

**PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
CITY COUNCIL CHAMBERS
November 5, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:00PM

ROLL CALL

ADOPTION OF MINUTES OF October 15, 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*

Historic District Grant Program Policy Discussion
Public Hearing and Final Action

Planner Grahm

PG. 21

WORK SESSION

PG. 50

HPB Visioning

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 OCTOBER 15, 2014

BOARD MEMBERS IN ATTENDANCE: Chair John Kenworthy, Lola Beatlebrox, Marian Crosby, Cheryl Hewitt, Puggy Holmgren, Hope Melville, David White

EX OFFICIO: Thomas Eddington, Francisco Astorga, Polly Samuels McLean

ROLL CALL

Chair Kenworthy called the meeting to order at 5:05 p.m. and noted that all Board Members were present.

Board Member Kenworthy welcomed the new Board Members. He expressed appreciation for all the citizens who choose to serve and he commended them for their desire to be on the Board.

Chair Kenworthy asked Hope Melville to summarize the City Council meeting they both had attended and some of the changes that were discussed.

Board Member Melville reported that the City Council had discussed the Historic Preservation Grant Program. The HPB had requested that the City Council find additional funds for historic preservation grants. At the next HPB meeting the Board members would have the opportunity to discuss the features of the Grant program. Board Member Melville stated that it was clear from the City Council that there was a minimum of \$147,000 per year available for historic preservation grants. If additional money is needed above the \$147,000, the HPB would approve the preservation grant and the item would go to the City Council and they would approve additional funding. She noted that there would be a cap on the maximum amount that the HPB could approve before having to go to the City Council.

Chair Kenworthy remarked that the HPB has tremendous support from the City Council and the Mayor. They have their arms around historic preservation and their hearts are in it as well.

Board Member White had also attended the City Council meeting but he had to leave early. He asked about the idea that the Council would only review the preservation grants quarterly. Board Member Melville believed that would be part of the HPB discussion as to whether the Board wanted to do it quarterly. Board Members White and Melville preferred to handle the grant applications as they come in. Board Member Melville did not want to discourage anyone by making them wait. She understood that the City Council would leave it to the Board's discretion. Chair Kenworthy concurred.

Board Member Holmgren asked where the additional money was coming from. Board Member Melville replied that it was coming from various budgets. She understood that the Federal government was requiring the City to change the Grant Program in terms of accounting.

Assistant City Attorney McLean understood that the money in the RDA comes from RDA funds and those funds are very defined. The applications for areas outside of the RDA would come out of the General Fund. However the City would need to budget a certain amount for the audit prospectively, and then go back and fix it so it matches what was actually granted. Ms. McLean stated that when this comes back to the HPB the Planning Department could ask Planner Anya Grahn or Nate Rockwood from the Budget Department to come and explain the accounting procedure.

Chair Kenworthy noted that the Grant Program discussion would be on the next agenda and it was important for all the Board Members to attend if possible. The City Council is interested in their opinion and guidance.

Chair Kenworthy stated that a few weeks earlier he and Marian Crosby attended the City Council meeting where they awarded the annual HPB Preservation awards. Board Member Crosby stated that she enjoyed the process, and she assumed Hope Melville and David White did as well. It was interesting interviewing the various applicants and looking at their past artwork. She recalled that each one submitted a rough sketch of how they looked at the properties that were being identified for these awards. Seeing the final paintings was also very enjoyable and both paintings were beautiful. The paintings were renditions of Talisker on Main and the home at 929 Park Avenue.

Chair Kenworthy noted that it was a great event and the recipients were very pleased. The paintings would be displayed in City Hall but the location had not yet been determined. The Board Members discussed where to hang these and future paintings.

Chair Kenworthy reminded the Board that they are now City employees. He assumed that everyone had turned in their paperwork to the Human Resources Department. He stated that they would be able to use the ski passes that are available to City employees. Assistant City Attorney McLean explained that in the past the City has had five passes from Deer Valley and five passes from PCMR. However, with the current situation, they may only have Deer Valley passes this year. The policy for using the passes was posted on the employee portal or they could ask the HR Department.

APPROVAL OF MINUTES

MOTION: Puggy Holmgren moved to APPROVE the minutes of July 16, 2014. Marion Crosby seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Chair Kenworthy thanked Gary Bush for his service on the HPB. He noted that Mr. Bush recently left the Board and was before them this evening as an applicant. Chair Kenworthy commended Mr. Bush for his many years and all his service beyond the Historic Preservation Board. Chair Kenworthy did not believe that being a former fellow Board Member prevented any of the Board members from discussing his project and making a fair decision this evening.

Board Member Melville stated that she was absent from the last meeting but she read in the minutes that there used to be tours of mine sites. She wanted everyone to know that the mine site tours were still occurring. The Museum has one every month during the summer and during the winter they have four ski tours historic mine sites. Deer Valley also has several hikes to historic mine sites during the summer. PCMR has a historic mine site ski tour at 1:30 in the afternoon every day during the winter. However, she was unsure whether that would continue with the resort's new owner.

REGULAR AGENDA – Discussion, public hearing, and possible action

811 Norfolk Avenue – Appeal of Staff's Denial of a Historic District Design Review (Application PL-14-02481)

On behalf of the Staff, Planner Francisco Astorga welcomed Cheryl Hewitt and Lola Beatlebrox to the Board. He also thanked Gary Bush for his service on the HPB. He noted that Mr. Bush is a contractor who lives in Park City and he suggested that the HPB could use him as a resource in the future for general building questions.

Planner Astorga stated that this item was a quasi-judicial appeal of the Staff's determination of compliance with the Design Guidelines for Historic Districts and Historic sites. Gary Bush owns the site at 811 Norfolk. The site is currently listed on the Historic Sites Inventory as a landmark structure.

Planner Astorga reported that in September 2008 the Planning Department received an appeal from a Historic District Design Review. Mr. Bush submitted the appeal because the Staff denied the application in part on August 29th, 2014.

Planner Astorga noted that the application has three separate components and they were identified on page 14 of the Staff report as Proposals A, B and C. The Staff denied Proposal A, approved Proposal B, and approved with conditions Proposal C. Planner Astorga clarified that the appeal submitted was for Proposal A.

Planner Astorga stated that the history of this project was outlined in the Staff report. However, the concerns and issues had already been addressed and resolved through several other appeals and the building permit had been issued. Planner Astorga remarked that the application Mr. Bush submitted was a modification to an approved Historic District Design Review. Mr. Bush has an active building permit and he is in the final stage of completion.

Planner Astorga reviewed page 17 of the Staff report which showed the screen porch area that was in question. He thanked Board Member Beatlebrox for pointing out a mistake throughout the Staff report, and noted that "family room" should be corrected to say the "living room". Planner Astorga clarified that the family room is on the lower level and the living room is on the main level. He apologized if his mistake had caused confusion. Planner Astorga noted that page 18 of the Staff report showed the same area in color coding. He explained that as approved, this area was originally built as an exterior type area per specific Building Codes. He stated that as you walk through the porch entry, you would be standing on the area shown in red. The blue line represented a railing, and the green color indicated the area that goes directly to the area below. Planner Astorga commented on a modified window well shown on page 19 of the Staff report. He referred to it as modified because it appears to be larger than standard. Planner Astorga stated that he had discussions with the former owner as well as the architect on record, and he was told that it was designed in an effort to maximize sunlight penetrating into the lower area.

Planner Astorga stated that the Staff believed that the area was originally built as an exterior area and not as an interior area; and for that reason, the Staff denied the application. Planner Astorga reviewed an elevation on page 21 of the Staff report, which were copies from the approved building permit. He pointed out that the area of the screen porch did not have any windows. When it was originally reviewed and approved, there were only screens over the openings. Planner Astorga explained that the Staff denied Mr. Bush's request because if the original exterior wall was removed the area would become habitable.

The Staff had done a building footprint analysis that was yielded from the lot area, and they found that it met the footprint calculation. For that reason, the Staff approved the other two portions of the application which enclosed the bottom portion because there was sufficient footprint. However, the screens would have to be removed or replaced with windows. Planner Astorga presented

a photograph submitted by a neighbor which showed that the double hung windows were installed without City approval. Planner Astorga stated that the historic photograph shows that the openings were not typical windows. In comparing the windows in the screen porch area versus all the other windows, it was evident that they were different. Planner Astorga remarked that in looking at all the Sanborn maps, that area was always identified as a secondary porch.

Board Member Melville understood that the original approvals were in 2011. Planner Astorga verified that it was 2011 when the Court order reinstated the HPB action and decided to strike away the decisions that were made by the Board of Adjustment. Board Member Holmgren clarified that the drawings that were approved were the drawings from 2011. Planner Astorga replied that this was correct. Ms. Melville asked if Proposals A, B or C were considered at that time and rejected. Planner Astorga answered no. It was a completely different issue. Ms. Melville stated that in the back and forth with the drawings with the applicant during the process, she asked if any of this was ever suggested. Planner Astorga replied that there was no specific record, but it may have been. The former property owner indicated that it was considered, but it was not the main issue at the time and there was nothing in the file to prove it. Ms. Melville clarified that it may or may not have been considered, but the net result was that a screen porch was approved. Planner Astorga answered yes.

Mr. Bush stated that the former owner had never submitted a formal application for a modification. Planner Astorga agreed, which is why there was no record of it in the file. Planner Astorga explained that throughout the HDDR process it is typical to go through five or six different renditions before one is approved. The Staff recognizes that it is typical for modifications to be made after the fact, such as in this case. Mr. Bush came in after the approval and proposed to do something different.

Board Member Melville asked if Proposals A, B and C were already done on the building. Planner Astorga believed that Proposal B was already done.

Chair Kenworthy clarified that Proposal A was the only item being considered in the de Novo hearing this evening. Planner Astorga replied that he was correct. It was the only item from the Staff's decision that was appealed. Chair Kenworthy requested that the Board members focus on the issues related to Proposal A.

Planner Astorga emphasized that the fear of losing the screens was the reason for denying the application. The Staff also found that the structure had prior historical significance, as indicated on the historic photograph shown on page 21 of the Staff report.

