

**PARK CITY COUNCIL AND
HISTORIC PRESERVATION BOARD
SPECIAL WORK SESSION
SUMMIT COUNTY, UTAH
JUNE 15, 2010**

Present: Mayor Dana Williams and Council members, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson

Historic Preservation Board Chairman Roger Durst and HPB Members Adam Opalek, David White, Sara Werbelow, and Ken Martz

Tom Bakaly, City Manager; Polly Samuels McLean, Assistant City Attorney; Thomas Eddington, Planning Manager; Kayla Sintz, Planner; and Mark Harrington, City Attorney

Ruth Meisma and Doug Stephens, Preservation Enthusiasts

Historic Preservation Board Member Roger Durst relayed that he is an architect in town and has spent a great deal of time on historic preservation not only here but in California and Salt Lake City. He currently serves on the Board of the Utah Heritage Foundation. He referred to his tenure on the HPB and working on the Design Guidelines which improved the design review process, and the visioning session and workshop which were productive. As Chair, he took a look at the revised Land Management Code and identified those purposes that had been assigned to the HPB along with some of the additional duties. Mr. Durst felt that the HPB is being emasculated and doesn't have tools at its disposal in order to affect any kind of input with regard to design quality. He stated that one of his initial concerns was that the Design Guidelines in his judgment were prescriptive. In the matter of design there needs to be a subjective overview and it is not available. The HPB should have a role in the design review process and he disclosed discussing this with Polly McLean who has made it clear to him that this is an appeals group. However, he believes that unless there is an appeal from a decision made by the design review team, the Board does not have an opportunity to speak on it. If it is appealed to them, then they are called upon to simply make a judgment as to whether or not the decision made by the design review team was a good one. Mr. Durst felt that staff and contractors are looking to enforce those prescriptive regulations. It is important that the HPB have design review authority. He discussed discretionary and administrative design roles and he maintained that we are here to create history. Things like compatibility can not be defined in a formula and dedicated people of good taste are needed; the passion is here and we need to address it. He described the *delight* factor associated with preservation.

Mr. Durst stated that this is his opinion and not the Board's and the Mayor invited input from other members. Ken Martz stated that he agrees with some of comments and referred to serving on the original Historic District Commission. With regard to role, he began to change his mind in terms of oversight because of the design review committee which he viewed as a compromise. Mr. Martz felt this is an adequate process with the new Guidelines but more time needs to be provided to assess how they are working. The HPB may need a *voice but not an authority* on the design review team. He is generally satisfied with the status quo but felt that the Board should be more involved.

Sara Werbelow agreed with Mr. Martz's comments and liked the *voice* reference. She is familiar with Mr. Durst's concept and agrees that there is a missing component or compliance as far as the Design Guidelines are concerned. She is not an architect and is uncertain if she has the skills for those types of decisions. A voice is missing and there may be a way to have the HPB become more involved in the design review process. She felt members would like to have a more proactive role in understanding what is going on with the RDA funds and grants. She spoke about establishing a partnership with the Historical Society and formulating an awards program. Adam Opalek believed that grants should be provided for maintenance not just restoration. The Mayor spoke about creating incentives for to encourage historic structures to come into compliance.

David White stated that his opinion is more in line with Ken and Sara, even though he considers himself passionate about preservation and he is an architect. An important consideration is that we haven't seen how the Design Guidelines and design review task force will work together since many applications still qualify under the old Guidelines. He would like to see how the design review team works. Mr. White commented on serving on the HDC who at the time reviewed every Historic District application. This resulted in a hopeless log jam and he felt the Board needed to back off. The process needs to remain in place to evaluate it and the Planning Department has agreed to provide regular updates of applications which will go a long way to involve members.

Cindy Matsumoto thanked the HPB for producing the new Guidelines which is a great step forward in preserving what is left. She understood that the HDC could be contentious but felt that the City *threw out the baby with the bathwater*. What has happened to the Historic District in the last ten years is criminal but she is willing to be open and wait to see how the new Design Guidelines work. She hopes they will work but will support returning to the contention if it saves more buildings. Discussion ensued on providing a list of applications and the ability for members to review building plans. Kayla Sintz indicated that no building permit has been issued for anything approved under the new Guidelines. David White felt that perhaps members need to be more proactive in looking at new projects and plans. Polly McLean added that the plans are public and comments and concerns should be passed on to the Planning Department.

