

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
JULY 1, 2009

BOARD MEMBERS IN ATTENDANCE: Puggy Holmgren, Roger Durst, Gary Kimball,
Ken Martz, Adam Opalek

EX OFFICIO: Thomas Eddington, Polly Samuels McLean, Patricia Abdullah

WORK SESSION

Discussion - Design Review Team as proposed in the Historic District Design Guidelines

Planning Director, Thomas Eddington, noted that some of the Board Members had requested the opportunity to discuss the makeup of the Design Review Team and how that would look as they move forward using the new guidelines.

Director Eddington explained that the DRT would consist of the actual project planner, another planner from the Planning Department, Kayla Sintz, the planner/architect, and the applicant and their architect. Per recent discussions with the HPB, they have also looked at including a historic preservation consultant. In this case that would most likely be Dina Blaes. Director Eddington remarked that they would move forward with this approach for three to six months and report back to the HPB during that time frame. He pointed out that typically the Staff does not report their design review applications to the HPB, however, it thought it could be a benefit for the HPB to be updated on the projects being considered.

Director Eddington recalled that Board Member Durst had raised concerns regarding the DRT and he asked if the HPB was comfortable with the suggested process. He understood that the DRT was the subject of many HPB meetings early in the design guideline process. He was not on Staff at the time; however notes indicate that the HPB had requested that direction. The process has been expanded to include the Historic Preservation Consultant to provide guidance and expertise.

Vice-Chair Holmgren felt it was important for the Historic Preservation Board to know what was happening in the Historic District. The Board members are continually being asked about specific projects or things that have occurred and it would be helpful if they were aware of it.

Board Member Opalek agreed that bridging the gap and the chain of communication, even at a heads-up level, would help the Board Members know what to expect. This would give them time to view the property and do their own research to become more acclimated to a project. He felt that regular updates were a crucial communication link.

Director Eddington agreed that better communication would be beneficial to the Planning Department and the HPB.

Board Member Martz reiterated that early in the process he and others raised the issue of Design Review and how that should fit into the process. This was before the DRT concept was created. He sat on the old Historic District Design Commission when

design reviews were done, which made him more aware of the need for some level of oversight. Board Member Martz believed the DRT satisfies the oversight issue because design review takes place through interaction. He commented on a previous idea of having an independent architect review a project, which presented the problem of due process to the applicant. Board Member Martz felt the DRT was the best approach, especially if Dina Blaes is involved.

Board Member Martz asked about the status of the design guidelines.

Director Eddington replied that the guidelines, along with the Land Management Code language that supports the guidelines, are scheduled before the City Council on July 9, 2009.

Board Member Martz favored the DRT process and felt it should be tried for six months to see how it works in conjunction with the new guidelines. Until they start using them, they cannot know if there are glitches in the design guidelines and where. Board Member Martz liked the idea of regularly updating the HPB on what is happening in the Historic District. He remarked that the HPB is often requested to act on appeals without any prior information on what has taken place. Updates would help them understand the history of the project and aid in their decision.

Board Member Martz commented on the importance of notification. He suggested that they also notice for building permits so neighbors are aware of what is happening in their neighborhood. Director Eddington stated that they have found instances where people have done things without a building permit and they are trying to get Enforcement more involved. He encouraged the Board members to contact the Planning Department if they question construction or improvements they see occurring.

Board Member Kimball agreed that communication is the key. Director Eddington stated that the Staff has indicated a desire to keep the HPB better informed and design review updates is a good mechanism for doing that.

Board Member Kimball asked if there was a chance the City Council would adopt the design guidelines on July 9th. Director Eddington replied that the City Council reviewed the guidelines at the City Council meeting on June 25th and the Council seemed very supportive. The work session was opened to the public and no one was opposed. Director Eddington anticipated that everything would go well.

Council member, Liza Simpson, stated that the City Council was very impressed with the hard work that everyone put forth on the guidelines. She noted that Dina Blaes was present at the June work session to answer questions. Everyone had read the guidelines and there were not many questions. Ms. Simpson remarked that everyone is eager to see how the design guidelines will play out once they are implemented. As discussed in the past, the guidelines are meant to be a living, breathing document and not to be shelved for another twenty years. As they move forward and evolve, they will look to the HPB to recommend changes where they see problems.

