed for this project. LMC 15-2.6-5(A) defines the front lot of the building requirements. The plans appear to have shown some of this. Specifically, the front plane of the building that rises vertically at the front lot line is to have a height of thirty feet measured above the average natural grade, then proceeds at a forty-five degree angle toward the rear of the property line...until it connects with the rear portion of the bulk plane. These restrictions are shown on the five building sections provided.

1733 Sidewinder Drive, 2nd Floor • Park City, UT 84060 • Phone: (435) 647-5876 • Fax: (435) 658-0939



October 9, 2012
Mr. Bill Kranstover
Page 2

However, LMC 15-2.6-5(D): “Wherever the HCB District abuts a residential Zoning District, the abutting portion of the bulk plane is defined by a plane that rises vertically at the abutting Lot Line to a height matching the maximum height of the abutting Zone, measured from Existing Grade and then proceeds at a forty-five degree angle toward the opposite Lot Line until it intersects with a point forty five feet above Existing Grade”.

This applies to the rear property line of the proposed project. There needs to be a 27’ vertical line shown on all the sections at the rear lot line and proceeds up at a 45 degree angle until it connects with the front portion of the bulk plane. This may or may not have an impact on the design of the west portion of the building...the side closest to your property.

Although perhaps not required, it would be nice to see your building shown on the five building sections on the last two pages of the HDDR Application Set of drawings. It would not only assist you in determining how the size and placement of the new building will impact your building (both horizontally and vertically)...but, it would allow the Planning Department do a thorough design review in the Historic District, showing the context of these two structures, since the two buildings are so close to each other.

2. Parking. The LMC, Title 15, Chapter 3 requires 3 off-street parking spaces for condominium units with 2,500 sf or more of floor area. Each of the six units appears to be in excess of the 2,500 sf figure. Therefore, it would appear that 18 off-street parking spaces are required. The project currently provides for a total of 12 off-street parking spaces.
3. Mechanical. The LMC Title 15, Chapter 2.6-10 requires that all exterior mechanical equipment must be screened to minimize noise infiltration to adjoining properties and to eliminate visual impacts...including those properties located above the rooftops of structures in the HCB district.

The LMC further states that all mechanical must be shown on the plans prepared for architectural review by the Planning Department. The proposed plans do not indicate any rooftop mechanical equipment. You should have verification that this is in fact the case. If there are in fact units on the rooftop, care must be made to screen this equipment from Jefferson house (both for visual impacts to your units and noise infiltration to your property).



October 9, 2012
Mr. Bill Kranstover
Page 3

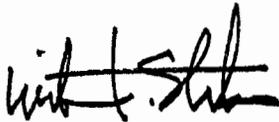
The plans indicate there are several mechanical rooms on the garage level and levels 1, 2 and 3 of the proposed building. These mechanical rooms are located on the west wall of the complex...very close to your east property line. Level 3 is at the exterior sidewalk level between the proposed building and Jefferson House. The other three levels (garage, level 1 and level 2) are below grade. I can only assume that mechanical air intake and exhaust grilles and pipes will be used to service the mechanical rooms near your property. The exterior elevations (west) do not indicate any type of exterior penetrations related to any mechanical equipment in the building. You should verify that any and all mechanical equipment and its' related equipment is screened from view, etc. Especially since the building is designed without a roof parapet wall. Any penetrations through the building roof or the west wall will impact what your building occupants see (and hear) when they look out their windows.

4. Snow storage. The LMC Title 15, Chapter 3 requires snow storage areas be considered into the design. You should verify that adequate areas have been provided for along the west side of their building where the sidewalk and bedroom patios are located. In addition, please be aware that you should probably (and may be required) to enter into a snowshed agreement with the developer of the building to minimize your liability from snow shedding off your roof onto their property. This is nearly impossible to do without showing the location of their building as it relates to the location/size/configuration of your building on the five building sections that are provided.

As I have mentioned, this was only an initial review. There may be additional items that would be of a concern to your HOA upon a more detailed review of the plans.

Please contact me should you need further clarification of the issues raised in this report.

Sincerely,



Michael J. Stoker, AIA, NCARB – Architect
Stoker Architecture, Inc.

C: Joe Tesch



EXHIBIT B

RECEIVED
NOV 05 2012
PARK CITY
PLANNING DEPT.
Page 58 of 92

Tassie Williams

From: Michael J. Stoker, AIA, NCARB [mike@stokerarch.com]
Sent: Friday, October 26, 2012 11:00 AM
To: Joe Tesch
Subject: FW: 205 Main Street Condominiums
Attachments: 205 Main Street Architectural Plan Review - Jefferson House.pdf

Importance: High

-----Original Message-----

From: Michael J. Stoker, AIA, NCARB [mailto:mike@stokerarch.com]
Sent: Tuesday, October 16, 2012 2:54 PM
To: 'Mathew Evans'
Cc: 'art@kranstover.com'; 'Barry Welliver'
Subject: 205 Main Street Condominiums
Importance: High

Mathew,

Attached, please find my October 9, 2012 three page letter to the Jefferson House HOA, regarding architectural issues relating to how the 205 Main Street project will impact the Jefferson House building.

As you are aware the Jefferson House is a historic structure on the uphill side of the proposed project. There are many issues that must be addressed prior to construction during the planning review phases. I have outlined some of these concerns in my letter. I am also requesting (as is the Jefferson House HOA) the Jefferson House building be shown on the HDDR submittal drawings in order for the HOA to determine how the proposed design impacts them. In addition, it would be helpful to add or modify the submittal drawings, as necessary, to address the other issues in the letter.

I have met with the HOA President, Bill Kranstover, and a structural engineer on the site. Bill will be coming by your office on Wednesday, October 17 to discuss things with you. The structural engineer, Barry Welliver, will be emailing you a copy of his report this week.

I will be out of the office Oct. 17-21. Please feel free to contact me via email in the meantime if there is any clarification I can provide, relating to my letter. I can meet or discuss any issues next week when I return to the office on Monday.

Thank you.

Michael J. Stoker, AIA, NCARB-Architect President, Stoker Architecture, Inc.
1733 Sidewinder Drive - Suite B
Park City, UT 84060
<http://www.stokerarch.com>
O 435.647.5876
M 435.640.3145
F 435.658.0939



BHW Engineers, L.L.C.

13623 S BRIDLE TRAIL ROAD DRAPER, UTAH 84020
TEL 801 553-0162 FAX 801-553-0163

bhwlliver@mac.com

October 19, 2012

Mr. Bill Kranstover
President, Jefferson House HOA
206 Park Avenue
Park City, Utah

RE: Structural Plan Review
Jefferson House
206 Park Avenue
Park City, Utah



Dear Mr. Kranstover:

Following the request of Michael Stoker of Stoker Architecture, Inc, I have performed an initial structural plan review of the proposed new construction for the 205 Main Street Condominiums presently under review by the Park City Municipal Planning Department.

The purpose of my review is to assess the potential effects of the new construction on the structural integrity of the Jefferson House. We were provided 8-1/2"x11" copies of the architectural drawings titled "HDDR Application Set" dated August 28, 2012 prepared by Elliott Workgroup.

No geotechnical information was available at this time, so conclusions and recommendation contained in this report are limited and based upon generally accepted engineering practices.

DESCRIPTION

The original structure was a one room school building in the late 1800's which was demolished when the present larger three story brick building was constructed in 1902. A plaque on the front of the building notes that the foundations and name of the Jefferson School were preserved as the Jefferson House apartments.

