PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
AUGUST 25, 2011

Present: **Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harington, City Attorney; Matt Cassel, City Engineer; Michael Kovacs, Assistant City Manager; Katie Cattan, Planner

Tina Quayle, Martine Parizot and Lisa Cerezal, Sister-City Program; and Matt Ripken, InterPlan Consultant

1. City Council questions/comments. Alex Butwinski reported on the Planning Commission meeting where there was considerable public input on the Temporary Zoning Ordinance. He complimented Planner Francisco Astorga for writing a very comprehensive staff report on the TZO. Cindy Matsumoto stated that the Chamber Board meeting was held at the Canyons. Marketing efforts will focus on New York and Los Angeles. Joe Kernan encouraged staff to attend the next interagency meeting where significant changes to the recycling program will be discussed that may impact Park City residents. Liza Simpson relayed that the Friends of the Farm are gearing up for the Scarecrow Festival. She thanked everyone involved in making the Armstrong Trail a reality. Dick Peek stated that he attended the Historical Society's award presentation where the renovation of the Marsac Building was recognized. High West Distillery won the Historic Preservation Board's annual award and a painting of the building was commissioned and has been completed to be displayed in the Marsac Building.

Mayor Williams thanked Park Record reporter Jay Hamberger with helping correct a Salt Lake Tribune story about Treasure. He requested that water impact fees be reviewed as he has received complaints, specifically from Wahso and Deer Valley that they are out of line. The City Manager indicated that staff is aware of the Wahso situation and will report back on both.

2. Courchevel student exchange presentation. Mayor Williams acknowledged individual efforts in keeping this program alive including volunteers and host families and the community is very appreciative. He presented certificates to exchange students and Tina Quayle introduced Martine Parizot, President of the Courchevel Sister-City Exchange. Ms. Quayle explained that she is the current Park City President and was part of the 1984 exchange. Expanding the program beyond student exchanges is a goal of both organizations.

Martine Parizot stated that they are honored to be here and to be a Sister-City to Park City since 1984. Since 2000, over 100 students and chaperons have participated in the program and the new and energized board is looking forward to growing the relationship to the next level.

Lisa Cerezal, Courchevel student, expressed that these exchanges are a good idea because of new friendships. She had never been to the USA before. It is beautiful and she felt very fortunate to be here.

Ms. Parizot distributed mementos from Courchevel to Council members.

3. Traffic and Transportation Master Plan. City Engineer Matt Cassel explained that it is staff's intent to introduce Council to several chapters of the draft at a time. Housing unit and employment numbers will be confirmed. The Mayor questioned the assumption that the population will increase by 30% by 2020 because it is inconsistent with trends in the census. Liza Simpson also expressed that it seems unlikely that Park City will reach the level of density projected. Summit County's and UDOT's proposed expansion of SR224 was discussed. Matt Cassel noted that UDOT does not have funding for this project which is scheduled for 2040. Undeveloped lots and potential build-out will be considered. There were few questions and members were pleased with the progress of the project.

4. Co-housing Discussion. Michael Kovacs stated that a local co-housing group, *Green Park*, is interested in partnering with the City on City-owned property, specifically lower Park Avenue. Co-housing is basically cooperative housing that uses clustered development in order to generate common spaces. Owners design their own neighborhood as a group and lay-outs typically face inward. Common facilities, green space, and/or accommodations for visitors are usually provided and facilities are typically more environmentally responsible. Co-housing assumes a non-hierarchal structure for decision-making and tasks are shared by residents. With the right partnerships, it often provides more attainable unit costs for home buyers.

Mayor Williams asked if the City is required to issue a RFP for the Park Avenue location. Mr. Kovacs explained that the property is part of the RDA which provides more flexibility with regard to regulations but since there are City officials and employees in the local group, a RFP process is strongly suggested to avoid any potential perception of conflict. The Mayor asked if the RFP will be written for individuals or groups and Mark Harrington explained that criteria depends on what type of project is preferred by Council but presumably it would be co-housing groups. Michael Kovacs stated that there are advantages of looking at co-housing and this proposal could be a model or pilot project. The location is in a walkable section of the City and would boost housing choices within the City limits. He added that there is a multi-generational component to co-housing which ties into senior housing goals. The lower Park Avenue location provides an opportunity to evaluate redevelopment and the creative use of density. Mr. Kovacs pointed out that some designs he has seen are lower in density than allowed on the properties. Car sharing was briefly discussed.

