

**PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
SEPTEMBER 13, 2012**

Present: Mayor Dana Williams; Council members Andy Beerman; Alex Butwinski; Cindy Matsumoto; and Dick Peek

**Diane Foster, Interim City Manager; Mark Harrington, City Attorney;
Bret Howser, Special Projects Manager**

Absent: Council member Liza Simpson

1. **Council questions/comments.** Andy Beerman thanked Park City Mountain Resort for building a new trail and investing in this type of improvement. He reported that the City Tour was fantastic and a lot was learned from Las Vegas on several issues. Alex Butwinski agreed that it was a great trip and he commented on visiting Zappos. He attended the Planning Commission meeting where there was a lot of input on proposed amendments to the LMC and most people felt that the Kimball Art Center's application should not be treated as a MPD.

Mayor Williams spoke about the City Tour and expressed that he is very proud of the delegation. He commented on Las Vegas' effective water conservation programs. He congratulated the Leadership Class on producing its Spanish brochure on available services in the community. He stated that Chief Wade Carpenter is being honored Friday night at the St. Regis for his involvement in the anti-bullying campaign.

2. **Significant impact matrix.** Bret Howser explained that the proposed matrix would drop in the existing staff report template. Significant impacts will be tied to Council's priorities and community vision filters. As an example, he displayed the new matrix and explained impacts of a project and how it relates to core values and desired outcomes. It is recommended to use this matrix in staff reports when there are significant policy decisions before Council members. Members were supportive.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
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I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 13, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, and Dick Peek. Liza Simpson was absent and excused. Staff present was Diane Foster, Interim City Manager; Tom Daley, Deputy City Attorney; John Boehm, Transportation Planning Technician; and Kent Cashel, Transportation Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Anti-Bullying Campaign - Mayor Williams pointed out that Leaders for Life will be presenting Chief Wade Carpenter a national award for his involvement in the local Anti-Bullying Campaign. Chief Carpenter spoke about thinking about anti-bullying as a leadership philosophy rather than just a program.

III PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

Kimball Art Center Proposed Expansion Project:

Jim Tedford, representing a new group called Preserve Historic Main Street, read a mission statement. *We support the Kimball Art Center and their need for an addition to their current facility. We believe this expansion can and should be accomplished within the existing as of August 2012, the Park City Land Management Code and the Park City Design Guidelines for historic districts and historic sites.* He relayed that at the work session a few weeks ago, the City Council asked the Planning Department to list all the necessary changes that would have to be made in the LMC to allow a MPD in the Heber Avenue subzone. The Planning Commission discussed this last night and he felt that obviously any change to the Code would be strictly for the benefit of the KAC, Sky Lodge, Zooms and/or Poison Creek Mercantile. He stated that it is bad policy to start changing the rules to accommodate one project. The City has spent thousands of dollars and many hours creating a workable LMC and Design Guidelines and it would be too bad to set them aside for one specific project. Mr. Tedford noted that Park City's historic Main Street is an incredible asset and is one of the main reasons thousands of people come to Park City and spend millions of dollars here. We're fortunate to have historic Main Street declared a National Historic District which should not be jeopardized by constructing big ultra-modern buildings. Now that the City is considering changing the rules to accommodate the proposed KAC addition, the group feels it is time for its voice to be heard. He stated that 120 people have signed to oppose the project. They do not want the LMC changed to allow a MPD in the Heber Avenue subzone. Mr.

Tedford stated that the KAC can build a very nice addition and stay within the existing LMC and Design Guidelines for historic sites.

Hope Melville, Old Town resident, indicated that she is a member of KAC which provides great contributions to Park City. She supports the need for an expansion but wonders why there has been no attempt to design a new building that complies with the existing LMC. When the KAC held its international design competition and selected an architect, she understood the 80 foot tower was only conceptual and changes to the design were expected so that it would fit into Old Town before approval. However, she heard two weeks ago that the 80 foot tower is essentially final and the KAC wants the LMC changed to fit the design. She read in *The New Yorker Magazine* that the architect *knocked out* the design in a week and felt that he could provide another brilliant design but instead the KAC is asking that the LMC be changed to fit the first design for an 80 foot tower. This will have a huge impact on Old Town for other projects that follow and will be allowed under the revised LMC. She stated that she personally likes modern design but it doesn't fit at Heber and Main and there may be another location where it would be compatible. KAC described the design as iconic and there are many places to see modern iconic architecture but there aren't many places like historic Old Town, Park City. Changing the LMC to fit the 80 foot tower will be a watershed event which will have long-lasting impacts on the character of Old Town.