The subject project is located directly west and upslope of the proposed new construction. The building steps down the slope from Park Avenue. The upper level reportedly was rebuilt as wood framing some time in the past following a structure fire.

Construction of the proposed new condominiums to the east of Jefferson House will require vertical cut excavations of approximately 32 feet within 10 feet or less of the property line. This excavation will be within the influence line for the support of the Jefferson House foundations and therefore will require considerations during construction and for the design of the new retaining walls for the proposed building.

Shoring will be required to temporarily support the soils during construction of the new building. Typically this type of support is provided by vertical soldier piles, lagging between, and tieback anchor rods installed below grade. If this form of shoring is used, these tie rods would need to extend beyond the property line and under the Jefferson House to provide sufficient anchorage.

Other means of supporting the temporary excavation include internally braced soldier piles and lagging and gunite concrete tieback walls.



Additionally, natural ground water flows may be temporarily affected by the proposed excavation and require some consideration during design and final construction of the new building.

FINDINGS and RECOMMENDATIONS

The primary considerations resulting from the proposed new building at 205 Main Street will include monitoring the Jefferson House building for vertical and lateral loads both during excavation and following completion of the new structure.

Monitoring programs are particularly important for historic structures due to the brittle nature of their construction materials and their relative sensitivity to displacements. These programs generally consist of a pre-construction survey of the potentially affected building to document all existing structural conditions including cracks and displacements, and displacement monitoring during construction.

Selection of the temporary shoring scheme alternatives and final drainage plan may also affect whether extended monitoring may be required. Wood lagging used in conventional tie back walls should be pressure treated and installed with compacted backfilling to avoid any long term movements of the retained materials. Drainage systems should also be designed so as to maintain the present flows and not create adverse affects within the soils under and adjacent to Jefferson House.

I trust this will provide you with the information you require regarding the structural aspects of the proposed new construction. If you have any additional questions or require additional information, please let me know.

Sincerely,



Barry H. Welliver

Structural Engineer





Joseph E. Tesch
joet@teschlaw.com

314 Main Street - Suite 200
PO Box 3390
Park City, Utah 84060-3390
Tel: (435) 649-0077
Fax: (435) 649-2561

November 13, 2012

VIA EMAIL AND US MAIL

Historic Preservation Board
c/o Park City Planning Department
Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060

Re: Supplemental Appeal of Planning Department’s Approval of Proposed Business Building 205 Main Street

Dear Board of Appeals/Historic Preservation Board:

This letter is a supplement to the appeal filed by Jefferson House on November 5, 2012. This supplement is necessary as a copy of the Notice of Planning Staff Administrative Action was not received by Jefferson House nor its counsel until November 8, 2012.

Therefore, Jefferson House makes the following additional objections and requests concerning that Action:

Findings of Fact

Paragraph 8 of the Findings of Fact reads as follows:

“The maximum building height allowed in the HCB District is forty-five (45’) feet measured from the natural grade. The proposed building is approximately thirteen feet (13’) tall at the front-yard setback (property line) with a maximum height of forty-five feet (45’) at the highest point from the natural grade and twenty-five feet (25’) tall at the rear yard setback.”

Jefferson House reincorporates the objections to the measurement of heights as noted in the original appeal and further objects to the fact that the rear height of the building will be 25’ tall at the rear setback.

That means that the bottom two stories in the Jefferson House will be completely blocked from any view to the east. In addition, if the building is 25’ tall, additional equipment placed on top of the building will likely exceed that height and further impair light, air circulation, etc.

In order for the Historic Preservation Board to adequately understand the difficulty this will cause to Jefferson House, Jefferson House requests that the Board require that the Applicant

provide a demonstrative north-south view of the cavern that will be created between the two buildings. The view should show (beginning on the east) the height of the proposed 205 building at the setback, the width of the corridor that will exist between the two buildings and the height of the current Jefferson House, including the approximate location of windows facing east from the apartments in the Jefferson House.

Paragraph 11 reads as follows:

“The applicant is required to provide three parking spaces per dwelling unit. The plans only show two spaces per unit. Section 15-3-6(A) Parking Ration Requirements for Specific Land Use Categories – Residential Uses, requires three parking spaces for all residential dwellings (apartment or condominium) over 2,500 square feet. Section 15-2.6-9 Parking Regulations (in the HCB District) requires that the required off-street parking either be provided on-site, or that a fee established by the City be paid in lieu of the required parking and multiplied by the required spaces. In this case, the applicant can either provide the six (6) additional spaces within the garage or pay the required fee as calculated by the City.”

Obviously, as shown in other parts of the Report, the sizes of the parking spaces shown by the Applicant do not even meet current code. Moreover, if the Applicant increases the size of the current parking spaces or attempts to add six additional parking spaces, much of the equipment in the first floor will need to be reconfigured to the other floors in the building. This can cause additional negative visual impacts to Jefferson House and also additional generation of noise to the occupants of Jefferson House.

Therefore, Jefferson House requests that the Applicant be required to choose now, before approval, whether it will add additional six parking spaces or simply pay for them and, in any event, provide construction drawings showing the exact location of the reconfigured parking stalls and the new location of any equipment that will be removed from the parking garage (if any) so that Board may ascertain the impact on the Jefferson House.

Paragraph 12 reads as follows:

“The parking stalls within the garage do not appear to meet the minimum parking standards set forth in Section 15-3-3(F) Parking Space Dimensions, which requires that each stall have a minimum of nine-feet (9’) in width by eighteen-feet (18’) long. The back-up drive aisle must be twenty-four feet (24’) wide between spaces. It appears that this area can be reconfigured to meet this code and will be a condition of approval.”

Again, this matter should not be left unresolved but, instead, the actual final location of the parking stalls should be required as a condition of approval.

Paragraph 23 reads as follows:

“The proposed building complies with Specific Guideline A1. Building Setbacks & Orientation in that the location of the structure on the site is proposed in a manner that follows the predominant pattern of historic buildings along Main Street, maintaining

traditional setbacks, orientation of entrances, and alignment along Main Street. The proposed building avoids a design that will cause snow shedding onto adjacent properties due to the fact that the building will have a flat roof.”

No analysis is presented as to whether the proposed setback and height of the building as it relates to the Jefferson House is consistent with the predominant pattern of historic buildings between Main Street and Park Avenue. That analysis should be required as a condition of approval.

With regard to the fact that the design “will not cause [snow] shedding onto adjacent properties due the fact that the building will have a flat roof,” this does not answer this question: Every building owner on Main Street knows that if you have a flat roof, periodically through the winter as the snow accumulates, you are required to shovel the roof off to avoid roof leaks into the building. A plan must be shown and approved by the Board showing exactly how and where any snow that is removed from the flat roof will be deposited.

Paragraph 25 reads as follows:

“The proposed building complies with Specific Guideline A.4. Site Grading and Steep Slope Issues. The proposed building and site design respond to the natural contour of the property. The proposed structure steps down the hill to follow the existing contours slopes, and building scale is minimized in the rear-yard as the building is designed to limit/limiting the height to twenty-five feet (25') so as not to tower over the adjacent Jefferson House Condominiums. The building design minimizes cuts into the hillside, respect the sites natural slope. There is no fill proposed and the proposed retaining wall will be the rear of the building visible from only the interior of the parking garage. The proposed excavation will not exceed one-story in depth.”

Please see our appeal as noted with regard to Paragraph 8 above. Jefferson House maintains that a building 25' at its setback, facing the Jefferson House, while it may not tower over the Jefferson House is too tall and it negatively effects the quality of life in the Jefferson House Apartments and is also inconsistent, in that regard, with the predominant pattern of the neighborhood.