Planner Astorga noted that the Staff report contained two recommendations for the HPB to consider. The first was to affirm the determination of denying the HDDR in terms of Proposal A. However, as the Staff reviewed the application, they believed there was a way for Mr. Bush to unite the exterior area of the screen porch to the living room to make the area look like the historic photograph, as opposed to what had already been done without the proper permits. Planner Astorga stated that Mr. Bush could make that area habitable by installing specific windows where heavy type of mesh is attached on the exterior and covered by trim. He believed that would make it look similar to the historic photograph. If the HPB was willing to accept the alternate solution as indicated on page 23 of the Staff report, it would still look and function as a screen porch but allow the ability to expand the living room area into the screen porch area.

Planner Astorga noted that the guidelines do not control what can occur on the interior of a historic structure. In this case that presents a challenge because this was not a traditional porch. It has half-built walls and the only thing that makes it a porch as seen from the public right-of-way is the fenestration and openings.

Planner Astorga stated that the Staff report contained alternate findings of fact, conclusions of law and conditions of approval for the Alternate recommendation. Planner Astorga remarked that the Alternate solution was preferred by Staff.

Planner Astorga noted that Mr. Bush had submitted a thorough appeal, which included the August 29, 2014 Action Letter, the Historic Site Form, the as-built drawings and other components. Planner Astorga had included the site plan, floor plan and the elevations that were approved in 2011-2012 from the specific Court order.

Gary Bush, representing the appellant, thought the issue was simple and should not be confusing. He noted that the Staff report contained a lot of information that did not pertain to the subject of his appeal. Mr. Bush stated that Proposals A, B and C were formally submitted to the Planning Department and they were all approved in February 2014. In March the approval was withdrawn, which caused enormous hardship on the project. Mr. Bush commented on the screen porch as exterior space; and noted that in his research he could find nothing in the documents that talk about a screen porch. The Historic Sites Inventory for 811 Norfolk talks about a back porch that was enclosed going back to the 1930's, but it never mentions it as a screen porch. Mr. Bush stated that the as-built drawings showed a floor drain in the floor of the porch. In his research he found that a man named Kay Wilson was born at the Miners hospital and his father owned the house at 811 Norfolk. Mr. Wilson talks about being a fortunate family in Park City because they had interior plumbing. In his comments, Mr. Wilson talks about having a laundry room in what was now being called a screen porch. His family referred to it as an empty room, but they had a washing machine and water

heater in it. Mr. Bush pointed out that it would not have been considered exterior space.

Mr. Bush stated that in his conversations with the architect, Jon DeGray, he asked Mr. DeGray why he called it a screen porch on the elevation drawing. Mr. DeGray told him that he thought they were over the footprint and the only way to include the space would be to call it exterior space. Mr. Bush remarked that at least since the 1930s the space was used as a side entry mud room or laundry room. He believed the space would have been heated during the winter and the windows were covered with whatever material they had to keep the cold out.

Board Member White understood that the Planning Department was saying that it would be acceptable to put in windows as long as the exterior was covered with screens. Planner Astorga replied that this was correct. He noted that the top of page 21 of the Staff report showed what was originally approved through the HDDR process. The bottom of page 21 was a photo of what was there historically. The Staff would be comfortable with a specific type of window as long as it matched the look of what was there historically. However, the window should not detract from the screen. Planner Astorga clarified that in the specific conditions of approval, the Staff decided not to retain the double-hung windows that were installed without a permit. The concern was that the bar that separates the two windows would detract from what is supposed to be a screen. The Staff recommended a fixed window without any divisions. He clarified that it would be a heavier component than the screens that come on a standard window.

Board Member White clarified that the Staff could see this as an interior space. Planner Astorga replied that the Staff believed it was a compromise solution to what was being proposed as long as it looks like the historic photograph. Board Member White referred to page 57 of the Staff report. He thought the existing floor plan described the space as a laundry/mud room, which would indicate that it was an interior space at one time. Mr. White thought the issue was confusing. Planner Astorga agreed that it was confusing and the Staff is tasked with finding the best type of evidence. From reviewing the Sanborn insurance maps, it was identified as a porch. Planner Astorga clarified that the Staff did not disagree with Mr. Bush because there is clear indication that there was a water heater and other components. However, the Staff was going from the last approval, which determined that it was an exterior space. He was unsure how the porch was built. The existing conditions report was not a historic floor plan. It was simply the floor plan that was there when Sandra Hatch, a licensed architect, documented the existing conditions in 2010. Planner Astorga pointed out that many things could have occurred from 1930 through 2010.

Board Member Crosby asked if the Staff was proposing that Mr. Bush consider wrapping the mesh screening in the same manner as it was shown in the historic photograph, where it appears to wrap over the existing windows and around the

corner. Planner Astorga stated that if it would be ideal if they could get the wrapping; however, the intent was to be consistent with the previous 2011-2012 approval. Ms. Crosby wanted to be clear on what was actually being proposed. Planner Astorga noted that the approval in front of them did not wrap and he would be satisfied if it simply met the top portion. It would be ideal to do a full wrap around but he was unwilling to commit to requiring it as a condition of approval because his finding was that the existing approval stands.

Board Member Hewitt asked if the Board was being asked to decide whether or not to approve what the Staff was recommending before they knew whether Mr. Bush would accept or reject the alternative. Chair Kenworthy explained that the Board would decide the issue and they had four alternatives to consider as outlined on page 24 of the Staff report. They would address the four options as a Board and make their decision.

Assistant City Attorney stated that the Board could ask the applicant if he stipulates to a particular solution. However, the ultimate decision was up to the Board. Chair Kenworthy noted that the HPB could also put stipulations on their motion that includes the issues.

Planner Astorga reported that he had an information discussion with Mr. Bush where he stipulated the alternate solution with the exception of the fixed windows. Mr. Bush believes he could create the same look with the installed double-hung windows.

Mr. Bush stated that the screen would obscure the window. He noted that the screens are on the outside of the double-hung windows. With a casing the screens are typically on the inside. Therefore, he believed the double-hung windows would work better in combination with the screen. Mr. Bush noted that in their conversations, Planner Astorga had indicated that he could be flexible with the options because he was primarily trying to achieve the look of the tax photo. Planner Astorga replied that he was correct. Mr. Bush clarified that his intent was to make it look as good as possible.

Board Member Beatlebrox thought it was difficult to tell whether or not the black material in the photo was actually a screen. As indicated in Mr. Wilson's oral history, they would use any type of material to keep out the cold in the winter or bring in the breeze during the summer. Ms. Beatlebrox thought different types of material might be considered. Planner Astorga did not disagree, as long as it mimics the historic photograph. She believed the simple solution in 2011 was that it looked like a screen. He had no other evidence other than what he had presented this evening.

Board Member Melville stated that with the alternate solution the screens would have to be non-removable. Screens come on and off for summer and winter,

and if the screen would be removed a lot of the time it would not achieve what the Staff was trying to accomplish. Planner Astorga agreed. The idea was to have a custom made material covered by a trim to hide how it was attached, and the screen should not be able to be removed.

Board Member Holmgren noted that the Sanborn Map was not included in the Staff report. She had looked up a lot of the older houses, including her house, and screen porch was not a phrase that was used historically. It was referred to as a sleeping porch. Ms. Holmgren was unsure whether or not that made a difference in the description. Planner Astorga stated that one piece of evidence was the historic tax card for 811 Norfolk shown on page 52 of the Staff report. He noted that the tax card classifies it as a porch, but it does not provide any further details. He believed the Sanborn map was exactly the same.

Chair Kenworthy opened the public hearing.

Ruth Meintsma, a resident at 305 Woodside, stated that this project has been at the forefront for quite a while and there is always something going on when you walk by. In talking with both the Staff and Mr. Bush about different things, there was a discussion about the porch. When she realized that the Staff and Mr. Bush were not on the same page, she agreed more with Mr. Bush without knowing the details. When Mr. Bush told her that the Staff wanted him to keep it as an outdoor porch, she told Mr. Bush that if it was a sleeping porch in the yard, he should give in to the Staff in exchange for other things he wanted. Ms. Meintsma clarified that at that point she was in favor of the exterior porch. However, after taking a closer look, she referred to the Sanborn map of 1889 and identified 811 Woodside Avenue. She presented the map showing the house compared to how it currently exits. Ms. Meintsma compared the house in Sanborn maps from various years to show how it has changed over the years. Ms. Meintsma stated that she had outlined the initial footprint and moved the footprint over to 1900. It was the same footprint but a porch was added in the front. She indicated a bump out in the back. In looking at the as-built drawing on page 57 of the Staff report, Ms. Meintsma pointed out the original back wall of the house. She believed the reason for the bump out in the back was to create a large enough space for a bathroom. Ms. Meintsma referred to the front porch on the 1900 Sanborn map and pointed out where the side porch was added on the left. She noted that the dotted line on the front porch indicates that it is an exterior area. Ms. Meintsma reviewed the colored as-built drawing from 2010 and noted that the yellow was the porch, the pink was the wall of the house, and the green was stepped in. The green was not continuous. Compared to the Sanborn maps, it appeared to her that there was no stepback in the original house wall. Ms. Meintsma stated that this was the first house with a washing machine and she thought that might have been the best place in the house to put a washing machine. She questioned whether the interior wall in the as-built drawing was the original house wall. When she thinks of a screen porch she

thinks of a porch where you can see the siding through the screen if the light is on, giving the ambience of a sleeping porch. Ms. Meintsma noted that three feet was added on. In her opinion she was unsure whether it was ever a sleeping porch because it was three feet.

Ms. Meintsma referred to page 50 of the Staff report and the 1958 tax sheet. She noted that the front porch was 5' x 12'. The rear porch was 5' x 6' or 30 square feet. The tax sheet on page 51 from 1968 showed the porch as 5' x 9' or 45 square feet. Ms. Meintsma reviewed the 1968 footprint. She pointed out that the south wall of the house goes straight back and the porch steps in, but the back corner was missing. She noted that the corner was not missing in the as-built drawing.

Mr. Meintsma stated that based on the Sanborn maps, the tax sheets and the as-built drawings, it appears that the porch served different purposes at different points in time. Ms. Meintsma explained why she believed that both the Staff and Mr. Bush were correct in their thinking. She stated that Planner Astorga was doing his best to save the historic details. Mr. Bush was interested in the historic as well, and he was trying to do the best for his project and the best from the standpoint of historic.