Lila Tedford pointed out the silent people out there who have also expressed their opposition to this design aside from the 120 individuals who endorsed the statement that the expansion project is not right for Park City. There are many others who supported the statement but didn't want their names on the list believing that the design would be modified during the process; so far it's been seven months and only windows have been added. Others are silent because they feel certain that the LMC and Design Guidelines will prevent any such structure from occurring on historic Main Street. She attended the Planning Commission meeting last night and finds it very concerning. There is another silent component of businesses and employees who feel that they can't take a public stance for fear of retribution. She felt another group feels why bother it's going to happen anyway. Ms. Tedford stated that she read in the *Park Record* a comment that some opinions are more valuable than others. She acknowledged that she is not a trained artist but she is not going to keep silent on this and urged the Council to consider denying any changes to the LMC to allow this to occur. People who care about Park City and want to preserve this marvelous historic core need to feel free about expressing their opinions.

Sanford Melville, Old Town resident, stated that he tries to imagine what an 80 foot tower would look like in that space. In his view, the design is a sky scraper compared to adjacent existing buildings. He doesn't feel that many people understand the size and he hoped that the height be mocked up with balloons or something to illustrate the height of the building so that it can be properly vetted by the public. It is important for the future of historic Old Town.

The Mayor interjected that balloons were flown for the Sky Lodge project. He explained that the KAC has not submitted an application and if an 80 foot tower were proposed, it would be turned down at the staff level but could be appealed to the Board of Adjustment. The idea of allowing the zone to be looked at doesn't give KAC the height, but only gives them the right to apply. The City Council felt it important to provide an opportunity for community dialog rather than denying it at the Planning Department level and holding an appeal before the Board of Adjustment. A consideration of the zone change was intended to provide more of a public process because there wouldn't be much of one otherwise.

Keith Droste, long time resident and member of PHMS, recognized the need for KAC to expand. This project can and should be created within the existing LMC and Design Guidelines. He encouraged the Council to retain the current Code rather than amend it for any special treatment and the MPD process is unnecessary in this area. The design is created with stacked timbers salvaged from railroad trusses to suggest a nostalgic reference to the Coalition Building but there is no relationship there. Main Street is iconic and we shouldn't destroy it.

Janet Goldstein Fuller stated that she moved to Park City in 1970, predating the KAC and then became a member of the KAC. There wasn't much building going on then, there were few amenities and she spoke about the development of Park City. Today there are codes, guidelines and standards which must be followed. The building plans, location and design of the expansion are in conflict and violate Park City's existing codes, guidelines and standards as of August 2012. In order to be approved, exceptions would have to be made to the LMC and Design Guidelines and none of that should be done without critical need. At the moment, the Planning Department is proposing amendments to building requirements. Some of those amendments might be beneficial to the whole community but it appears that many if not most of the changes are being proposed to specifically accommodate the requirements needed for KAC's project to proceed. She emphasized that this is an important issue and special treatment for development designs sets a terrible precedent even though the proposal is made by a worthy organization. Such special treatment is certain to result in similar requests in the future. Some of those applicants will have even less interest or incentive to maintain the historic integrity of Park City. She stated that the time has come to pull in the reins for development even though the entity making the application for change is well respected, well established and beneficial to the Park City community and its visitors.

Patricia Smith, resident, explained that the Preservation Tax Act was introduced in 1976 and benefitted historic properties and their rehabilitations. In cooperation with the Utah State Historical Society, she worked very hard for two years to document the 13 independently recognized buildings in Park City and the Main Street Historic District which was awarded national attention and became protected because it maintained its sense of place. At that time, 80% of Main Street was condemned and the little garage building which became the KAC, was uniquely recognized for its industrial construction

typical of the 1930s with its bowstring roof. She stated that any change to a historic building should complement the original structure and she does not feel that the mass, instability of the design, or the materials help Park City's sense of place.

Chris Roon, resident, relayed that he appreciates the Council wanting to open up the issue to public debate and for the KAC for what it contributes and letting their designers aspire. However, the design is wholly disruptive to what we have that can't be replaced. Sundance outgrew its footprint and moved to Park City and perhaps in order for KAC to realize its full potential, it will have to move out of that location. Downtown is special and rather than consume a lot more time, *let it die at the door*.

Hermila McGill, long term resident, spoke about working the first Arts Festival in Park City and as an artist, would like to see KAC's programs expand but does not want Main Street to begin looking like Manhattan. Buildings should not block the view of Treasure Mountain. She asked people in the audience to raise their hands if they are part of the PHMS group and there were many supporters in attendance.