Paragraph 27 reads as follows:

“The proposed building complies with Specific Guideline A.6. Mass, Scale and Height. The building will have a mass that is visually compatible with the surrounding Historic Sites along Main Street. The proposed building will have articulation in the wall plane and roof heights for each unit to help diminish the visual impact of the overall building mass, form, and scale. The proposed variations in roof height and vertical element will break up the form, mass, and scale of the overall structure. The building is designed not to tower over the adjacent building to the rear, and a twenty-five foot (25') height and increased setback will allow for light and air into the adjacent building. The proposed structure is not stepped up the side of the hill to maintain a constant height or to appear as a building that "crawls" up the side of the hill. The proposed building is not significantly taller or shorter than surrounding historic buildings along Main Street. The proposed

structure maintains a similar height as the adjacent Imperial Hotel and Grappa restaurant building. All windows, balconies and decks are oriented towards Main Street in order to respect the existing conditions of adjacent neighboring properties to the rear and sides. The primary façade of the proposed building is compatible with the width of surrounding historic buildings and the structure is set back significantly from the plane of the primary façade, not only for design consideration, but for functionality of the front porch as well.”

Jefferson House objects to the height of 25’ near the common property line between it and Jefferson House. Jefferson House also objects to the adequacy of light and air into its building as a result of the fact that a 25’ high building will completely obstruct any views from several apartments except straight up and will likely also interfere with air circulation given the length of both buildings and the narrowness of the cavern between them.

Paragraph 28 reads as follows:

“The proposed building complies with Specific Guideline B.2 Key Building Features, including compliance with Roofs, Materials, Windows and Doors, Porches, Paint & Color, Mechanical and Utility Systems and Service Equipment. The proposed flat roof is compatible with a majority of roof forms in Old Town. Windows and doors are compatible with surrounding historic buildings and proportional to the scale and style of the building. The Porches have been incorporated into the initial construction of the building and are compatible with the building style, scale and proportion, Paint and Colors are opaque and there are no transparent painted surfaces proposed. Mechanical and Utility Systems and Service Equipment is proposed to be screened from public view, including roof-mounted equipment which shall be placed beyond the mid-point of the roof and not visible from any public right of way.”

While Mechanical and Utility Systems and Service Equipment are required to be screened from “public view,” this matter should not be left to further review. Applicant should be required to show exactly where this equipment will be located and how it will be screened.

This is especially true since placing the roof mounted equipment is proposed to be closer to Jefferson House, at its detriment, in order to hide it from the public.

Conditions of Approval

Paragraph 1 reads as follows:

“Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing adjacent structures (Jefferson House Condominiums, Imperial Hotel, and the Grappa restaurant building (et al), and existing infrastructure/streets from the construction.. All anticipated road closures shall be described and permitted in advance by the Building Department.”

The Jefferson House is an historic building that was built around 1902. Extra measures

Historic Preservation Board
 November 13, 2012
 Page 5 of 5

should be required to protect Jefferson House from excavation immediately adjacent and downhill from it.

This condition of approval should be changed so that the Applicant is required to perform a soils test and provide engineering drawings and opinions demonstrating that the excavation will not in any negative way impact the foundation or the Jefferson House itself. These plans and opinions should be reviewed and approved by the City Engineer prior to granting approval.

Paragraph 9 reads as follows:

“The City Engineer shall review and approval all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.”

Again, the Applicant should be required to submit construction drawings and engineering opinions demonstrating that the installation of the public improvements, drainage plans, flood plain issues and construction mitigation excavation plans are adequate to eliminate any possible damage to the Jefferson House.

Paragraph 13 reads as follows:

“Snyderville Basin Water Reclamation District — Sewer service will have one master line. If future plans are to subdivide each unit, a separate sewer service would be required for each. The applicant may want to consider this up-front to avoid issues in the future.”

This paragraph should be removed in its entirety and replaced with this language: “The six proposed units may not be subdivided.” The suggestion that these units may be subdivided is an improvident way to proceed. The decision whether or not to allow the 205 Main Street building to be built, is based upon the fact that it contains six proposed units, not 12, and not 24 units. Six units should be the absolute limit.

Thank you for your immediate attention to this supplement to the appeal by Jefferson House HOA.

Sincerely,
 Tesch Law Offices, P.C.



Joseph E. Tesch
 Attorney for Jefferson House

JET/tw

cc: Bill Kranstover (via email)
 Matt Evans (via email)
 Thomas Eddington (via email)
 Mark Harrington (via email)



Building • Engineering • Planning

October 29, 2012

Craig Elliot
 On behalf of 205 Main Street Group, LLC
 P.O. Box 3419
 Park City, Utah 84060

NOTICE OF PLANNING STAFF ADMINISTRATIVE ACTION

Project Address: 205 Main Street, Parcel 1 Park Place on Main Street.
Project Description: Proposed Six (6) Dwelling-Unit Residential Condominium.
Date of Action: October 29, 2012
Project Number: PL-12-01603

Summary of Staff Action

Staff reviewed this project for compliance with the Historic District Design Guidelines, specifically with 1) Universal Guidelines for New Construction (#1 through #7) and 2) Specific Guideline: A1. Building Setbacks & Orientation, A.2 Lot Coverage, A.4 Site Grading & Steep Slope Issues, A.5 Landscaping, B.1 Mass, Scale & Height, B.2 Key Building Elements, and D. Off-Street Parking Areas. Staff found that as conditioned the proposed six unit residential dwelling will comply with applicable Guidelines. This letter serves as the final action letter and approval for the proposed design for 205 Main Street, as redlined subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 205 Main Street, more specifically Parcel 1 of the Park Place on Main Street Plat Amendment which originally consisted of five (5) full Old Town lots.
2. The parcel is approximately 9,148 square feet in size. The minimum lot size in the Historic Commercial Business (HCB) District is 1,250 square feet.
3. The property is located in the HCB District.
4. Multi-Unit dwellings are a permitted use in the HCB District.
5. This is a vacant parcel not identified on the City's Historic Sites Inventory and is not designed as a Historically Significant or Landmark Site.
6. Each of the six proposed units is labeled between A through F. Unit A is 3,037 square feet, Unit B is 2,989 square feet, Unit C is 3,092 square feet, Unit D is 3,025 square feet, and Unit F is 2,906 square feet.