Vice-Chair Holmgren stated that the HPB is an appeal board and they should not be reviewing plans. She did not favor going back to what the Historic District Commission had done. Director Eddington agreed. The Staff can keep the HPB informed of what is

coming forward, but the details and substance should be handled internally. Any issues would then come to the HPB as an appeal.

Board Member Durst noted that his comments would take some time and he thanked the Board members in advance for their indulgence. In speaking with Director Eddington regarding guidelines, Board Member Durst strongly emphasized that this was only a beginning and that they need to come back frequently to review how well they are doing under these circumstances. Board Member Durst has had previous experience where a tremendous amount of energy has gone into preparing design guidelines as guidance for the City and development of a statement about what the community is. However, once the work is done and the City Council has adopted the records, there is a general feeling that the work is done and they do not need to look at it again or concern themselves with the improvement of design in the community.

Board Member Durst stated that with his first service on the Historic Preservation Board, he felt that he brought a perspective from the design community. He did not presume that his academic credentials made him a better designer than a number of other people who do not have those credentials but are incredibly creative. Park City has enjoyed a number of those people in the community who provided creativity and inspiration without being architects.

Board Member Durst stated that when the design guidelines were initiated, the City chose to retain Dina Blaes and they began by inventorying significant buildings and drafting the new guidelines. He noted that the City also instituted a visioning, which was an interesting eye opening experience for him personally. Board Member Durst was interested in hearing the results of the visioning sessions on July 10th.

Board Member Durst stated that he had attended the City Council work session and presented the fact that the HPB had unanimously approved the design guidelines and endorsed them. In addition, he added his own concerns about the design review team. Board Member Durst stated that he still harbors those concerns and he has discussed them with Director Eddington. As long as this is a dynamic and they continue to review them, he was satisfied that the guidelines should be adopted.

Board Member Durst stated that he also addressed his concerns with the legal Staff and told Assistant City Attorney, Polly Samuels McLean that he would not allow the legal profession to design the City he cares about. He was unsure where Ms. McLean stood on that issue, and he believed there were legitimate things that she needed to protect with regard to the HPB's conduct. Board Member Durst stated that he has seen other communities that were designed by judicial fiat and it does not work. Board Member Durst handed out copies of an article he had read in the Salt Lake Tribune, which he believed shows that you cannot apply objective standards to a subjective idea because it does not work.

Board Member Durst was concerned that the HPB was not represented on the design review team. The DRT would be trying to provide a judgment with regard to a prescriptive remedy for improving design and he did not think that would work. If the DRT approves a design, the HPB never sees or knows how the DRT made their judgment. If the DRT denies it and the owner makes modifications to satisfy the Design Review Team, the HPB still does not see it. However, if the owner files an appeal to protest the DRT decision, the HPB is put in the position of having to judge the work done

by the Design Review Team. Board Member Durst complimented the City for having retained an architect on Staff and he was confident in Kayla Sintz's ability. However, he felt the DRT puts too much pressure on Ms. Sintz and they are putting her in an unfair position. Board Member Durst stated that he has great respect for planners but they are not designers beyond planning design. He believed that distinction needed to be made.

Board Member Durst asked if the Building Official was still part of the DRT. Director Eddington replied that the Building Official is still on the team. He had inadvertently left his name off the list. Board Member Durst expressed his confidence in the Building Department because they do an incredible job. However, the Building Department enforces a different set of standards.

Board Member Durst pointed out that they are talking about guidelines and not requirements or a code. He stressed the importance of having someone from the design profession on the DRT. He finds Dina Blaes remarkable in terms of understanding preservation, but he did not know much about her design sense. He asked if Ms. Blaes would be kept on retainer and available for design review team deliberations. Director Eddington replied that the intent was to hire Dina Blaes on retainer for the DRT.

Board Member Durst reiterated that the deficiency in the DRT is that no one from the HPB sits on the team and he strongly believes that should occur. He had suggested that other people from the design and historic community might contribute as well. He happened to be one chosen from outside of the community and regardless of whether it is he or someone else, he believes that adds additional perspective. Board Member Durst stated that he prefers to judge a piece of architecture on the basis of the space that it creates, rather than the drive-by. They should be concerned about trying to preserve the kind of character and scale that has been created in this community without any design review. Something that is old is not necessarily a contributor to the historic character of the town. Board Member Durst stated that in making evaluations, design, scale, form, proportion, texture and color need to be considered in context.

Board Member Durst presented a graphic he had previously prepared. One showed shop fronts from a community in France. He felt there was delight and compatibility because the community had an understanding of itself and knew what it was doing. Board Member Durst stated that Park City has tried to write prescriptive guidelines to create that same effect, but he did not believe it worked. They need to recognize the merit of someone who does something that is compatible with the kind of vision the town has of itself. He hoped that would come out of the visioning meeting on July 10th.

Board Member Durst presented additional graphics showing three pieces of design that he thought were interesting. One was a building of vintage proportion and vintage character that was a rehabilitation. He did not think anyone would dispute that a similar building would fit well into the context of Park City. Whether or not it meets prescriptive guidelines is irrelevant because the building works.

Board Member Durst presented another graphic showing a building that may exceed the height limitation; but otherwise would probably meet the design criteria. He remarked that meeting the criteria does not make it a contributor to the historic character of Park City. Board Member Durst presented a graphic showing a home that he believed was an elegant piece of design. He noted that the design would not meet any of the prescriptive criteria; however to deny the community such a structure would be an error.

Board Member Durst stated that restrictive criteria drives inventive and imaginative people out of town. He did not favor developing a design community where they meet the prescriptive remedy. Something that fits within the envelope will be repeated over and over again. If that is the criteria by which they create a more viable community, he did not agree with it. Board Member Durst believes they need some type of subjective judgment about these designs.

Board Member Durst noted that former Planning Director, Patrick Putt, had done a photographic survey, which showed a host of units that were done under various LMC generations. He pointed out that once something is continually repeated, they lose all diversity and imagination and the result is tract development.

Board Member Durst stated that as long as he serves on the HPB, he will seek to secure a design review that brings to bear these subjective values.

Board Member Kimball asked if Board Member Durst believes a glass trailer house in Old Town is appropriate. Board Member Durst answered yes and found it interesting that Board Member Kimball's perspective of the structure he had shown was that of a glass trailer house. Board Member Kimball stated that Park City is a large city, but Old Town is a small entry. Board Member Kimball asked if Board Member Durst seriously thought that structure would fit in Old Town.

Board Member Durst replied that as an example, he thinks of the juxtaposition between the restoration that was done on the City Council building in Salt Lake City and the new library. He remarked that they are both excellent pieces of design and they reinforce one another. He felt the modern, contemporary design of the library enhances the historical base of the city.

Board Member Durst did not share Board Member Kimball's perspective that the structure looked like a glass trailer. Board Member Kimball stated that it has the form of a house trailer and it is in glass. He admitted that if the old miners could have had house trailers, they probably would have used them. Board Member Durst reiterated his belief that contemporary works very well with historic and actually emphasizes it. He agreed that a primarily glass structure could not go just anywhere in Old Town, and that is the type of issue that requires subjective judgment.

Board Member Martz stated that in his opinion, the guidelines serve to contain the egos of the design community and the property owners. It also serves to contain a situation that is out of control. Too often an owner or architect is not part of the community and trying to fit in or be a good neighbor is not a priority. The guidelines put controls on people who try to put a 2500 square foot building on a 25-foot lot. Everyone tries to maximize their situation and the guidelines help to keep that in check. Board Member Martz stated that he did not have a huge trust in the design community based on what many of them have done in the past.

Director Eddington remarked that the new guidelines provide an allowance for good design, while maintaining the necessary design parameters. He stated that the new LMC language that addresses compatibility will help solve some of the issues. The amended LMC languages states that if the guidelines are more restrictive, the more restrictive rules. Currently, the LMC is a black and white Code that everyone builds to, and the guidelines are secondary. The new LMC language and new design guidelines

work together to create criteria that addresses compatibility. Director Eddington believed the result would be better design in the future.