Mayor Williams relayed a story about a meeting with long time residents and the HDC years ago, which was regrettable. These types of subjective situations prompted the Landmark Study and the new Guidelines and these are incredible tools. He spoke about striking a balance while acknowledging the importance of the Board. Liza Simpson recalls the discussion about the role of the membership during the rewrite of the Guidelines. She felt it important that a knowledgeable body be the first level of an appeal and is pleased that the HPB retained its appeal authority. She is intrigued with forging some sort of third way forward which adds a layer of confidence to the homeowner. Preservation knowledge should be spread throughout the Planning Department so there are more people with answers.

Candace Erickson relayed that she likes the design review concept because the *more eyes, the better*. Discussion ensued on peer review, professional criticism and conflicts. Roger Durst believed people should not be shy about expressing an aesthetic judgment and not doing so is cultural paranoia. Mediocre architecture throughout town is most detrimental. The Mayor asked how to include a subjective review in a defined process. Mr. Durst felt it needs to be tried and he explained that cultural unity can be achieved by making subjective decisions by people with

good taste. Candace Erickson stated that the word *taste* scares her because everyone has different tastes. It is a lawsuit waiting to happen. Although she likes the concept, it doesn't matter what people like but what is allowed by law.

Cindy Matsumoto asked the trend in the roles of historic preservation boards in other communities. Thomas Eddington responded that staff researched this and there is a trend of bringing on staff for design review. His three working experiences were staff-based and he felt the City is on the right track. With the new Guidelines, the Planning staff has gone through a variety of training and he felt positive results will be realized. The review team process was described. Mr. Eddington added that if a HPB member was appointed to the Design Review Team, he would have to recuse himself from hearing an appeal. Ms. Simpson felt that this idea still has merit. A rotating member was suggested. She stated that her preference would be to first assign the non-architect members but if a project is built years later, tracking the member who reviewed the project may be a problem. Polly McLean noted that there may be a situation where two or more members have to recuse themselves because of the rotation schedule and the life of a project. The Mayor invited public input.

Ruth Meisma felt that subjectivity or taste is important on some level but it has to be narrow. Even with the new Guidelines, she didn't feel the City will be able to save character which is subjective. Every historic home needs to be documented so that character is not lost. The HPB is not engaged at all and should know about all projects in the District and there should be a contact list for any interested persons. Documentation controls subjectivity because there is an historic reference. There was discussion about built projects not meeting intended expectations. At this point, Candace Erickson left the meeting.

Discussion ensued on results not comports with plan approvals. Thomas Eddington explained that conditions must be met before a certificate of occupancy is issued. Mayor Williams acknowledged consensus that a HPB member be appointed to serve on the design review task force. Liza Simpson stated that she would like Ms. McLean to return with some ideas on how this can be structured in a way that wouldn't affect the appeals process. The membership could be increased if needed. She described the Historic District Inventory as being cursory and would like to explore a partnership with the HPB and the Historical Society to create detailed preservation references for properties, perhaps using trained volunteers. Doug Stephens explained that restorations in Park City are a little bit different because from 1890 through 1940 there were significant alterations to buildings and it's sometimes difficult to find the appropriate style for a project. Alex Butwinski believed that preservation of character is more important than specificity.

Mayor Williams recommended that the HPB contribute to the General Plan. He liked the Board's idea of an award program. Thomas Eddington updated the group on Dina Blaes' projects and discussion ensued on project compliance. Liza Simpson suggested that the HPB appoint a liaison to the Planning Commission who only attends meetings if there is associated business. Ken Martz expressed that the Board needs more information on a consistent basis.

Dana Williams spoke about the evolution of the Historic District grant program and increased property values, and hoped that funding is awarded appropriately to recipients. Cindy Matsumoto urged focusing on preserving historic buildings, rather than the owner, because it's impossible to know everyone's circumstance. Ms. Simpson agreed that it is about the building and feels that grants create incentives for preservation. The five year deed restriction on grants

was discussed. Sara Werbelow envisioned the award program dovetailing well with the grants program. Ms. Matsumoto discussed the Historical Society's award program and relayed that this year it was difficult to find a worthy project. Ken Martz discussed the grant program 20 years ago when a grant award was meaningful because property values had not climbed yet. He felt perhaps grants could be more discretionary for projects like roofs.

Mayor Williams summarized that there is consensus for a HPB member to serve on the design review team and to strengthen a working relationship with the Historical Society. Roger Durst felt that moving ahead with the awards program is important as well as alternatives for funding. Mr. Williams added that the *delight factor* of preservation should somehow be addressed in the General Plan. Ms. Matsumoto pointed out that the annual Home Tour histories, created by the Historical Society on properties over the years, are a great public resource providing an additional tool for historic references.

Prepared by Janet M. Scott, City Recorder