7. The proposed building is a four (4) story structure with a parking garage at the main level and three (3) stories of residential above.
8. The maximum building height allowed in the HCB District is forty-five feet (45') feet measured from the natural grade. The proposed building is approximately thirteen feet (13') tall at the front-yard setback (property line) with a maximum height of forty-five feet (45') at the highest point from the natural grade and twenty-five feet (25') tall at the rear yard setback.
9. There are not front, rear or side-yard requirements in the HCB District, in essence allowing a "zero-lot-line" building.
10. The proposed building meets the minimum requirements of Section 15-2.6-5(A) and (B) – Maximum Building Volume and Height of the LMC.
11. The applicant is required to provide three parking spaces per dwelling unit. The plans only show two spaces per unit. Section 15-3-6(A) Parking Ration Requirements for Specific Land Use Categories – Residential Uses, requires three parking spaces for all residential dwellings (apartment or condominium) over 2,500 square feet. Section 15-2.6-9 Parking Regulations (in the HCB District) requires that the required off-street parking either be provided on-site, or that a fee established by the City be paid in lieu of the required parking and multiplied by the required spaces. In this case, the applicant can either provide the six (6) additional spaces within the garage or pay the required fee as calculated by the City.
12. The parking stalls within the garage do not appear to meet the minimum parking standards set forth in Section 15-3-3(F) Parking Space Dimensions, which requires that each stall have a minimum of nine-feet (9') in with by eighteen-feet (18') long. The back-up drive aisle must be twenty-four feet (24') wide between spaces. It appears that this area can be reconfigured to meet this code and will be a condition of approval.
13. The proposed building uses a mixture of exterior materials including three primary materials of brick, stone, and cement board. Other exterior materials include cut stone and stainless steel trim (see Exhibit "A").
14. Each unit has an exterior entrance onto Main Street as well as a separate entrance from the parking garage.
15. The proposed design complies with the Universal Guideline #1 for New Construction in that the proposed building uses simple building forms, unadorned materials, and restrained ornamentation.
16. The proposed building complies with Universal Guideline #2 for new construction because it does not directly imitate existing historic structures located on surrounding properties or within the Historic District.
17. The proposed building complies with Universal Guideline #3 due to the fact that the architecture of the proposed building is designed in a manner consistent with a contemporary interpretation of its chosen style and that the stylistic elements are not simply applied to the exterior. The building does not replicate a style that never appeared in Park City and does not radically conflict with the character of Park City's Historic Sites.
18. The proposed building complies with Universal Guideline #4 because the proposed building and site design respect the existing topography, character, and site defining features. There are a limited numbers of existing trees or vegetation on the site, and

- cuts, fill, and retaining walls will not be visible to the public as the building will be constructed to follow the contour of the existing hillside.
19. The proposed building complies with Universal Guideline #5 as the proposed exterior elements of the building, including roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc., are to be of human scale and are designed to be compatible with neighboring Historic Sites, including the adjacent Imperial Hotel and Grappa restaurant building.
 20. The proposed building complies with Universal Guideline #6 because the scale and height of the proposed structure follows the predominant pattern of the neighborhood with special consideration given to Historic Sites, including the aforementioned buildings.
 21. The proposed building complies with Universal Guideline #7 due to the fact that the size and mass of the structure will be compatible with the size of the property Lot coverage, building bulk, and mass are compatible with Historic Sites in the neighborhood; including most of the surrounding sites.
 22. The proposed building complies with Universal Guideline #8 as the construction of said building will not physically damage nearby Historic Sites. The applicant will be required to submit a construction mitigation plan, including a plan to mitigate potential damage to surrounding buildings as part of the building permit submittals.
 23. The proposed building complies with Specific Guideline A1. Building Setbacks & Orientation in that the location of the structure on the site is proposed in a manner that follows the predominant pattern of historic buildings along Main Street, maintaining traditional setbacks, orientation of entrances, and alignment along Main Street. The proposed building avoids a design that will cause snow shedding onto adjacent properties due to the fact that the building will have a flat roof.
 24. The proposed building complies with Specific Guideline A2. Lot Coverage; in that the proposed coverage is in fact compatible with the surrounding Historic Sites. Most of the adjacent sites have lot coverage equal to 90-100%. The applicant is proposing a rear yard setback to provide for an open space area between the proposed building and the adjacent Jefferson House Condominium.
 25. The proposed building complies with Specific Guideline A.4. Site Grading and Steep Slope Issues. The proposed building and site design respond to the natural contour of the property. The proposed structure steps down the hill to follow the existing contours slopes, and building scale is minimized in the rear-yard as the building is designed to limit/limiting the height to twenty-five feet (25') so as not to tower over the adjacent Jefferson House Condominiums. The building design minimizes cuts into the hillside, respect the sites natural slope. There is no fill proposed and the proposed retaining wall will be the rear of the building visible from only the interior of the parking garage. The proposed excavation will not exceed one-story in depth.
 26. The proposed building complies with Specific Guideline A.5 Landscaping. The landscape plans propose planters in front and rear that will have water efficient drip irrigation with seasonal plant materials. Because the building is proposed to have a zero-lot setback in the front, there is no other landscaping proposed. The proposed landscape treatment adjacent to the sidewalk is part of a comprehensive, complementary and integrated design. Adjacent buildings provide no landscaping between Main Street and the buildings and, this proposal will offer visual relief between the street and the building. Rear landscaping will also be planters which will

- be placed in the rear yard setback area and will include the planting of trees and shrubs between the proposed structure and the Jefferson House Condominium.
27. The proposed building complies with Specific Guideline A.6. Mass, Scale and Height. The building will have a mass that is visually compatible with the surrounding Historic Sites along Main Street. The proposed building will have articulation in the wall plane and roof heights for each unit to help diminish the visual impact of the overall building mass, form, and scale. The proposed variations in roof height and vertical element will break up the form, mass, and scale of the overall structure. The building is designed not to tower over the adjacent building to the rear, and a twenty-five foot (25') height and increased setback will allow for light and air into the adjacent building. The proposed structure is not stepped up the side of the hill to maintain a constant height or to appear as a building that "crawls" up the side of the hill. The proposed building is not significantly taller or shorter than surrounding historic buildings along Main Street. The proposed structure maintains a similar height as the adjacent Imperial Hotel and Grappa restaurant building. All windows, balconies and decks are oriented towards Main Street in order to respect the existing conditions of adjacent neighboring properties to the rear and sides. The primary façade of the proposed building is compatible with the width of surrounding historic buildings and the structure is set back significantly from the plane of the primary façade, not only for design consideration, but for functionality of the front porch as well.
 28. The proposed building complies with Specific Guideline B.2 Key Building Features, including compliance with Roofs, Materials, Windows and Doors, Porches, Paint & Color, Mechanical and Utility Systems and Service Equipment. The proposed flat roof is compatible with a majority of roof forms in Old Town. Windows and doors are compatible with surrounding historic buildings and proportional to the scale and style of the building. The Porches have been incorporated into the initial construction of the building and are compatible with the building style, scale and proportion, Paint and Colors are opaque and there are no transparent painted surfaces proposed. Mechanical and Utility Systems and Service Equipment is proposed to be screened from public view, including roof-mounted equipment which shall be placed beyond the mid-point of the roof and not visible from any public right of way.
 29. The proposed building complies with Specific Guideline D. Off Street Parking Areas. The structure includes an at-grade parking structure on the main floor that is completely enclosed and screened from public view. The applicant is required to provide three (3) parking spaces per unit, has shown a total of twelve (12) parking spaces on-site, and will be required to pay a fee in lieu of for the remaining six (6) spaces needed.
 30. The application was received on August 28, 2012. On September 26, 2012, the application was taken to the Development Review Committee (DRC) for their review of the project. Although Historic District Design Reviews are not required to have a DRC review, the size and complexity of the project prompted Staff to have the item reviewed. DRC comments that resulted in conditions are included in the Conditions of Approval section of this Staff Report.
 31. On September 26, 2012, the Planning Staff requested that the applicant submit a statement of compliance to Land Management Code Section 15-2.6-2(A)(2) and Section 15-15-1.248. Staff noted that the footnote in Section 15-2.6-2(A)(2) prohibits residential uses in storefront properties adjacent to Main Street. On September 27,

the applicant responded in writing to Staff's request for a statement of compliance. The response is attached hereto as Exhibit "B".

32. On September 29, 2012, the first mailing (fourteen day notice) was sent to all property owners within 100 feet based on the list of property owners provided by the applicant.
33. On October 16th, a ten-day notice was sent to all property owners within 100 feet based on the list of property owners provided by the applicant.
34. The final ten-day appeal period of this approval will expire on November 5, 2012.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Commercial Business (HCB) District (lot size, setbacks, etc.).
3. Multi-Unit Dwellings are an Allowed Use in the HCB District per Section 15-2.5-2(A)(2) of the LMC.
4. The proposed project complies with Section 15-2.6-2(A)(2) of the LMC that prohibits residential uses in "storefront properties" as the proposal does not create a storefront that meets the strict definition of "Storefront Property" as defined in Section 15-15-1.248 of the LMC.
5. The proposed building meets the applicable Historic District Design Guidelines for New Construction, as well as applicable Universal Design Guidelines.

Conditions of Approval

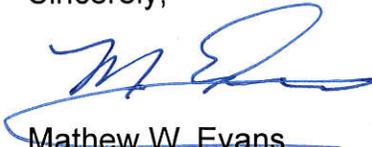
1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing adjacent structures (Jefferson House Condominiums, Imperial Hotel, and the Grappa restaurant building (et al), and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on August 28, 2012, redlined and approved by the Planning Department on October 29, 2012. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in appearance to the approved architectural drawings/documents shall be reviewed and approved prior to construction. Any changes, modifications, or deviations from the approved design that have not been approved by the Planning and Building Departments may result in a stop work order.
4. All standard conditions of approval shall apply (see attached).

5. If a building permit has not been obtained by September 24, 2013 this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
6. Any area disturbed during construction surrounding the proposed work shall be brought back to its original state prior to issuance of a Certificate of Occupancy.
7. Construction waste should be diverted from the landfill and recycled when possible.
8. Exterior lighting is not approved. Cut sheets and locations shall be submitted to the Planning Department for review and approval prior to installation. All exterior lighting shall meet Park City's lighting ordinance and be downward directed and shielded.
9. The City Engineer shall review and approval all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
10. All electrical service equipment and sub-panels as well as all mechanical equipment, except those owned and maintained by public utility companies, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain. Roof mounted equipment shall be placed beyond the mid-point of the roof, and appropriately screened from public view with architecturally compatible materials to complement the building, and vents shall be painted to match the roof and/or adjacent wall color and shall be screened or integrated into the design of the structure.
11. Water Department – Street pressure is about 60 psi, the highest fixtures and fire sprinklers in that building will sit at about 35 – 40 psi static. The water system for the building shall be required to be design with these figures in mind.
12. Questar Gas – The natural gas line is on the east side of Main Street and at the time of building we will have to cut the asphalt road to install a service line to this new building. There will be costs incurred for this, and Questar will need city approval to cut the road. The applicant shall contact Jeff Hundley at 435-654-6186 or at Jeff.Hundley@questar.com prior to the connection of the gas line.
13. Snyderville Basin Water Reclamation District – Sewer service will have one master line. If future plans are to subdivide each unit, a separate sewer service would be required for each. The applicant may want to consider this up-front to avoid issues in the future.
14. Engineering – The property is located in the Soils Ordinance boundaries. All soil removed from the property will have to be properly disposed of at a hazardous waste facility that can accept contaminated soils.
15. Building Department – the conditions of approval for the previously approved project regarding window egress on the north side of the proposed building next to the Imperial Hotel shall apply. Specific language will be included in the final action letter.
16. Transportation - Only one curb cut will be allowed onto Main Street. The location of the existing curb cut is proposed to stay and is the preferred location.
17. A fee in lieu of on-site parking for six (6) additional parking spaces shall be required. Payment of the fee shall be required prior to the issuance of the building permit.
18. The parking garage lot layout shall be re-designed to meet the LMC requirements of Section 15-3-3(F) of the LMC.

19. Approval of this HDDR was noticed on October 26, 2012, and any approval is subject to a 10 day appeal period.

If you have any questions about this approval, please do not hesitate to contact me. I can be reached at (435) 615-5063, or via e-mail at mathew.evans@parkcity.org.

Sincerely,



~~Mathew W. Evans~~
Senior Planner

Attached - Standard Project Conditions

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found

between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.

11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.

April 2007

205 Main Street Group, LLC
205 Main Street
Condominiums
 205 Main Street, Park City, UT 84060

HDDR Application Set
 August 28, 2012



PROJECT CONTACT INFORMATION

OWNER 205 MAIN STREET GROUP, LLC 205 MAIN STREET PARK CITY, UT 84060	ARCHITECT ELLIOTT WORKGROUP 215. MOYNS ST PARK CITY, UT 84060 CONTACT: CRAIG ELLIOTT, AIA	BUILDER [Blank]
CIVIL ENGINEER [Blank]	INTERIOR DESIGN [Blank]	LANDSCAPE ARCHITECTURE [Blank]
STRUCTURAL ENGINEER [Blank]	PLUMBING ENGINEER MECHANICAL ENGINEER	ELECTRICAL ENGINEER [Blank]

SERVICE CONTACTS

Ricky Mountain Ironing, 2010
 548 Lake Circle Park
 Park City, UT 84060
 Park City School District
 2700 Main Street
 Park City, UT 84060
 Park City Municipal Corp
 205 Main Street
 Park City, UT 84060
 Park City
 205 Main Street
 Park City, UT 84060
 Superior Post Office
 205 Main Street
 Park City, UT 84060

DRAWING INDEX

HDDR
 HDRR-001 COVER SHEET
 HDRR-002 SURVEY
 HDRR-003 EXISTING CONDITIONS
 HDRR-004 EXISTING UTILITIES
 HDRR-005 AREA ANALYSIS
 HDRR-006 SITE PLAN
 HDRR-008 LEVEL 1 - Floor Plan
 HDRR-009 LEVEL 2 - Floor Plan
 HDRR-010 LEVEL 3 - Floor Plan
 HDRR-011 LEVEL 4 - Floor Plan
 HDRR-012 ROOF PLAN
 HDRR-013 ELEVATIONS
 HDRR-014 SECTIONS
 HDRR-015 SECTIONS
 HDRR-016 SECTIONS



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COVER SHEET

HDDR-001

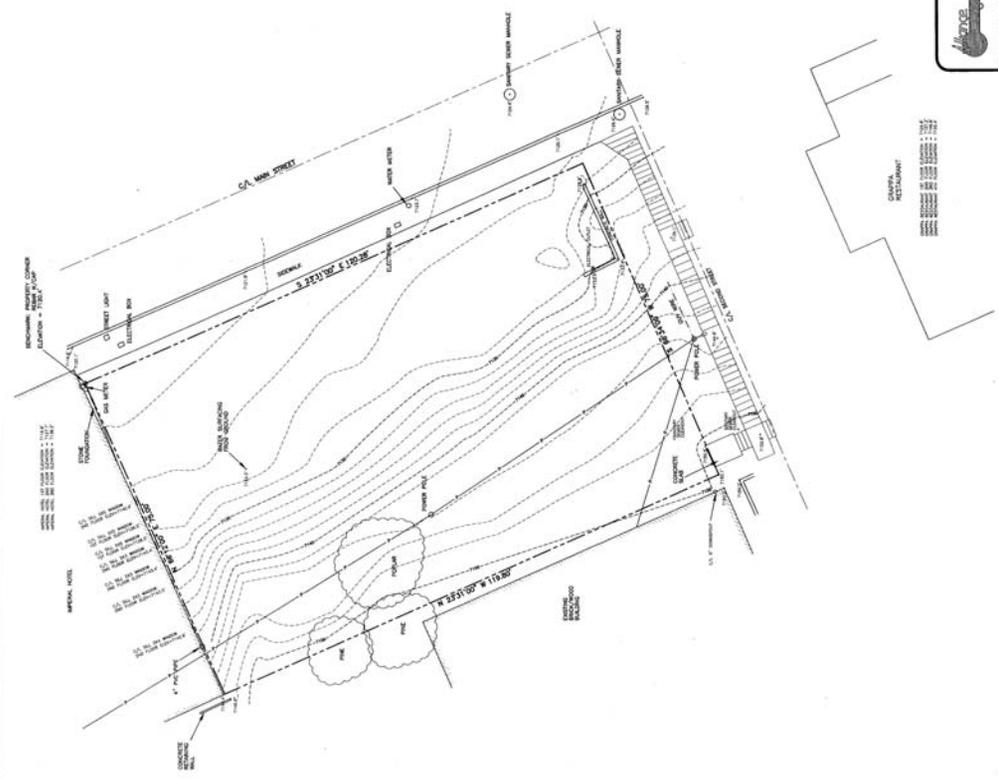
CONTRACT: ELLIOTT WORKGROUP ARCHITECTURE, LLC 2008



SURVEYOR'S CERTIFICATE

I, JOHN [Name], do hereby certify that I am a registered land surveyor in the State of Illinois, and that I have personally and independently conducted the survey shown on this plan, and that the same is a true and correct representation of the facts as shown by the survey, and that I have not been convicted of any crime involving dishonesty or fraud, and that I am not under any legal disability from practicing my profession.

- NOTES:**
1. PROJECT ENCLOSING PROPERTY CORNER.
 2. THE ARCHITECT IS RESPONSIBLE FOR VERIFYING BUILDING SETBACKS, ZONING REQUIREMENTS, AND BUILDING HEIGHTS.
 3. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1984, AS AMENDED, AND THE SURVEYING BOARD OF THE STATE OF ILLINOIS.
 4. PROPERTY CORNERS WERE SET. SEE RECORDED SURVEY 9-1023, TOWN OF CHICAGO.
 5. SHOW CORNER AT THE TIME OF THE SURVEY AND APPROXIMATELY 1/2" TO 1/4" IN SIZE.



	STAFF: JOHN [Name] SURVEYOR	DATE: 1/25/07
	EXISTING CONDITIONS 205 MAIN STREET PARK PLACE ON MAIN STREET CHICAGO, ILLINOIS, ILL. JOB NO.: 12-07-08 FILE: S:\Projects\Survey\1207\1207\1207\1207.dwg	SHEET 1 OF 1



2 FROM EAST
SCALE: N.T.S.



4 FROM SOUTH
SCALE: N.T.S.



3 FROM NORTH
SCALE: N.T.S.



1 AERIAL VIEW
SCALE: N.T.S.

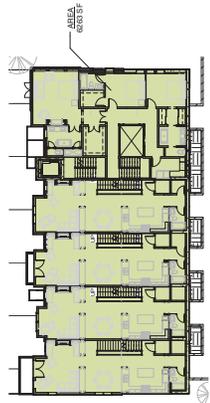
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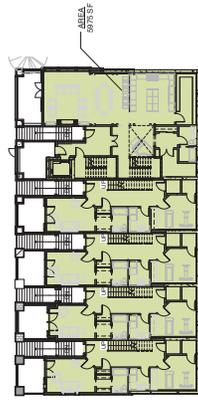
EXISTING CONDITIONS
HDDR-003

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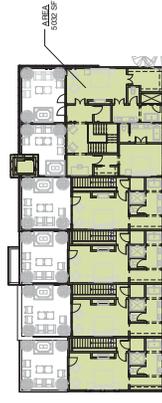
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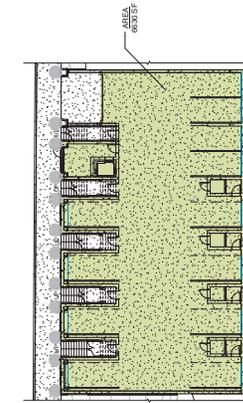
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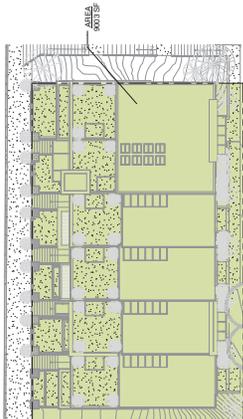
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SCALE: 1/16" = 1'-0"



4 LEVEL 4 - gross
SCALE: 1/16" = 1'-0"



0 LOWER LEVEL PARKING AREA
SCALE: 1/16" = 1'-0"



5 SITE AREA
SCALE: 1/16" = 1'-0"

Floor Area Analysis

Level	Area Schedule (Gross Building)	Area	Comments
LEVEL 4	6025 SF		
LEVEL 3	6151 SF		
LEVEL 2	6203 SF		
LEVEL 1	6245 SF		
LEVEL 0	6205 SF		Lower Level Parking Structure
AVENUE			Not included in FAR
Gross Total		30261 SF	

Site Area Analysis

Level	Area	Comments
Site Area	6025 SF	= 10.20 acres

Floor Area Ratio (FAR)

Park City IADC
Group 1 - 20-30 District
SCALE - Floor Area Ratio
Area used must be used to calculate maximum
to building area. The maximum Floor Area Ratio (FAR) is 4.0
measured on the floor area including all areas except 4.0

FAR = Building Area / Site Area
FAR = 23421 / 9000
FAR = 2.60

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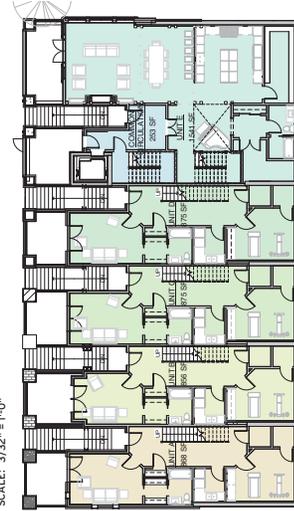
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ZONING ANALYSIS

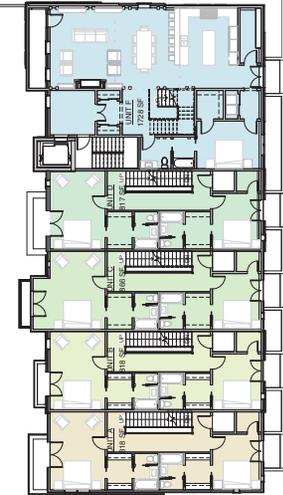
HDDR-004



3 LEVEL 2 - net
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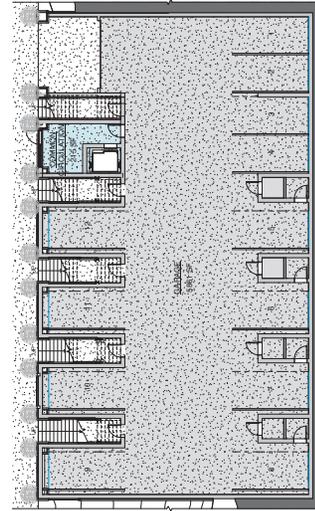
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4 LEVEL 3 - net
SCALE: 3/32" = 1'-0"



5 LEVEL 4 - net
SCALE: 3/32" = 1'-0"



1 LOWER LEVEL PARKING AREA
SCALE: 3/32" = 1'-0"

Dwelling Unit Area Analysis

Name	Level	Area	Comments
UNIT A	Level 1	867 SF	
UNIT B	Level 1	877 SF	
UNIT C	Level 1	847 SF	
UNIT D	Level 1	898 SF	
Grand Total		3077 SF	2 Parking Stalls Provided
UNIT A	Level 2	810 SF	
UNIT B	Level 2	810 SF	
UNIT C	Level 2	810 SF	
UNIT D	Level 2	810 SF	
Grand Total		3240 SF	2 Parking Stalls Provided
UNIT A	Level 3	810 SF	
UNIT B	Level 3	810 SF	
UNIT C	Level 3	810 SF	
UNIT D	Level 3	810 SF	
Grand Total		3240 SF	2 Parking Stalls Provided
UNIT A	Level 4	504 SF	
UNIT B	Level 4	489 SF	
UNIT C	Level 4	488 SF	
UNIT D	Level 4	504 SF	
Grand Total		1985 SF	2 Parking Stalls Provided

Name	Level	Area	Comments
UNIT D	Level 1	871 SF	
UNIT C	Level 1	817 SF	
UNIT B	Level 1	817 SF	
UNIT A	Level 1	869 SF	
Grand Total		3375 SF	2 Parking Stalls Provided
UNIT D	Level 2	810 SF	
UNIT C	Level 2	810 SF	
UNIT B	Level 2	810 SF	
UNIT A	Level 2	810 SF	
Grand Total		3240 SF	2 Parking Stalls Provided
UNIT F	Level 3	1726 SF	
UNIT E	Level 3	1176 SF	
Grand Total		2902 SF	2 Parking Stalls Provided
UNIT F	Level 4	1524 SF	
UNIT E	Level 4	1592 SF	
Grand Total		3116 SF	2 Parking Stalls Provided
Total		18186 SF	12 Parking Stalls Provided

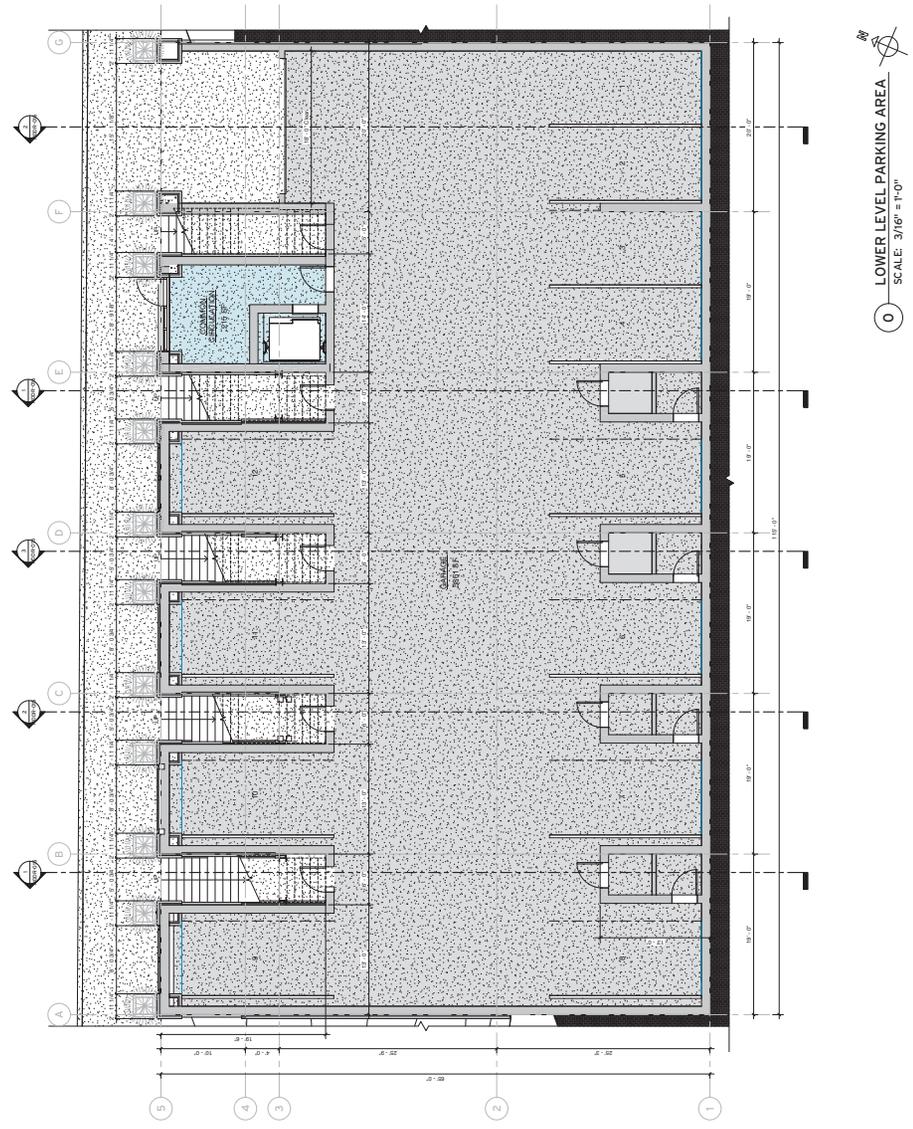
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HDDR Application
 August 28, 2012

AREA ANALYSIS

HDDR-005



0 LOWER LEVEL PARKING AREA
SCALE: 3/16" = 1'-0"

LOWER LEVEL - Floor Plan
HDDR-007
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LEVEL 1 - Floor Plan

HDDR-008

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6/20/2012 8:40:53 AM



1 LEVEL 1
SCALE: 3/16" = 1'-0"

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LEVEL 1 - Floor Plan

HDDR-008

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8/20/12 8:40:53 AM



1 LEVEL 1
SCALE: 3/16" = 1'-0"

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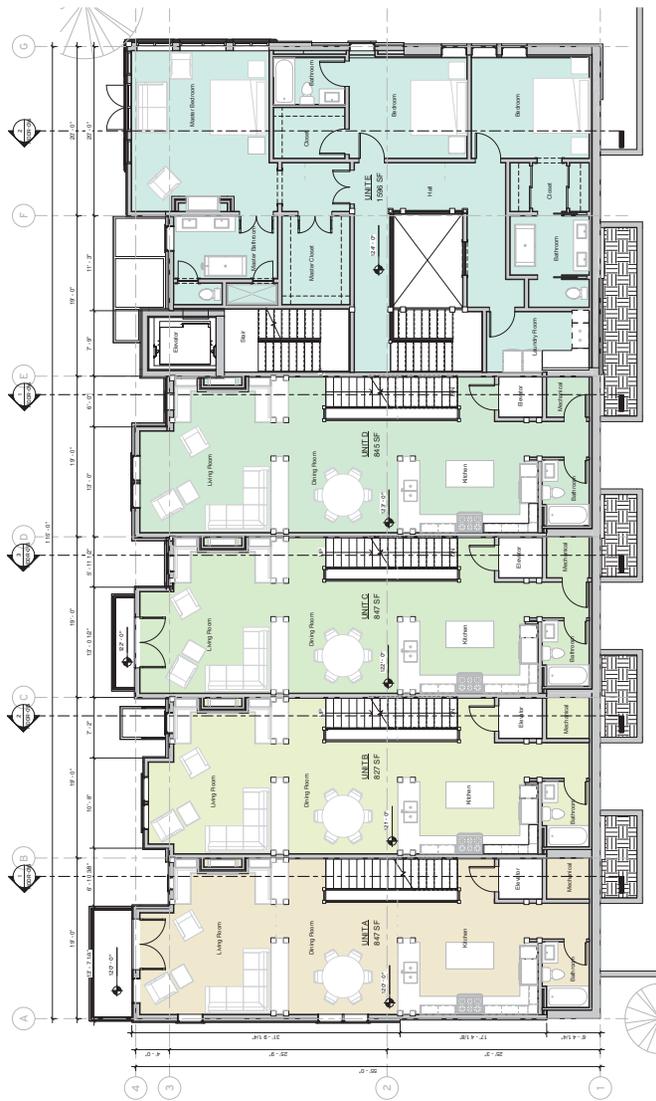
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LEVEL 2 - Floor Plan

HDDR-009

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2 LEVEL 2
SCALE: 3/16" = 1'-0"



3 LEVEL 3
SCALE: 3/16" = 1'-0"

LEVEL 3 - Floor Plan
HDDR-010

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LEVEL 4 - Floor Plan

HDDR-011

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4 LEVEL 4
SCALE: 3/16" = 1'-0"

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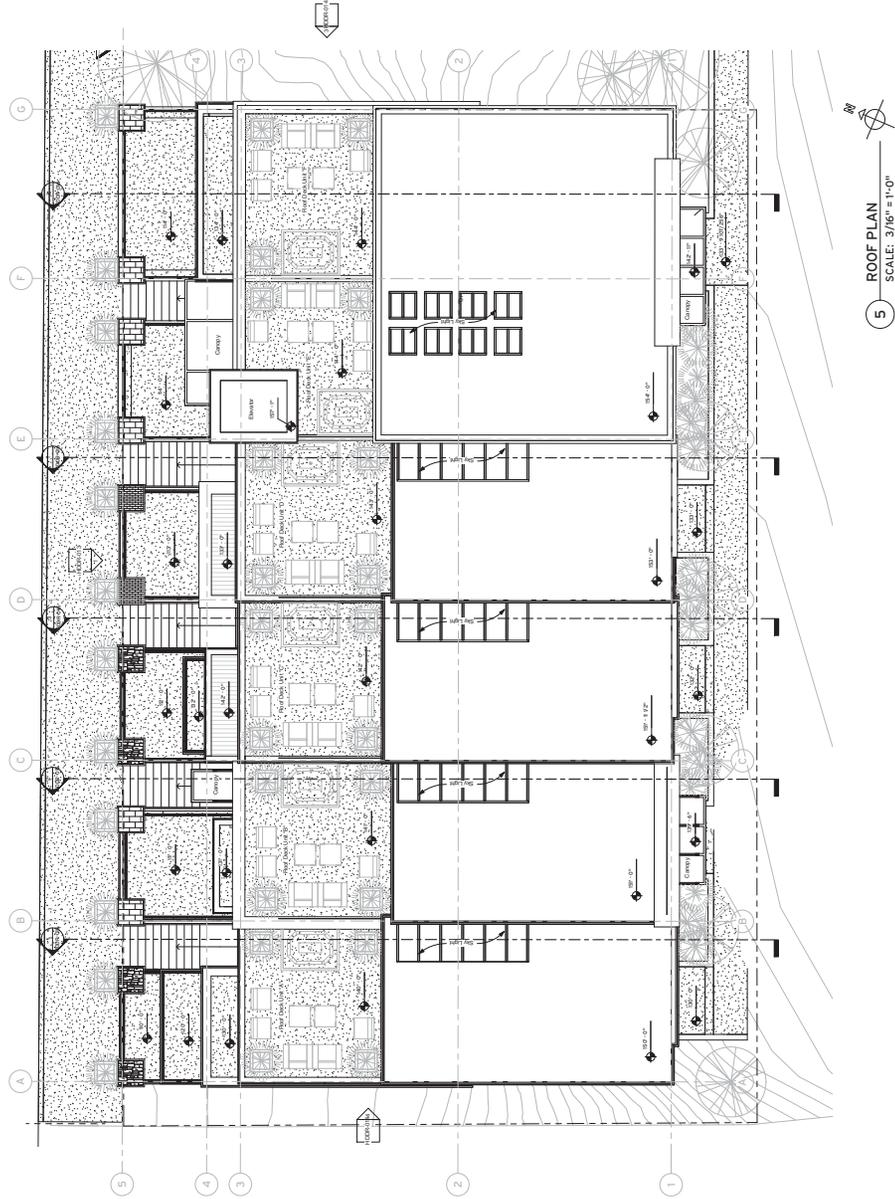


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ROOF PLAN

HDDR-012

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HDDR Application
August 28, 2012

2 WEST ELEVATION
SCALE: 3/16" = 1'-0"



1 EAST ELEVATION
SCALE: 3/16" = 1'-0"



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205 Main Street Group, LLC
205 Main Street
Condominiums
Park City, UT 84060

HDDR-013
ELEVATIONS

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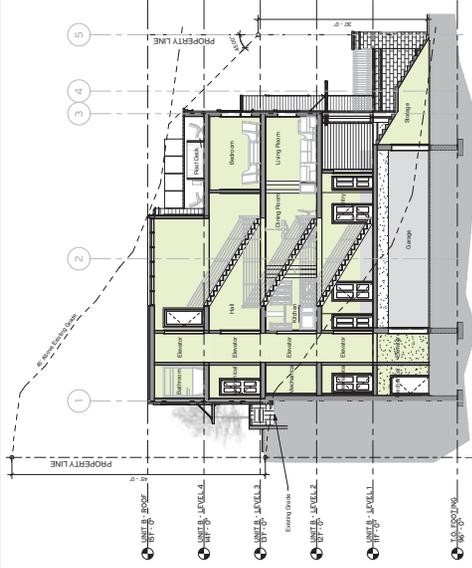
HDDR Application
August 28, 2012

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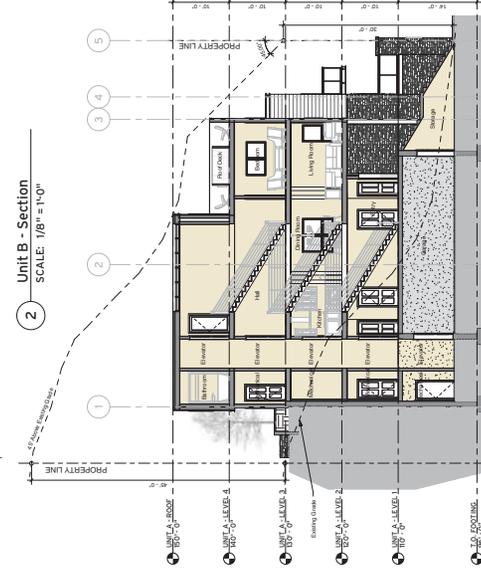
205 Main Street Group, LLC
205 Main Street, Park City, UT 84050
Condominiums

SECTIONS
HDDR-015

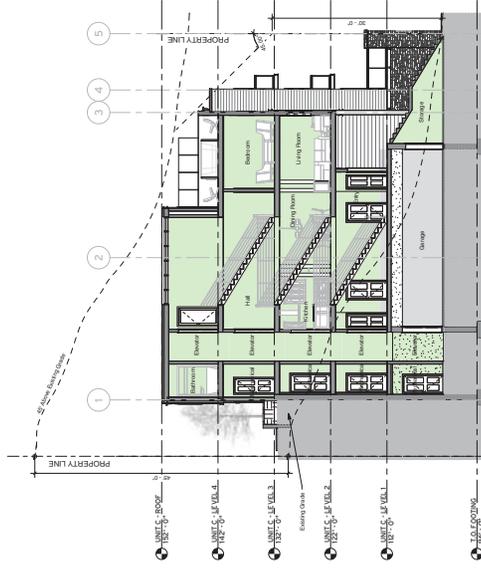
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Unit B - Section
SCALE: 1/8" = 1'-0"



Unit A - Section
SCALE: 1/8" = 1'-0"



Unit C - Section
SCALE: 1/8" = 1'-0"