Mia Marden, resident and artist, spoke about exhibiting at the KAC and the benefits it brings to the community. She also worked for architectural firms in Salt Lake City, San Francisco and Washington D.C. The measure of good architecture is how well it fits the site and its purpose and this plan fails on both standards.

Mayor Williams explained that the City Council is an appeal board and members must be careful about commenting on the project. The only decision that has been made by the Council is having the Planning Commission look at this which was continued last night. He complimented the group on organizing and on its civility. There will be many more opportunities for input.

IV MINUTES OF MEETINGS OF AUGUST 9, AND AUGUST 30, 2012

Alex Butwinski noted that he submitted minor corrections to the City Recorder for the August 30th minutes and will be abstaining from the August 9th minutes since he was not in attendance. Andy Beerman, "I move we approve the meeting minutes from August 9 and August 30, as corrected". Cindy Matsumoto seconded. Motion carried.

	<u>08/09</u>	<u>08/30</u>
Andy Beerman	Aye	Aye
Alex Butwinski	Abstention	Aye
Cindy Matsumoto	Aye	Aye
Dick Peek	Aye	Aye
Liza Simpson	Absent	Absent

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not*

imply a predisposition for approval and may be removed by motion and discussed and acted upon under “Additional Discussion – Agenda Items”)

1. Consideration of a Contract with CRSA for Architectural Consulting Services in the amount of \$72,200, in a form approved by the City Attorney - and

2. Consideration of award of contract to Stanley Consultants in the amount of \$375,127 for the Deer Valley Drive design, in a form approved by the City Attorney – Andy Beerman, “I move to approve Consent Agenda Items Nos. 1 and 2”. Alex Butwinski seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Absent

I RESIGNATIONS AND APPOINTMENTS

Reappointment of Rich Miller to the Board of Adjustment for a term expiring June 2017 and the appointment of Jennifer Franklin as an Alternate for a term expiring June 2014 – Dick Peek, “I so move”. Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Absent

VII NEW BUSINESS

Consideration of an Ordinance approving the 200 Ridge Avenue Subdivision, Park City, Utah – The Mayor opened the public hearing; there was no input. The Mayor requested a motion to continue to September 27th. Cindy Matsumoto, “I so move”. Alex Butwinski seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Absent

VIII OLD BUSINESS

Consideration of an Ordinance amending Title 9, Parking Code, Section 9-2-1, Parking Prohibited in Certain Places, Section 9-2-7, Parallel Parking, and Section 9-5-3, Types of Permits, of the Municipal Code of Park City, Utah – John Boehm, Transportation Planning Technician, referred to his staff report where several sections are recommended to be amended to comport with state statutes. Staff is requesting that Council approve the amendments to Title 9 including an amendment to Chapter 5, residential permits, to better accommodate residential parking needs within a commercial district.

Andy Beerman understood that six parking spaces will disappear due to the changes based on a formula and not an actual measurement of the street. Mr. Boehm confirmed that a simple formula was used and it appears that one spot will be lost to the extension of the fire hydrant zone and four spaces to the crosswalk at 328 Main Street for a total of five spaces.

Cindy Matsumoto asked if approval will accommodate the issue on Park Avenue. Kent Cashel stated that the amendments deal specifically with the problem on Park Avenue between 9th Street and Heber Avenue. He felt this is a creative solution to a request that was continually raised consuming staff and Council time and he recommended that Council approve the amendments. In response to a question from Cindy Matsumoto about residential parking permits, Kent Cashel explained that the permit system would only apply in areas which are controlled by time zones and the rest of Old Town would remain unchanged.

The Mayor opened the public hearing; there were no comments and the public hearing was closed. Cindy Matsumoto, "I move that we adopt the Ordinance amending Title 9, Parking Code, Section 9-2-1, Parking Prohibited in Certain Places, Section 9-2-7, Parallel Parking, and Section 9-5-3, Types of Permits, of the Municipal Code of Park City, Utah". Dick Peek seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Absent

IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, and Dick Peek. Liza Simpson was absent and excused. Staff present was Diane Foster, Interim

City Manager; Tom Daley, Deputy City Attorney; Joan Card, Environmental Regulatory Manager; Jim Blankenau, Environment Regulatory Program Manager; Phyllis Robinson, Public Affairs Manager; Pace Erickson, Operations Manager; Troy Daley, Streets Manager; Jonathan Weidenhamer, Economic Development Manager; and Bret Howser, Special Projects Manager. Dick Peek, "I move to close the meeting to discuss personnel, property and litigation". Cindy Matsumoto seconded. Motion carried. The meeting opened at approximately 5:20 p.m. Alex Butwinski, "I move to open the meeting". Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Absent

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder

