

**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
CITY COUNCIL CHAMBERS
June 18, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:00PM

ROLL CALL

ADOPTION OF MINUTES OF May 21, 2014

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

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

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

920 Empire Avenue – Determination of Significance (DOS)

Public hearing and possible final action by the HPB

PL-14-02356

Planner

Whetstone

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ADJOURN

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

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

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF MAY 21, 2014

BOARD MEMBERS IN ATTENDANCE: Chair John Kenworthy, Puggy Holmgren, David White, Marion Crosby, Gary Bush, Hope Melville, Clayton Vance

EX OFFICIO: Thomas Eddington, Kayla Sintz, Anya Grahn, Polly Samuels McLean, Makena Hawley

ROLL CALL

Chair McFawn called the meeting to order at 5:07 p.m. and noted that all Board Members were present.

APPROVAL OF MINUTES

April 16, 2014

MOTION: Board Member Holmgren moved to APPROVE the minutes of April 16, 2014 as written. Board Member Bush seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/BOARD COMMUNICATIONS

Marian Crosby disclosed that she has a personal relationship with one of the applicants on the agenda this evening; however, she felt it would not influence her decision this evening.

Director Eddington asked if the Board was comfortable receiving printed packets or if they preferred to utilize them electronically. By a show of hands, all the Board members still wanted to receive printed packets.

Planner Grahn reported that the RFPs had gone out for the Historic Preservation award.

Planner Grahn noted that the next HPB meeting was scheduled for June 4th, which was their regular week to meet. Because of the July 4th holiday, the July meeting would be scheduled for July 16th. She anticipated that the HPB would be back on their regular schedule in August.

REGULAR AGENDA – Discussion, Public Hearing and Possible Action

632 Deer Valley Loop – Determination of Significance Remanded back to the Historic Preservation Board to Consider Newly Submitted Materials by the Applicant (Application PL-13-02160)

Planner Anya Grahn reported that in November 2013 the HPB reviewed the determination of significance for 632 Deer Valley Loop. On November 25, 2013 the applicant submitted an appeal, which was heard by the Board of Adjustment in April 2014. Due to new evidence, the Board of Adjustment remanded it back to the HPB for further consideration.

Planner Grahn stated that the structure was built as a two room structure in 1900. That description remained consistent with the 1907 Sanborn Fire Insurance Map. Between 1912 and 1918 the structure was expanded into four rooms, as shown on the 1917 and 1927 Fire Insurance Maps. Planner Grahn reviewed an analysis the applicant had prepared of how the building was expanded over the years. By the 1930's the structure had a full-width front porch and the side porch was enclosed. A rear addition was added in 1969. Planner Grahn presented photos showing how the structure looked at the end of the historic period and a little after the historic period in the late 1930's. She indicated a portion of the roof that overhangs. When the Staff initially did their analysis they thought it was the addition on the back of the building. However, Planner Grahn was unsure what the building was because it is evident from the Sanborn maps that there were no outbuildings and the structure was too far away to be visible in a photograph.

Planner Grahn remarked that the 1941 Sanborn map was inaccurate in that it did not show the porch. However, as the applicant points out in his report, there is no way to get to the front door without a porch or some type of landing. Planner Grahn stated that the square shape of the structure is consistent with the 1949 tax card, but it shows the porch. She was unsure why the 1949 tax code shows only two lines to the side porch. The structure remained the same over the years, but in 1969 the rear addition was added.

Planner Grahn noted from the late 1930's photograph that the porch had not yet been enclosed. The end of the porch along the south wall was consistent with the edge of the cable. In looking at a current photograph, it appeared that the porch had been expanded. A symmetrical gable was evident in one photo, but a later photo showed that the gable was interrupted to accept the shed roof of the new addition.

Planner Grahn stated that the applicants had also done an analysis to show that the four room structure is single wall construction, which was typical of historic

construction techniques used in Park City. This structure is unique in that it is two sets of horizontal boards stacked on top of each other, rather than the typical vertical interior siding with horizontal exterior siding. Planner Grahn presented a photograph of the 1969 addition showing stud wall framing rather than single wall framing. The window openings are more horizontal than the typical historic vertical orientation. Planner Grahn pointed out the differences in material which differentiates this addition from the previous addition.

Planner Grahn stated that a main source of disagreement is that the applicant finds that the two-room historic mining structure that was built in 1900 is the essential historic form. The applicant believes the historic form was lost because of the addition that transformed it into four rooms and added a consistent gable over the entire roof. The Staff disagrees with the applicant's assessment. Planner Grahn remarked that the essential historic form is defined by the LMC as, "The physical characteristics of a structure that make it identifiable as existing in or relating to an important era in the past." She noted that the structure is a wood frame dwelling with a relatively square footprint, and that portion remains. It is one story in height and it still has the side porch.

Planner Grahn stated that equally important is that Universal Design Guideline #2 states that, "Changes to a site or building that have acquired historical significance in their own right shall be retained and preserved. In this case, the four room structure has gained historical significance. It is what appeared in the late 1930's tax photograph and it is over 50 years old. It also has importance to the Mature Mining Era. Planner Grahn reviewed a number of things that can destroy the essential historic form, which were listed in the Staff report. Loss of the roof pitch, adding additional stories, or relocating the structure outside of the historic period can have an adverse effect on the essential historic form. In looking at what the house looked like in the 1930's compared to present day, Planner Grahn believed that most of the details were similar.

Planner Grahn reported that the applicant also argued against Finding of Fact #4 in the original Staff report. The Staff amended the Finding to say that the four room cottage was constructed within the mature mining era, and that the rear addition, as the applicant proved in their analysis, was likely constructed around 1960. Planner Grahn noted that Finding of Fact #11, which is the new Finding of Fact #10, was revised to say that the rear addition is not historic and that a fire destroyed it in 1999. Because it is not historic it could likely be removed in the future. The applicant also argues that many alterations have been made to the interior and exterior of the structure, which have destroyed the historic fabric. Planner Grahn remarked that some of the changes that occurred are not uncommon in Park City and many houses have suffered these same alterations. Planner Grahn thought they could determine that the essential historic form remains for the reasons outlined in her presentation.

Planner Grahn stated that the applicant also argues that there is no record of any important person or event that occurred at this site. The Staff finds that the structure contributes to the understanding of the Mature Mining Era. Park City has one of the largest and best preserved groups of residential buildings built in a metal mining town in Utah and across the nation. The single wall construction method is unique to Park City and to the time period in which it was built. Four remaining structures, three on Rossi Hill Drive and this house on Deer Valley Loop, are an indication of what was once a much larger and denser historic neighborhood. The three houses on Rossi Hill are still on BLM land and are listed as part of the 1984 National Register nomination.

Planner Grahn remarked that another argument is that the historic context has been lost, as outlined in a letter included as part of the applicant's analysis. She agreed that some of the historic context in the neighborhood has been lost, but a lot of it still remains. Planner Grahn noted that the LMC designation for Significant does not require them to consider the historic context in terms of what the neighborhood looks like. She believed the three remaining houses in front of this house speak to what the neighborhood used to look like.

Planner Grahn reviewed the criteria for a Significant Site outlined on page 30 of the Staff report, and explained why she believed the house at 632 Deer Valley Loop meets the criteria. Planner Grahn stated that the consequences of not taking the Staff's recommended action is that the site could be removed from the Historic Sites Inventory, which would make it eligible for demolition.

Bruce Baird, legal counsel representing the applicant, stated that he helped write the Salt Lake City Historic Code when he was with the Salt Lake Legal Department. The Code received a number of awards for how well it helped preserve Salt Lake City.

Mr. Baird stated that the applicant, Bill Bertagnole, spent 32 years fighting the BLM for ownership of this property. He would explain why that was important for a reason he would talk about later regarding the demolition after the fire. Mr. Baird remarked that when the HPB met in November 2013 the applicants were not represented by Counsel and they did not understand the process or what to expect. Since that time they retained legal counsel and a consultant, and went before the Board of Adjustment. He pointed out that the Board of Adjustment remanded it back to the HPB to make them aware of the information contained in the applicant's analysis.

Mr. Baird presented his response to the Staff report. Mr. Baird stated that a large part of historic analysis is that beauty is in the eye of the beholder. Whether something is more or less historic is somewhat of a judgment call. He referred to the two comparison photos on page 20 of the Staff report and noted that one difference between the two is that all of the windows were changed. There was

also new addition in the rear and the building mass has changed. He pointed out how the siding had gone from horizontal to vertical. A chimney was added and a side porch was enclosed. Mr. Baird suggested that the difference between the photos shows that the historical integrity of the building is lost.

Mr. Baird referred to the photo on page 22 of the Staff report captioned, "photo shows stud wall framing and original window openings." He felt that was incorrect and that the photo actually shows a building falling down with a hole in the roof and everything snow covered. To say that the photo shows the stud wall is to overlook the most important aspect, which is a building falling down. Mr. Baird stated that there was a major fire in this building, and after the fire the City ordered this building to be demolished. At that time the structure was vastly older than 50 years. The only reason the building was not demolished at that time was because Mr. Bertagnole needed the continuing existence of the building as part of his due diligence claim with the BLM to gain ownership. He noted that the building condition has worsened since the fire but the applicant is prohibited from demolishing it now.

Mr. Baird referred to page 23 of the Staff reported and remarked that the Staff had changed their argument from the historic form being a two room structure in 1918 to now say that the historic form is the four room building from 1930. Mr. Baird felt it was important to note that the Staff had changed their argument, which negates the newly proposed Finding of Fact #11, because it is untrue that the four room cottage was constructed between 1919-1918. Mr. Baird clarified that the two-room structure was constructed during that time. Making it a four room structure was an addition that came later. Mr. Baird thought there were arguments for whether or not it detracts from its essential historical form. However, other parts of the Staff report clearly acknowledge that it does detract from the historic form. The rear addition was specifically found to be non-historic and it could be demolished. He pointed out that removing the addition but leaving the house in place would cause a significant expense to fix the back of the house.

Mr. Baird read from page 26 of the Staff report, "Moreover, the Staff finds that the many alterations have destroyed much of the historic integrity of the structure." He gave Planner Grahn credit for her candor in acknowledging that much of the historic integrity of the structure is destroyed. He suggested that it was not within the Code or any legal principle not to allow a building to be demolished if much of its historic integrity has been destroyed.

Mr. Baird commented on the statement on page 27 of the Staff report stating that there is no record of any historic person or event that occurred at this site, and noted that the Staff simply says that normal people lived there and normal people are important. Mr. Baird stated that this was not the way historic preservation works. Average, middle-class miners cannot be deemed historic people simply

by saying that it proves how middle-class people lived. Mr. Baird stated that he heard Planner Grahn talk about how this building illustrated the historic density of this area. However, later in her presentation she described the density as it really is, and as shown on the map on page 28, as rural. He remarked that it could not be considered evidence of historic density and called rural at the same time. It is one or the other but not both. In terms of the neighboring structures, three of those structures are owned by the BLM. One is leased and the other two are allowed to rot away. There is no reason to assume that the BLM will do anything to save the other two structures. Regarding the historic context issue, Mr. Baird did not believe the City Code has context as a determining factor. He understood that the City was in the process of redoing its Historic Code to match the Federal Code, which does have historic context as a determining factor. He thought everyone could agree that these four houses sitting in the middle of a massive ski resort surrounded by condos had very little context remaining.

Mr. Baird referred to the criteria for designating historic sites on page 29 of the Staff report, and read from the second paragraph. "A reconstruction of the home, which is necessary based on the structural integrity of the home, raised by the Chief Building Official would also allow the site to remain significant. He understood that to mean that if the structure was reconstructed exactly as it was, it would go back to being significant. Even if that was true, it did not prove that this building in its current condition was worth restoring.

Mr. Baird referred to page 30 of the Staff report and Planner Grahn's argument that because the structure has been changed a number of times proves that it is historic, because part of the history of Park City is the growth and evolution and changing of structures. He was unsure how she reached that conclusion other than to imply that the more you change something from its past the more important it is to keep it for its past.

Mr. Baird commented on the process. If the HPB determines that the structure is historic, the applicant would appeal their decision to the Board of Adjustment. If the Board of Adjustment agrees with the HPB, that decision would be appealed to the District Court. He emphasized that there was no way this building would be reconstructed unless it was ordered by the US Supreme Court or the Utah Supreme Court. At best, the building will sit for years until the next heavy snow knocks it down completely. He did not believe either court would order a property owner to spend the money required to rebuild a structure in this condition when its historical integrity has been destroyed, according to the Staff report. Mr. Baird stated that if the City really likes this building and thinks it is historic, the applicant would sign over a release and the City could move it anywhere it sees fit. That was another option for their consideration.

Mr. Baird believed that the Staff report shows that the structure is not historic, and that the appropriate remedy is to allow its demolition. Mr. Baird read from

Finding of Fact #12, "...though the structure has lost its historic integrity due to the out of period alterations to its historic materials." He noted that the Staff report goes on to say that the structure has retained its historic form; and Mr. Baird felt he had established that it did not. Even if it did, this building was not historic and it will not stay standing. He asked the HPB to allow the owner to take care of this out-of-context, already destroyed, burned-out building that the City previously determined should be demolished.

Board Member Holmgren noted that Mr. Baird had compared the photographs on page 20, which showed the structure from different angles. She pointed out that the photos shown on page 25 showed the structure from the same angle of the old and the new, and she thought it was a better comparison of the roof line and the gables. Mr. Baird clarified that the differences he pointed out in the construction were the same regardless of which angle is shown. Board member Holmgren disagreed. She thought the roofline and the gables looked the same in both photos on page 25. It was graphically different on page 20. Mr. Baird remarked that the roofline and the gable were all that was left. If the HPB thought that was enough to call it historic, they could vote against the applicant and he would fight it.

Chair Kenworthy asked if they released the house to the City whether they would release the land with it. Mr. Baird answered no.

Board Member Holmgren stated that when the HPB discussed this issue in November 2013, she felt the structure met the criteria for Significant designation. and her opinion had not changed.

Chair Kenworthy opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, referred to the four bullet points on Page 16 of the Staff report and the issues raised by the applicant. The first bullet point - separate building periods have resulted in a loss. She believed that every structure on the HSI has similar additions, add-ons, and siding changes. This particularly structure was not unique on that fact. The second bullet point – Many alterations on the interior/exterior of the structure have destroyed any historic fabric. She thought it was better to say "some or much" historic fabric because a lot of it may be covered up as opposed to actually missing. Ms. Meintsma noted that the term "fabric" is not considered in the Determination of Significance. It only talks about essential form. In her opinion, the essential form is retained with this structure. Ms. Meintsma stated that the fourth bullet point- The site has lost historical context. She pointed out that context is not considered in a significant structure. It is only considered in a Landmark structure for DOS. If the Code changes in the future where context is considered for Significant structures, she has many comparisons of the Sanborn maps to Google maps showing that tons of context is still available around that structure.

Ms. Meintsma referred to the third bullet point – No record of any important person or events. She assumed the history of ownership on page 84 of the Staff report was a BLM list because it looked different from the Summit County ownership format. Ms. Meintsma had researched the list to find any names that may have been in the Park Record. However, when she reached 1919 and the name Willis A. Simmons, she found that Mr. Simmons was a part of park City history. She presented slides of her research and what she learned about Mr. Simmons. Ms. Meintsma noted that Willis Simmons lived in Park City four years before he lived at 632 Deer Valley Loop. He lived at 632 for eleven years. Ms. Meintsma noted that in 1918 Carl Hoger transferred the property to Willis A. Simpson. The structure is described as a four room dwelling house. She pointed out that Mr. Willis had 11 children and the house was expanded. The Staff report indicates that the addition was constructed to meet the growing needs of the homeowner. Ms. Meintsma had proof that there is history and the character of Park City in this house at 632 Deer Valley Loop, and the City should not allow it to be demolished.

Mr. Baird believed that the evidence produced by Ms. Meintsma was a definite stretch. Having to go that far to claim a person of historical significance only proved that all they had were rooflines and gables. Chair Kenworthy informed Mr. Baird that the purpose of this meeting was to hear new evidence and that the Board appreciates the efforts of the public.

Jill Lesh, stated that she drives by this conclave of houses and she would hate to see one house compromised because each one is critical to this diminished mass of houses. It is important to be reminded that that area is also part of the historic mining era

Chair Kenworthy closed the public hearing.

Board Member Holmgren stated that she has lived in Park City for more than 25 years. Just because Mr. Simmons was not a higher authority in town did not mean the house was not significant. What is significant, and what they have held on to for some many years is the ongoing history. The applicants' representative presented nothing new that would change her mind. She still believed the structure met the criteria for being designated Significant. Board Member Holmgren was unsure whether the City has a policy to prevent demolition by neglect. She understood that one structure was being held to task on Park Avenue and she suggested that the City should take that direction on this structure.

Chair Kenworthy reiterated that the HPB was hearing this issue for the second time because it was remanded back to them to consider new evidence. He

emphasized that their discussion should only focus on the new evidence presented.

Board Member White echoed Board Member Holmgren. In his opinion, the original historic massing and roof line was retained. It was unclear what historic material was under the existing non-historic siding, but he would still maintain that this structure is Significant.

Board Member Crosby noticed that the lot lines were shown on the Sanborn maps. The GIS map shows the lot line around the structure at 632, but then it shows multiple ownership and no lot lines on the balance of the property. She wanted to know why there were no lot lines and why it only shows the parcel numbers that are combined ownership. Board Member Crosby asked about the remaining BLM land that was showing in the ownership on the GIS.

Director Eddington was unsure when the property transferred to the BLM, but he understood that the people who lived in the houses retained renter squatter rights to the houses.

Bill Simon stated that he lives directly above the parcel in question. He understood that Board Member Crosby was asking why there were tax ID numbers but no lot outlines. He explained that the BLM owns the land but it does not own the houses. The Summit County tax records identify individual owners of those structures, and those pertain to the Tax ID numbers. Board Member Crosby asked why the lot lines appear in the Sanborn maps. Mr. Simon assumed that back then there was less of a definition as to who owned the property. Therefore, the Sanborn maps would just outline what looked like someone's land. Director Eddington clarified that it likely preceded BLM ownership where it was consolidated. Mr. Simon stated that from a legal chain of history, the situation is that the BLM shows title to this parcel plus the triangle above it, plus the triangle further up the hill.

Board Member Crosby asked if a copy of the Notice to Vacate that was issued in 2013 was included in the Staff report. Planner Grahn stated that it was a standard building Notice and Order to Repair, but it was not included in the Staff report.

Board Member Crosby stated that she would not argue that the site meets the criteria for a Significant site, and that based on the 1995 and 2009 Renaissance Level Surveys it should be on the HSI, nor that the staff erred in their initial analysis regarding when and where the additions were made to the structure, and that the structure did retain its essential historic form. As a member of the HPB she fully supports and encourages preservation of historic structures, especially the structures that have appeared in water color paintings over the years. They are an essential part of the historic fabric of Park City for all the

reasons that the Staff outlined in the Staff report, and for the new evidence presented.

Board Member Crosby had visited the site twice and in the Notice to Vacate Order that was issued by the City, there seemed to be enough evidence to support that the structure is in serious disrepair and has been deemed uninhabitable. In using the LMC and the Historic District Guidelines as their tools, Board Member Crosby questioned whether the HPB could subjectively reach a decision for this structure to remain a Significant site without placing an undue economic burden on the owners. In addition, the owners have stated that when they were litigating with the BLM they were not given proper notice that their property was being placed on the Historic Sites Inventory.

Board Member Crosby found this to be a difficult situation. She understood that some of the Board members felt strongly that it should remain a Significant site; but she was not that certain based on the new evidence presented, the Staff report, and the reasons for why the building was deemed uninhabitable.

Director Eddington responded to Board Member Crosby's question about whether being deemed uninhabitable would justify removing it from the Historic Sites Inventory, and stated that the answer was no. He noted that many of the historic sites are uninhabitable or have other issues.

Board Member Crosby felt the HPB was being asked to make a difficult decision under the circumstances. She believed it was forcing a moratorium on these types of homes. She also believed that it was an undue hardship on the owners. However, if the Board is limited to basing their decision on the historic site and whether it retained its historical form in spite of the alterations made over the years, she would have to agree with the keeping the Significant designation.

Board Member Bush remarked that this issue speaks loudly to what they struggle with in the Historic District. It is a diamond in the rough and they somehow need to change the dynamics. He was unsure how that could be done and whether additional grants, tax relief, or other incentives would help. Board Member Bush thought it was clear that this was a "hot potato" and that the Board was imposing their will on these property owners. He questioned whether they have the right morally and legally in a property rights state to impose their will. That was the reality they were dealing with.

Chair Kenworthy agreed that this was a difficult issue with extremely unique circumstances. However, the HPB could only stay within their boundaries and look at it from the scope of their purview.

Board Member Bush stated that often when they designate the historic structures, particularly in Landmark situations, they are committing the property

owners to be curators, and that is a huge responsibility and a financial burden. He suggested that eventually the owner, or a potential new owner, would realize the potential for a historic property and the best use of it. Board Member Bush believed all the essential form of the structure was still there, and it met the criteria for a Significant designation. For those reasons he supported leaving the structure as Significant on the Historic Sites Inventory. Board Member Bush felt it was important for the Board to understand that the house would be demolished if they decided to remove it from the HSI. He could not see how the house could be restored or rehabilitated. It would be demolished and rebuilt and he believed that was the proper course. The question was how to make it attractive for the property owner to go in that direction. Board Member Bush recommended that the HPB keep the structure on the HSI and explain to the applicant that they were not expected to repair or restore this fabric. He pointed out that the owners were in a predicament because they could not realize the value of the house until they sell it, and no one will buy it until the house is gone and rebuilt. He asked if the City could allow the owners to get rid of this hazard, but commit that form to the site.

Director Eddington stated that Board member Bush was talking about panelization and/or reconstruction, which is frequently done with other structures. It is a viable option for the owners. Other opportunities include adding new additions that are done correctly in accordance with the Design Guidelines.

Board Member Bush asked if the City has ever encumbered the title to the property with an obligation to replace the form. Assistant City Attorney McLean stated that the decision whether to reconstruct and/or panelize is considered when someone comes in with a preservation plan. It has its own process and the process is considered in the Guidelines. When someone is ready to do reconstruction or repair a historic house and submits a preservation plan, a financial guarantee is put in place to make sure that the preservation plan is adhered to. Ms. McLean commented on the distinction between demolition and reconstruction. Demolition means it goes away forever and it is removed from the Inventory. Reconstruction means the structure needs to be built back to its essential form that now exists. If the structure remains on the HSI, the applicant has the opportunity to submit a preservation plan and a plan for any associated development, and work with the City to try to achieve it.

Board Member Bush recalled that the applicant previously stated that they were not interested in restoring the house, and without an application that process will never happen. He suggested the possibility of trying to create a new solution that works for everyone.

Assistant City Attorney McLean stated that every situation is different. She pointed out that several houses in Park City are in very poor condition, which is basically demolition by neglect. Sometimes owners do not maintain the historic

house. If it falls down it is removed from the HSI and, the applicant no longer has to adhere to the Inventory. Ms. McLean clarified that this was only one scenario and there were many other reasons why that could happen. The City has begun to address demolition by neglect through the Guidelines and the process. If a house is in disrepair the owner is required to stabilize it so it remains standing and continues to retain its form.

Assistant City Attorney remarked that the purview for the HPB was whether or not this house meets the criteria for a Significant designation on the Historic Sites Inventory.

Board Member Bush asked if historic integrity was form, material, location or something else. The term is used frequently and he was unsure what it meant. Planner Grahn replied that it was all of the above. Historic integrity is looking at what exists and being able to tell what it looked like during the historic period. For example, replacing historic materials with different materials takes away some of the integrity and character of when it was originally built. Its historic location also contributes to the integrity of the structure.

Assistant City Attorney McLean asked Planner Grahn to clarify Finding of Fact #12 since the finding indicates that the structure has lost its historic integrity. Planner Grahn suggested revising Finding #12 to say, "Though the structure has lost some of its historic integrity due to out-of-period alterations, such as the non-historic siding, aluminum windows and replacement of porch posts, it has retained its essential historic form. The out-of-period addition to the south and west elevations of the structure do not detract from its historic form". Planner Grahn recommended including additional findings of facts after the Board had made their comments.

Chair Kenworthy appreciated the comments from Board Member Bush because this unique situation is very conflicting. Chair Kenworthy noted that Councilman Dick Peek was in attendance. He encouraged Mr. Peek to ask his fellow Council members to fund some of these grant programs so the City would have a mechanism to help the owners. Within their purview, the HPB was looking at this form and finding out new evidence and new history about the occupants of this building. It was a difficult situation for the HPB. Chair Kenworthy believed that if the City had better funding and the owners understood the process of applying for financial assistance, it would help with historic preservation.

Councilman Peek stated that the City Council was currently in budget talks and he encouraged the Board members to attend the meetings or send the City Council a letter outlining the importance of financial assistance.

Board Member Vance was grateful for all the comments and he thanked Board Member Bush for his comments. As a member of the HPB, he felt it was both a

blessing and a burden to be able to make these decisions. He clarified that none of the Board members were against the applicants, but they were obligated to uphold the current laws. Based on the Findings of Fact, Board Member Vance did not believe anything presented this evening provided additional evidence that would persuade him to change the previous decision. Board Member Vance noted that the applicant's attorney had mentioned the Old North Church in Boston during his presentation. He thought it was an ironic example considering that the Old North Church is out of context and surrounded by new modern buildings. Board Member Vance stated that this very dilapidated but wonderful historic house could be something very similar in the future. Board Member Vance encouraged the applicants to continue their pursuit and the HPB would continue to follow what they were obligated to do, which it to preserve Park City's historical character.

Board Member Melville noted that since the last meeting the house had been boarded up and secured from vandalism. She thought that was a positive step forward. Board Member Melville stated that the Staff report was very comprehensive and everything was addressed, including the new evidence. She agreed that the page 25 comparison of the 1930s tax photo with the current one helps make it clear that the essential historic form is there. Board Member Melville appreciated that the applicant would prefer to have vacant land, but the building meets the criteria for a Significant site per the Code. It is at least 50 years old, it retains its essential historic form and it is in the historic era. It is not Landmark but it is Significant. Board Member Melville did not believe they could treat this property any different than they treat other similar properties. She agreed that this situation highlights the importance of historic preservation grants and having more funds from the City to offer assistance. It does cost more to own and maintain a historic property, and it benefits everyone in the City.

Chair Kenworthy stated that public hearings are not typically re-opened, but because this was a unique situation he was interested in hearing additional input or questions.

Someone wanted to know what other properties in and around Park City looks like the one in question. Chair Kenworthy replied that there is a very dilapidated property on Park Avenue that has significant problems very similar to the property at 632. There were at least a dozen other properties throughout the City. Chair Kenworthy thought it was unfortunate that so many historic homeowners are faced with these difficult situations.

Patricia Smith stated that she was instrumental in bringing historic preservation to Park City, and she was one of the original two-person campaigns to get 13 independent sites listed on the National Register and to get two historic districts formed. She started the Park City Museum and she re-established the Park City Historical Society and the cemetery preservation. She has been a

preservationist since 1976. She instigated the tax reform act in Park City to begin block grants on Main Street for rehabilitation. Ms. Smith thought it was important to make Park City Codes match the Federal Guidelines. The City was missing the most important guideline, which is context. Context is the buildings that used to be around this building. It would be the outhouse, the woodshed, the underground food storage, and other elements in this property that ties it to its function, history and use.

Ms. Smith noted that the City has commissioned Cooper Roberts to do a full historic sites survey on the 400 existing properties in Park City within the next two years. One of the things they will be doing is adopting the criteria of context. Ms. Smith agreed that this particular situation was very contentious. She felt very gratified with this last Staff report because they had been carefully considered and their interests were represented and answered. However, the reality is that the Bertagnole's will put the property up for sale. It is maximum density zoning and it can hold four triplexes without the house. If the house remains it would be three triplexes and this house would be a vestibule addition on to one of the triplexes and incorporated into the new redevelopment. Ms. Smith pointed out that the house itself would not be respected as to its boundaries from the public view shed. It will simply be incorporated into another building. If the Bertagnole's do not put the property up for sale, they cannot afford to, nor do they have any interest in fixing the house. They have already invested \$261,000 into this project. They now own the property and they own the land. Theirs is the first patent received in that entire area. Before that it was squatters rights and no deeds.

Ms. Smith stated that if Cooper Roberts brings Park City up to date with the Federal standards in the next two years, this house, having lost all of its context, will be delisted. Ms. Smith did not have solutions, but she could say with confidence that this little house would not be visible from any angle because of future development. If they want a reminder of their history in Deer Valley, she suggested that it could be a park. They could form a non-profit support group to acquire those buildings and restore them as public property. Ms. Smith reiterated that in two years when the context criteria is written, the house will either be demolished or it will become a front room for a triplex.

Ms. Smith understood how difficult it was for the HPB to do their work. She commented on the process and noticing. By going through this process they found that the requirements and the timing on documents and communications were hard to figure out. They were never notified about the first public hearing. Secondly, they were never told that they had the opportunity to appeal because the notice went to the BLM and not the owners. It is a confusing process and she would like to see something smoother and more direct. One suggestion would be to re-examine the notice times.

Chair Kenworthy thanked Ms. Smith for her time and he hoped she understood that the HPB had considered this carefully from every viewpoint.

Chair Kenworthy closed the public hearing.

Assistant City Attorney McLean recommended adding a finding of fact stated that historic materials currently exist on the house. Another finding should outline the essential historic form that still exists. Ms. McLean noted that there was significant reliance on the 1930's tax photo and she recommended adding a finding of fact referencing the 1930s photo and that the structure essentially looks the same in the more recent photograph. Ms. McLean felt it was important to have that information contained in the Findings of Fact to support why the HPB made their decision in the event that it is litigated.

Planner Grahn read the additional Findings of Fact for consideration as follows:

Finding #17 - Historic materials that exist include wood siding beneath layers of Bricktex and vertical siding; the original window opening on the west elevation; original full-width porch and roof; original brick chimney on the four (4) -room structure; and single wall construction.

Finding #18 - Out of period materials visible on the historic house today include the aluminum windows, non-historic vertical wood siding, decorative metal porch posts, changes to window sizes, and changes to roofing materials.

Finding #19 - The structure retains its Essential Historic Form in that the physical characteristics of the structure that make it identifiable as existing in or relating to an important era in the past include the original four (4)-room side gable cottage with full width porch.

Board Member Bush thought they should say that the porch is on the front. Planner Grahn agreed and added, with full-width porch on the front.

Finding #20 - The structure meets the criteria for local designation as significant as the two (2)-room structure is nearly 113 years old, though the renovation to a four (4)-room cottage was completed between 1912-1918. The structure retains its Essential Historic Form in that the 1969 addition does not negatively impact the four (4)-room side gable cottage and full-width porch form. The structure is important to local history, architecture, and culture in that it contributes to our understanding of Park City's Mature Mining Era (1894-1930) and documents settlement patterns, building materials, construction techniques, and socio-economic makeup.

Assistant City Attorney McLean recommended adding another Fact regarding the evidence presented by Ruth Meintsma showing that Willis Simmons lived in the

house and was recognized as a notable person in the Park Record. Ms. McLean requested that Ms. Meintsma provide the Staff with a copy of her presentation.

Planner Grahn drafted Finding of Fact #21 - There is evidence that W.A. Simmons lived in the house, and he is recognized as notable to Park City's history.

Finding #22 - The Essential Historic Form is depicted in the late 1930s historic tax photograph and can be seen in relation to the photo on page 25.

Chair Kenworthy asked if they should address the fact that the home is still in its original location.

Planner Grahn drafted Finding #23 - The structure is in its original location.

Assistant City Attorney McLean added Finding #24 - No additions obscure the Essential Historic Form when viewed from the primary public right-of-way. No addition of other stories occurred after the period of historic significance, and there have been no changes in the pitch of the main roof of the primary façade.

Juli Bertagnole, one of the owners, stated that the three people who own this house were not financially or physical able to do what the HPB was asking them to do. In her mind, reconstruction is not preservation. Reconstruction is tearing down the building to reconstruct it.

Chair Kenworthy believed that Ms. Smith understood the process and the different options. He pointed out that the Board was encouraging the City Council to provide financial assistance through the grant program.

Ms. Bertagnole stated that the owners did not have time to wait for tax credits or financial grants. They needed to be able to sell their property. Chair Kenworthy assured Ms. Bertagnole that the Board understood the uniqueness of the situation and the owners' frustration. Ms. Bertagnole asked for a clear explanation of what she should tell a potential buyer in terms of what they would be required to do if they purchase the property. Chair Kenworthy reiterated that Ms. Smith understood the process and she could explain it to Ms. Bertagnole.

Assistant City Attorney McLean explained that because it was such a lengthy analysis, the HPB was considering the analysis in the Staff report as part of the Findings of Fact, as well as the new evidence presented this evening.

Assistant City Attorney McLean added Finding #25 - The analysis of the report is included herein with the new evidence.

Board Member Melville asked if the change to Finding #12 that was mentioned earlier in the discussion was already incorporated in the Findings of Fact. Planner Grahn answered yes.

MOTION: Board Member Holmgren made a motion that based on the evidence heard this evening, and the Findings of Fact, as amended with the additional Findings 17 through 25, that the structure should be kept on the Historical Sites Inventory as a Significant designation. Board Member Vance seconded the motion.

VOTE: The motion passed. Board Member Crosby voted against the motion.

Chair Kenworthy encouraged the owners to apply for a grant. Board Members Melville and Crosby expressed an interest in seeing the park that Ms. Smith had suggested come to fruition.

Findings of Fact – 632 Deer Valley Loop

1. 632 Deer Valley Loop is within the Residential-Medium Density (RM) zoning district.
2. There is an existing side gable hall-parlor structure at 632 Deer Valley Loop. This structure is currently listed on the Park City Historic Sites Inventory as a “Significant” Structure.
3. The structure was initially constructed as a two (2) room hall-parlor structure with an entry on the west elevation circa 1900.
4. Between 1912 and 1918, the structure was expanded to the north to create a four (4)-room cottage. It is this side-gable structure that is depicted in the late-1930s tax photograph.
5. Circa 1969, a rear addition was constructed along the full width of the south wall. This addition differs from the single-wall construction of the four (4)-room structure in that it has stud-wall framing. It is believed that the side porch was expanded at this time to create a mudroom; the width of the enclosed porch extended beyond the south wall and onto the new addition.
6. The existing structure is in serious disrepair and is not habitable in its current dangerous condition.
7. There is very little original exterior materials remaining on the exterior of the home. The original wood lap siding has been covered by layers of Bricktex and vertical wood siding

8. The double-hung windows on the façade were removed and expanded to install larger, undivided rectangular windows after 1969. The original wood double-hung windows throughout were replaced by aluminum windows.

9. After 1969, the turned wood porch posts were replaced with new decorative metal columns. A brick chimney was installed above the enclosed side porch that was later repaired with thick layers of Portland Cement.

10. The rear addition of the structure, dating circa 1969, was severely damaged in a fire on May 17, 1999. Because the rear addition is found not to be historic, it may be removed.

11. Between 1912 and 1918, the four (4)-room cottage was constructed. It is believed to be between 96 and 102 years old. Portions of the structure, dating from the original hall-parlor plan, may be as much as 113 years old.

12. Though the structure has lost some of its historic integrity due to the out-of-period alterations to its historic materials—such as the non-historic siding, aluminum windows, and replacement of the porch posts—it has retained its Essential Historic Form. The out-of-period addition to the south and west elevations of the structure do not detract from its historic form.

13. The structure is important in local or regional history because it is associated with an era of historic importance to the community, the Mature Mining Era (1894-1900).

14. The Historic Preservation Board found that the structure met the criteria of LMC 15-11-10(A)(2) and thus should remain on the Historic Sites Inventory (HSI) on November 13, 2013.

15. The applicants submitted an appeal to this determination on November 25, 2013, within ten (10) days of the HPB's determination.

16. The appeal was reviewed by the Board of Adjustment on April 15, 2014; however, the BOA remanded the appeal back to the Historic Preservation Board (HPB) due to the applicant's submittal of new evidence. The evidence submitted has been incorporated into the facts herein.

17. Historic materials that exist include wood siding beneath layers of Bricktex and vertical siding; the original window opening on the west elevation; original full-width porch and roof; original brick chimney on the four (4) –room structure; and single wall construction.

18. Out of period materials visible on the historic house today include the aluminum windows, non-historic vertical wood siding, decorative metal porch posts, changes to window sizes, and changes to roofing materials.

19. The structure retains its Essential Historic Form in that the physical characteristics of the structure that make it identifiable as existing in or relating to an important era in the past include the original four (4)-room side gable cottage with full width porch on the front.

20. The structure meets the criteria for local designation as significant as the two (2)-room structure is nearly 113 years old, though the renovation to a four (4)-room cottage was completed between 1912-1918. The structure retains its Essential Historic Form in that the c.1969 addition does not negatively impact the four (4)-room side gable cottage and full-width porch form. The structure is important to local history, architecture, and culture in that it contributes to our understanding of Park City's Mature Mining Era (1894-1930) and documents settlement patterns, building materials, construction techniques, and socio-economic makeup.

21. The Essential Historic Form is depicted in the late 1930s historic tax photograph and can be seen in relation to the photo on page 25.

22. There is evidence that W.A. Simmons lived in the house, and he is recognized as notable to Park City's history.

23. The structure is in its original location.

24. No additions obscure the Essential Historic Form when viewed from the primary public right-of-way. There are no changes in pitch of the main roof of the primary façade and no additions of upper stories or removal of upper stories.

25. The analysis of the report is included herein with the new evidence.

Conclusions of Law – 632 Deer Valley Loop

1. The existing structure located at 632 Deer Valley Loop meets all of the criteria for a Significant Site as set forth in LMC Section 15-11-10(A)(2) which includes:

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

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the Essential Historical Form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

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

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

1255 Park Avenue – Carl Winter’s School Remodel and Addition
(Application PL-13-02117)

Assistant City Attorney McLean remarked that it was unusual for the Historic Preservation Board to participate in the Design Review Process. She recalled that the last time was with the Museum several years ago. Ms. McLean explained that the HPB was being asked to look at the design review and provide input so the City, as the owner, could consider their viewpoints. She understood that it could be confusing when the City is the applicant and also the administrator of the guidelines. In this case the City was wearing two hats; and the HPB was being asked by the owner to participate in the design review.

Chair Kenworthy clarified that this was an opportunity for the Board members and the public to provide input to help the HPB formulate a response to the City Council. He noted that the project had not yet been approved. Chair Kenworthy understood that if it was appealed, it would go the Board of Adjustment and not the HPB.

Board Member Melville asked about the timeline. She understood that the Library was already closed and the books were moved out and that construction

had already started. She wanted to know why the historic design review was so late in the process.

Chair Kenworthy believed the Staff would answer many of the questions in their presentation.

Planner Ryan Wassum presented the timeline over the past year. On March 28, 2013 the City Council agreed on the scope and budget for an expanded Carl Winter's Building. On September 5, 2013 the City Council directed the HPB to participate in the design review of the Library remodel and addition as outlined per the LMC. On November 23, 2013 and March 19, 2014 the applicants attended a pre-application conference for the HDDR process. April 18, 2014 the HDDR application was submitted to the Planning Department and was deemed complete on that date. On May 1, 2014 the required HDDR public hearing was held. Today, May 21, 2014, the HPB has the opportunity to provide design comments for the City Council.

Planner Wassum noted that the Planning Department must make a decision on the HDDR by June 16, 2014, which is within the initial 45 days. The appeal process would be ten days following final action for approval or denial. The appeal would be scheduled per the Board of Adjustment time frame.

Chair Kenworthy dispelled the comments that the project was approved and construction had started.

Planning Manager Sintz explained that this project required a Master Planned Development. The original MPD for the Library was approved in 1992 and they came back for modifications. That final approval was granted by the Planning Commission on December 11, 2013. She commented on two exhibits in the Staff report. One was a letter from Jim Telford dated January 24th, which she recalled was in response to the MPD report because the HDDR application had not yet been submitted. The second exhibit was a letter that was solicited from Steve Swanson in regards to the Utah Heritage Foundation. Based on the date, Planning Manager Sintz believed that the report provided to the Utah Heritage Foundation also related to the Master Planned Development drawings and not the HDDR application.

Planning Manager Sintz noted that the owner's representatives were present this evening and they would walk the Board through a discussion that occurred in January when the City Council put a hold on the project to re-evaluate the site. It greatly affected the timeline as to when the HDDR application was actually submitted.

Board Member Melville stated that because the process had progressed so far and appeared to be on the road to approval, she felt it was too late for the HPB to participate or for their comments to have any impact on the project.

Jonathan Weidenhamer, the Economic Development Manager for the City, and a representative for the applicant, replied that the HPB would have impact on the project. When the HPB was asked to participate in the Museum process their input was taken seriously by the City Council. Board Member White was on the Board at that time and he recalled that changes were made based on HPB input.

Mr. Weidenhamer understood that the process was not ideal from the standpoint of timeline. When they were asked to revisit the scope and the site in late December, the timeline was delayed because it took several months before the City Council re-affirmed the commitment to the adaptive reuse of this building with the Library as the centerpiece of the development area. Mr. Weidenhamer stated that a couple more months of scope was added to the project to make it more green and more sustainable. It also took 9 weeks to do the construction documents required for the HDDR. Mr. Weidenhamer recognized that the process was not perfect and it has added a lot of stress to the project and deadlines. However, he was optimistic that the process would continue to go well and that they were moving in the right direction. They have worked very closely with Staff and consistently within the guidelines.

Mr. Weidenhamer stated that the comments and opinions expressed by the HPB would be presented to the City Council at their first meeting in June. They have already spoken with the Building and Planning Departments regarding the scope of work involved. He did not believe that potential changes recommended by the HPB would hinder the timeline or cause substantive changes to the exterior. Mr. Weidenhamer clarified that when the City Council gave the authority to move forward with the project they were clear about wanting to hear HPB input as a second opinion.

Planning Manager Sintz stated that if there could be consensus from the HPB on specific comments, Mr. Weidenhamer could take those to the City Council. The Board would be notified when that occurs. Their comments would also be reflected in the minutes from this meeting.

Mr. Weidenhamer introduced Matt Twombly, the project manager for the City, and noted that Mr. Twombly was involved with the library addition for the City in 2004. He also introduced Jasmina Jusic, the Development Services Librarian, and Kevin Blaylock the project architect. He provided a brief summary of Mr. Blaylock's accomplishments and professional expertise.

Kevin Blaylock, the project architect, stated that his firm was commissioned by Park City and the Library in January 2013 to begin this project. He outlined the

process and the approach that led to where they were today. Mr. Blaylock stated that in March 2013 they started the public input process to determine the types of materials that the public had deemed acceptable for the addition to the library, as well as the program components of the library. At the same time they conducted a process of analyzing the project to determine whether to add a small, medium or large addition, or whether they should find a new piece of land and build a brand new library to avoid some the challenges of remodeling the existing Library. After looking at the construction timeline costs and the City goals, they decided on a smaller addition and an interior remodel, which was the current proposal being presented this evening. Mr. Blaylock stated that through that process they shared their design in back and forth dialogue with the City Council, the Planning Commission, the Steering Committee, the Friends of the Library and the Library Board to keep their finger on the pulse of the community. The approach incorporated the Library goals and the City goals, which included respect for the historic building, reveal more of it if at all possible, and comply with the Department of Interior Guidelines for historic places.

Mr. Blaylock stated that the project objective for the Library is to create a 21st Century library and to develop a stronger civic identity. He pointed out that a 21st Century library has nothing to do with design or appearance. It is about programs, functionality, and how it works within the community and for the community as a civic hub. The building programming consists of a number of new areas and new offerings to the public. It has to be Code compliant and part of that is being successful in meeting of all the ADA requirements.

Mr. Blaylock provided a brief history to re-familiarize the Board members with the Library building. He provided a slide showing the footprint of the structure in the early 1900's. It is a four-sided building and the front is slightly buried by the parking lot. The two entry points on each side were originally exits for the High School. In 1992 a three-story addition was added that started to wrap around the building. In some areas it did not respond well to the historic fabric of the building. Since then a shuttle stop and other civic amenities were developed in the area. Mr. Blaylock stated that part of the challenge was to capitalize on these site opportunities. One challenge was to find a way for the Library to create a strong civic presence and to act as an anchor for the Lower Park Avenue master planned development.

Mr. Blaylock stated that they started to look at opportunities to link the public skate park and the City Park and connect all the different icon city elements to the Library. They thought about creating a pedestrian walkway that gathered everyone and brought them to the new front door of the Library. Mr. Blaylock noted that along this timeline, as part of the MPD process and public feedback, they originally had the new building entry on the east historic face. After working with the Planning Commission changes were made and the entry is now set back approximately 22 feet from the building face.

Mr. Blaylock indicated the location of the shuttle stop and the pedestrian crosswalk which lends itself to working more favorably with their proposed solution. He stated that the intent was to create a single cohesive addition. Therefore, they explored ideas for removing all or a portion of the 1992 addition and reveal more of the historic character of the building. Mr. Blaylock reviewed slides of the building and noted that there were prominent historic components that responded to the historic building, but they did not believe the components contributed to the historic fabric of the original structure. In comparing the historic front side of the building on the east with the north side of the building, they could start to see the L-shaped piece that was added in 1992 that covered up a large portion of the historic structure in the back. He indicated two windows that he believed were in place with the original construction.

Mr. Blaylock reviewed the current proposal, which included removing the 1992 addition all the way around the back of the building and to reveal what it was originally. He stated that they were able to achieve all of the program requirements of a 21st Century Library and the community multi-purpose event space, and still reduce the footprint to help reveal some of the historic fabric.

Mr. Blaylock presented images to show the context and mass.

Mr. Blaylock stated that the materials pallet was derived from the building, as well as materials that are found in the immediate context. Two primary building materials were shown. One was zinc, which is a dull matte metal that has been used for centuries in Europe. The second was a real wood siding product that was developed in Europe and has some reference to historic Park City. They chose zinc for its longevity and sustainability, but also because the gray tone was a way to imply the gray concrete base of the building without replicating it. It was also more affordable.

Mr. Blaylock reiterated that part of the goal was to create a multi-purpose, multi-use library. He indicated the portion of the Library that, in addition to being the entry, would also serve for after-hours uses. The Library itself could be secured even if the remainder of the building is being used for other events after the Library closes. That led to the opportunity of creating an active zone that activates the park and provides a place for social gatherings.

Board Member Holmgren referred to the checkerboard in front of the glass on the north side and asked about the material. Mr. Blaylock replied that it was a concrete terrace. Board Member Holmgren asked if he had considered using granite for the terrace like they were doing for the sidewalks on Main Street. Mr. Blaylock replied that they were dissuaded from using granite due to maintenance issues. They also need to respect the budget they were given for this project. Board Member Holmgren thought the granite material had worked well on Main

Street. Mr. Jonathan stated that they would like to do granite but it was not affordable.

Planning Manager Sintz reported that early in the process the owner group talked about the subordination of materials and making sure that the materials used in the historic portion of the building remained the dominant features. The concrete was dressed up with the scoring pattern, but they were very cognizant that it is a secondary, subordinate, less important addition. They were asked to respect the original library and not use materials that would be termed “nicer” than what the original structure had.

Board Member Holmgren understood the concerns, but she thought it was very impressive that they could put those types of sidewalks and curb and gutter in Main Street Old Town. She believed it was all American granite. Board Member Holmgren clarified that she only mentioned it as a suggestion.

Mr. Blaylock reiterated that one of the challenges was to create a more sustainable building. As they construct buildings now days, they typically create a structure that they add insulation to, and then put cladding over the top. However, they do not have that opportunity with the Library building. Instead, they have to strip away the interior components and add insulation and make the walls fatter on the inside. Mr. Blaylock noted that all the windows were changed out in 1992 and they had done a good job matching the existing historic windows that were in place in the early 1900s. He stated that a few of the windows would be replaced on the back where the brick that was covered up would be exposed. Mr. Blaylock noted that in 1992 the stair tower off the back of the building was removed and it was patched with gray concrete. They found the existing brick in the basement of the building and they plan to use as much of that brick as possible for infill. Mr. Blaylock explained how they also intend to expose some of the existing historic brick walls in the study rooms on the second floor, and have natural light coming in from the west off Norfolk.

Planning Manager Sintz asked Mr. Blaylock to summarize the discussion they had with City Council regarding the energy efficiency and the desire to modify the roof form to get a higher efficiency rating, but still retain the historic roof. Mr. Blaylock remarked that currently there was no insulation in the building. He reiterated his previous explanation on how they plan to insulate the walls to be more energy efficient. He noted that the same exploration needed to be done on the roof. Mr. Blaylock stated that currently the building loses energy through the roof and that allows snow to melt. The roof was reinforced in order to add insulation so it would support the required snow load and still maintain its historic character. Mr. Blaylock stated that in 1992 swamp coolers were added to the roof and they are visible from Norfolk and up the hillside. Those swamp coolers were removed in the image he presented because they would be replaced with a high-efficiency mechanical system.

Mr. Weidenhamer noted that the City Council had to wrestle with their goals of being sustainable versus the policy for historic preservation. They asked the City Council to make a priority decision and it was unanimous that historic renovation on both the interior and exterior was most important. Therefore, they decided to pursue a LEED certification as opposed to Energy Star certification. Mr. Weidenhamer believed they were very close to achieving LEED Silver standard.

Planning Manager Sintz stated that when the City Council called time-out on the project to look at all the options, there was a hard discussion on the fact that per the newly adopted general plan, one of the greatest forms of preservation is adaptive re-use. She believed that utilizing this building in the lower Park Avenue area was a long-term commitment by the City Council to look at adaptive re-use of the City's historic structures. It could also be used as an example for future economic development. Planning Manager Sintz thought this was an exciting project, particularly with the ability to have LEED certification with a Landmark structure. She recalled from public input documents that the desire for this building is to be listed on the National Register. Planning Sintz believed there was a strong commitment from the City Council to move that process forward once the renovation is complete.

Mr. Weidenhamer stated that one of the primary goals for the project, and driven by the library programs, was to identify an entry way into the Library. He believed that had been accomplished. Working with Staff, preservation consultants, and an experienced architect they were able to modify the design based on input, and to subordinate the new entry way. He pointed out that the City Council has a commitment to a community center; and there are already community tenants in the building that use the traditional and historic entryway. He recognized that the entry has been split up and the main entrance to the Library would be focused on the north end. The rest of the community uses would continue to use the main historic doors. He thought it was a good balance of community goals and Council goals over the Library program. It also highlights the commitment to authentic community fabric. Mr. Weidenhamer believed the proposal was consistent with the City Council goals and the current guidelines.

Chair Kenworthy liked the proposal. He asked if the entrances would be seasonal entrances or used for the different uses inside the building. Mr. Weidenhamer replied that the entrances would continue to be open as they are today. Chair Kenworthy asked if people could access all aspects of the building through those entrances or if it would be partitioned for specific uses. Mr. Weidenhamer stated that people would have full access to the building through those entrances.

Mr. Blaylock clarified that in an effort to address the security of the Library, people entering through the stair tower entry might encounter another set of doors.

Board Member Crosby asked about security surveillance. Mr. Twombly stated that currently there were 12 to 15 cameras in and around the building. There is a desire to enhance the security with additional cameras and additional door security.

In looking at the new view from Park Avenue, Board Member White liked the fact that the total original building seems to be maintained. He thought it was a good idea to have the entry on the north end and to keep the original stair towers. Board Member White liked how the height of the addition on the north side was the same height as the concrete base with the same color. He assumed the dark brown on the west side and the north side was a wood material. Mr. Blaylock replied that he was correct. Board Member White asked about the maintenance and longevity versus using another material. He suggested the possibility of using a more sustainable material in the same dark brown that was shown.

Mr. Blaylock explained that the proposed material is a real wood veneer with a protective film that is laminated on to a resin backer. It is insect and rot resistant and it will not warp or fade like real wood, even though it has a real wood face. The upkeep is minimal. Board Member White asked about if the ultra-violet would fade. Mr. Blaylock stated that it has a ten year warranty against fading. The color may eventually lighten a little beyond its ten year mark, but it would always look like brown wood. Mr. Blaylock noted that they were still exploring a completely synthetic material as another option. The material is all manmade but it has the same look.

Board Member White supported what was being proposed for the project.

Board Member Holmgren referred to the north side and asked if anything was planned for the area above the new entrance. She asked if they would consider a roof garden. Mr. Blaylock stated that they intent to put in a decorative gravel mulch. The portion on the corner would be an outdoor reading terrace that comes directly off a reading room on the second floor. Mr. Weidenhamer noted that the unusable portion was driven by the budget. He explained that there would not be enough structure underneath to support a rooftop garden.

Director Eddington asked if the balcony on the upper level would be usable. Mr. Blaylock stated that it was originally intended to be usable in the original adaptation; however, budget constraints forced them to remove that amenity.

Board Member Melville asked why the 1992 addition was being removed, since it would result in losing space. Mr. Blaylock replied that most of the space was

stage wing and storage space on the third floor. The storage needs were accommodated with a more efficient plan and the wing space that was used for theatrical productions is no longer necessary for film productions. He believed it was a worthwhile sacrifice to remove the addition in order to attain more of the historic nature of the existing building.

Board Member Melville asked why they would not just remove the top level of the addition because doing that would achieve the same amount of exposure they are getting with the new addition. She wanted to know why they would not leave the brick of the addition in the back and on the sides rather than rebuild it. Mr. Blaylock explained that they wanted to make sure that the addition looked consistent all the way around the building to avoid a piecemeal look with the existing historic structure, a 1992 addition and a 2014 addition. Secondly, the 1992 addition does not conform with the current structural codes and requirements. The amount of retrofit work required to punch openings and add insulation involved more work and expense than if they removed the addition and started with new construction.

Board Member Melville thought the view was jarring, particularly the north side driving down Park Avenue. She noted that the old addition was brick and the new construction is a slick composite and zinc. She did not like the appearance of two new materials tacked on to an old building or the different levels and heights of various materials and colors. In her opinion, the zinc wall looked like a penitentiary wall going around the building. Board Member Melville was looking for harmony within the entire building, but instead she saw a number of different pieces.

Board Member Melville asked if an assessment had been done to determine whether this proposal would affect the National Register eligibility, which was a condition of approval for the project. Mr. Blaylock replied that nothing proposed would hamper or restrict National Register eligibility. In his view and that of the historic consultant, they were doing everything to promote the ability for the building to be recognized for the National Register.

Board Member Melville asked if an analysis had been done by a professional consultant to verify that it would meet the requirements for the National Register. Planning Manager Sintz pointed out that the Historic District Design Guidelines are based on the Secretary of Interior Standards, and the whole process for HDDR and the universal guidelines is based on that process. The architect and the owner representatives have been meeting with Staff to go through the different analyses. Based on the process, Ms. Sintz was confident that the proposed project would be eligible for the National Register; otherwise, it would undermine the entire Historic District process.

Board Member Melville believed there were a number of areas where the project did not meet the historic design guidelines. If the project is built to the plans presented, she preferred to have it analyzed now rather than after it is built. Board Member Melville strongly encouraged an analysis of whether this project would meet the requirements to be eligible for listing on the National Register as part of the approval. She felt it was very important to have that confirmed before they move forward. Board Member Melville had read the letter from the Utah Heritage Foundation regarding the placement of the primary entrance. The letter states that the secondary entrance is fine when needed for ADA compliance, but the proposal to include a new exterior entry separate from the building runs counter to accepted preservation philosophy, which recommends that historic entrances continue to be used as primary entrance. She thought that was an important factor that had not been addressed.

Planning Manager Sintz noted that she had clarified earlier in the meeting that the Utah Heritage Foundation letter was in reference to the MPD drawings. She remarked that the Staff had the same concern and the entrance was moved back 22 feet because of the comment in the letter that Ms. Melville had referenced.

Board Member Melville pointed out that it was still meant to be a primary entrance. Ms. Sintz replied that it would be a primary entrance for the Library but not necessarily for the building. She thought it was important to understand the different functions occurring in the building. If the entire structure was just a library she could see where the entrance might be a concern.

Director Eddington referred to the rear façade and asked if there was a reduction in mass on the west side. Mr. Blaylock replied that it was a three story brick volume along the residential street. He recalled that one of the Planning Commissioners had asked if there was a way to break down the scale to make it more compatible with the residential neighborhood. Mr. Blaylock reiterated that it is a four-sided building with different activities on all four sides. That was one reason why they looked at breaking it down a little. In addition, the City has a requirement to break up continuous expanses with separation or stepping. Director Eddington noted that the reduction on the back was significant.

Board Member Melville emphasized her request to have a professional historic preservation consultant look at the drawings and provide guidance to assure that the building would not lose its ability to be listed on the National Register. Planning Manager Sintz offered to pass her suggestion on to the City Council.

Board Member Vance stated that according to MPS.gov, the Secretary of Interior standards for rehabilitation, presentation, etc., encourages an addition that does not imitate the historical structure. He believed that standard would qualify the Library for Landmark status on the National Register. Board Member Vance remarked that he personally thought the Department of Interior was completely

wrong. Just because something is law does not mean it is right. He thought the real issue was how to break up a façade. Commissioner Vance agreed that the addition looked like a brick wall. However, the system of columns, window placement, fenestration and the order of the building broke it up in such a way that the mass did not appear large because it was broken down. Rather than breaking it down into smaller masses, he preferred to see something that stays with the continuity of the order of the existing structure and breaks it up in the same order as the original structure using like materials. At the same time, they could make it modern in accordance with the Secretary of Interior standard to keep its historic status. Board Member Vance outlined some of his issues with the proposed design. He thought the wing that comes out further on the north wall should align. He was also unsure how the bottom as shown relates to the existing building. Board Member Vance stated that he personally likes to see historic additions on historic structures, recognizing that his opinion did not agree with the Department of Interior.

Chair Kenworthy noted that a historic addition would not satisfy the goal of keeping it as a Landmark structure. Board Member Melville thought it could be done and still keep its historic status. She noted that the Marsac Building was renovated without adding additional pieces and different materials. She did not believe the finished product would have looked nearly as good if those things had been added. Board Member Melville suggested that they renovate the Library in a similar way as the Marsac Building.

Mr. Weidenhamer stated that the Marsac Building already lacked needed space when it was completed, and the City plans to do a \$100,000 interior remodel within the next month because they are out of space. He noted that the City was very close to walking away from the Library building for the same reason; however the City Council revisited the issue and re-committed to the adaptive re-use knowing that space would be an issue. Mr. Weidenhamer felt it was time to find the balance and understand that there are trade-offs when committing to the re-use of a 1922 building.

Board Member Melville clarified that she favored adaptive re-use of the Library because it is a wonderful building. The question was how to do the exterior. Board Member Melville outlined areas where she did not believe the proposal met the design guidelines. She read, "Additions should be visually separated from historic buildings when viewed from the public right-of-way." She did not think the new entrance was removed from the building by a transitional element. Board Member Melville further read, "Window shapes and patterns found on the historic building should be reflected in the new addition." She noted that the windows on the north side looked nothing like the historic building.

Board Member Melville read from Guideline D2.1, General Compatibility, "Additions should complement the visual and physical qualities of the historic

buildings.” In her view, the addition of the zinc banding that wraps around the building, and the wood component on various heights in no way complemented the physical and visual qualities of the historic building. She read from D1.2, “Additions should be visually subordinate to the historic buildings when viewed from the primary public right-of-way.” Board Member Melville remarked that the proposed addition was so different that it was jarring and it would overpower the rest of the building.

Chair Kenworthy asked if Board Member Melville thought the addition provided the functionality for what she would like to see in the community. Board Member Melville replied that it might flow better if the addition was separated a little more and there was less variety of materials. She was bothered visually by the different heights that do not relate to the old building. Chair Kenworthy asked if Ms. Melville liked the functionality of the indoor/outdoor space. Board Member Melville stated that indoor/outdoor is always nice, but she believed it could be achieved in ways other than what was proposed.

Board Member Holmgren doubted that there were many people drive up and down Park Avenue more than she does. She comes home from the grocery store south on Park Avenue and she starts looking over there right away to see who is out with their dog or she starts looking for a parking place. With the mature greenery, the front entrance is not noticeable until you reach the front of the building. She looks at that building every day and realizes the contrast from when she moved into her house in 1991. At that time someone was filming a ghost movie there and the City was getting ready to tear down the building. Six weeks after she moved in the City decided to save the building and refurbish it. She visits the Library building every day and sometimes twice a day because it is a gorgeous structure. Board Member Holmgren pointed out that before even reaching the building you have to pass the unattractive condominiums that stick up to the end of the parking lot, the parking lot itself, and then the trees.

Board Member Melville noted that the trees on the north side would be removed with the construction. Board Member Holmgren understood that the trees would be replaced. Mr. Weidenhamer clarified that four trees would be removed and replaced.

Board Member Holmgren thought the architect had done a great job designing the project, and that the mature landscaping softens the look. Her primary concern was parking generated by increased use and capacity. Mr. Blaylock stated that approximately seven parking stalls would be lost to add more green space. Planning Manager Sintz recalled that because this is a high-use for public transit, the Planning Commission had requested a thorough analysis of the parking and found it to be acceptable for the other amenities. Board Member Holmgren pointed out that with the current parking on a movie night, there is no room for emergency vehicles to get in if necessary. Ms. Sintz understood that

there were parking issues with special events. Ms. Holmgren stated that besides the Library parking lot, the problem extends to the Mawhinney lot across the street and people parking in private yards.

Mr. Weidenhamer stated that language from the original 1992 MPD carried through stating that when an event reaches a certain size, a threshold is reached where there are additional requirements set by the Building Official and Fire Marshall. Director Eddington recalled language about a connection to the Mawhinney parking lot. Mr. Weidenhamer replied that the Mawhinney parking lot is required to be kept as parking for the use of the building.

Chair Kenworthy asked for the net gain or loss of square footage. Mr. Blaylock stated that they were gaining approximately 2400 square feet of net space. Chair Kenworthy pointed out that they were gaining interior space and losing seven parking spaces.

Board Member Crosby asked if they had considered replacing or relocating the lost parking spots. Mr. Twombly stated that the biggest issue with parking was the use from the 1992 MPD. At that time there were two pre-schools and the University of Utah, in addition to the film series and the Library. Those schools, including the U of U, have all gone away. The uses include the Library, the new preschool, and the Film series. Because of the reduction in uses and the number of people using the building at one given time, a parking reduction was warranted.

Board Member Bush noted that there was a small parking lot on the north side of the athletic field that could easily accommodate eight additional spaces. Mr. Blaylock remarked that parking was heavily discussed at both the Planning Commission and City Council levels. Ultimately, both groups wanted to be more sustainable and promote a more walkable community. They felt that with the site development and connecting the pedestrian trails, people should be able to park at point A and get to point B without getting back in their cars.

Board Member Holmgren stated that it was a lovely game plan but it would never happen. She favored Board Member Bush's suggestion about adding parking to the lot at the north end of the athletic field.

Chair Kenworthy opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside Avenue, thought the plan was gorgeous. She liked the separation on the north side and how the height was diminished and stepped back. She liked the different materials. Ms. Meintsma thought the way they did the exposure at the back was beautiful. She stated that a lot of the homes look down on roofs and she was pleased that they had made the roof of this building pleasant to look at. Ms. Meintsma thought the zinc wall in

the back had a curvature element to it. She remarked that the addition is very different from the historic and it was broken up by the brown color and the zinc. She believed they were different enough that the historic building blooms out of the new addition. It gave it a stage to stand on. Ms. Meintsma stated that her comments were strictly her personal opinion as a neighbor but she thought the project was exciting.

Chair Kenworthy closed the public hearing.

Chair Kenworthy asked the Board for their final comments.

Board Member Vance clarified that he and Board Member Melville thought the proposal presented was very jarring. They would like to see an addition that is more harmonious and compatible in materials, and one that follows the historic order of the building rather than be the focal point.

Board Member Melville stated that her concern was whether it continues to be a Landmark building and whether it meets the criteria of the Code 15-11-10(A), Landmark Sites, 1(b), "that it retains its' historic integrity in terms of location, design, setting, materials, workmanship, feeling and association." She did not believe this addition was what it could be in terms of accomplishing all of that. Ms. Melville had concerns about jeopardizing the Landmark status and its listing on the National Register of Historic Places. She would like to see a good opinion from a certified professional as part of what goes to the City Council.

Chair Kenworthy stated that he would like to see a parking and transit plan to see how the plan supposedly works. He had concerns with having a multi-purpose building centered around a City Library, with an extended 2400 square feet and less parking.

Board Member Crosby commented on the additional 2400 square feet, and she wanted to know the parking ratio per thousand square feet. Planning Sintz stated that the ratio was analyzed for the Planning Commission in the MPD. She could not recall the facts; however, it did meet the criteria. Board Member Crosby recalled that it was three spaces per 1,000 square feet. Ms. Sintz replied that the ratio is based on the type of use. She noted that an MPD has the ability to modify parking after going through a specific analysis.

Board Member Crosby referred to the north side and asked which parts specifically would be removed and when they were built. She was told that it would be all of the 1992 addition. Ms. Crosby understood that it was being replaced with the zinc covered wall. Mr. Blaylock replied that most of it would be replaced with the wood clad material. Ms. Crosby referred to the west elevation and indicated the mature trees around it. She thought the zinc wall appeared to be a long span without a break and asked if there was a way to break it up. She

commented on the bump outs on the southwest side of the original building and asked if there was a way to reflect something similar to that in the zinc wall to break up the expanse of straight zinc.

Mr. Blaylock reported that the zinc is a panelized product that helps reduce the scale. The wavy pattern shown was a perforation through the metal to show the glass behind the wall, which were the study rooms. The intent was to allow as much natural light as possible. Ms. Crosby felt that was an important fact to know. Otherwise, it just looks like a penitentiary wall. Mr. Weidenhamer stated that when they first walked into the Library with Mr. Blaylock they talked about the glow and vitality of the interior uses and finding a way to let the community know that Library and community events were occurring inside. Mr. Weidenhamer noted that he and Director Eddington had a similar reaction when Mr. Blaylock first proposed the metal. However, as they looked at pictures of applications, they quickly changed their mind. He noted that Mr. Blaylock had included pictures of the zinc application in his presentation, but he had asked him to remove them to avoid confusing the discussion. Mr. Weidenhamer apologized for not providing the pictures.

Board Member White agreed that retaining the Landmark status was the most important issue and they should get a professional opinion to make sure this project would not have a negative effect. He also agreed with the concerns regarding the parking. In terms of the architecture, Board Member White thought Ms. Meintsma's comment about the historic building blooming from the addition was completely accurate. He personally liked the design very much.

Board Member Holmgren reminded them about the parking area on the other end of the dog field. If it belongs to the City they could make it bigger.

Chair Kenworthy asked Jasmina Jusic for her thoughts on the design, as well as the functionality and the expansion of the interior. Ms. Jusic stated that the Library Staff was neutral on the exterior design. Regarding the interior, the plan would improve functionality and allow for an expanded children's area and an expanded teen and tween area. There will be more room for the Library collection and it will allow room for a digital medium lab of appropriate size. It provides flexible space for all types of community events, as well as different types of programming. It also allows the flexibility to keep changing the Library interior as things evolve. Ms. Jusic personally liked the exterior design and she thought it made the historic building stand out.

Planning Manager Sintz summarized a list of items taken from the discussion this evening: 1) Board Member Holmgren would like to see granite on the exterior patio. 2) Chair Kenworthy had raised questions regarding the entrances. Chair Kenworthy clarified that he liked all the entrances, including the new entrance. It was important to do everything possible to retain the Landmark Status and the

National Register of Historic Places and he believed that could be accomplished with the proposed design. There was consensus among the Board that keeping Landmark Status and the eligibility for the National Register of Historic Places was very important. 3) Board Member Crosby had asked about the surveillance system. She also had questions about the ability to break up the zinc wall and received clarification on that. 4) Board Member White had agreed with the comments regarding the Landmark status and the National Register Status. He liked the views from Park Avenue and that the stair towers were being left intact. He liked the different materials and massing and thought the addition was subordinate to the historic. Board Member White had questions on the durability and maintenance of the wood material. 5) Board Member Holmgren had asked about putting a roof garden over the new entry. 6) Board Member Melville had a number of concerns and felt that the materials and the different levels and heights were jarring. She thought there was lack of cohesiveness. She was concerned about problematic elements of the addition. Board Member Melville felt strongly about making sure that the National Register Eligibility would not be compromised. She did not feel that the entry had been separated. She would also prefer less material components. 7) Board Member Vance had echoed Ms. Melville's concerns. He also stated that he did not agree with the Secretary of Interior standards. Board Members Vance and Melville had made comments about retaining the 1992 addition or utilizing some of the brick material similar to the 1992 addition. 8) All of the Board members expressed major concerns regarding the loss of parking. 9) Board Member Bush had made comments about potentially using the parking lot on the north end of the athletic field to make up the lost parking spaces.

Assistant City Attorney McLean asked if there was consensus regarding the materials. She understood that Board Members Vance and Melville thought the materials were jarring, and she asked if the rest concurred. Board Member Holmgren thought the building was nice looking and she liked the proposed materials. She had attended all of the public meetings and she thought the architect followed a lot of the public input. With the exception of Board members Vance and Melville, the rest of the Board members liked the materials and design.

Assistant City Attorney McLean pointed out that all of their comments would be forwarded to the City Council. She asked about the timeline for presenting their comments to the City Council. Mr. Weidenhamer anticipated that it would be the first City Council meeting in June. Planning Manager Sintz thought the City Council should also have a copy of the minutes from this meeting. Director Eddington questioned whether the minutes could be prepared in time for the June 5th meeting and suggested that it may not be until the June 12th meeting. Ms. McLean asked if Chair Kenworthy would be available to represent the HPB at the City Council meeting on either June 5th or June 12th. Chair Kenworthy stated that he would be out of town on June 5th. Ms. McLean requested that

Chair Kenworthy choose someone to represent the HPB if he was unable to attend. Planning Manager Sintz would contact Chair Kenworthy as soon as the date was confirmed.

The meeting adjourned at 8:14 p.m.

Approved by _____
John Kenworthy Chair
Historic Preservation Board

DRAFT



PLANNING DEPARTMENT

Historic Preservation Board Staff Report

Subject: 920 Empire Avenue
Planner: Kirsten A. Whetstone, MS, AICP
Application #: PL-14-02356
Date: June 18, 2014
Type of Item: Administrative- Determination of Historical Significance

Summary Recommendation

Staff recommends that the Historic Preservation Board conduct a public hearing, discuss the information presented by the applicant and staff, and consider removing the structure and site located at 920 Empire Avenue from the Historic Sites Inventory.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Topic

Applicant: Chuck Heath, owner
Location: 920 Empire Avenue
Proposal: Request for a Determination of Non-Significance and removal of 920 Empire Avenue from the Historic Sites Inventory
Zoning: Historic Residential (HR-1) District

Request

The applicant is seeking to remove 920 Empire Avenue (blue duplex at the street) from the Historic Sites Inventory (Exhibit A). The applicant provided a summary as to the building's insignificance to the Historic District pointing out that the structure:

- was constructed in 1960 per assessment records,
- has been altered from a garage into two apartments,
- does not meet the criteria for eligibility for listing on the National Register of Historic places and does not retain historic integrity,
- is positioned on the lot at the street edge and is unsightly and not consistent with other Historic Structures on the street (the position at the edge of the street and slightly onto the City ROW likely confirms the original use as a garage),
- upon physical inspection of the structure, including the roof rafters, basement, and interior there is no evidence of mining era construction or materials,
- lacks historic importance to the community, and
- methods of construction lack the craftsmanship used during the historic periods.

Background

Park City Historic Sites Inventory

The Park City Historic Sites Inventory, adopted February 4, 2009, includes four hundred four (404) sites of which one hundred ninety-two (192) sites meet the criteria for designation as Landmark Sites and two hundred twelve (212) sites meet the criteria for designation as Significant Sites (updated with removal of 222 Grant Avenue from HSI). The house at 920 Empire is listed as a Significant Site.

The reconnaissance level survey conducted by Preservation Solutions, Inc. identified two hundred thirteen (213) sites for compliance with the criteria set forth in 15-11-10(A) (2) and the subsequent recommendation to the HPB to include them on the Historic Site Inventory as Significant Sites was based on information gathered during field visits and from secondary sources, including:

- Reports and photographs from Reconnaissance Level Surveys (RLS) conducted in 1983 and 1995.
- Sanborn Fire Insurance maps from 1889, 1900, 1907, and/or 1929.
- Files on individual buildings held at the State Historic Preservation Office.
- Books on architectural styles, building types, architectural history, and mining history.
- Building cards and photos from the Summit County Tax Assessor that are held at the Park City Historical Society & Museum (PCHS&M) research library and archive.

When sites and structures were evaluated for inclusion on the City's Historic Sites Inventory (HSI), weight was given to overall form, type and condition of materials, and general cues that suggest construction during the mining era. The net was cast fairly broadly for the HSI with the understanding that owners could provide more intensive detailed surveys and could formally apply for further consideration as to inclusion or removal from the HIS. Intensive level surveys and interior inspections were not conducted for most of the sites on the current HSI.

920 Empire Avenue

At the time of the Historic Sites Inventory in 2008, there were two (2) structures located on the property, as well as a wooden carport constructed in the 1970s/1980s located on 916 Empire. The property consisted of two (2) old town lots, Lots 27 and 28 of Block 15 of the Snyder's Addition to the Park City Survey (916 and 920 Empire). The wooden carport was located on Lot 28 (916 Empire) and has since been demolished. A new house is currently under construction on Lot 28. Lot 27 contained a (yellow) house, originally constructed or moved to the rear half of this lot in c. 1938 and a (blue) house built at the front of the lot along Empire Avenue. The front-gable (blue) house was constructed in the 1960s as garage for the lower house and was later converted to a

duplex. At one time, the yellow house was addressed off of Norfolk Avenue (921 ½ Norfolk), as shown on the 1941 Sanborn maps. The yellow house, which was not on the HSI, has been demolished and this request is for a determination of significance for the blue house.

The following information is noted in the 2008 Historic Site Form for 920 Empire Avenue, specifically referring to the upper (blue) house and making slight reference to the lower (yellow) house. (Exhibit B):

Design- the front gabled frame house has a side entrance located under a recessed porch. Two small square window openings have aluminum side slider type windows and wide trim casings.

Setting- The lot drops severely from the roadway to a level building pad located east of the subject house. A second house is constructed there.

Workmanship- Much of the physical evidence suggests that the house was constructed during the decline in mining activity; however, the site does not reflect the typical stylistic elements and it appears that some of the materials- windows, trim, wall materials have been altered and, therefore, lost.

Feeling- The physical elements of the site, in combination, do not effectively convey a sense of life in a western mining town of the mid-twentieth century.

Association- This simple rectangular house appears to have been constructed more than 50 years ago, likely during the era of mining decline, but lacks strong stylistic elements that confirm its association with the post-mining era.

The 1929 Sanborn Maps (Exhibit C) do not show either building on the property. The Summit County Assessor's Property card (Exhibit D) indicates that the garage (blue structure) was constructed in 1960 and the house (yellow) was constructed in 1938. There are recollections from neighbors (Exhibit E) that the garage structure was built in the early 1960s for the small house on the lower portion of the lot. There is also evidence that the garage was converted into living quarters (two units, one up and one down) in the late 1960s.

On May 8, 2014, Historic Preservation Planner Anya Grahn and Senior Planner Kirsten Whetstone visited the site with the applicant and provided photographic documentation regarding the type of construction and materials and it is clear that the garage was not constructed during the historic period (1869-1929) (Exhibit F). During this site visit, staff entered the attic from the interior of the structure and noted that the roof construction was not indicative of historic roof construction in either the form of neither the gable, nor the types of rafters and materials use. It was clear that the roof of the garage had been constructed outside of the historic period. The overall shallow front-gable shape, sliding horizontal-oriented windows, and side entrance to the structure led staff to conclude that the building had not been built during the historic period.

In January of 2012 an intensive level survey (ILS) of the property was conducted by Beatrice Lufkin, an independent preservation consultant, at the request of the owner/applicant (Exhibit G). There is conflicting language regarding the dates of construction of the two (2) structures in the narrative stating that the front-gabled frame duplex was initially constructed in 1938 as a garage, presumably for a house to the rear of the lot, with reference to the Summit County Tax Assessor records. The 2012 survey report also indicates that both structures are visible in the 1941 Sanborn Insurance Map (Exhibit H) and that an apartment was constructed in the basement. The narrative also indicates that it was at this point that the garage space at the street level was converted into an apartment. There are no City Building Permit records for any of this construction and the County records indicate that the lower house was constructed in 1938 and the garage was constructed in 1960. The garage could have replaced a previous 1938 structure.

In any case, the January 2012 survey concludes that neither the garage/duplex building nor the rear residence meets the criteria for eligibility for listing in the National Register of Historic Places. The façade on the street level was most likely garage doors converted to living space and the façade of the rear residence has changed window openings and porch supports. The survey further concludes that neither structure retains its historic integrity.

In March of 2012 an Addendum to the ILS was prepared by Dina Blaes, Preservation Consultant for the City at that time (Exhibit I). This Addendum provides further clarification as to why the lower (yellow) house was not included on the City's Historic Sites Inventory. The lower (yellow) house was excluded because it did not comply with LMC Title 15-11-10 (A) (2) (b) (i) and (iv). There were numerous "changes to the pitch of the main roof of the primary façade after the Period of Significance and an addition was constructed that significantly obscured the Essential Historic Form when viewed from the primary public Right-of-Way." The 2012 Addendum also indicates that the upper house, "the front-gabled frame structure at the street edge of Lot 27 was originally constructed as a garage. A Sanborn Fire Insurance Company map key from 1941 indicates the structure was one story of frame construction, was used as an "Auto House or private garage", and included a "slate or tin" roof".

In March of 2012, the owner requested a demolition permit for the lower (yellow) structure. Following a press release (Exhibit J) by the City, the demolition permit was granted and the structure was demolished. The original central historic panels were saved by the owner and are stored on site.

Analysis

The Historic Preservation Board is authorized by Title 15-11-5(I) to review and take action on the designation of Sites to the Historic Sites Inventory. In addition, Title 15-11-10(C) authorizes the Planning Department to remove a Site from the Historic Sites Inventory as follows:

(C) REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY. The Historic Preservation Board may remove a Site from the Historic Sites Inventory. Any Owner of a Site listed on the Park City Historic Sites Inventory may submit an Application for the removal of his/her Site from the Park City Historic Sites Inventory. The Planning Department may submit an Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and procedures for removing a Site from the Park City Historic Sites Inventory are as follows:

(1) CRITERIA FOR REMOVAL.

(a) The Site no longer meets the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) because the qualities that caused it to be originally designated have been lost or destroyed; or

(b) The Building (main, attached, detached, or public) Accessory Building, and/or Structure on the Site has been demolished and will not be reconstructed; or

(c) Additional information indicates that the Building, Accessory Building, and/or Structure on the Site do not comply with the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2).

(2) PROCEDURE FOR REMOVAL.

(a) **Complete Application.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning staff shall schedule a hearing before the Historic Preservation Board within thirty (30) days.

(b) **Notice.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.

(c) **Hearing and Decision.** The Historic Preservation Board will hear testimony from the Applicant and public and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." The HPB shall review the Application "de novo" giving no deference to the prior determination. The Applicant has the burden of proof in removing the Site from the inventory. If the HPB finds that the Application does not comply with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure will be removed from the Historic Sites Inventory. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.

(d) **Appeal.** The Applicant or any party participating in the hearing may appeal the Historic Preservation Board decision to the Board of Adjustment pursuant to

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

If the Historic Preservation Board finds, based on the analysis below, that the site does not comply with the criteria set forth in Title 15-11-10(A) (2) (see below), it will be removed from the Historic Sites Inventory.

Based on additional information provided, Staff finds that the site does not meet the criteria to be designated as an Historic Site and should be removed from the Historic Sites Inventory as outlined below.

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

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

(2) SIGNIFICANT SITE. Any Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

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

Analysis: The site meet this criterion based on information from Summit County indicating that the existing structure at the street, known as 920 Empire, was constructed in the 1960 as a garage for the historic structure at the rear portion of the lot constructed or moved in 1938. Based on Sanborn maps there was not a structure at this location in 1929 and two structures are seen on the 1941 maps. The structure shown in the 1941 map may have been demolished to construct the 1960 garage, based on the construction materials and style of the current structure. The applicant requested an exploratory demolition permit and provided photographic evidence that indicates the structure was not constructed during the Mining Era. There were no historic trusses in the attic, the material in the roof structure; walls, basement, windows, etc. are not historic. Further, there is no evidence that the building was constructed during the Historic Period (1869-1929) and then moved to this location.

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form.

Major alterations that destroy the essential historical form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

Analysis: The site does not meet this criterion. The applicant and Staff confirmed with a site inspection and exploratory demo permit that the essential form of the roof has not been modified since it was constructed; however, the research indicates that the structure was constructed at the street edge as a garage. The primary form of the front façade, as a garage, has been altered. The entire structure, including the roof and the cinder block basement appear to have constructed after the Period of Historic Significance. There is evidence that this structure was constructed as a garage, however, the garage elements have been closed in and obscured with siding and added windows, significantly altering the historic form.

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

(i) An era of Historic importance to the community, or

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

Analysis: The site does not meet this criterion. There is evidence that the structure was constructed outside of the Period of Historic Significance for Park City. There is no evidence that the structure was occupied by persons of Historic Importance due to the time period of construction (Exhibit M). Horace Spearen, a Park City Councilman, is on record as an owner of the structure in the 1967. The method of construction, materials, and craftsmanship are not consistent with those used during the Historic period.

Summary

Upon closer examination and analysis of the site and based on new information, including a site visit and examination of the roof rafters, materials, and existing

construction, staff concludes that the site does not comply with the criteria set forth in 15-11-10(A)(2) of the LMC for designation as a Significant Site. It is likely that the existing structure was constructed in the 1960s per the County recorder information and converted to a duplex dwelling at a later date. Though the structure may be at least 50 years old, the construction, materials, and form of the building staff finds that the existing structure at 920 Empire Avenue has not achieved Significance in the past fifty (50) years as a structure of exceptional importance to the community. It does not comply with criteria (b) and (c) of Title 15-11-10(A)(2), in that the initial form as a garage, including the primary façade as viewed from the public right-of-way, has been significantly altered. In summary, staff recommends the HPB find that the site does not comply with the criteria set forth in Title 15-11-10(A)(2) for designation as a Significant Site and that the site be removed from the Historic Sites Inventory.

Notice

Legal Notice of this public hearing was published in the Park Record on May 24, 2014 and notice was posted in the required public spaces according to the Land Management Code. The property was posted on June 5, 2014.

Public Input

A public hearing, conducted by the Historic Preservation Board, is required prior to removing sites from the Historic Sites Inventory. The public hearing for the recommended action was properly and legally noticed as required by the Land Management Code, as noted above.

Alternatives

- Conduct a public hearing and remove the Site from the Historic Sites Inventory based on the findings of fact and conclusions of law set forth in the staff report.
- Conduct a public hearing and reject removal of the Site from the Historic Sites Inventory, providing specific findings of fact and conclusions of law for this action.
- Continue the action to a date certain to allow the applicant to address additional items of concern or provide additional information.

Significant Impacts

There are no significant fiscal impacts to the City as a result of removing the Site described in this report from the Historic Sites Inventory.

Consequences of *not* taking the Recommended Action

Not taking the recommended action will result in a Site remaining on the Historic Site Inventory that does not meet the criteria for designation.

Recommendation

Staff recommends that the Historic Preservation Board conduct a public hearing and consider removing the Site described in this staff report from the Historic Sites Inventory based on the following findings of fact and conclusions of law:

Findings of Fact

1. The property at 920 Empire Avenue is located in the Historic Residential (HR-1) District.
2. The site was designated as a Significant Site by the HPB in February 2009 following analysis and a recommendation made by staff based on information provided on the Historic Sites form from 2007 and photographs of the exterior. An intensive level survey was not conducted on this site prior to designation in 2009 to the Historic Sites Inventory (HSI).
3. The 2008 Historic Sites form indicates that the structure is an ineligible/non-contributing structure in terms of the National Register of Historic places because it does not meet the criteria for eligibility for listing due to alterations, materials, and physical elements of the site that, in combination, do not effectively convey a sense of life in a western mining town of the mid-twentieth century.
4. An Intensive Level Survey conducted in January of 2012 indicates that the structure at the lower portion of the lot and the subject structure were constructed in 1938, conflicting with the Summit County assessor records indicating that the upper structure was constructed in 1960 as a garage, during a time period that coincides with Park City's emerging ski and recreation era.
5. A March 2012 Addendum to the January 2012 Intensive Level Survey focused on the lower building and provided further documentation as to why the lower building was not listed on the 2009 HSI.
6. The March 2012 Addendum also indicated that the upper house, "the front-gabled frame structure at the street edge of Lot 27 was originally constructed as a garage. A Sanborn Fire Insurance Company map key from 1941 indicates the structure was one story of frame construction, was used as an "Auto House or private garage", and included a "slate or tin" roof".
7. In March of 2012, the owner requested a demolition permit for the lower (yellow) structure. Following release of a press release (Exhibit J) by the City, the demolition permit was granted on March 20, 2012 and the structure was demolished. The original central historic panels were saved by the owner and are stored on the site.
8. An on-site inspection of the internal structure, roof, windows, materials, basement, method of construction, etc. was recently conducted by the Planning Staff with the applicant. This new information indicates the existing building was not constructed during the declining mining era and that the original configuration of the primary façade has been altered.
9. Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and procedures for removing a Site from the Park City Historic Sites Inventory are as follows:
10. The Site no longer meets the criteria set forth in Section 15-11-10(A)(2) due to additional information that has been provided that indicates that the Building on the Site does not comply with the criteria set forth in Section 15-11-10(A)(2).
11. The site meets Criterion 15-11-10 (A) (2) (a) as the Structure is at least 50 years old. Property Records at Summit County indicate that the existing structure at the street, known as 920 Empire, was constructed in the 1960 as a garage. Sanborn

maps from 1938 show a building at this location and indicate it was used for an automobile (garage). Based on examination of the structure, materials, design, method of construction it appears that the existing house is not the structure originally constructed in 1938.

12. The site does not meet Criterion 15-11-10 (A) (2) (b) as the applicant and Staff confirmed with a site inspection and exploratory demo permit that the essential form of the roof has not been modified since it was constructed; however, the research indicates that the structure was constructed at the street edge as a garage. The primary form of the front façade, as a garage, has been altered. The entire structure, including the roof and the cinder block basement appear to have constructed after the Period of Historic Significance. There is evidence that this structure was constructed as a garage, however, the garage elements have been closed in and obscured with siding and added windows, significantly altering the historic form.
13. The site does not meet Criterion 15-11-10 (A) (2) (c) as there is evidence in the record that the structure was constructed in 1960 outside of the Period of Historic Significance for Park City. There is no evidence that the existing structure was occupied by persons of Historic Importance due to the time period of construction (Exhibit M). Horace Spearen, a Park City Councilman, is on record as an owner of the structure in the 1967. The method of construction, materials, and craftsmanship are not consistent with those used during the Historic period.
14. All findings from the Analysis section are incorporated herein.

Conclusions of Law

1. The structure at 920 Empire is at least 50 years old, based on Summit County records stating the existing structure was built in 1960.
2. The structure at 920 Empire does not retain its original Form, meaning there are major alterations to the front façade that have destroyed the Essential Historic Form.
3. The structure at 920 Empire is not important in local or regional history, architecture, engineering, or culture associated with a) an era of Historic importance to Park City, b) lives of persons who were of Historic importance to the community, or c) noteworthy methods of construction, materials, or craftsman used during the Historic period.
4. The structure at 920 Empire Avenue does not comply with the criteria set forth in Title 15-11-10(A)(2) for a Significant Site and therefore the Site is not a Significant Site pursuant to Title 15-11-10.

Exhibits

- Exhibit A- Applicant statement regarding non significance
- Exhibit B- 920 Empire Avenue Historic Site Form
- Exhibit C- 1929 Sanborn Insurance Map
- Exhibit D- Summit County Property Record Card
- Exhibit E- Statement from neighbors
- Exhibit F- Photographs from recent site visit

Exhibit G- Intensive Level Survey Historic Site Form (January 2012)
Exhibit H- 1941 Sanborn Insurance Map
Exhibit I- Addendum to the Intensive Level Survey (March 2012)
Exhibit J- Press Release regarding demolition of lower house
Exhibit K- Photographs of the lower (yellow house) prior to demolition
Exhibit L- Photographs of 920 Empire (blue structure)
Exhibit M- Title Search Form

920 Engine
from Owsor

EXHIBIT A

SUMMARY AS TO BUILDINGS INSIGNIFICANCE

1. Building was built as a garage in 1960 per the assessment records and then materially altered into 2 apts there after. (See Summit co. property record care)
2. The building does not meet the criteria for eligibility for listing in the National Register of Historic places. It does not retain its historic integrity via the Historic Report conducted by Beatrice Lufkin. Attached.
3. The structure is positioned on the lot forward of any other structure on Empire making is an eyesore and not consistent with other Historic structures on Empire. (See attached pictures)
4. Neighbors within the proximity of the site are in favor of its removal.
5. The structure actually sits within the Public Right of Way. (see attached survey)_
- 6 City Staff has viewed the structure an its rafters and concluded that is this not historic.
7. Per the PCMC title 15.4 LMC, chapter 11, structures need to "retain its essential historical form, meaning there are no major alterations that have destroyed the essential historical form" This structure was built as a garage and then was later completely altered into a duplex living structure changing its original form.
8. The structure also lacks Historical importance to the community.
9. The Methods of construction lack any craftsmanship used during the historic periods. See photos.



EXHIBIT B

HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

1 IDENTIFICATION

Name of Property:

Address: 920 EMPIRE AVE

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-153

Current Owner Name: KENNEDY-BAND PROPERTIES LLC

Parent Parcel(s):

Current Owner Address: 2142 BELLE STARR CT, PARK CITY, UT 84060

Legal Description (include acreage): LOT 27 BLK 15 SNYDERS ADDITION TO PARK CITY; 0.05 AC

2 STATUS/USE

Property Category

- building(s), main
- building(s), attached
- building(s), detached
- building(s), public
- building(s), accessory
- structure(s)

Evaluation*

- Landmark Site
- Significant Site
- Not Historic

Reconstruction

- Date:
- Permit #:
- Full
 - Partial

Use

Original Use: Residential
Current Use: Residential

*National Register of Historic Places: ineligible eligible
 listed (date:)

3 DOCUMENTATION

Photos: Dates

- tax photo:
- prints:
- historic: c.

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

- abstract of title
- tax card
- original building permit
- sewer permit
- Sanborn Maps
- obituary index
- city directories/gazetteers
- census records
- biographical encyclopedias
- newspapers
- city/county histories
- personal interviews
- Utah Hist. Research Center
- USHS Preservation Files
- USHS Architects File
- LDS Family History Library
- Park City Hist. Soc/Museum
- university library(ies):
- other:

Drawings and Plans

- measured floor plans
- site sketch map
- Historic American Bldg. Survey
- original plans:
- other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.
Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.
McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.
Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.
Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: Other residential type / Vernacular style

No. Stories: 1

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

Number of associated outbuildings and/or structures: accessory building(s), # _____; structure(s), # _____.

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

General Condition of Exterior Materials:

- Good (Well maintained with no serious problems apparent.)
- Fair (Some problems are apparent. Describe the problems.):
- Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):
- Uninhabitable/Ruin

Materials (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Foundation: At least a partial concrete basement is visible in the 2006 photograph.

Walls: Wooden clapboard siding.

Roof: Low-pitched gable roof form sheathed in asphalt shingles.

Windows: Aluminum frame side slider type.

Essential Historical Form: Retains Does Not Retain, due to:

Location: Original Location Moved (date _____) Original Location:

Design (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The front gabled frame house has a side entrance located under a recessed porch. Two small square window openings have aluminum side slider type windows and wide trim casings.

Setting (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The lot drops severely from the roadway to a level building pad located east of the subject house. A second house is constructed there.

Workmanship (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): Much of the physical evidence suggests that the house was constructed during the decline in mining activity; however, the site does not reflect the typical stylistic elements and it appears that some of the materials--windows, trim, wall materials have been altered and, therefore, lost.

Feeling (Describe the property's historic character.): The physical elements of the site, in combination, do not effectively convey a sense of life in a western mining town of the mid-twentieth century.

Association (Describe the link between the important historic era or person and the property.): This simple rectangular house appears to have been constructed more than 50 years ago, likely during the era of mining decline, but lacks strong stylistic elements that confirm its association with the post-mining era.

The site does not meet the criteria for ineligibility for listing in the National Register of Historic Places.

5 SIGNIFICANCE

Architect: Not Known Known: (source:) Date of Construction: 1938¹

Builder: Not Known Known: (source:)

The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

¹ Summit County Recorder.

- Settlement & Mining Boom Era (1868-1893)
- Mature Mining Era (1894-1930)
- Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries. However, by the mid-twentieth century, most mines in Park City had closed, the population had dwindled, and building activity nearly ceased. Though the few houses built during this period generally reflect the types and styles used in communities throughout Utah, they were constructed in a way that reinforces the settlement patterns of Park City's significant mining era. They are both modest in scale and tightly packed on the hillsides and neighborhoods, contributing to the overall character of the community.

2. **Persons** (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. **Architecture** (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

Photo No. 1: West elevation. Camera facing east, 2006.

Photo No. 2: South elevation. Camera facing north, 1995.

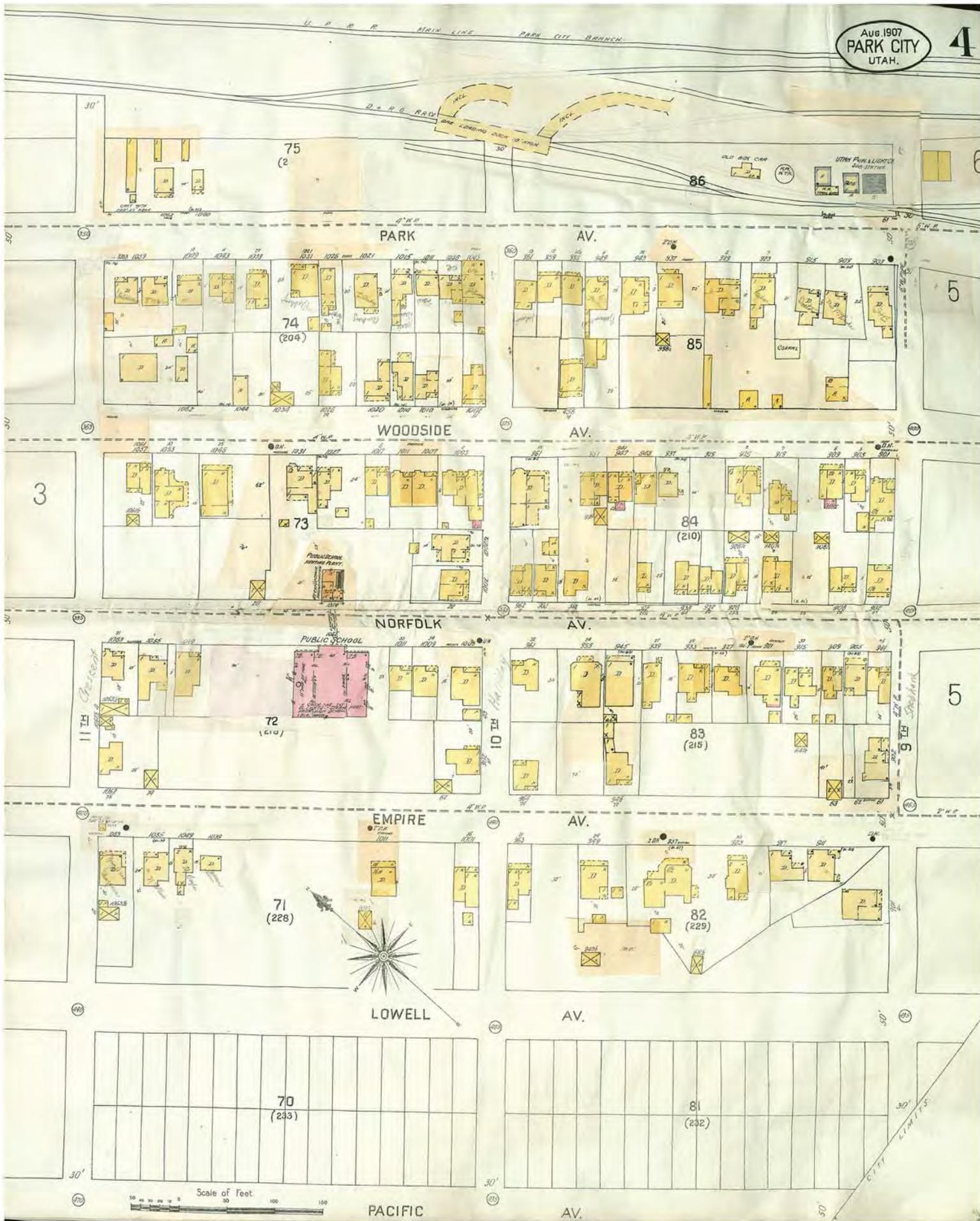




EXHIBIT C

AUG 1907
PARK CITY
UTAH.

4



Property Record Card

Summit County Utah Assessor / Recorder

HEATH CHARLES T/C
MARSHALL LEE T/C
MARSHALL SHELLEY T/C

Account: 0026561
Tax Area: 60 - PARK CITY A,J,K,U
(D-D) (A-2)
Acres: 0.050

Parcel: SA-153
Situs Address:
920 EMPIRE AVE

2750 RASMUSSEN RD
PARK CITY, UT 84098

Value Summary

| Model | Value | Override |
|--------------|------------------|------------------|
| Building (1) | \$26,378 | N/A |
| Building (2) | \$62,060 | N/A |
| Land (1) | \$200,000 | N/A |
| Total | \$288,438 | \$288,438 |

Legal Description

LOT 27 BLK 15 SNYDERS ADDITION TO PARK CITY M10-472 UWD-103 1054-64 (REF:433-26 & 1321-1106) 1469-130 1738-1855 1739-354 (1740-854) (1749-1169) 1911-127 (1911-304) (1913-511) 1913-533 2081-1492 2105-097

Transfer History

| Entry Number | Book/Page | Date Recorded | Deed Type |
|--------------|-----------------|---------------|-----------------|
| 00934581 | B: 2105 P: 0097 | Nov 23, 2011 | Warranty Deed |
| 00923088 | B: 2081 P: 1492 | May 24, 2011 | Trustees Deed |
| 00836664 | B: 1913 P: 0511 | Feb 6, 2008 | Warranty Deed |
| 00836666 | B: 1913 P: 0533 | Feb 6, 2008 | Warranty Deed |
| 00835673 | B: 1911 P: 0127 | Jan 24, 2008 | Warranty Deed |
| 00757691 | B: 1749 P: 1169 | Nov 8, 2005 | Quit Claim Deed |
| 00753498 | B: 174 P: 854 | Oct 5, 2005 | Quit Claim Deed |
| 00752965 | B: 1739 P: 354 | Oct 3, 2005 | Warranty Deed |
| 00752789 | B: 1738 P: 1855 | Oct 3, 2005 | Warranty Deed |
| 00630440 | B: 1469 P: 130 | Aug 28, 2002 | Warranty Deed |

Property Record Card

Summit County Utah Assessor / Recorder

Building Occurrence 1

| | | | |
|---------------------------|-------------------|----------------------|-----------------|
| Property Code | 11A - RESIDENTIAL | Living Area | 516 |
| Building Type | 1 - RESIDENCE | Architectural Style | 2 - COTTAGE |
| Story Height | 1 - ONE STORY | Construction Quality | 4 - AVERAGE |
| Primary Wall Construction | 2 - SIDING | Roof Covering | 2 - TYPICAL |
| Building Condition | 4 - AVERAGE | Year Built | 1960 |
| Wall Coverings | 2 - TYPICAL | Floor Covering | 2 - TYPICAL |
| No. Full Baths | 2 | No. Half Baths | 0 |
| No. Designer Bathrooms | 0 | Heating System Fuel | 1 - NATURAL GAS |
| Heating System Quality | 2 - TYPICAL | Air Conditioning | 3 - NONE |
| Basement Area | 516 | Attic Area | 0 |
| Basement Garage Area | 0 | Carport Area | 0 |
| Attached/Built-in Area | 0 | Building Status % | 0 |
| Effective Age | 15 | % Finished Basement | 100 |
| Kitchen Cabinets | 2 - TYPICAL | No. Range & Ovens | 2 |



Building Occurrence 2

| | | | |
|---------------------------|-------------------|----------------------|-----------------|
| Property Code | 11A - RESIDENTIAL | Living Area | 705 |
| Building Type | 1 - RESIDENCE | Architectural Style | 2 - COTTAGE |
| Story Height | 1 - ONE STORY | Construction Quality | 4 - AVERAGE |
| Primary Wall Construction | 2 - SIDING | Roof Covering | 2 - TYPICAL |
| Building Condition | 4 - AVERAGE | Year Built | 1938 |
| Wall Coverings | 2 - TYPICAL | Floor Covering | 2 - TYPICAL |
| No. Full Baths | 1 | No. Half Baths | 0 |
| No. Designer Bathrooms | 0 | Heating System Fuel | 1 - NATURAL GAS |
| Heating System Quality | 2 - TYPICAL | Air Conditioning | 3 - NONE |
| Basement Area | 0 | Attic Area | 0 |
| Basement Garage Area | 0 | Carport Area | 0 |
| Attached/Built-in Area | 0 | Building Status % | 0 |
| Effective Age | 20 | % Finished Basement | 0 |
| Kitchen Cabinets | 2 - TYPICAL | No. Range & Ovens | 1 |

Land Occurrence 1

| | | | |
|-------------------------|----------------------------|-------------------------|---------------|
| Assessment Code | 01A - RESIDENTIAL IMPROVED | Rate Adjustment Percent | 0 |
| Rate Adjustment Percent | 0 | Version Start | 124025877:938 |
| Version End | 9223372036854775807 | | |

MAY 13 2014

Abstract Summary

| Code | Classification | Market Value | Taxable Value | Market Override | Taxable Override |
|------|----------------------|--------------|---------------|-----------------|------------------|
| 01A | RESIDENTIAL IMPROVED | \$200,000 | \$110,000 | NA | NA |
| 11A | RESIDENTIAL | \$88,438 | \$48,641 | NA | NA |

Property Record Card

Summit County Utah Assessor / Recorder

Abstract Summary

| | | | | |
|-------|-----------|-----------|----|----|
| Total | \$288,438 | \$158,641 | NA | NA |
|-------|-----------|-----------|----|----|

MAY 13 2014

EXHIBIT E

Horace + Elva Spearon 920 Empire Ave.

Horace + Elva Spearon and their two daughters lived in a small historical home behind the structure he built for a double garage. The garage was built just before he built Norge Village Laundry Mat just South of 7th Street on Park Ave.

When the property was sold it was turned into living quarters. Renters who lived there didn't stay very long. It was too cold. I knew none of the renters. The garage doesn't look like a home, it looks like living quarters only. It hasn't added anything to our neighborhood.

Mary Lou Taly

| | | | |
|----------------------|------------|-------|-----------|
| Cheryl Spearon Mason | SXC | H 801 | 484-3991 |
| | | C 801 | 8971-8125 |
| Sue Williams | 640 - 6995 | | |

Cheryle Mason

to John

Mon, Jun 2 4:18 PM

Fwd: Park City Home

Sent from my iPad

Subject: Park City Home

To: Whom it may concern

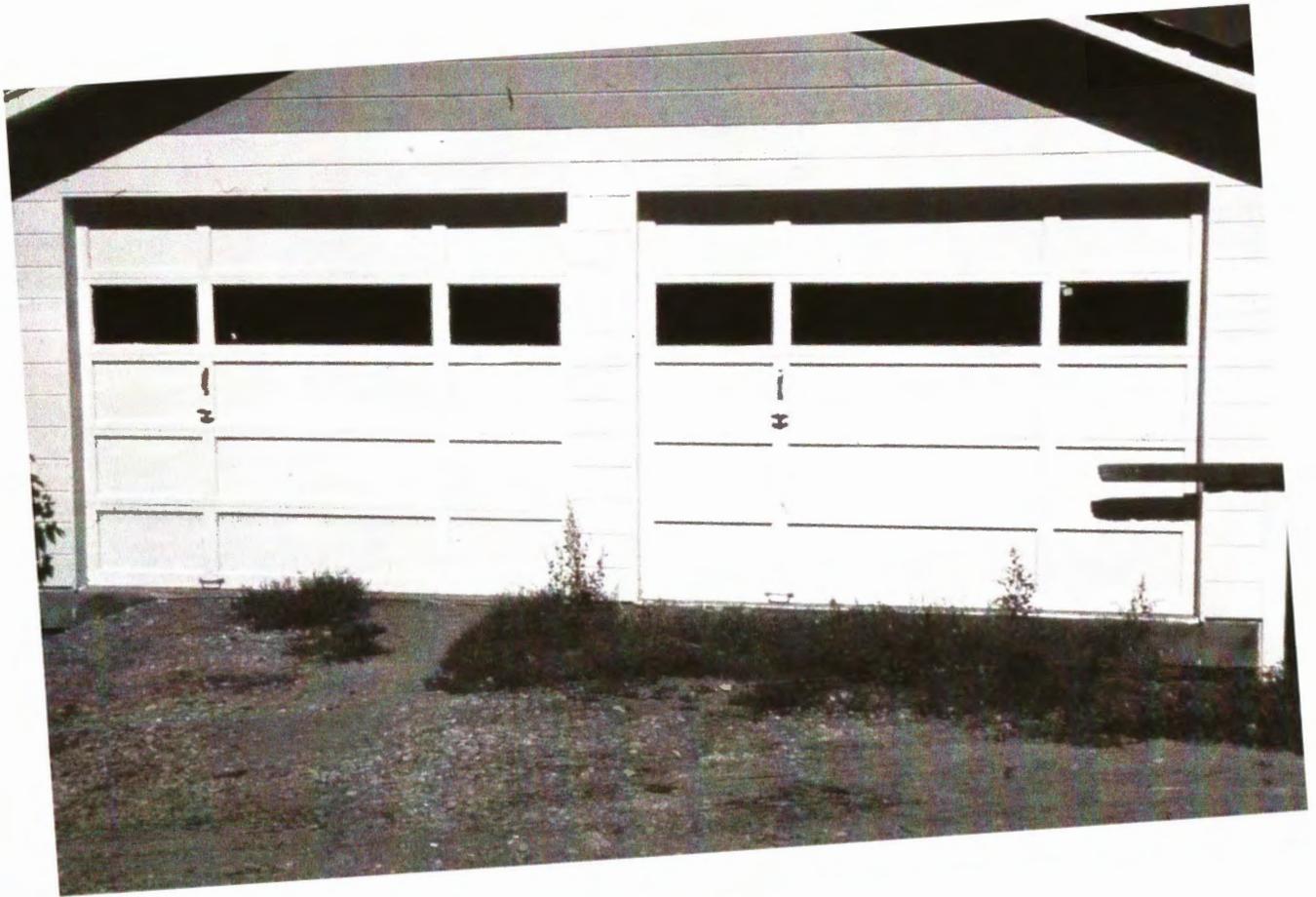
I lived in the home at 921 1/2 Norfolk Ave. Park City, Utah. Bing born in Park City I lived in this house until the mid 60's. The house was three rooms, and a bath when my dad added a new living room and larger kitchen. In or about 1958 the double garage was built and beneath was an unfinished room. Attached to the lower level was a covered patio. The entrance to the garage was from Empire with stairs leading down to the home. Sometime in the 70's my mom, Elva Taylor Spearen turned one side of the garage into a room that was used for extra sleeping space for family use. This was never part of the home. It was a garage.

Thank you,

Cheryle Spearen Mason

Sent from my iPad





Sent from my iPad

RECEIVED
JUN 13 2014
PARK CITY
PLANNING DEPT.

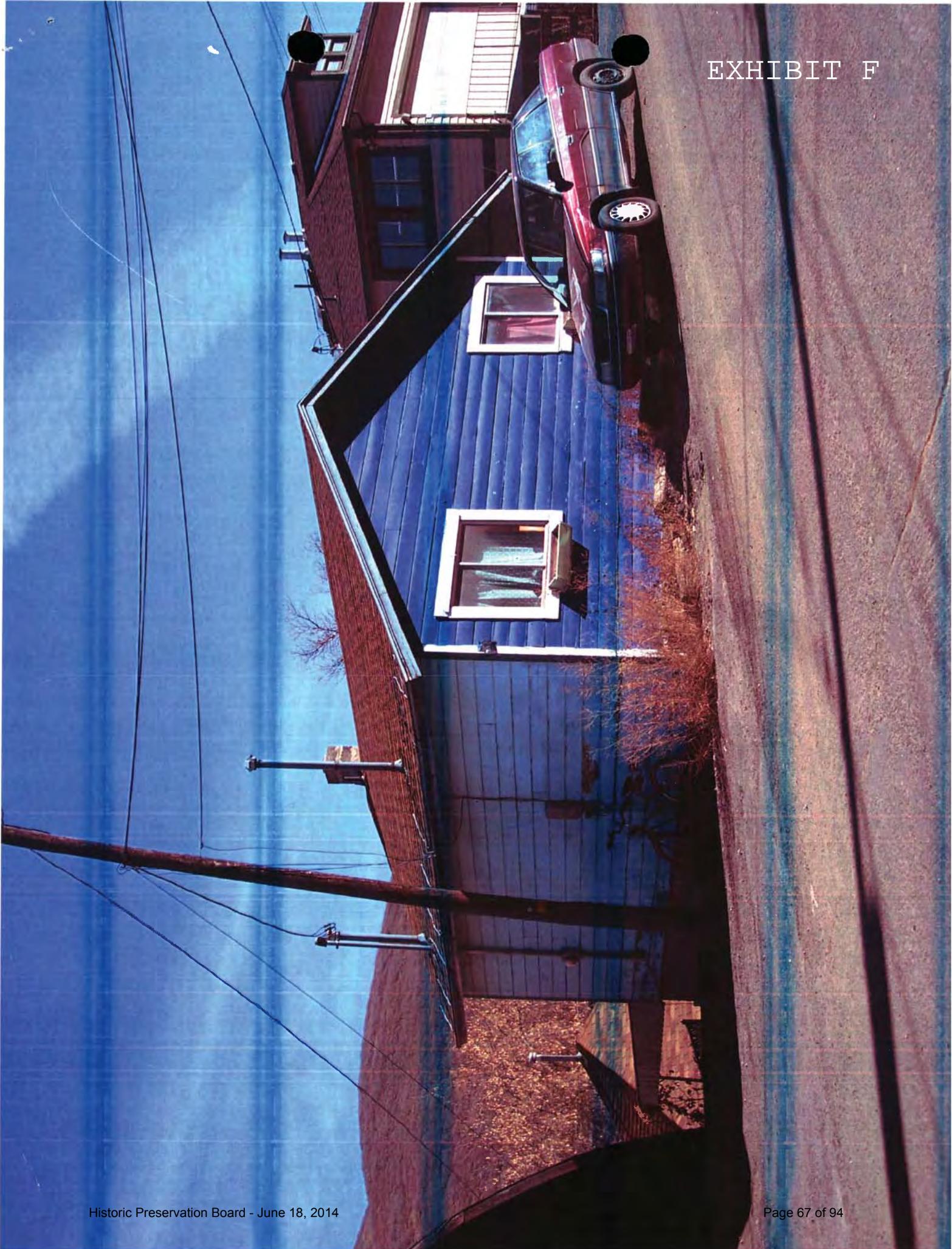


EXHIBIT F

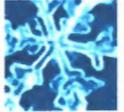








From: Michael Barenbrugge <tobywaan@aol.com>
Subject: **920 Empire Av**
Date: June 13, 2014 12:56:36 AM MDT
To: "kirsten@parkcity.org" <kirsten@parkcity.org>
Cc: Michael Barenbrugge <tobywaan1@gmail.com>
▶ 5 Attachments, 521 KB



Kirsten,

This is Mike from M. R. Brugge Builders. Chuck Heath asked me to send you some additional photos of 920 Empire showing building methods used. The following photos show the cinder block foundation, trussed roof system with metal gussets and plywood roof sheeting. All these products were introduced after the time period of historic significance. Please add these photos to the 920 Empire file for the June 18th meeting. Thanks,

Michael Barenbrugge
M. R. Brugge Builders
435-901-1761

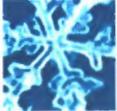




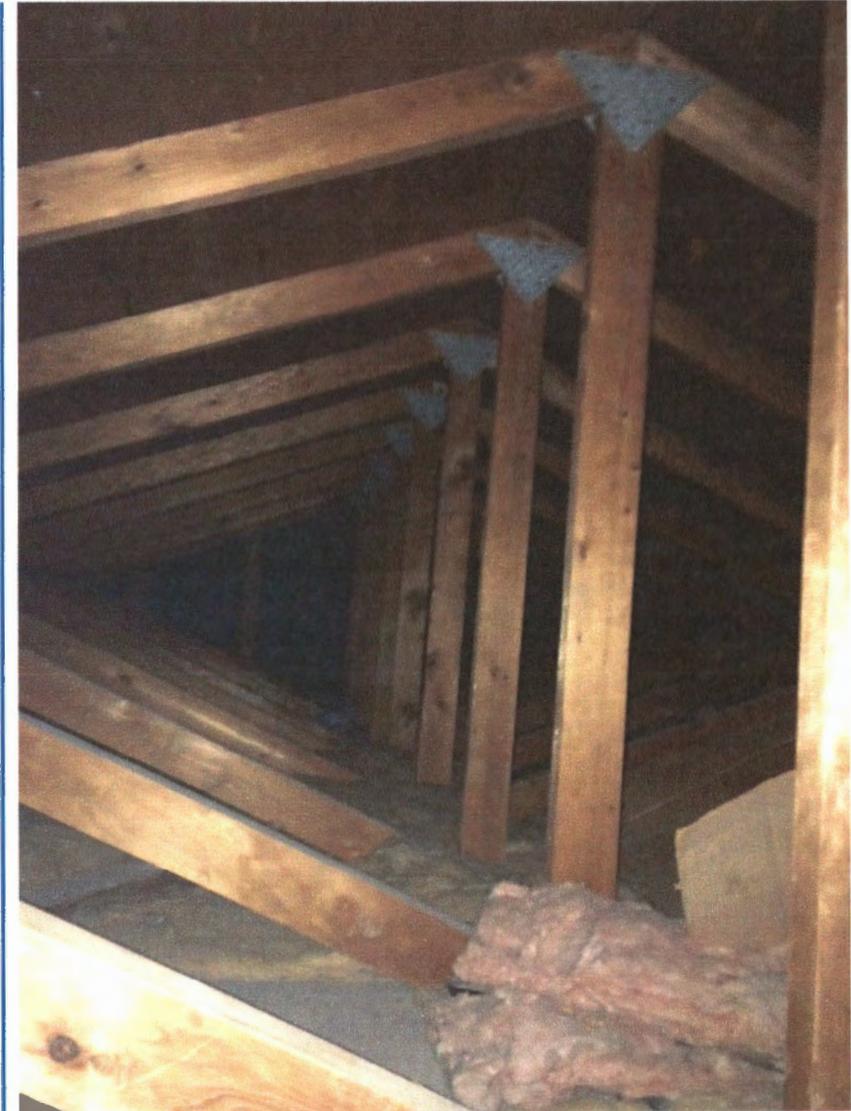
Sent from my iPhone

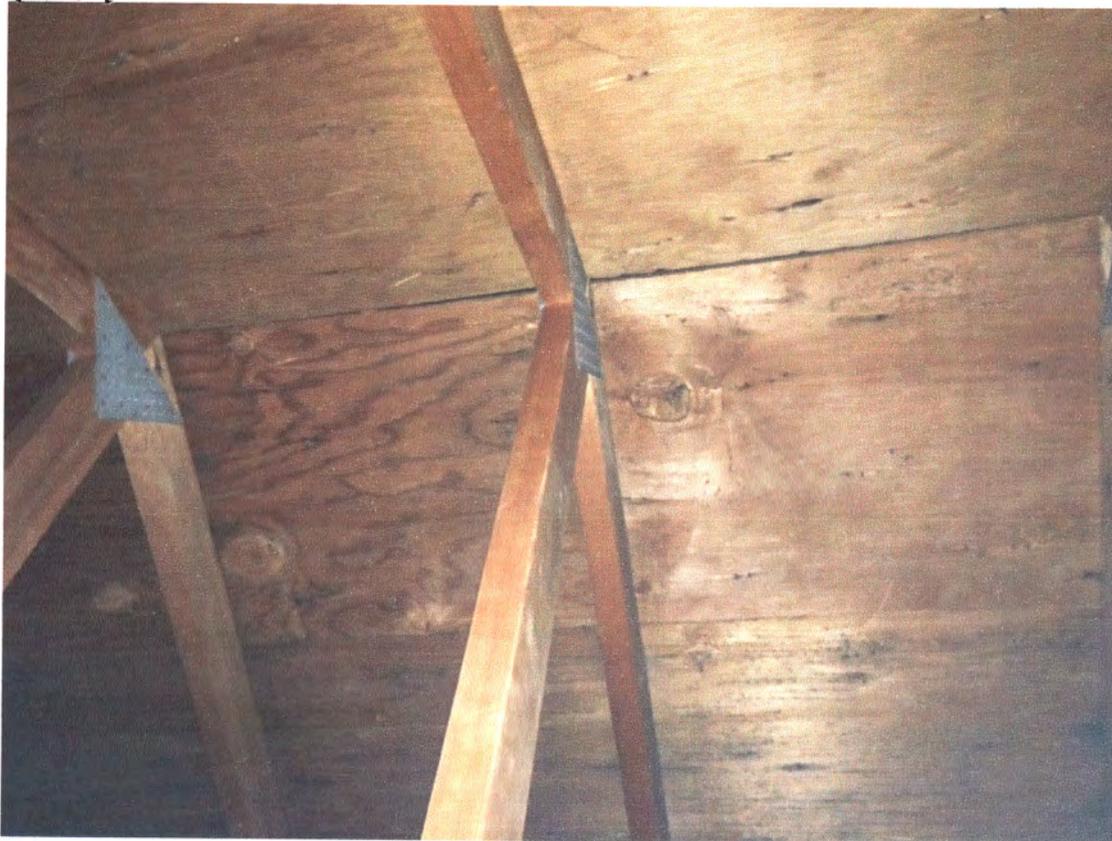


From: Michael Barenbrugge <tobywaan1@gmail.com>
Subject: **Fwd: 920 Empire Av**
Date: June 13, 2014 7:38:21 AM MDT
To: Michael Barenbrugge <tobywaan1@gmail.com>
▶ 1 Attachment, 92.9 KB



Begin forwarded message:







Historic Preservation Board - June 18, 2014



HISTORIC SITE FORM
UTAH OFFICE OF PRESERVATION

1 IDENTIFICATION

Name of Property:

Address: 920 Empire Avenue

Twtnshp: Range: Section:

City, County: Park City, Summit County

UTM:

Current Owner Name: Heath, Charles T/C, Marshall Lee T/C,
Marshall Shelley T/C

USGS Map Name & Date: Park City East,
UT

Current Owner Address: 2750 Rasmussen Road, Park City, UT 84098

Tax Number: SA-153

Legal Description (include acreage): Snyder's Addition Block 15, Lots 27 & 28. (Cont. 0.05 acres).

2 STATUS/USE

Property Category

building(s)
 structure
 site
 object

Evaluation

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

Use

Original Use: Garage
Current Use: Duplex/ Vacant

3 DOCUMENTATION

Photos: Dates

slides:
 prints: 1996, 2004, 2012
 historic: tax photos

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

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

city/county histories
 personal interviews
 USHS Library
 USHS Preservation Files
 Park City Museum archives
 Summit County Tax Assessor
 local library: Salt Lake City P.L.
 university library(ies): Marriott
Library, University of Utah

Drawings and Plans

measured floor plans
 site survey map
 Historic American Bldg. Survey
 original plans available at:
 other: Tax Assessor sketch

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

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

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah: Graduate School of Architecture, University of Utah, and Utah State Historical Society, 1991.

Hampshire, David et al. *A History of Summit County*. Salt Lake City, UT: Utah State Historical Society; Summit County Commission, 1998.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Preservation Solutions. "Historic Site Form – Historic Site Inventory." Park City Municipal Corporation, 2008.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

Salt Lake Tribune: 5/1/66, C4 (Horace Spencer Spearen); 6/24/62, C16 (Priscilla Taylor Pope).

Researcher/Organization: Beatrice Lufkin / 920 Empire Partnership
Historic Preservation Board - June 18, 2014

Date: January 2012
Page 73 of 94

Building Style/Type: Post-WWII: Other / Garage/Duplex No. Stories: 2

Foundation Material: concrete block Wall Material(s): painted horizontal wooden siding

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

Number of associated outbuildings 1 and/or structures 1.

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

The building under investigation is a front-gabled frame duplex residence at 920 Empire Avenue. According to Summit County tax records, it was initially built c. 1938¹ as a garage, presumably for a house to the rear of the lot. The lot slopes steeply down to the east and the rear house is not easily visible from the road. In 1964 a concrete patio was poured to the rear (east) of the garage and an apartment was constructed in the basement.² Most likely at this point the garage space on the street level was converted into an apartment.

The street side of the building has two aluminum slider windows in horizontal openings outlined by wooden planks on a smooth wall surface clad in painted horizontal plank siding. The north elevation has no window or door openings. The entrance door to the living space on the street level is the single opening on the south elevation next to an open wooden staircase leading down to the second house, the concrete patio, and the basement apartment entrance. The east (rear) elevation has two aluminum slider windows in horizontal openings on the second floor and the first floor (basement level) entrance door is flanked another pair of aluminum slider windows in horizontal openings. The first floor windows have slightly protruding cast concrete sills. Wall cladding on the east elevation is painted concrete blocks. The low-pitched gable roof is sheathed in asphalt shingles and the roof line is extended on the south side, sheltering the wooden stairway. The dates for construction of the stairway or the roof extension are not known.

Other buildings/structures on the two-lot parcel include the frame house to the rear (east) and the wooden parking platform to the south. The drop-sided hip-roofed pyramid cottage on the site is noted on tax records as being built in 1938 with a 1952 single-room addition on the east side.³ Frame pyramid cottages (or single story foursquares) were built in Park City during the late 19th and early 20th centuries. The rear dwelling does not have a foundation⁴ and may have been moved to this site. A frame dwelling is shown at the rear of the lot on the 1941 Sanborn Insurance Company map, as well as a frame garage on the lot line on the west side of the lot on Empire Avenue. The address of the house at the rear was 921½ Norfolk Avenue, the street to the east.⁵

The wooden parking platform directly to the south was constructed in 1981 and repaired in 2011.⁶ It has diagonal plank flooring and the space under to the east serves as a storage area.

Neither the garage/duplex building nor the rear residence meets the criteria for eligibility for listing in the National Register of Historic Places. The façade on the street level was most likely garage door/s and has been replaced in the conversion to living space on the street level. The façade of the rear residence has changed window openings and porch supports. Neither structure retains its historic integrity. The wooden parking platform was not built during the historic period.

¹ Summit County Tax Assessor records. The garage and house are both visible in the 1941 Sanborn Insurance Company map.

² Summit County Tax Assessor records.

³ Ibid.

⁴ 1958 & 1968 tax cards available at the Park City Museum.

⁵ 1941 Sanborn Insurance Company map.

⁶ Park City Building Department building permit records.

Architect/Builder: Unknown

Date of Construction: c. 1938

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

| | | | |
|--|--|--|---|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Economics | <input type="checkbox"/> Industry | <input checked="" type="checkbox"/> Politics/ Government |
| <input type="checkbox"/> Architecture | <input type="checkbox"/> Education | <input type="checkbox"/> Invention | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Archeology | <input type="checkbox"/> Engineering | <input type="checkbox"/> Landscape Architecture | <input type="checkbox"/> Science |
| <input type="checkbox"/> Art | <input checked="" type="checkbox"/> Entertainment/ Recreation | <input type="checkbox"/> Law | <input checked="" type="checkbox"/> Social History |
| <input type="checkbox"/> Commerce | <input type="checkbox"/> Ethnic Heritage | <input type="checkbox"/> Literature | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Communications | <input type="checkbox"/> Exploration/ Settlement | <input type="checkbox"/> Maritime History | <input type="checkbox"/> Other |
| <input type="checkbox"/> Community Planning & Development | <input type="checkbox"/> Health/Medicine | <input type="checkbox"/> Military | |
| <input type="checkbox"/> Conservation | | <input type="checkbox"/> Performing Arts | |

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

Members of a single family owned the property for over seventy years. At the time of the 1929 Sanborn Insurance Company map survey the two lots were vacant. Mrs. Priscilla Taylor purchased these lots and other nearby property from the county after a tax sale in 1935. She was born Priscilla Mills in Hoytsville, Summit County, in 1887 and married Frank Hamilton Taylor in 1905. She was widowed in 1928 and later married Harley Elmer Pope in 1936. The names of two of her children, James F. Taylor and Elva Jean Spearen, appear on the title records for this property. James F. Taylor and his wife, Hazel L., lived in the house just to the east at 921 Norfolk Avenue.

Horace F. Spearen (1921-1966) married Elva A. Taylor, Mrs. Priscilla Taylor's daughter, in Coalville in 1943. He served on the Park City council for five years, worked for the United Park City Mining Company, was a carpenter,⁷ and part owner of a self-service laundry. Spearen was a native of West Virginia and moved to Utah in 1940. He served in the U.S. Army during World War II and was on Saipan for 16 months. He lived in a house at the rear of the lot in the 1960s.⁸ After his death in 1966, his widow continued to live at 921½ Norfolk Avenue. She was using the name Elva Jean Mahoney by 1977.⁹ The Spearens were presumably responsible for the conversion of the garage into living space in the early 1960s, possibly for income-producing rentals as the area around Park City was developed for resort skiing.

In 1997 the property was sold outside of the Taylor/Pope/Spearen family and has had a number of different owners in the twenty-first century.

⁷ His death certificate, available at the Summit County Recorder's Office.

⁸ The house to the rear had the address of 921½ Norfolk Avenue on the 1941 Sanborn Insurance Company map. He was living at that address according to Park City telephone books for 1965 & 1966.

⁹ Summit County title records. She presumably remarried a man named Mahoney.

Common Label Information:

1. 920 Empire Avenue
2. Park City, Summit County, Utah
3. Photographer: Beatrice Lufkin
4. Date: January 2012
5. Digital images on file at Utah SHPO.

Photo No. 1:

6. Street view. West and south elevations. Camera facing northeast.

Photo No. 2:

6. North and west elevations. Camera facing southeast.

Photo No. 3:

6. Foundation detail. North elevation. Camera facing south.

Photo No. 4:

6. Stairway. Camera facing west.

Photo No. 5:

6. Rear of parking platform. Camera facing west.

Photo No. 6:

6. West and south elevations. Camera facing northeast.

Photo No. 7:

6. Basement window detail. Camera facing west.

Photo No. 8:

6. South entrance door. Camera facing northeast.

Photo No. 9:

6. Rear view. South and east elevations. Camera facing northwest.

Photo No. 10:

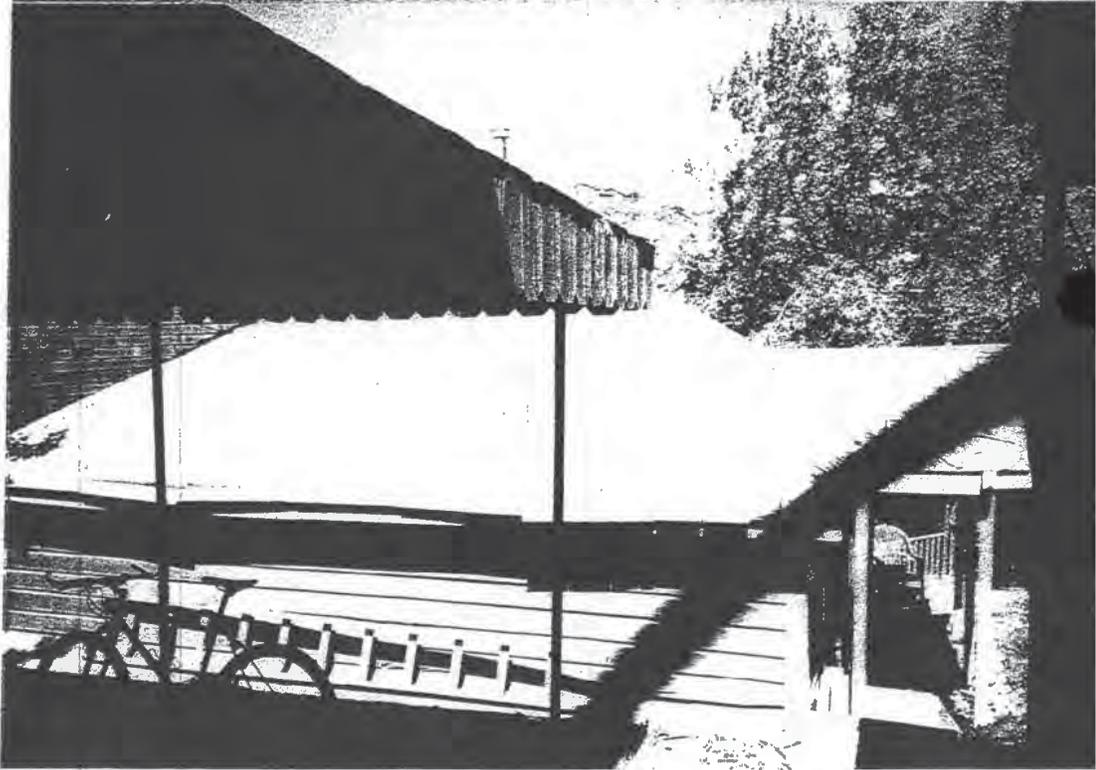
6. South elevation (façade) of rear house. Camera facing northwest.

Photo No. 11:

6. Basement apartment door and window. Camera facing west.

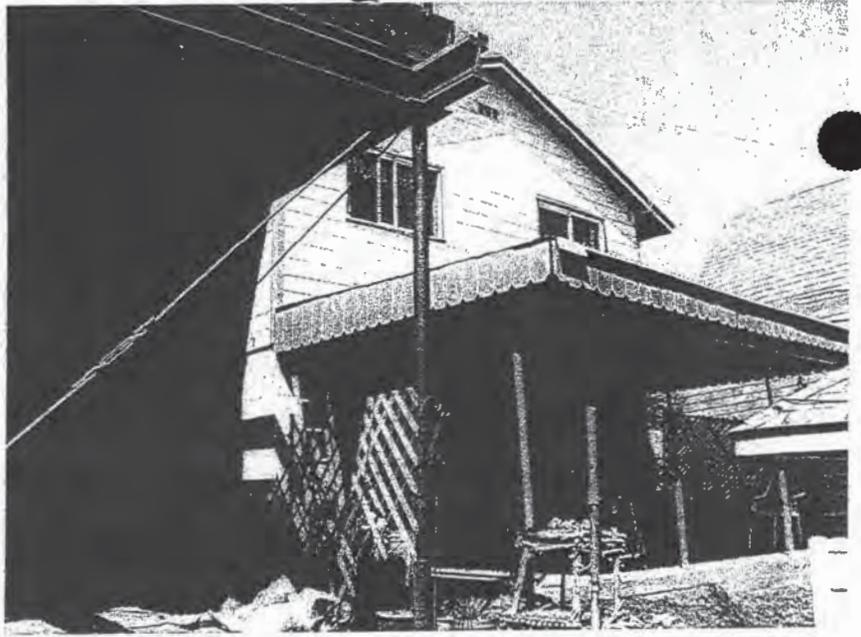
Photo No. 12:

6. West elevation of rear house (from basement apartment). Camera facing east.

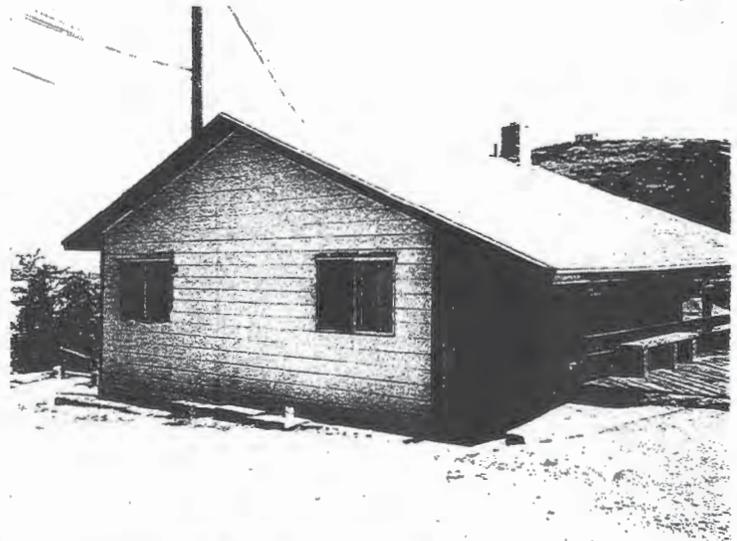


1996

RECEIVED
MAY 13 2014
PARK CITY
PLANNING DEPT



SA-153_1.JPG
6/8/2004



Old - best photo -

RECEIVED
MAY 13 2014
HISTORIC
PRESERVATION

EX 6 21-1

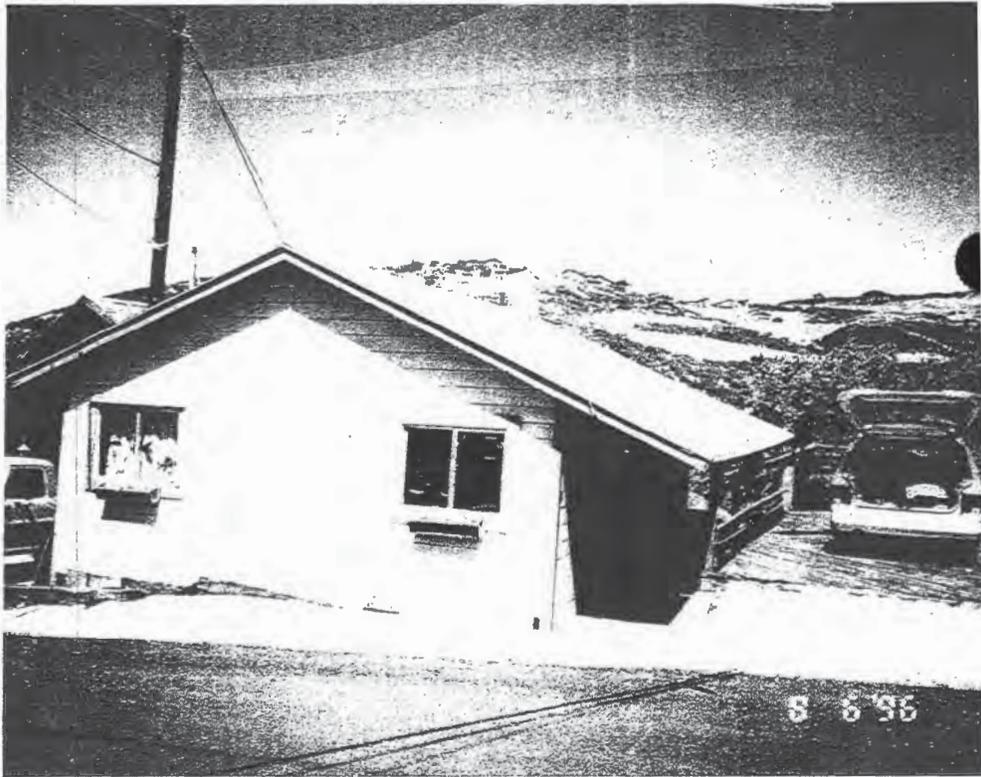
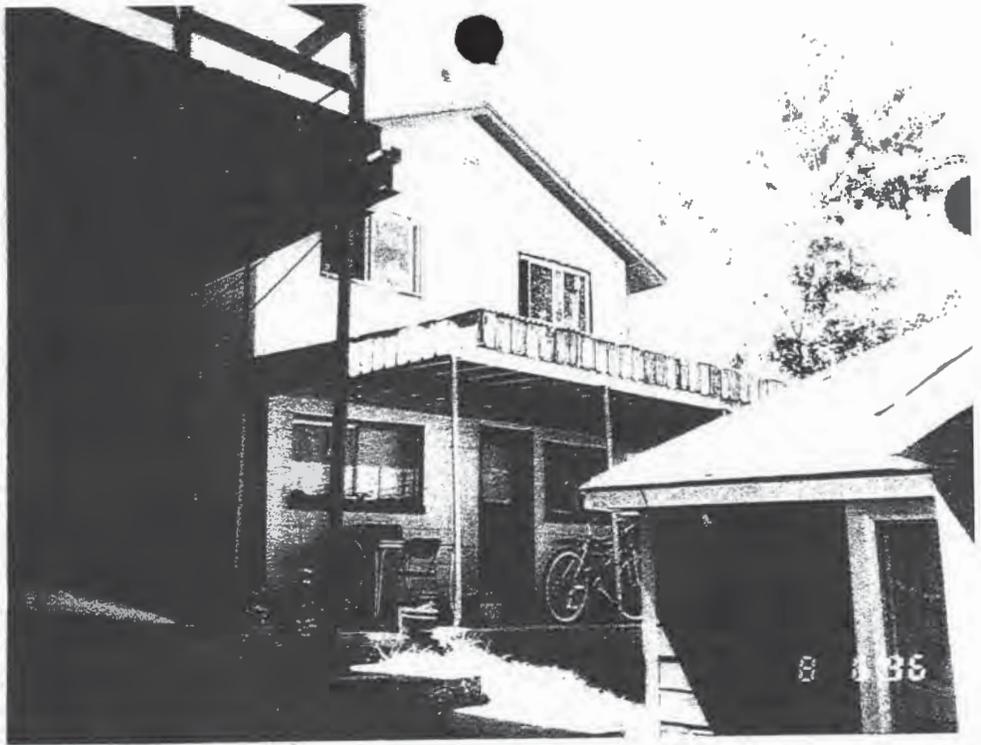


SA-153_3.JPG
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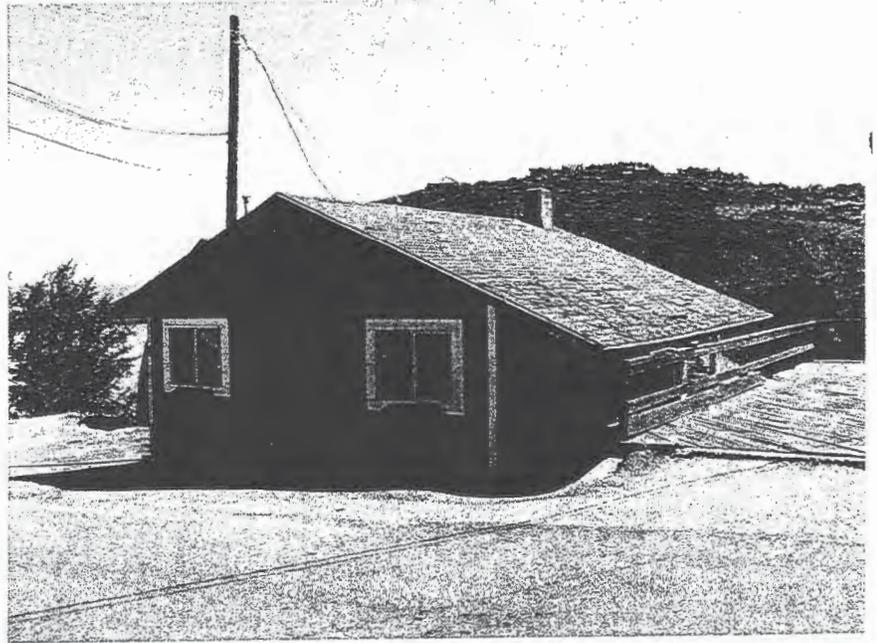


SA-153_2.JPG
6/8/2004

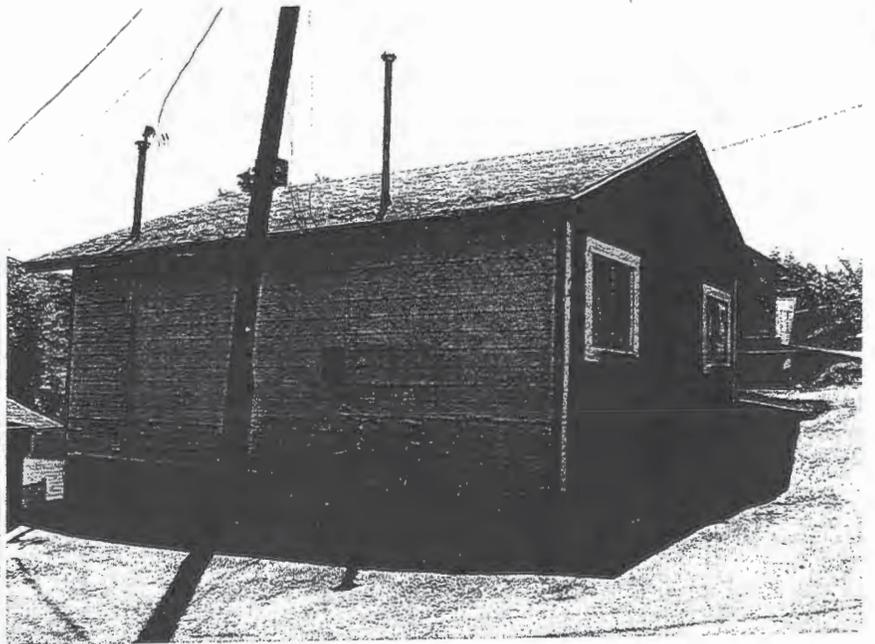
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FARM CITY
PLANNING DEPT



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MAY 13 2014
PL



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6/8/2004



SA-153_4.JPG
6/8/2004

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MAY 13 2014
PLANNING

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—Tribune Photo by Van Porter

"Ya want me to smile, do ya?" Playful kitten at Utah State Humane Society, seems to be inquiring.

Horace F. Spearen Dies Park City Councilman

Special to the Tribune
PARK CITY — Horace F. Spearen, 45, member of the Park City council for five years, died of natural causes Friday at 4:50 a.m. in a Salt Lake City hospital.



Mr. Spearen was educated in Fayetteville, W. Va., and moved to Utah in 1940.

Mr. Spearen During World War II he was with the US Army and served on Saipan for 16 months. An employe of the United Park City Mining Co., Mr. Spearen was also co-owner of a Park City self-service laundry.

Mr. Spearen was born March 18, 1921, in Dempsey, W. Va., to John and Effie Cottle Spearen. On Aug. 11, 1943, he married Elva A. Taylor in Coalville.

Survivors include his widow and two daughters, Mrs. Garold (Cheryle) Mason and Frances, all of Park City; two grandchildren; a brother and two sis-

ters, Carl E. and Mrs. Mary Brooks both of Shrewsbury, W.Va., and Mrs. Minnie Kathryn Rogers, of Washington, D.C.

Funeral services will be conducted Monday at 1 p.m., in the Park City Ward Chapel, Church of Jesus Christ of Latter-day Saints. Friends may call at the Olpin Mortuary, Park City, Sunday from 7-9 p.m. and Monday prior to services. Burial will be in Salt Lake's Mount Olivet Cemetery.

GOP Women To Attend Capital Meet

A delegation of 17 Utah Republican women leaders will travel this week to Washington, D.C., to participate in the National Republican Women's Conference and Workshop May 4-7.

Members of the delegation are Mrs. Oscar L. Hunsaker, Mrs. Rudy Kaiser and Mrs. Tess Anderson, all of Brigham City; Mrs. J. Holmgren, Garland; Mrs. Vernon Romney and Miss Jacqueline Brown, Bountiful; Mrs. J. L. Wirthlin, Murray.

Mrs. Irvin Hull, Mrs. Gudvor W. Braby, Mrs. David La McKay, Mrs. G. K. Handley,

John E. Nielsen
RICHFIELD — John Ervin Nielson, 73, Richfield, died Saturday at 6:10 a.m. in a Richfield hospital after a long illness. Born Aug. 5, 1892, Glenwood, Sevier County, to John Frederick and Caroline Hendrickson Nielson. Married Alta Cahoon, Feb. 16, 1922, Fillmore. Solemnized Manti LDS Temple. Electrician. Veteran World War I, 145th Field Artillery. Served LDS mission to north-central states, 1946-47. Survivors: widow; son, daughters, Erwin C., Mrs. Ida L. (Mary Lee) Gardner, both Lee Vegas, Nev.; Mrs. McKay (Delena) Evans, Seaman, Mont.; Mrs. Talmage (Rae) Lee, Great Falls, Mont.; Mrs. Ray (Clayton) Hendrickson, Hot Springs, Ark.; Mrs. Bill (Barbara) Bell, Midvale; 22 grandchildren, one great-grandchild; brothers, sister, LeRoy, Kearns; Floyd, Marie, Glenwood. Funeral Tuesday, 1 p.m., Richfield Sixth LDS Ward Chapel. Friends call Springer Funeral Home, Richfield, Monday 7-9 p.m. Tuesday prior to service. Burial Richfield Cemetery.

John E. Nielsen
RICHFIELD — John Ervin Nielson, 73, Richfield, died Saturday at 6:10 a.m. in a Richfield hospital after a long illness. Born Aug. 5, 1892, Glenwood, Sevier County, to John Frederick and Caroline Hendrickson Nielson. Married Alta Cahoon, Feb. 16, 1922, Fillmore. Solemnized Manti LDS Temple. Electrician. Veteran World War I, 145th Field Artillery. Served LDS mission to north-central states, 1946-47. Survivors: widow; son, daughters, Erwin C., Mrs. Ida L. (Mary Lee) Gardner, both Lee Vegas, Nev.; Mrs. McKay (Delena) Evans, Seaman, Mont.; Mrs. Talmage (Rae) Lee, Great Falls, Mont.; Mrs. Ray (Clayton) Hendrickson, Hot Springs, Ark.; Mrs. Bill (Barbara) Bell, Midvale; 22 grandchildren, one great-grandchild; brothers, sister, LeRoy, Kearns; Floyd, Marie, Glenwood. Funeral Tuesday, 1 p.m., Richfield Sixth LDS Ward Chapel. Friends call Springer Funeral Home, Richfield, Monday 7-9 p.m. Tuesday prior to service. Burial Richfield Cemetery.

Willis D. Topaky
BLACKFOOT, IDAHO — Funeral services for Willis Don Topaky, 17, Blackfoot, killed Saturday at 6:30 a.m. in an auto accident south of Blackfoot, will be Monday in Rocky Boy, Mont. Born March 28, 1949, Havre, Mont. Member Lutheran Church. Survivors: parents, brother, sisters, Charles Lloyd, Mrs. Geneva March, Brenda, all Blackfoot; Mrs. Shirley Dixey, Mrs. Frances Broncho, both of Ft. Hall; Elaine, Lawrence, Kans.