Ms. Meintsma referred to page 21 of the Staff report and the hip roof on the porch on the left side of the house. She did not believe at the turn of the century that they would make a hip roof on a 3-foot roof. She assumed it was a shed roof. Ms. Meintsma referred to the photo of the current house on page 22 and noted how much larger the roof compared to the original roof. The roof was still 3-feet deep but the eaves, beams and posts are larger. Ms. Meintsma stated that this has happened a lot throughout history. The structure is the same but it loses its understanding of minimalistic historic, and those are the details that are hard to catch. Ms. Meintsma believed that was where the historic of this little shed roof was lost. In terms of whether or not the porch was interior space, Ms. Meintsma suggested that it changed back and forth several times. She believed the compromise alternative was a good solution. With Mr. Bush and Planner Astorga working together she was confident it could all be made good.

Chair Kenworthy closed the public hearing.

Board Member White was thankful for Ms. Meintsma's assessments and he found them to be very enlightening. Going through the drawings, he had noticed that the roof over the porch was different than one of the photos. In one photo there was no overhang at all. However, in the drawing on page 68 of the Staff report, he personally believed that the roof shown very much enhances the building. Mr. White was leaning towards the alternative solution if they could get an agreement on conditions beyond those stated in the alternate solution. He

believed they could come up with a screen detail on the outside that would mitigate the look of the existing windows.

Chair Kenworthy asked if Board Member White was talking about a heavier material that would hide the dividers in the window. Mr. White replied that it could either be a heavier material or a screen color that would hide the dividers. If it was not possible to hide the dividers, he would favor a casement window with a screen detail attached to the outside that could be opened in the summer.

Mr. Bush stated that there were a number of different weight screens and different fabrics. He was sure he could find something that would work. Mr. Bush asked the Board to keep in mind that it is uncertain whether or not there were ever windows in there. Board Member White agreed. As they were going through the Sanborn, it looked like the space had changed from time to time. He noted that in one photo the east wall of the porch or the pop-out had no windows at all. Planner Astorga clarified that the photo Mr. White was talking about was taken in the 1990s and it was not a historic photo.

Mr. Bush stated that his approach was in the Guidelines. Historically in the Historic District they like to use double-hung windows and he thought his proposal was appropriate. It also allows the screen to be on the exterior, which is a key element. Mr. White stated that after listening to the Sanborn map discussion, it appeared that the use of that space changed over the years. Mr. Bush agreed with that opinion.

Mr. Bush reminded the Board that this was a secondary façade and it was more than 50% back from the front.

Board Member Hewitt thought the compromise alternative was a good and fair offer.

Board Member Melville was concerned about the process. She would have been much happier reviewing this as a requested modification to the approved HDDR before changes were made to the approved plans and the windows went in. The HDDR is a thorough process and the Staff goes through a lot of review with the applicant before a decision is made. If people make changes without coming in for an approved modification, she questioned how well the system could work. If that is allowed to occur, people will agree to anything and just change it later.

Mr. Bush stated that this was approved by the City in February of 2014. Board Member Melville asked if the February approval was before he installed the windows and changed the interior wall. Mr. Bush answered yes. However, one month later the City withdrew the approval.

Planner Astorga explained that a lot of additional work was proposed at the time, which included work on the opposite elevation where window and door openings were performed without City approval. The Staff recalled meeting with Planner Grahn and Gary Bush and they determined that it was not a substantial change and that it could be a building permit modification. Before the building permit was approved and issued, the Staff went back and reviewed everything. At that time the Staff determined that the changes to the north side of the elevation did not comply with the Guidelines, and the proper channel would be for Mr. Bush to submit an HDDR modification. The Staff withdrew the Planning Department approval; however, final action never took place because the building permit was never finalized through the proper review channels. Planner Astorga clarified that Mr. Bush was correct in saying that the approval was withdrawn; however, there was no actual action other than the Planning Department denying the building permit.

Board Member Melville understood that there was no final building permit modification that allowed for the revised windows. Planner Astorga replied that she was correct. Ms. Melville reiterated her concern. She clarified that it was not just this project because many other projects have undermined the integrity of the process by making changes after the plan was approved without coming back with a modification request.

Mr. Bush stated that the situation has caused significant hardship for him on this project. He wanted the Board to understand that he was not being reckless and making changes to already approved plans. There were several deliberations with Planning and several re-designs by the architect before it was formally submitted, and it was all done prior to the February approval. Mr. Bush asked the Board Members not to view this as just another contractor doing what he pleases.

Planner Astorga thought it was unfortunate that the openings on the opposite side were done without City approval. He has been on-site many times and the Staff apologized to Mr. Bush for giving him the misconception that he had the green light to move forward. Planner Astorga emphasized that the Planning Department did stamp the plan as approved; however, final action was not taken other than the denial of the building permit. In his opinion from visiting the site, it was always built. The lower building expansion, which was approved through the HDDR, was completed before the Planning Department was asked about it. He noted that several stop work orders were issued by the Building Department for this site.

Chair Kenworthy understood that the time lapse was between the stamped plans and the final action. Planner Astorga stated that if a modification is a very minor issue, the Staff can determine that it be a building permit modification rather than the HDDR modification which would require notifying property owners within 100

feet. The first item was entertained as a building permit modification, since the items on the opposite side were already done without permission. Planner Astorga explained the building permit process. The plans are reviewed by the Planning Department and stamped approved, and then it goes to the Building Department. Once the Building Department completes their review the building permit is issued. Building permit issuance is the final action. The Planning Department stamp of approval is not a final action. Planner Astorga acknowledged that the Planning Department made a mistake when they stamped the plan approved before the building permit was issued. They contacted Mr. Bush, apologized for their actions, and asked that he meet with them and follow the proper process. At that point the Staff determined that it was more appropriate to go through the HDDR modification process rather than the building permit process for a modification.

Board Member White explained that the plans have to be stamped by both the Planning Department and the Building Department before work can properly commence. Board Member Beatlebrox wanted to know how much time typically lapses between the two processes. Mr. Bush stated that on this type of a project it can take several weeks. The plans that have been approved by the Planning Department go through a plan check because the Building Department looks at it from the standpoint of engineering and Building Codes. After he had Planning Department approval he made an appointment for a plan check which was a few weeks later. The Building Department made a list of items he needed to satisfy. He satisfied those items and made another appointment a few weeks later. Mr. Bush pointed out that he had all the items satisfied for the Building Department and all he had left to do was pay the building fees. That was when the issues were raised with the Planning Department. Mr. Bush stated that he had been very responsive in complying with all of the requests from both the Building Department and the Planning Department. He has paid all the fees and he has tried his best to respect the process and work within the system.

Board Member Holmgren pointed out that the HPB is an arbitration board and not a design review board. If they get involved with design review it takes away their meaning. Assistant City Attorney McLean stated that under this appeal the HPB is put in the position of the Planning Department as to the issues on appeal. She agreed with Ms. Holmgren in general; however, in this limited circumstance they have a little more flexibility

Board Member Holmgren stated that with the extensive information Ms. Meintsma had provided she would support keeping the double-hung windows. Ms. Holmgren thought the plan was fabulous and she did not think screens were necessary. Ms. Holmgren remarked that the use has changed many times and she was shocked when Ms. Meintsma pointed out the roofline. She supported moving the project forward as proposed.

Board Member Beatlebrox stated that based on the evidence of changed uses and the assumptions they were making about the uses, she thought the screen alternative was a great compromise. She did not believe the screen needed to be black and she thought it could go over the existing window. Ms. Beatlebrox thought the windows enhance the building and makes it look like the rest of the building. In her opinion it has a more finished look than the so-called screen porch.

Board Member Crosby thanked Ms. Meintsma for her great presentation. She agreed with Board Member White in reviewing the Sanborn maps, and with the evidence that there were many uses of this area over time. She believed it all supported changing interior space. Ms. Crosby thought Ms. Meintsma's presentation was excellent in showing the wall line and how the wall was pushed back. Ms. Crosby agreed with Board Member Melville regarding the process. She thought it was disturbing that because of a possible mistake Mr. Bush was forced to stop work for a number of weeks because the Planning Department approval was withdrawn. Ms. Crosby was interested in understanding that process better and how it can be avoided in the future. She pointed out that they had not discussed the compromise and what the applicant was willing to do. Ms. Crosby stated that like Board Member Holmgren she would be fine without screens. She thought the plan was wonderful. She has visited the site and watched it as construction progressed.

Chair Kenworthy remarked that the emphasis in Planner Astorga's presentation was that the Planning Department did not want to lose the screens. In hearing that, the first thing that came to his mind was how often he replaces the screens on the cabins he owns. He also uses burlap, plastic and other materials to cover his windows. Chair Kenworthy could not tell from one photo whether there was a screen and he was uncomfortable saying that the screens needed to be kept. He was more in line with Board Member Holmgren and suggested that they give Mr. Bush more flexibility and not require the screens. Chair Kenworthy stated that the Alternative option suggested by Staff was an option he would consider. He agreed that the space had many uses over the years and the size and shape has changed. Based on Ms. Meintsma's presentation he thought there was no argument that the wall does not exist as it did on the original maps. Chair Kenworthy believed they were dealing with a compromised interior space, and from a historical view, there was no evidence to show exactly what the material was.

Board Member White thought the one thing they could say for certain was that the scale and massing of the historic building has not and will not change.

Board Member Melville liked the design. However, her main concern was the process. Board Member White agreed with her comments regarding the process. Chair Kenworthy believed the entire Board shared that sentiment.

Board Member Melville wanted to make sure the Board was not setting a precedent or sending the message that circumventing the process was acceptable.

MOTION: Board Member Holmgren moved to approve the plans as proposed with the double-hung windows, and whether or not to add the screens should be an option for the builder. Board Member Crosby seconded the motion.

VOTE: The motion passed 6-1. Board Member Holmgren voted against the motion.

Board Member Melville thought the Findings needed to be changed to support the motion. Assistant City Attorney McLean suggested that they amend the motion to say that the appeal is granted according to the Findings of Fact of the Alternate Solution Approval as amended by removing the Condition of Approval on page 28 of the Staff report. Board Member Holmgren noted that the correction Planner Astorga had noted changing “family room” to “living room” needed to be made.

Planner Astorga noted that Findings 16, 17 and 18 needed to be changed because it talks about screen porches as an acquired historic significance. He suggested removing the word “screen” from the language.

Assistant City Attorney summarized the amended Findings as follows:

- 1) Amend all references to the family room and change it to living room.
- 2) Remove any reference to screen porch and just call it porch.
- 3) Remove “as conditioned” from the Order.
- 4) Delete the Conditions of Approval.

Chair Kenworthy suggested replaced screen porch with “side porch” for clarification.

- 5) Remove Findings of Fact 18, 20 and 21.

Assistant City Attorney McLean clarified that the previous Motion should be amended to include the Findings of Fact, Conclusions of Law and the Order of the Alternate Solution Approval on pages 27 through 28 of the Staff report as amended as follows: All reference to family room shall be living room and living room to family room as appropriate; all references to the screen porch shall be revised to say side porch; Finding of Fact #18, #20 and #21 shall be deleted; the wording “as conditioned” shall be removed from Finding of Fact #22; the wording “as conditioned” shall be removed from the Order; and all Conditions of Approval shall be removed.

MOTION: Chair Kenworthy moved to Amend the previous Motion as stated by Assistant City Attorney McLean. Board Member Holmgren seconded the motion.

VOTE: The motion passed 6-1. Board Member Holmgren voted against the motion.

Findings of Fact (Alternate Solution Approval)

1. The property is located at 811 Norfolk Avenue.
2. The property is located in the HR-1 District.
3. The property is Lot 3 of the 811 Norfolk Avenue Subdivision.
4. The site is listed on the Park City Historic Site Inventory (HSI) and noted as a Landmark structure, the City's highest historic designation.
5. According to the Summit County Recorder's office the structure was built circa 1911.
6. On September 8, 2014, the City received an appeal of a Historic District Design Review (HDDR) Modification application denied in part on August 29, 2014 for 811 Norfolk Avenue (PL-14-02413).
7. The appeal is specific to Staff's determination that part of the 811 Norfolk Avenue modification application does not comply with the Design Guidelines for Historic Districts and Historic Sites (Design Guidelines).
8. The Applicant requested the following items to be modified from the approved HDDR:
 - a. Removing the interior wall which separates the side porch and the family area, making the side porch part of the living area, denied.
 - b. Finishing the area underneath the side porch, approved as part of the south elevation window well, into part of the family room located in the lower level, approved.
 - c. Adding a window and window well on the south elevation, also on the lower level on the historic structure, approved with conditions, approved with conditions.
9. Staff approved requests B and C (with conditions of approval), however, staff denied request A.
10. The applicant appealed the Staff denial of request A.

11. Staff did not approve the modification request identified as proposal A, consisting of removing the wall which separates the side porch (exterior space) and the family area (interior space), making the side porch part of the living area, or habitable area. Making the porch area habitable (interior space) as proposed by the applicant would replace the screens in the openings of the porch with windows.

12. Proposal A consists of removing the wall which separates the side porch (exterior space) and the living area (interior space), making the side porch part of the living area.

13. Universal Guideline 2 indicates that changes to a building that have acquired historic significance in their own right should be retained and preserved.

14. Universal Guideline 9 indicates that new additions, exterior alterations, or related new construction should not destroy historic materials, features, and spatial relationships that characterize the building.

15. Eliminating the separation of the side porch and the living area would have a substantial impact of the side porch as it would no longer be a porch but a living room pop-out.

16. The historic spatial relationship of the side porch (exterior space) and the house (interior space) would be harmed if the wall which separates the side porch and the living area is removed, making the side porch part of the living area, interior space.

17. The side porch is clearly identified in the 1940 appraisal card and the historic tax photograph.

18. The side porch has acquired historic significance as indicated by Universal Guideline 2.

19. Staff finds that a solution can be accomplished in a way that the side porch can be built to be a habitable area, interior space, while at the same time screens can be retained.

20. Proposal A complies with the Design guidelines, specifically Universal Guidelines 2 and 9.

Conclusion of Law (Alternate Solution Approval)

1. The proposal does comply with the Park City Design Guidelines for Historic Districts and Historic Sites.

2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential (HR-1).

Order (Alternate Solution Approval)

1. The HDDR modification application is approved.

The meeting adjourned at 6:45 p.m.

Approved by _____
John Kenworthy Chair
Historic Preservation Board

Historic Preservation Board Staff Report



Subject: Historic District Grant Program
Author: Anya Grahn, Historic Preservation Planner
Thomas Eddington, Planning Director
Department: Planning, GI-12-00190
Date: November 5, 2014
Type of Item: Policy Review

Summary Recommendations:

Staff recommends the Historic Preservation Board (HPB) review recommended changes to the Historic District Grant program and provide direction regarding the application process and policy for the administration of the program. Staff also recommends that the HPB review the proposed policy and forward a positive recommendation to City Council.

Topic/Description:

Since 1987, the Historic District Grant Program has operated continuously with the support of City Council and the Historic Preservation Board. This program began with over \$500,000 in Redevelopment Funds for rehabilitation and historic preservation incentives. Matching grants are awarded to property owners to assist in maintaining and preserving their historic commercial and residential structures. Currently, the City's funds may be utilized to fund exterior improvements only. All work must comply with the Design Guidelines for Historic Districts and Historic Sites.

The Historic Preservation Grant program was originally housed in the Capital Improvement Project (CIP) and funded with the Main Street and Lower Park Avenue (LPA) RDA funds as directed by Council and included in the RDA resolutions. The majority of historic preservation grants are awarded within the RDA boundaries. Occasionally some historic preservation grant applications were received from property owners outside the RDAs. To provide for this, Council allocated some general fund (GF) transfer funding in the CIP for these applications.

With recent changes to government accounting rules (GASB), the City can no longer fund capital improvement projects with CIP funds for projects or assets the City does not own. Historic Preservation Grants fall into this category. In order to continue the Historic Preservation Grant program, as part of the FY2014 budget process (adopted in June 2013), the Finance and Budget Managers moved funding for the program into the operating budget. At that time, the amount remaining in the CIP from the GF transfer was \$47,000. This was the total amount available to be drawn down or carried forward into future years (the total amount available from the GF was \$47,000). When the budget was moved to operating, that amount was entered into the operating budget as an annual amount. Meaning rather than a total of \$47,000, the program now has an annual amount of \$47,000 per year for properties in the general fund area (City limits) but not eligible for funding in an RDA.

The Grant Program budget also now includes two (2) non-departmental operating budgets for both the Main Street and Lower Park Avenue (LoPA) RDA. The direction which has been provided by City Council was that Historic Preservation Grants are a high priority for the City and the RDA. As part of the FY2015 budget, Council approved funding within the LoPA RDA at \$50,000 per year and the Main Street RDA at \$30,000 per year. It was recommended that total

annual expenditures within the RDA's could exceed the budgeted amount only after approval by City Council. Any adjusted budgeted amount within the RDA would be approved as part of the year-end budget adjustment process. If the total amount of the awards (within the 3 GL codes) goes over the Council-approved allocated budget then it needs to go back to Council for approval. Normally, we adjust the budget at the end of the fiscal year where we provide a public hearing. The total annual budgeted amount available to the Historic District Grant Program is as follows:

Lower Park RDA*	\$50,000
Main Street RDA*	\$30,000
<u>City Wide (General Fund)</u>	<u>\$47,000</u>
Total	\$127,000

**Amount in excess of budget to be approved by Council as determined available in the Lower Park or Main Street RDA.*

City Council held a work session on October 9, 2014, to discuss changes to the Historic District Grant program (see minutes, Exhibit A). During the October work session, City Council brought up several points related to staff's suggestions:

- City Council wanted the grant program to be a "first come, first serve" program. They found that reviewing grants on a quarterly basis would make the grant program too competitive and would not benefit historic preservation efforts.
- Staff had recommended that the HPB be limited to awarding up to \$15,000 as this was consistent with contract awards; however, City Council found that the HPB should be able to award up to \$25,000.
- Staff had recommended the grant program provide greater funding to primary residents compared to secondary residents to incentivize homeownership in Old Town. City Council was divided as to the percentage amounts and whether or not this was necessary. They found that the purpose of the grant was not to incentivize primary residents in Old Town, but preserve the historic structures.
- City Council directed staff to review the Grant Program with the HPB prior to City Council adopting a policy.

Currently, the grant program is "on hold" until City Council adopts a policy to administer the program.

Analysis:

Historic District Grant Application Process

1. Grant Application

Applicants typically complete the grant application (Exhibit A) following a Historic District Design Review (HDDR) approval. Grant funds are awarded based on the extent of the proposed work and historical significance of the property.

The applicant must include the following in their grant request:

- Project description
- Cost estimate, including breakdown of estimated costs for proposed eligible improvements
- Schematic, conceptual drawings (or an approved set of HDDR drawings)
- Photos of the existing conditions
- Brief history of the structure (generally provided by the HSI Form)

Staff has added language to the grant application requiring the applicant to submit three (3) construction bids for the proposed work. Staff finds that by doing so, the HPB can evaluate the cost of the proposed work based on three (3) bids. This will prevent the City from providing grant funds to the highest bidder, but provide grant funds due to a reasonable cost estimate of the proposed work.

Discussion:

- **Currently, applicants submit cost estimates from contractors for the proposed work. Staff recommends adding language to the grant application requiring three (3) bids to be submitted so that the HPB can grant funds based on the lowest or most reasonable bid. Does the HPB agree?**

Historic District Grant Program Eligibility

Currently, the Grant Program funds the following improvements, as seen on the Grant Application (Exhibit A):

- Siding
- Masonry repair
- Cornice repair
- Historic retaining walls
- Windows
- Exterior trim
- Porch repair
- Foundation work
- Exterior doors
- Structural stabilization

These improvements are vital to the health and integrity of our historic structures; however, many structures face additional challenges such as meeting energy conservation standards and abating hazardous materials.

For this reason, Staff recommends adding the following criteria to our list of eligible improvements:

- Cladding repair
- Architectural ornamentation
- Weatherization of historic windows and doors
- Abatement of hazardous materials
- Stabilization/Preservation of industrial mine structures

The Historic Preservation Board (HPB) has expressed interest in architectural fees for completion of Physical Conditions Reports and Historic Preservation Plans that are required as part of the Historic District Design Review (HDDR) application. The Board found that the additional expense of the Physical Conditions Report and Preservation Plan increase the already costly price of rehabilitating the historic structure.

Currently, the grant program requires that work not be completed prior to the grant hearing. Historic Preservation Plans and Physical Conditions Reports are completed prior to the applicant submitting their HDDR. By awarding grant funds for this work, it may require that the applicant submit two (2) separate grant applications—one for the Preservation Plan and Physical Conditions Report and a second for grant eligible construction work.

In terms of the mine structures currently protected by the Historic Sites Inventory (HSI), the grant fund would only help fund work on those mine structures located on privately owned property. There are a few aerial tramway towers located on private residential property. Work completed by the Park City Museum would be funded through a special services

contract. A special services contract was utilized for the removal of vegetation around the aerial tramway towers earlier this summer.

Discussion:

- ***Does the HPB want to amend the grant application to help finance Preservation Plans and Physical Conditions Reports?***
- ***Does the HPB want to include any additional work to the eligible improvement list?***

Our Grant Application also lists the following improvements as ineligible:

- Interior remodeling
- Repair of non-original features
- Interior paint
- Signs
- Additions
- Landscaping/concrete flatwork

Staff advises that the list of ineligible improvements also contain:

- Relocating/moving historic structures horizontally on the lot
- HVAC/Mechanical Systems Upgrades
- Any restoration work covered or funded by insurance

Discussion: Does City Council find that other items should be considered in these lists of ineligible improvements?

Currently, painting is not eligible for grant funds unless it is essential to protecting the existing wood siding and ensuring a longer lifespan for the structure; is part of a comprehensive siding replacement proposal; or will significantly enhance the character of the structure. Though painting is considered the responsibility of the homeowner, there have been instances where the homeowner has expressed a hardship and grant funds were awarded for paint. 1149 Park Avenue, for instance, received funds in 2013 to remove asbestos siding, install new wood siding, and paint the new wood siding as part of their comprehensive siding replacement project.

Similarly, roofing material is also regarded as the responsibility of the homeowner. As noted in the grant application, maintenance items such as roofing may be considered under specific circumstances. In the past, roofing expenses have been covered by the grant program if the current roofing material is inappropriate; the historic material is exposed and/or in obvious disrepair; the historic material is significantly visible from the public right-of-way; and the roofing is a significant design element for the historic structure. Failing roof structures, however, are typically classified as structural stabilization.

Discussion: Does the HPB agree that painting and roofing should be the responsibility of the homeowner, unless a hardship or special condition is expressed?

Applicant Eligibility

Currently, any historic property owner is eligible for the grant program. During the April 10, 2014, Joint HPB-City Council work session, the HPB and City Council discussed the

possibility of limiting the availability of grant funds based on primary and secondary ownership for residential properties. Over the last year, over half of the grants awarded were for second homeowners.

Staff recommends that:

- Houses lived in by primary residents (those houses in which the homeowner or a renter lives in full time) be awarded up to fifty percent (50%) of their construction costs, while homes which are used as secondary-home or nightly rental (i.e. not lived in by primary residents) be awarded up to thirty-five percent (35%).
- This will allow the City to reward primary residents in the City's Historic District while also supporting their ability to maintain and preserve their historic properties.
- Commercial properties would continue to be eligible for up to fifty percent (50%) of construction costs regardless of ownership.
- During the October 9, 2014, work session, some members of City Council recommended that the percentage be raised greater than 50% for primary residents.

Discussion:

- ***Does the HPB find that primary homes (those houses in which the homeowner or renter lives there full-time) should be awarded a greater percentage than second homes or nightly rental (not lived in by a primary resident) should?***
- ***What percentages would the HPB recommend to City Council?***
- ***Should commercial buildings be treated the same as second homeowners or nightly rental (not lived in by a primary resident), or should they be eligible for a larger percentage?***

2. Historic Preservation Board Review & Hearing

Once completed, the grant application is then reviewed by the HPB. The HPB may choose to award the amount recommended by staff, or a greater or lesser amount. Staff recommended City Council adopt a policy permitting the HPB to award individual grants up to \$15,000; however, no single award is to exceed \$15,000 without the approval of City Council. It is expected that HPB grant recommendations will typically be approved as part of the City Council consent agenda. The sum of the individual grant amounts would be within the allocated budget for the Lower Park Avenue RDA, Main Street RDA, and City-wide (General Fund); however, the amounts within the RDA would be approved as, and adjusted, as part of the year-end budget process.

City Council recommended that the policy permit the HPB to award individual grants up to \$25,000. It is expected that the HPB grant recommendations will typically be approved as part of the City Council consent agenda. The sum of the individual grant amounts would be within the allocated budget for the Lower Park Avenue RDA, Main Street RDA, and City-wide (General Fund); however, the amounts within the RDA would be approved as, and adjusted, as part of the year-end budget process.

Grant applications are currently reviewed on a "first come, first serve" basis. At the October 9, 2014, City Council meeting, staff recommended that the HPB review grants on a quarterly basis; however, City Council found that this made the grant program too competitive.

Based on City Council's discussion on October 9th, staff recommends that the HPB be permitted to award grants up to the amount of \$25,000 before having to forward a positive recommendation to City Council.

Discussion:

- **Does the HPB have any questions regarding this new process due to government accounting laws?**
- **Does the HPB want to set a cap for the maximum grant award amount? If so, what amount would the HPB like to see? (Refer to chart below.)**

3. Completion of Work, Grant Payout, and Lien Agreement

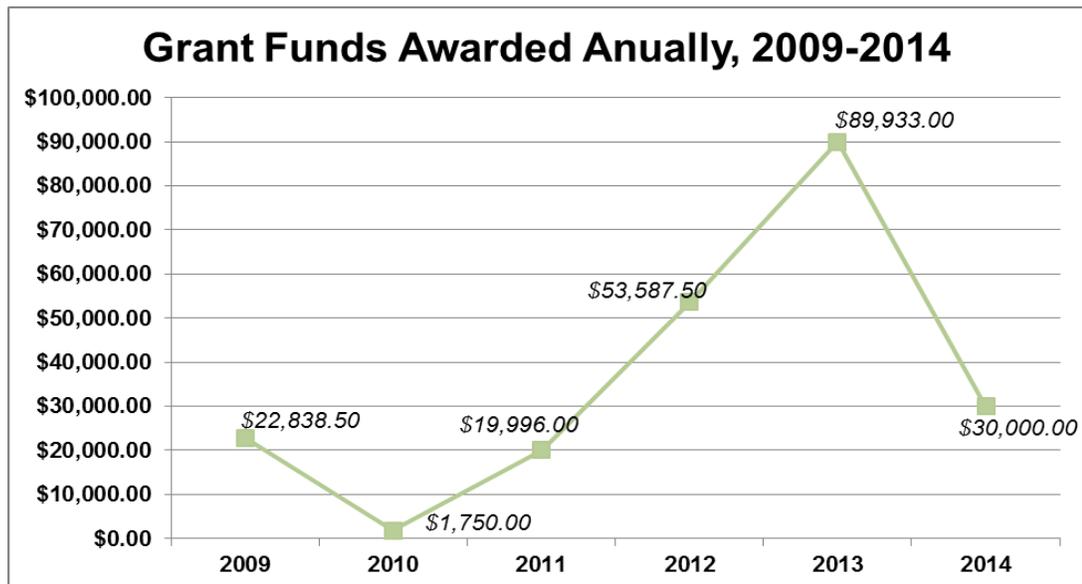
Our recordkeeping suggests that work often commences on awarded properties several months after the grant is awarded. Currently, there is no expiration date set to the grant funds, and staff has encountered instances where grant monies were awarded several years ago, yet the work has not yet begun. Staff recommends that:

- The applicant must obtain a building permit no more than forty-five (45) days from the date the grant is awarded by the HPB and that work must be complete within twenty-four (24) months after the start date, in order to quicken our process, ensure timely pay-outs of awarded grants, and prevent grants from expiring.
- Any work that deviates from the established scope of work shall be disallowed and the grant revoked.

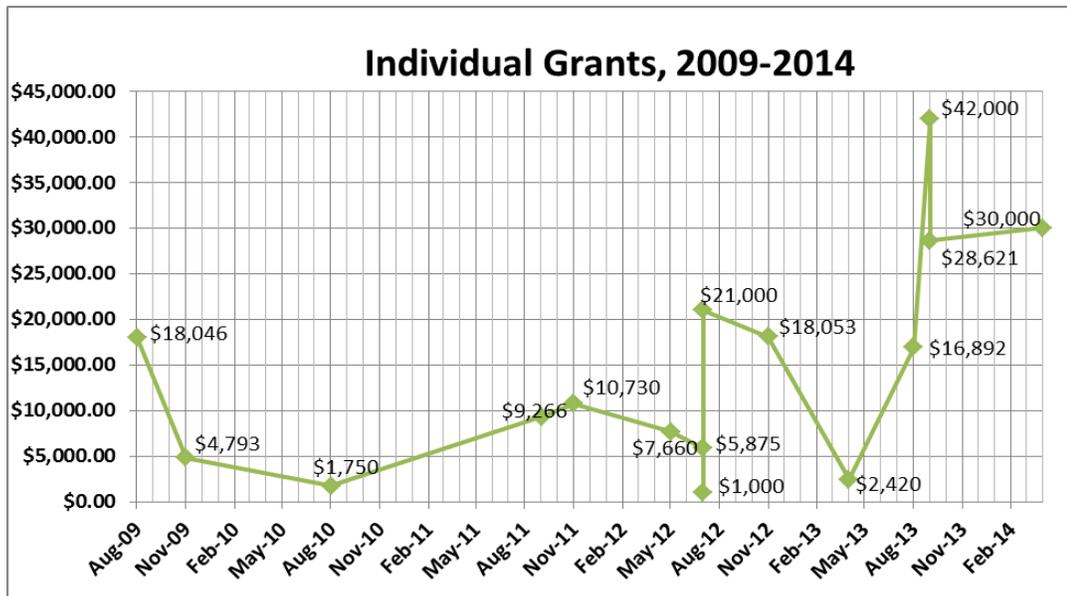
Trends

As discussed during the HPB-City Council joint work session in April, there has been a growing demand for grants in Old Town. Over the past year, many of these grants have exceeded \$20,000, which has put a strain on the availability of grant funding. In April, the HPB awarded a grant that will be funded by monies allocated during the FY2015 budget.

The following charts show the increased demand for grants as real estate demands increase in the historic district following the recession:



Since 2009, the amount of funds awarded annually through the Historic District Grant Program has steadily increased. The chart below depicts the number of individual grants and the amounts awarded since 2009.



Lien Agreement

Upon completion of the work and final inspections, the grant applicant submits proof of payment to the Planning Department for disbursement of funds. Following the grant payout, the City requires that the applicant enter into a lien agreement. This agreement states that the applicant shall not apply for a demolition permit for the building for which the grant is awarded for ten (10) years following the grant award, unless the building is structurally unsound or substantial changes have occurred. The grantee also warrants that the building remains in the grantee's ownership for at least five (5) years; the City shall release the note and deed of trust five years from the date of payment, or recapture the amount of the grant, plus interest, if the building is sold:

- Within the first year, 100% of the grant
- Within the second year, 80% of the grant
- Within the third year, 60% of the grant
- Within the fourth year, 40% of the grant
- Within the fifth year, 20% of the grant

In exchange for the City's contribution, the Grantee agrees to provide the following minimum services to the community:

- Maintain the architectural significance of the structure;
- Retain and/or restore the historic character of the structure;
- Preserve the structural integrity of the structure; and
- Perform normal maintenance and repairs.

Next Steps

Staff plans to meet with City Council on Thursday, December 4th for a follow-up work session and policy discussion. Staff recommends that HPB attend.

Department Review:

This report has been reviewed by the Planning, Budget, and Legal Departments.

Consequences of not taking the recommended action:

By not adopting the recommended changes to the Historic District Grant policy and application process, the City will not be able to continue to legally fund the grant program due to the changes in the government accounting rules (GASB). In addition, preference will not be given to primary homeowners over secondary homeowners.

Recommendation:

Staff recommends the Historic Preservation Board review the proposed changes to the Historic District Grant program and make recommendations to City Council regarding the proposed process and policy for administration of the program.

Exhibits:

Exhibit A – Draft Minutes from 10.9.14 City Council work session

Exhibit B – Current Grant Application

Exhibit C – Proposed Grant Application

Exhibit D – Land Management Code (LMC) Title 15-11-19 (A)

Exhibit E – Proposed Historic District Grant Policy

PARK CITY COUNCIL MEETING MINUTES- DRAFT
SUMMIT COUNTY, UTAH,
October 9, 2014

Page | 3

as asking Chris Merritt, SHPO Compliance, Archaeology from Utah State History to come speak to the Council as well as look into fencing options to allow people to look in but not endanger themselves. Council member Simpson stated that she agrees with Council member Peek. She would like to have a robust conversation with the property owners on a case by case basis to map out a path to preservation.

Council member Beerman inquired if staff is going to follow up on the annexation agreement issues that have not been addressed. Also inquired if there is any progress to stabilizing the Comstock mine, Grahn stated that it was found that it is not in within the City's boundaries so staff discussed the item with the County and they stated they will look into it but staff did not feel it was a high priority. Harrington discussed the annexation agreement stating that staff was unaware of the discrepancies until this point but staff is working with the United Mines Company to get this completed. Council member Matsumoto discussed the interlocal agreement that is on the agenda this evening and inquired if this could be rolled into the environmental preservation clause. Harrington stated that the interlocal agreement would be able to cover this issue.

Council member Henney inquired about the expense costs for stabilizing the structures. Grahn stated that it will be on a case by case basis. Council members Peek and Matsumoto agreed with Council member Henney that we need to move to the next steps. Mayor Thomas thanked staff for the hard work. Spoke to stabilizing the structures and feels that staff and the community could put together a committee to evaluate the stabilization without bringing in consultants, etc. Council agreed to continue to look deeper at this issue.

Historic Grant Program discussion

Planner Grahn spoke to the Grant Program from inception to today. Spoke to the current budget of \$127,000. She outlined staff's proposal stating the Historic Preservation Board could award up to \$15,000 in grants with any grants over \$15,000 being forwarded with a positive recommendation to Council for approval. Spoke to the application process and the eligible and ineligible improvements. Council member Peek discussed the cost of foundation and house mover's be added to the eligible list. Council member Matsumoto stated that she feels that the cap of the \$15,000 on the HPB is making things too restrictive. Council member Beerman agreed with Matsumoto and would like to raise the cap. Nate Rockwood, Capital Budget, Debts and Grants Manager stated the set amount of \$15,000 follows the procurement policy in the budget documents but can be increased at Council's discretion. Council member Matsumoto inquired about the funds that Grahn outlined. Rockwood stated that the cap is the total cost the HPB can award, there is more funding available that the HPB could request from Council. Harrington spoke to other options available to use the CIP transfers.

Council member Peek spoke to the horizontal movement to correct survey encroachments. Council member Simpson inquired about the quarterly review. Grahn stated staff felt it would provide the HPB a way to weigh the projects. Hope Melville, HPB member, spoke to the quarterly review process stating she felt it would turn people away.

Grahn spoke to the applicant eligibility to reward full-time residents. Council member Peek stated that this is a grant program to preserve the structure and feels it incorrect to penalize a second home owner who brings in taxes to the City. Council member Beerman feels that it is an opportunity to accomplish two Council goals of preservation and full-time residents. He feels the incentives would be great. Council member Matsumoto stated she agrees with Beerman. Council member Simpson stated that she is sympathetic to Beerman and Matsumoto but would like to see the properties preserved. Council member Henney stated that he does not see this

PARK CITY COUNCIL MEETING MINUTES- DRAFT
SUMMIT COUNTY, UTAH,
October 9, 2014

Page | 4

as a motivator to get people to live in Old Town. Council member Simpson suggested HPB weigh in on this and bring back to Council. John Kentworthy spoke about two applications that have gone in front of the HPB. Melville spoke to the historic process and feels the grants help keep the work professional. Council directed staff to take the recommendations to the HPB to review and send a recommendation back to Council.

Transportation Master Plan discussion

Kent Cashel, Transportation Manager and Brooks Robinson, Transportation, discussed the Transportation Master Plan. Cashel spoke to the report card that staff has conducted. Spoke to the goals set to achieve the desired results. Discussed the emphasis including increased mobility but reduce car travel as well as reducing environmental impacts. Robinson spoke to the goals with a multimodal system to complete streets, transit simplicity, regional transit, mobility and accessibility trails, maintaining the paved roads, safety and quality of life, sustainability, planning to support development growth and using management systems and the demands on the systems. Cashel spoke to the Transportation Model to include: existing traffic, land use, growth, mode share and the transportation system. Discussed the results of the report card to include the high single occupant vehicles, transit time ratio to bike and drive time is too low and estimated petroleum use and greenhouse gas emissions.

Mayor Thomas spoke to the daunting task of transportation planning. He is very excited to get into this model even though it is daunting. Council member Beerman feels that we need to look at the goals again and come at this with an aggressive approach. Council member Simpson stated that she is in favor of the goals and feels that to accomplish the goals quickly it will be a very painful, fast paced approach. Mayor Thomas stated that if there is critical mass goals can be accomplished fast. He spoke to the conveniences that will be taken away with these goals to include paid parking, and the comfort of your own vehicles. Cashel stated that we need to be careful to not move too quickly. Mayor Thomas stated that walking the walk is a good thing; mixed use is a good thing, as well as density can all help with these goals. Council member Beerman inquired if staff could back to Council with an evaluation of accelerating the items. Council member Peek stated that he is in favor of accelerating the goals without sacrificing the tourists experience. Mayor Thomas spoke to the growth of negative impacts. Cashel spoke to the way the goals were set. Stated that the goals were lined up with the growth of the community. Council member Simpson inquired about the time frame staff would be able to bring this item back, suggesting February for a study session/work session to give direction. Staff agreed.

Regular Meeting

6:00 pm

I. ROLL CALL- ROLL CALL- Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, August 7, 2014. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Matt Dias, Acting City Manager; Mark Harrington, City Attorney; Marci Heil, City Recorder; Thomas Eddington, Planning Director; Francisco Astorga, Planner; Heinrich Deters, Trails and Open Space; Nate Rockwood, Capital Budget, Debt and Grants Manager;

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures from Council or Staff.



Park City Municipal Corporation

445 Marsac Avenue • PO Box 1480 • Park City UT 84060 • (435) 615-5060 • (435) 615-4906-fax • www.parkcity.org

**HISTORIC DISTRICT
GRANT PACKET**

INFORMATION GUIDE AND APPLICATION

HISTORIC DISTRICT GRANT PROGRAM INFORMATION GUIDE

In 1987 the Park City Historic District Commission and City Council identified the preservation of Park City's historic resources as one of their highest priorities. The Grant Program has operated continuously since that time with the full support of subsequent City Councils and Preservation Boards.

How does the Grant Program work?

Grants are available for historic residential or commercial structures in Park City. The purpose of the grant is to assist in offsetting the costs of rehab work. Grants are to be used toward specific rehabilitation projects.

When does the review process take place? The Historic Preservation Board will review applications and will award grant funds on a monthly basis. Funds shall be awarded to projects that provide a community benefit of preserving and enhancing the historic architecture of Park City. Applications must be submitted to the Planning Department by the 10th of each month in order to be considered for review at the following month's meetings.

What must be included in the application?

- ***Historic District Grant Application** form
- *Written **Scope of Work & Specifications**
- *Submittal of **cost estimate**
- ***Breakdown of estimated cost of the scope of work**
- ***Drawings** as they apply to specific work
- ***Color Photographs** of existing conditions
- ***Brief History** of structure

Application forms are available in the Planning Department and online and include more detailed information.

What types of improvements are eligible? Listed below are some examples of eligible and non-eligible improvements. Improvements should be completed in compliance with *The Secretary of the Interior's Standards for Rehabilitation*.

Eligible Improvements include, but are not limited to:

- *siding
- *windows
- *foundation work
- *masonry repair
- *structural stabilization
- *retaining walls of historic significance/steps/stairs
- *exterior trim
- *exterior doors
- *cornice repair
- *porch repair

Maintenance items, such as exterior painting and new roofing, are the responsibility of the homeowner, but may be considered under specific circumstances.

Non-Eligible Improvements include but are not limited to:

- *interior remodeling
- *additions
- *repair of non-original features
- *interior lighting/plumbing fixtures
- * landscaping/concrete flatwork
- *interior paint
- *signs

Are there special terms of the program?

Grant recipients are required to sign a Historic Grant Program Agreement, Trust Deed, and Trust Deed Note, on the affected property. If the property is sold within five years, grant funds are repaid at a pro-rated amount, plus interest.

Disclaimer: This guide is intended to provide general information. Codes are subject to change at any time and up-to-date versions of applicable codes and documents are available in the Building and Planning Divisions.

SUBMITTAL REQUIREMENTS:

1. Completed **Historic District Grant Application** form.
2. Written **Project Description** describing the proposed scope of work and specifications. Include a detailed scope of work, as well as the anticipated start date and completion date.
3. Submittal of a **Cost Estimate** for the proposed work.
4. **Breakdown of Estimated Costs** of the proposed eligible improvements (pages 3 & 4).
5. Schematic, conceptual **Drawings** as they apply to the proposed project. This will include site plans, elevations, and floor plans
NOTE: Your project will require design review and approval by the Park City Planning Department. At the time of application for the building permit, detailed construction plans prepared by a licensed architect, engineer and/or building contractor will be required.
6. Color **Photographs** of existing conditions. Include a general view of the building and setting; the front; perspective view showing front façade and one side, and rear façade and one side; detailed view of affected work area.
7. **Brief History** of the structure including, but not limited to, prior owners or occupants.

GRANT APPLICATION PROCESS

Listed below is a brief description of the grant application process:

- 1) Prepare grant application (the Planning Staff can advise you during this step so that you submit a thorough application)
- 2) Submit grant application to the Planning Department by the 10th of the month. The Staff will present it to the Historic Preservation Board for review and consideration the following month.
- 3) The HPB will review the application and may:
 - a) approve the project;
 - b) approve the project subject to conditions that will be enforced by the Planning Staff;
 - c) remand the application to the applicant for further details or revisions; or
 - d) deny the project .
- 4) Finalize work with the Planning Department Staff and submit plans for a building permit;
- 5) Sign the Grant Program Agreements;
- 6) Obtain a building permit and arrange for inspections by the building inspectors as the project progresses;
- 7) Upon completion of work and final inspections, submit **proof of payment** to the Planning Department for disbursement of funds. You must provide proof that your contractor(s) have been paid in full. *This is a matching funds grant and provides **reimbursement** to you.*

Planning Department Staff are available to answer your questions as you go through this process.

SAMPLE – BREAKDOWN OF ESTIMATED COSTS

This **sample** is included to assist you in completing the breakdown of estimated costs on page 6 of this application.

WORK CLASSIFICATION	OWNER PORTION	CITY PORTION	ESTIMATED TOTAL COST
<u>Eligible Improvements</u>			
Excavation	\$ 500	\$ 500	\$ 1,000
Doors (exterior)	425	425	850
Windows	1,000	1,000	2,000
Siding	<u>1,500</u>	<u>1,500</u>	<u>3,000</u>
Total Cost	\$ 3,425	\$ 3,425	\$ 6,850
 <u>Non-Eligible Improvements</u>			
Total (no breakdown required)			<u>\$10,500</u>
TOTAL COST			\$17,350

If you have questions about the eligibility of your proposed work, please contact the Planning Department at 435-615-5060.

What types of improvements are eligible? Listed below are some examples of eligible and non-eligible improvements. Improvements should be completed in compliance with *The Secretary of the Interior's Standards for Rehabilitation*.

Eligible Improvements include, but are not limited to:

- | | | |
|--|------------------|---------------------------|
| *masonry repair | *porch repair | *structural stabilization |
| *siding | *exterior trim | *windows |
| *exterior doors | *foundation work | *cornice repair |
| *retaining walls of historic significance/steps/stairs | | |

Maintenance items, such as exterior painting and new roofing, are the responsibility of the homeowner, but may be considered under specific circumstances.

Non-Eligible Improvements include but are not limited to:

- | | | |
|--------------------------------------|----------------------------------|------------|
| *interior remodeling | *interior paint | *additions |
| *signs | *repair of non-original features | |
| *interior lighting/plumbing fixtures | * landscaping/concrete flatwork | |

The award of grant funds does not preclude the requirement for design review. If you are proposing extensive rehabilitation, you may be required to present your application to the Planning Department for review and approval.



Park City Municipal Corporation

445 Marsac Avenue • PO Box 1480 • Park City UT 84060 • (435) 615-5060 • (435) 615-4906-fax • www.parkcity.org

HISTORIC DISTRICT GRANT APPLICATION
RESTORATION AND REHABILITATION WORK

HISTORIC PRESERVATION BOARD

Awarded _____

Denied _____

DATE SUBMITTED _____

BUILDING PERMIT _____

FUNDS RELEASED _____

Any owner of an historic residential or commercial structure in Park City may apply. The matching grant will be used toward specific rehabilitation projects. Application must be submitted to the Planning Department by the 10th of the month in order to be presented to the Historic Preservation Board for review the following month. Please fill out this application completely and accurately. If you are uncertain of the status of your property, please contact the Planning Department.

I. PROJECT INFORMATION

Name: _____

Address/Location: _____

Legal Description: Tax ID _____

Subdivision & Lot #, or Survey, Lot & Block # _____

II. APPLICANT

Name: _____

Mailing Address: _____

Phone #: _____ Fax #: _____ E-mail _____

If you have any questions regarding the requirements on this application please contact a member of the Park City Planning staff (435) 615-5060.

V. ACKNOWLEDGMENT OF RESPONSIBILITY

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

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

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

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

Signature of Applicant: _____
Name of Applicant (please print) _____
Mailing Address _____
Phone _____ Fax _____
E-mail _____
Type of Application _____

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of Applicant (please print) _____
Mailing Address _____
Street Address/Legal Description of Subject Property:

Signature _____ Date _____

1. If you are not the fee owner, attach another copy of this form that has been completed by the fee owner, or a copy of your authorization to pursue this action.
 2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing this action.
 3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.
- Please Note: This affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to final action.

**HISTORIC DISTRICT
GRANT PACKET**

**INFORMATION GUIDE
AND APPLICATION**

HISTORIC DISTRICT GRANT INFORMATION GUIDE

In 1987, the Park City Historic District Commission and City Council identified the preservation of Park City's historic resources as one of their highest priorities. The Grant Program has operated continuously since that time with the full support of subsequent City Councils and Preservation Boards.

How does the Grant Program work?

Grants are available for historic residential or commercial structures listed on the Park City Historic Site Inventory (HSI). The purpose of the grant is to assist in offsetting the costs of rehabilitation work. Grants are to be used toward specific rehabilitation projects.

Primary residents (either the homeowner or a full time renter) may be awarded up to fifty percent (50%) of total eligible construction costs, while homes which are used as a secondary-home or nightly rental may be awarded up to thirty-five percent (35%) of total eligible construction costs. Commercial property owners are eligible for up to fifty percent (50%) total eligible construction costs.

When can you apply for a grant?

Grant applications must be submitted before the rehabilitation work has begun and prior to the issuance of a building permit. Applications can be submitted at any time; however, applications are reviewed quarterly by the Historic Preservation Board (HPB): January, April, July, and October. Applications should be submitted at least one (1) month prior to the HPB meeting.

When does the review process take place?

The Historic Preservation Board will review applications and will award grant funds on a quarterly basis. Funds will be allocated on a case-by-case basis and awarded to projects that provide a community benefit of preserving and enhancing the historic architecture of Park City. The Historic Preservation Board may award grants up to \$15,000. Grants exceeding \$15,000 will require the Historic Preservation Board to forward a positive recommendation to City Council. City Council will then review the grant application as part of their consent agenda.

What must be included in the application?

- Completed Historic District Grant Application.
- Written Scope of Work & Specifications
- Submittal of cost estimate including three (3) bids
- Breakdown of estimated cost of the scope of work
- Drawings as they apply to specific work
- Color photographs of existing conditions
- Brief history of the structure

Are there special terms to the Grant program?

Grant recipients are required to sign a Historic Grant Program Agreement, Trust Deed, and Trust Deed Note that is tied to the affected property. If the property is sold within five years, grant funds are repaid at a pro-rated amount, plus interest.

What items are eligible for grant funds?

See the eligibility chart listed on the following page that outlines examples of eligible and non-eligible improvements. All improvements should be completed in compliance with *The Secretary of the Interior's Standards for Rehabilitation*.

SUBMITTAL REQUIREMENTS

1. Completed **Historic District Grant Application** form.
2. Written **Project Description** describing the proposed scope of work and specifications. Include a detailed scope of work, as well as the anticipated start date and completion date.
3. Submittal of a **Cost Estimate** for the proposed work, including three (3) bids.
4. **Breakdown of Estimated Costs** of the proposed eligible improvements (pages 7).
5. Schematic, conceptual **Drawings** as they apply to the proposed project. This will include site plans, elevations, and floor plans

NOTE: Your project will require design review and approval by the Park City Planning Department. At the time of application for the building permit, detailed construction plans prepared by a licensed architect, engineer and/or building contractor will be required.

6. **Color Photographs** of existing conditions. Include a general view of the building and setting; the front; perspective view showing front façade and one side, and rear façade and one side; detailed view of affected work area.
7. **Brief History** of the structure including, but not limited to, prior owners or occupants.

APPLICATION PROCESS

Listed below is a brief description of the grant application process:

1. Prepare grant application (the Planning Staff can advise you during this step so that you submit a thorough application).
2. Submit grant application to the Planning Department. Grants will be reviewed by the Historic Preservation Board (HPB) on a quarterly basis: January, April, July, and October.
3. The HPB will review the application and may:
 - a) approve the project;
 - b) approve the project subject to conditions that will be enforced by the Planning Staff;
 - c) remand the application to the applicant for further details or revisions; or
 - d) deny the project
4. The HPB may award the project up to \$15,000. Should the grant award be greater than \$15,000, the HPB will need to forward a positive recommendation to City Council. City Council will then review the grant application on their consent agenda approximately three (3) weeks after the HPB hearing.
5. Finalize work with the Planning Department Staff and submit plans for a building permit;
6. Obtain a building permit and arrange for inspections by the building inspectors as the project progresses;
7. Upon completion of work and final inspections, submit **proof of payment** to the Planning Department for disbursement of funds. You must provide proof that your contractor(s) have been paid in full. *This is a matching funds grant and provides reimbursement to you.*
8. Sign the Historic Grant Program Agreement, Trust Deed, and Trust Deed Note that is tied to the affected property. If the property is sold within five years, grant funds are repaid at a pro-rated amount, plus interest.