Board Member Durst stated that they need to take advantage of this crisis because there will be a certain degree of restraint for anything they do from here forward. He believes unbridled exuberance and measures of maximizing a particular piece of property may not be as dominant as it has been in the past. He thought realtors might stop measuring value by the square footage and instead by the character and caliber of the proposed design. He agreed that there are many expressions of ego rather than good design.

Director Eddington stated that once the City Council adopts the design guidelines, any applications received after that date would be processed under the new guidelines. He noted that the Historic District Design Review applications that are currently under review would continue under the old guidelines.

Director Eddington noted that the results of the Community Visioning would be presented to the City Council on July 9th at 2:30 p.m. during work session, and not July 10th, as previously stated. The Board members were invited to attend.

Assistant City Attorney, Polly Samuels McLean recommended that at least one representative from the HPB attend the City Council meeting on July 9th to convey their support for the guidelines and to answer questions. Board Member Martz stated that he would attend.

The meeting was opened for public comment.

Ruth Meintsma remarked that the discussion this evening was awesome and she completely agreed with Board Member Durst about the possibility of being too restrictive on creative design. She stated that you cannot legislate taste and there is a lot of bad taste in town. She also agreed with the comments regarding the ego situation. Ms. Meintsma felt that the people who build in town for investment purposes do not care what the structure looks like from the outside.

Board Member Opalek remarked that Ms. Meintsma had touched on a good point. As the town has grown in the last ten years, they looked at Old Town in terms of the number of unbuilt lots. As Park City reaped the benefits from people moving in, developers started building whatever they could as fast as they could and maximized the lots. It was all based on price per square foot and number of rooms, without regard to the design or how a structure would look from the outside. Board Member Opalek noted that most of those vacant lots have been built and he did not believe they would run into past problems with the same magnitude. It allows the City to look at things in a different direction and he thought implementing the design review team would help the situation and discourage cookie cutter development.

Ms. Meintsma thought that the first project at 1177 Empire was very generic. She believed the 10-foot setback rule for the third floor could cause problems because all the structures will begin to look the same without much articulation. Ms. Meintsma felt Board Member Durst was correct in his comments that a new and different concept design could compliment historic. She noted that Sandra Morrison has said that you should not build anything that resembles something historic because the new detracts from the old. Ms. Meintsma was excited that everyone is paying close attention. She

intends to keep the minutes from this meeting so when she remodels her home she can try new things that Board Member Durst had suggested.

John Stafsholt was happy that the HPB was taking the time to discuss these issues. If it was easy it would have been done a long time ago. Mr. Stafsholt stated that he attended the meeting with Gene Moser and another gentleman, where they had pictures showing Park City in the 1970's. He noted that most of the people who attended that meeting lived in Park City during that time when the City was completely different. Mr. Stafsholt remarked that the most current guidelines are from the late 1970's and early 1980's and revising them was long overdue. He thanked the HPB for trying to address the major issues. Mr. Stafsholt believed that the HPB should be notified at the least on any applications submitted in the "H" Districts. He supported the idea of having an historic consultant on the design review team. Mr. Stafsholt understood the potential conflict between the HPB being an appeal board and having an HPB representative on the design review team. In the future, he would support giving the HPB additional review functionality that they do not currently have. Mr. Stafsholt understood what Board Member Durst was saying about the community that understands itself and is self-regulating. He agrees with that idea if structures are built by citizens who live in Park City long term and have a long-term belief in the community. However, in the 20 years he has lived in Park City, the majority of building and applications in the historic zones have been for speculation and profit. He believed that 20% or less were built by someone who intended to live there. Mr. Stafsholt did not believe Park City would self-regulate anytime soon, if ever. In his opinion, maximizing development has been the overriding design criteria, which is why he believes they need prescriptive regulations. He understands the other side of the discussion but it does not work in this community.

The meeting adjourned at approximately 6:47 p.m.