News of Record

JUDGMENTS GRANTED Third District Court

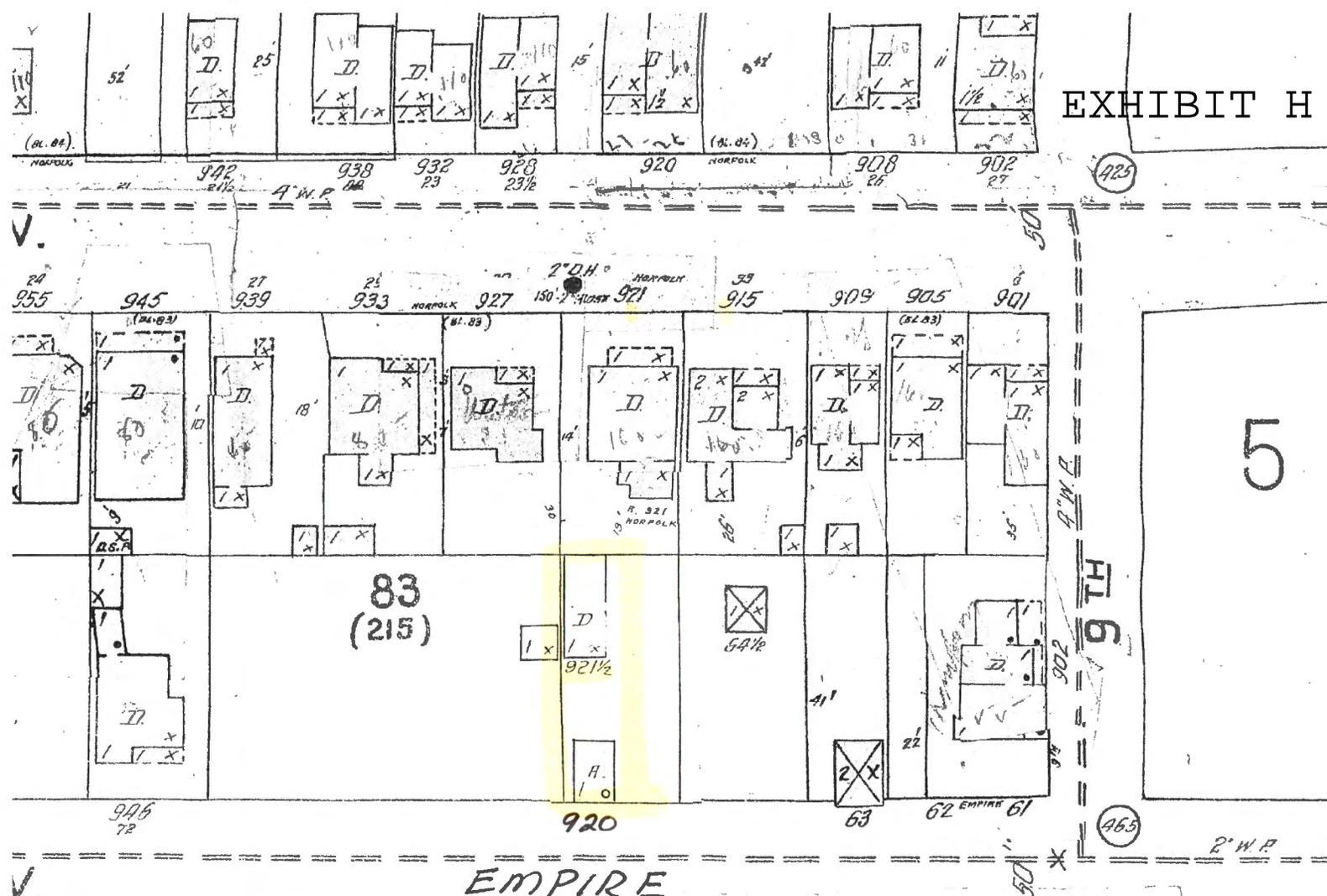
C. R. Stillman, Richard A. Brower, Raymond R. Larsen, Lynn E. Thomson and Robert E. Norton vs. Walker Bank & Trust Co., Standard Supply Co., Standard Supply Company Employees Profit Sharing Trust, C. R. Stillman awarded \$1,081.32, Raymond R. Larsen awarded \$1,282.25, Richard A. Brower awarded \$756.64, Lynn E. Thomson awarded \$734.76, Robert E. Norton awarded \$323.80 from Walker Bank & Trust Co. as trustee of Standard Supply Co. Employees Profit Sharing Plan and Trust.
Albert James Pelusi vs. Desert Researchers Inc., and Richard Lanier, Plaintiff awarded \$1,275 from defendants.
Oregon Mutual Insurance Co. Clyde L. Richardson and Marion G. Richardson vs. Harold J. Parker, Plaintiff, Oregon Mutual Insurance Co., awarded \$1,591.32.
Utah Finance Co. of Kearns vs. Elliott F. Seeman, Plaintiff awarded \$1,255.56.
Utah Central Credit Union vs. Hubert P. Sorenson, Stacie E. Sorenson, and First Surety Finance of Utah, Plaintiff awarded \$3,804.14 from Hubert P. Sorenson and Stacie E. Sorenson.
Ruff Marks vs. Continental Cas-

SL Tribune 5/1/66, CA

Back on Area Scene

Historic Preservation Board - June 8, 2014 Mental Divide.
Monday generally fair and warmer.
Highs Sunday mostly in the 40s at lower

EXHIBIT H



1941 SANBORN MAP

TO: Thomas Eddington, Planning Director
FROM: Dina Blaes, Preservation Consultant
DATE: 16 March 2012
RE: 920 Empire Avenue; Addendum to ILS completed January 2012

In January 2012, Beatrice Lufkin, an independent preservation consultant, completed an Intensive Level Survey (ILS) on the property at 920 Empire Avenue at the request of the property owner. The primary subject of the investigation was the one-story frame structure that fronts the property. The standard operating procedure for an ILS requires outbuildings or secondary structures on a site to be noted and the ILS completed in January includes information on a frame house to the east of the primary structure as well as a parking platform to the south of it.

At your request, additional research was conducted March 14-16, which focused primarily on the frame house located on the eastern portion of the property. This memo is provided as an addendum to the ILS and contains detailed information and the sources relied upon to reach the conclusions stated. In summary and based on the research collected, the frame house was constructed in 1930, was significantly altered by 1958, significantly altered again by 1968 and again after 1968. The alterations render the structure ineligible for listing on the City's Historic Sites Inventory because it does not comply with one of the three required criteria for designation; specifically, the structure does not comply with Title 15-11-10-(A)(2)(b)(i) and (iv). See the pertinent section of the LMC and the analysis provided.

15-11-10. PARK CITY HISTORIC SITES INVENTORY

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

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

(2) SIGNIFICANT SITE. Any Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

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

The structure was originally constructed in 1930.

(b) It retains its Essential Historical Form, meaning there are no major alterations that have destroyed the Essential Historical Form. Major alterations that destroy the essential historical form include:

(i) Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or

(ii) Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or

(iii) Moving it from its original location to a Dissimilar Location to the original, or

(iv) Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right-of-Way.

The pitch of the main roof of the primary façade was changed after the Period of Significance (subsection i) and an addition was constructed that significantly obscures the Essential Historical Form when viewed from the primary public Right of Way (Empire Avenue and/or Norfolk Avenue) (subsection iv). The original frame building was constructed in 1930 as a narrow rectangular block with a gable roof. By 1958 and after the Period of Significance (Mature Mining Era: 1894-1930), a large addition with a gable roof was built onto the primary façade of the original structure. By 1968, the addition had a full-width porch and the roof pitch had been changed from gable to a hip and gable. The primary façade was again altered after 1968 to the configuration seen today, gabled portico extending from a hip roof.

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

(i) An era of Historic importance to the community, or

The structure was originally constructed at the end of the Mature Mining Era (1894-1930) but has been significantly altered and does not effectively convey its significance because the Essential Historical Form has been destroyed.

(ii) Lives of Persons who were of Historic importance to the community, or

(iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.

Noted excerpts from the Intensive Level Survey dated January 2012:

Other buildings/structures on the two-lot parcel include the frame house to the rear (east) and a wooden parking platform to the south. The drop-sided hip-roofed pyramid cottage on the site is noted on tax records as being built in 1938 with a 1952 single-room addition on the east side (Source: Summit County Tax Assessor records)... A frame dwelling is shown at the rear of the lot on the 1941 Sanborn Insurance Company map, as well as a frame garage on the lot line on the west side of the lot on Empire Avenue...

Sanborn Fire Insurance Company maps from 1929, 1941, and 1958 (unofficial), the title search, and information from the U.S. Census Bureau provide more accurate information to suggest that the structure was built in 1930 as a narrow rectangular block with a gable roof.

The structure does not appear on the 1929 Sanborn Fire Insurance Company map but is shown on the 1941 map as a narrow rectangular block structure. Review of Census Bureau records in conjunction with the title records provides additional information.

William & Gertrude Doidge owned Snyder's Addition, Block 15, Lots 27 & 28 (subject property) in 1919 while renting and residing in a home located at 921 Norfolk Avenue (SA, Blk 15, N/2 of Lot 5 & Lot 6), which is the parcel directly east of the subject property. Priscilla Taylor, a widow with six children, acquired Lots 27 & 28, along with the property on which the Doidge's rental home was located through a tax sale in 1929. Ms. Taylor retained Lots 27 & 28 and transferred ownership of the other property to William Doidge. The 1930 Census indicates Priscilla Taylor and her six children lived at 921 Empire Avenue as of April 1, indicating the frame structure was built between the making of the 1929 Sanborn map (precise date unknown) and the completion of the 1930 Census enumeration. Ms. Taylor is listed as the owner of the

house and the Census record notes the home is located on the east side of the Empire Avenue. On Sanborn Insurance Company maps and in Summit County Tax Assessor records, the address of the home is noted as 921 Empire Avenue and/or 921-½ Norfolk Avenue. Ms. Taylor married H.E. Pope in 1936 and transferred ownership of Lot 27 to her son, James, in 1938. The property, Lots 27 & 28 of Block 15 in Snyder's Addition, remained in Priscilla Taylor's family until 1977.

Summit County Tax Assessor building cards indicate the progression of changes to the structure:

- By 1958, an addition was constructed on the primary façade or the original rectangular block and that the addition had a gable roof. These changes are not reflected on the 1958 Sanborn Insurance Company map, which is not unusual considering the 1958 map is an unofficial map. Some sheets within the original folio indicate changes dated 1958 and other sheets do not.
- By 1968, a full-width porch had been added to the south elevation (new primary façade) and the roof pitch on the addition/primary façade had been changed from a gable to a hip.
- By 2006 (though likely modified much earlier), the current gable portico had replaced the full-width porch noted in the 1968 building card.

Not noted in the ILS dated January 2012 is additional information from the Sanborn Fire Insurance Company map that indicates the front-gabled frame structure at the street edge of Lot 27 was originally constructed as a garage. A Sanborn Fire Insurance Company map key from 1941 indicates the structure was one story of frame construction, was used as an "Auto. House or private garage", and included a "slate or tin" roof.

Sources consulted:

Lufkin, Beatrice. "Historic Site Form: Utah Office of Preservation." Lee Marshall & Charles Heath, owners. 2012. Along with copies of supporting research documents: Google Earth photograph, Title Search Form, copies of Summit County Tax Assessor building cards from PCHS&M, Obituaries from Salt Lake Tribune, USGS map, copies of researcher's photographs.

Park City Telephone Directory Publications dated 1941, 1954-55, and 1958-59.

Sanborn Map Company. Park City-Summit County-Utah. Fire Insurance Map Series, Sheet 4. New York: Sanborn Company, 1929 (1907 base map corrected to 1929, official).

Sanborn Map Company. Park City-Summit County-Utah. Fire Insurance Map Series, Sheet 4. New York: Sanborn Company, 1941 (1907 base map corrected to 1941, official).

Sanborn Map Company. Park City-Summit County-Utah. Fire Insurance Map Series, Sheet 4. New York: Sanborn Company, 1958 (1907 base map corrected to 1958, unofficial).

United States of America. Bureau of the Census. Fifteenth Census of the U.S., 1930. Washington, D.C.: National Archives & Records Administration, 1930. Accessed via Ancestry.com on-line database, Provo, Utah, US: Ancestry.com Operations, Inc., 2002.

United States of America. Bureau of the Census. Fourteenth Census of the U.S., 1920. Washington, D.C.: National Archives & Records Administration, 1920. Accessed via Ancestry.com on-line database, Provo, Utah, US: Ancestry.com Operations, Inc., 2002.

PRESS RELEASE

FOR MORE INFORMATION CONTACT:

Phyllis McDonough Robinson
Community and Public Affairs Manager
435-615-5189 office
435-901-0266 mobile



920 Empire Avenue Demolition Permit

Permit applies only to yellow house and wood parking structure

Park City, Utah – March 22, 2012

A demolition permit was issued on March 20 for the yellow house and the wood parking structure located on the upper portion of the lot at 920 Empire Avenue. The demolition permit does not extend to the blue house on the lower portion of the lot.

The yellow house and the associated parking structure are not listed on the City's 2009 Historic Sites Inventory. Originally constructed in 1930, significant alterations to the front façade and primary roof form in the mid-20th century destroyed the essential historical form of the house making it ineligible in accordance with Title 15-11-10 (A)(2)(b)(i) and (iv) of the Park City Land Management Code. The blue house on the lower portion of the lot is listed on the Historic Sites Inventory.

The original building was constructed as a narrow rectangular block with a gable roof. By 1958, a large addition with a gable roof was built onto the primary façade of the original structure. By 1968, the addition had a full-width porch and the roof pitch had been changed from a gable to a hip and gable roof. The primary façade was altered again after 1968 to today's configuration with a gabled portico extending from a hip roof.

The demolition permit was issued after an Intensive Level Survey was completed by Beatrice Lufkin, an independent preservation consultant, with additional research and review by Dina Blaes, historic preservation consultant to the city.

For further information, contact Planning Director Thomas Eddington at 435-615-5060.

###



NPI Inc. DBA

National Property Inspections

Lee Marshall & Chuck Heath, 920 Empire Ave Lower House, Park City, Ut,

1



South view

2



West view

3



North view

4



East view

5



Siding in contact with the ground

6



Light missing the cover

Inspection Date :
11/9/2011

Inspector: Scott Cowan
Inspector Phone: (801) 455-1354
(435) 783-5570

Email: scowan@allwest.net
ASHI#243422

©1996-2011

" Independently Owned and Operated "





NPI Inc. DBA

EXHIBIT L

National Property Inspections

Lee Marshall & Chuck Heath, 920 Empire Ave Upper House, Park City, Ut,



West view



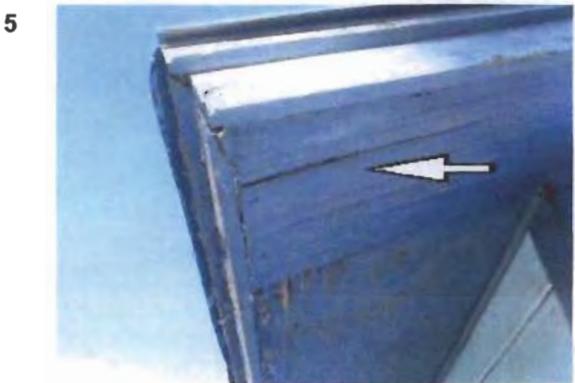
North view



South view



East view



Loose and damaged soffit



Damaged trim around the windows

Inspection Date : 11/9/2011
Inspector: Scott Cowan
Inspector Phone: (801) 455-1354
(435) 783-5570

Email: scowan@allwest.net
ASHI#243422

©1996-2011

" Independently Owned and Operated "

Page 42 of 43





NPI Inc. DBA

National Property Inspections

Lee Marshall & Chuck Heath, 920 Empire Ave Lower House, Park City, Ut,



Wednesday, November 09, 2011

Inspector

Scott Cowan

801-455-1354

scowan@allwest.net

ASHI#243422

Inspection Date :
11/9/2011

Inspector: Scott Cowan
Inspector Phone: (801) 455-1354
(435) 783-5570

Email: scowan@allwest.net
ASHI#243422

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" Independently Owned and Operated "



TITLE SEARCH FORM

| | | | | |
|-----------------|--|--|--|--------|
| ADDRESS: | 920 Empire Avenue | | TAX NUMBER: | SA-153 |
| CITY: | Park City, Utah | | LEGAL DESCRIPTION AND ACREAGE: All of Lots 27 & 28, Block 15, Snyder's Addition (Cont. 0.05 acres). | |
| CURRENT OWNER: | Charles Heath, Lee Marshall & Shelley Marshall | | | |
| OWNERS ADDRESS: | 2750 Rasmussen Road, Park City, UT 84098 | | DATE BUILT: c. 1938 | |

| Book & Page | Date of Record | GRANTOR (seller) | GRANTEE (buyer) | Type of Transaction | Dollar Amount | COMMENTS |
|-------------|----------------|--|--|---------------------|---------------|---------------------------|
| | 11/23/2011 | Federal National Mortgage Association | Charles Heath, Lee Marshall & Shelley Marshall | SWD | | |
| | 5/24/2011 | Halliday, Paul M. Jr, trustee | Federal National Mortgage Association | Trustees Deed | | |
| | 2/3/2011 | Citimortgage, Inc. | Halliday, Paul M. Jr, trustee | Sub. of Trustee | | |
| | 1/20/2011 | Halliday, Paul M. Jr, trustee | Kennedy, Melissa Ann | Notice of Default | | |
| | 2/6/2008 | Kennedy-Band Properties LLC | Kennedy, Melissa Ann | WD | | Lot 28 |
| | 2/6/2008 | Kennedy, Melissa Ann | Citimortgage, Inc. | Trust Deed | | Lots 27 & 28 |
| | 2/6/2008 | Kennedy, Melissa Ann | Kennedy-Band Properties LLC | WD | | " |
| | 1/24/2008 | Kennedy-Band Properties LLC | Kennedy, Melissa Ann | WD | | Lot 27 |
| | 11/8/2008 | Band, Neil M. | Kennedy-Band Properties LLC | QCD | | Lots 27 & 28 |
| | 10/3/2005 | Band, Melissa | Kennedy, Melissa Ann | WD | | Lots 27 & 28 |
| | 10/5/2005 | Kahn, Sandra | Kennedy-Band Properties LLC | QCD | | " |
| | 8/28/2002 | Warren, Karen Loraine | Band, Melissa | WD | | " |
| | 6/17/1997 | Spearen, Elva Jean | Warren, Karen Loraine | WD | | " |
| 3, 493 | 6/30/1987 | Sondra S. Pearce | Spearen, Elva Jean | QCD | | ROW & easement for egress |
| 3, 493 | 7/22/1987 | Kenneth C. Collison & Frederick H. Lippe | Karen Loraine Warren | Notice of contract | | MAY 13 2014 |

TITLE SEARCH FORM, continued

ADDRESS: 920 Empire Avenue, Park City, Utah TAX NUMBER: SA - 153

| Book & Page | Date of Record | GRANTOR (seller) | GRANTEE (buyer) | Type of Transaction | Dollar Amount | COMMENTS |
|-------------|----------------|--------------------------------------|--|---------------------|---------------|---|
| 3, 493 | 5/15/1987 | David C. Dobson | Kenneth C. Collison & Frederick H. Lippe | QCD | | Lots 27 & 28 |
| 3, 345 | 11/15/1984 | David C. Dobson | Kenneth C. Collison & Frederick H. Lippe, both married men | RE Contract | | " |
| 3, 143 | 10/13/1977 | Elva J. Mahoney, aka Elva J. Spearen | Kenneth C. Collison & Frederick H. Lippe, both single men | Notice of contract | | " |
| 3, 125 | 4/10/1967 | State of Utah | Horace Spencer Spearen | Death certificate | | (M10-480)-4/29/1966 b 3/18/1921 carpenter, born WVa cancer |
| 3, 125 | 3/30/1967 | Elva Jean Spearen | Re: Horace Spencer Spearen | Affidavit | | Lot 28 |
| 3, 125 | 3/31/1967 | Utah State Tax Commission | Est: Horace Spencer Spearen | Waiver | | Lot 28 |
| 3, 125 | 3/30/1967 | Elva Jean Spearen | Re: Horace Spencer Spearen | Affidavit | | Lot 27 |
| 3, 125 | 3/31/1967 | Utah State Tax Commission | Est: Horace Spencer Spearen | Waiver | | Lot 27 |
| 3, 125 | 3/30/1967 | Elva Jean Spearen | Re: Priscilla Taylor Pope | Affidavit | | Lot 27 (M10 473) |
| 3, 125 | 3/31/1967 | Utah State Tax Commission | Re: Priscilla Taylor Pope | Waiver | | Lot 27 (M10 480) |
| 3, 125 | 6/23/1962 | State of Utah | Re: Priscilla Pope | Death certificate | | (M10 475) 6/23/1962 b. 1887 father, Harley Elmer Pope, born Hoytsville, cancer |
| 2, 290 | 5/25/1956 | James F. & Hazel L. Taylor | Horace F. & Elva Jean Spearen, jt | QCD | \$10 | All of Lot 28 & r/w on 27 (151) |
| 2, 290 | 5/26/1951 | Marjorie McKissick | Priscilla Taylor Pope & Elva Jean Spearen, j.t. | WD | \$1 | All of Lot 27 & r/w on 28 (U103) |
| 2, 290 | 5/26/1951 | Priscilla Taylor Pope | Marjorie McKissick | WD | \$1 | All of Lot 27 & r/w on 28 (U103) |
| 2, 290 | 9/12/1946 | James F. & Hazel L. Taylor | Mrs. Priscilla Taylor Pope | QCD | \$10 | All of Lot 27 & r/w on 28 (H327) |
| 2, 290 | 9/12/1946 | Mrs. Priscilla Taylor Pope | James F. & Hazel L. Taylor | WD | | All of Lot 28 & r/w on 27 (H291) |

TITLE SEARCH FORM, continued

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|---|----------------------|
| ADDRESS: 920 Empire Avenue, Park City, Utah | TAX NUMBER: SA - 153 |
|---|----------------------|

| Book & Page | Date of Record | GRANTOR (seller) | GRANTEE (buyer) | Type of Transaction | Dollar Amount | COMMENTS |
|-------------|----------------|--------------------------------|-------------------------|---------------------|---------------|--|
| 2, 205 | 11/30/1938 | Summit County | Wm. Doidge by H.E. Pope | Red. Cert. | | N/2 of 5, All of 26-28 |
| 2, 205 | 11/15/1938 | Mrs. Priscilla Taylor Pope | James F. Taylor et ux | QCD | \$10 | Lot 27 w/ RW on 28 (G123) |
| 2, 205 | 2/11/1929 | Wm. & Gertrude J. Doidge | Mrs. Priscilla Taylor | QCD | \$10 | All of Lots 27 & 28 (G123) |
| 2, 205 | 12/21/1935 | County Treasurer | Summit County | Tax Sale | | All of 6, 27, 28 & N/2 of 5 (William Doidge) |
| 2, 205 | 12/23/1935 | Summit County | Priscilla Taylor | Red. Cert. | | All of 6, 27, 28 & N/2 of 5 |
| 2, 158 | 12/21/1929 | County Treasurer | Summit County | Tax Sale | | All of 6, 27, 28 & N/2 of 5 (William Doidge) |
| 2, 84 | 1/28/1919 | N. J. Williams & wife | William Doidge | WD | | All of Lots 27 & 28 |
| 1, 249 | 4/3/1917 | Summit County | N. J. Williams | QCD | | All of Lots 27 & 28 |
| 1, 249 | 12/15/1913 | County Treasurer | Summit County | Tax Sale | | Lots 27-29 + others (assessed to W.A. McEmery), also 1910, 1908, |
| 1, 249 | 5/31/1913 | Taylor, M.C. County Auditor | Summit County | A.D. | | Lots 27-29 + others |
| 1, 169 | 6/12/1905 | McEmery, H. Admox? | W. A?. McEmery | Deed | | Lots 27-30 + others |
| 1, 169 | 6/12/1905 | 3 rd District Court | A. W. McEmery | D. of S. | | Lots 27-30 + others |
| 1, 114 | 11/14/1883 | Snyder, George G. | McLaughlin, David C. | WD | | All of Lots 1-32 |
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