SAMPLE—BREAKDOWN OF ESTIMATED COSTS

This *sample* is included to assist you in completing the breakdown of estimated costs on page 6 of this application. *Please note you will need to provide three (3) separate bids for the proposed work.*

SCOPE OF WORK	OWNER PORTION	CITY PORTION	ESTIMATED TOTAL COST
Eligible Improvements			
Foundation Work			
Excavation	\$1,000	\$1,000	\$2,000
House Lifting	\$2,000	\$2,000	\$4,000
Bracing the House	\$3,000	\$3,000	\$6,000
Doors (Exterior)			
Materials	\$425	\$425	\$850
Labor	\$100	\$100	\$200
Windows			
Materials	\$1,000	\$1,000	\$2,000
Labor	\$500	\$500	\$1,000
Siding			
Asbestos Removal	\$2,250	\$2,250	\$5,000
Wood Siding Restoration	\$1,000	\$1,000	\$1,000
New Materials	\$500	\$500	\$1,000
Paint	\$500	\$500	\$1,000
Total Cost	\$12,275	\$12,275	\$24,550
Non-Eligible Improvements			
Total (no breakdown required)			\$10,500
TOTAL COST			\$35,050

If you have questions about the eligibility of your proposed work, please contact the Planning Department at 435-615-5060.

ELIGIBILITY GUIDE

To qualify for a grant:

- The building/structure must be identified on the City's Historic Sites Inventory.
- Grant recipients must own the residential or commercial structure for at least five (5) years after the grant funded work is completed. Grant recipients who sell or move out of their homes before the five years have elapsed will be required to return the grant on a pro-rated basis.
- Work must commence no more than thirty (30) days from the execution of the grant and must be completed within twenty-four (24) months after the start date.

Eligible improvements include:

- Cladding repair
- Siding
- Masonry repair
- Cornice repair
- Architectural ornamentation restoration/repair
- Exterior trim repair
- Restoration of historic retaining walls
- Restoration/repair of historic windows and doors
- Weatherization of historic windows and doors
- Porch repair/restoration
- Foundation repair/restoration (new foundations may be raised or lowered no more than 2' from their original floor elevations)
- Structural stabilization
- Abatement of hazardous materials
- Stabilization/Preservation of Industrial Mine Structures

Non-eligible improvements include:

- Interior remodeling
- Repair of non-original features
- Interior paint
- Signs
- HVAC/Mechanical System upgrades
- Additions
- Landscaping/concrete flatwork
- Relocating and/or moving historic structures to a new site or location on the existing site
- Any restoration work covered/funded by insurance

Maintenance items are the responsibility of the homeowner but may be considered under specific circumstances such as:

Painting:

- Is essential to protect the existing wood siding and ensure a longer lifespan for the structure;
- Is part of a comprehensive siding replacement proposal;
- Will significantly enhance the character of the structure.

Roofing:

- Currently has an inappropriate material;
- Has historic material that is exposed and/or is in obvious disrepair;
- Is significantly visible from the public right-of-way;
- Is a significant design element for the historic structure.

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



HISTORIC DISTRICT GRANT APPLICATION

<i>For Office Use Only</i>		
HISTORIC PRESERVATION BOARD	PROJECT PLANNER	APPLICATION # _____
APPROVED _____	_____	DATE RECEIVED _____
AMOUNT _____	_____	EXPIRATION _____
DENIED _____	_____	BLDG PERMIT _____

PROJECT INFORMATION

NAME: _____

ADDRESS: _____

TAX ID: _____ OR
 SUBDIVISION: _____ OR

SURVEY: _____ LOT #: _____ BLOCK #: _____

APPLICANT INFORMATION

NAME: _____

MAILING ADDRESS: _____

PHONE #: () - _____ FAX #: () - _____

EMAIL: _____

APPLICANT REPRESENTATIVE INFORMATION

NAME: _____

PHONE #: () - _____

EMAIL: _____

ACKNOWLEDGEMENT OF RESPONSIBILITY

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

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

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

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

Signature of Applicant: _____
Name of Applicant: _____
Mailing Address: _____
Phone: _____ Fax: _____
Email: _____
Type of Application: _____

AFFIRMATION OF SUFFICIENT INTEREST

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

Name of Owner: _____
Mailing Address: _____
Street Address/ Legal Description of Subject Property: _____

Signature: _____ Date: _____

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

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

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

15-11-4

- (C) Utah State Division of History.
- (D) Park City Historical Society.
- (E) American Institute of Architects (AIA).
- (F) The National Alliance of Preservation Commissions.
- (G) American Planning Association (APA)

(Amended by Ord. Nos. 06-35; 09-23)

15-11-9. PRESERVATION POLICY.

It is deemed to be in the interest of the citizens of Park City, as well as the State of Utah, to encourage the preservation of Buildings, Structures, and Sites of Historic Significance in Park City. These Buildings, Structures and Sites are among the City’s most important cultural, educational, and economic assets. In order that they are not lost through neglect, Demolition, expansion or change within the City, the preservation of Historic Sites, Buildings, and Structures is required. This section is intended to provide an incentive for identification and preservation of Historic Buildings, Structures or Sites that may occur within the Park City Historic District, as well as those that may be located outside the Historic District.

(A) **HISTORIC PRESERVATION PLAN.** The Planning Department is authorized to require that Developers prepare a Historic Preservation Plan as a

condition of approving an Application for a Building project that affects a Historic Structure, Site or Object. The Planning Director and the Chief Building Official, or their designees, must approve the Historic Preservation Plan.

(B) **GUARANTEE REQUIRED.** The Planning Department is also authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.

(C) **TERMS OF GUARANTEE.** The Guarantee shall be similar in form to other Guarantees required by this title and shall consist of an Escrow deposit, a cash deposit with the City, a letter of credit or some combination of the above as approved by the City, including but not limited to a lien on the Property.

(D) **AMOUNT OF THE GUARANTEE.** The amount of the Guarantee shall be determined by the Chief Building Official, or his designee. The Building and Planning Departments shall develop standardized criteria to be used when determining the amount of the Historic preservation Guarantee. Such amount may include additional cost or other penalties for the destruction of Historic material(s).

(E) **EFFECT OF NON-COMPLIANCE.** If the Developer does not comply with the terms of the Historic Preservation Plan as determined by the Chief Building Official and the Planning Director, or their designees, the City shall have the right to keep the funds of the Guarantee,

including the ability to refuse to grant the Certificate of Occupancy and resulting in the requirement to enter into a new Historic Preservation Plan and Guarantee. The funds of the Guarantee shall be used, in the City's discretion, for Historic preservation projects within the City.

(F) **RELEASE OF GUARANTEE.**

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

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

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

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

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

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

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

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

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

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

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

(iii) The distinctive characteristics of type, period, or method of construction or the work of a notable

Part I: Historic District Grant Program

The Historic District Grant Program awards matching grants to assist property owners in maintaining and preserving their historic commercial and residential structures. Grant funds are applied to exterior improvements only, and all work must comply with the Design Guidelines for Historic Districts and Historic Sites. The policy outlines the many ways property owners and the City can work together to preserve Park City's historic sites and structures.

A. Goals

1. Offset the costs of rehabilitation work in the City's two (2) National Register Historic Districts
2. Provide funding to projects that provide a community benefit through historic preservation
3. Inspire greater preservation of Park City's historic sites and structures

B. Objectives

1. Inspire citizen involvement and appreciation for the historic preservation of Park City's sites and structures.
2. Encourage the preservation of historic sites and structures in the City's two (2) National Register Historic Districts.
3. Promote projects that preserve and enhance the historic architecture of Park City.
4. Further projects that meet the Design Guidelines for Historic Districts and Historic Sites

C. General Rules

1. The applicant must apply for a Historic District Grant prior to the start of any construction work. The application must include a written scope of work and specifications, cost estimate, drawings as they apply to the specific work, color photographs, and a brief history of the structure.
2. The Historic Preservation Board (HPB) will review grant applications on a "first come, first serve". The HPB may award grants up to \$25,000. Those grants exceeding \$25,000 will require the HPB to forward a positive recommendation to City Council; these recommendations will be reviewed as part of the City Council consent agenda.
3. Any total grant awards greater than the budgeted amount allocated for the Lower Park Avenue and Main Street RDAs will be approved and adjusted as part of the year-end budget process.
4. Upon completion of the work and final inspections, the grant applicant will submit proof of payment to the Planning Department for disbursement of funds.
5. Following receipt of the grant funds, the grant recipient will sign a Historic Grant Program Agreement, Trust Deed, and Trust Deed Note on the affected property. If the property is sold within five (5) years, grant funds are repaid at a pro-rated amount plus interest.

D. Eligibility

1. Applicant Eligibility
 - a. Houses lived in by primary residents (those houses in which the homeowner or a renter lives full-time) may be awarded up to fifty percent (50%) of their construction costs, while homes which are used as secondary homes or nightly rental (i.e. not lived in by the primary resident) may be awarded up to thirty-five percent (35%). Commercial

property owners will be eligible to receive up to fifty percent (50%) of their construction costs.

2. Eligible Improvements

- a. Improvements shall be completed in compliance with the Secretary of the Interior's Standards for Rehabilitation and include exterior work such as siding, windows, foundation work, masonry repair, structural stabilization, exterior trim, exterior doors, cornice repair, porch repair, retaining walls, as well as historic steps and stairs. The Historic Preservation Board may identify additional eligible improvements (such as Physical Conditions Reports and Preservation Plans, etc.) as necessary; these improvements shall be noted on the Historic District Grant Application.

Historic Preservation Board Visioning

5 November 2014

5pm – 8pm

Council Chambers – Dinner will be provided

Discussion Topics

- I. Welcome new board members (5 min).**
- II. Quick review of the Historic Preservation Board's (HBP) job duties according to City Code. Quick Review of City Council Historic Vision (5 min)**
- III. Ideas for better communication regarding other boards' activity (e.g. Planning Commission issues, City Council issues, Board of Adjustment issues) (15 min)**
- IV. HDDR Updates**
 - a. Old Town Handout for DRT**
 - b. Panelization/Reconstruction Checklist for the Building and Planning Departments**
- V. Mine Site summary and Update on Future Preservation Efforts (10 minutes)**
- VI. Annual Preservation Award (5 minutes)**
 - a. Park City Museum for work around aerial tramway Towers**
 - b. 562 Main Street**
 - c. 101 Prospect Garage**
 - d. Mine Sites**
- VII. Design Guideline Revisions—Update on status and discussion of future timeline (5 minutes)**
- VIII. Additions to the Historic Sites Inventory (HSI)**
 - a. Mine Sites**
 - b. Residential Structures**
- IX. Future HPB Projects**
 - a. Walking tour/analysis of historic landscape features such as fruit trees and shrubs**
 - b. Others?**

Please note that this meeting is an open public meeting and has been properly noticed. Minutes will be taken as required by statute. More importantly, this meeting is a casual opportunity for the board members to provide input regarding their Vision for 2014!