Michael Kovacs requested direction from members. If this is a priority, he will delay other projects mentioned in his staff report. Tom Bakaly further explained that these are projects Mr. Kovacs has already been assigned to and if this is a new service or project, the identified projects outlined in the staff report would be delayed to facilitate co-housing. In response to a question from Alex Butwinski, Mr. Kovacs stated that the next step would be to work with the Planning Department on this location and other potential properties and begin drafting the RFP. Mr. Butwinski asked if resources would be minimized if there is Council consensus on the Park Avenue location.

Mr. Bakaly responded that it would be good to get input from Council on preference for individuals or a group, Park Avenue or other locations so that the RFP can be drafted reflecting Council's direction. Dick Peek expressed that creating a core neighborhood there is a great idea if the historic homes are part of the plan. Michael Kovacs explained that treatment of the historic homes will be part of the RFP criteria. Liza Simpson asked if there is documentation of the condition of the historic properties and Mr. Kovacs indicated that there are full assessments on both structures. Tom Bakaly interjected that the RFP should reflect if members want *more* than what is required in the Code or go with what is allowed and staff can help with distinctions. This is a policy question that staff needs clarity on with regard to this project.

Planner Katie Cattan explained that Sandra Hatch had done an assessment of old buildings so there are architectural details available on both of the homes. She suggested to the group to sign up for a pre-application meeting to discuss with the Planning Department staff what can be done on the site. This is part of the HDDR process and applicants do not have to be the property owners. Full plans documenting the structures are available. Liza Simpson stated that she is supportive of this idea but would like to know how this proposal fits within the lower Park Avenue RDA plan and she is not comfortable deciding if there should be more than what is required until she has reviewed the assessment and visited the site. Cindy Matsumoto believed that at the very least if the houses are torn down they need to be reconstructed in their original form and location but Joe Kernan pointed out that the current homes' locations may not work in a co-housing site plan.

Mayor Williams summarized that all members are supportive of the Park Avenue properties and didn't feel a lot of time should be spent on looking at other City-owned parcels. Members are very interested in reviewing the condition of the structures. Ms. Simpson requested clarify on whether the homes can be moved because there is confusion on this point. Mayor Williams stated that he is reluctant to assign Mr. Kovacs another task and would like to know how this project will affect his workload. Michael Kovacs indicated that additional historic preservation work tends to be time-consuming but if the RFP can proceed, it turns into a private project and is processed accordingly. Tom Bakaly commented that within the context of the RFP, staff will need to know how members want the historic homes treated and a site visit may be helpful in determining this. An assessment will be distributed to members in advance of a field trip which will be scheduled sometime next month.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 25, 2011

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at a special time of 5 p.m. at the Marsac Municipal Building on Thursday, August 25, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Tommy Youngblood, Special Events Coordinator; Phyllis Robinson, Public Affairs Manager; Francisco Astorga, Planner; and Thomas Eddington, Planning Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

1. Shoe Tree - Janet Kaul stated that she emailed Council about cleaning up the Shoe Tree which has actually expanded to four trees. She felt that this quaint tradition has turned into a trash heap and gives a bad impression of our town. It has reached the level of vandalism and is detrimental to the trees. She asked members to consider cleaning the trees up so that they look pretty and are healthy again. The Mayor mentioned that the trees are pruned a couple of times a year but staff can take a look at them again. Liza Simpson added that The Marriott actually receives requests for rooms facing the Shoe Tree.

2. BoardDocs Conference - Michael Hanahan, BoardDocs, extended a personal invitation to attend an eGovernance Conference on September 15 and 16 at Stein Eriksen's Lodge.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 4, 2011 AND AUGUST 11, 2011

Joe Kernan, "I move we approve the notes and minutes of August 4 and August 11". Cindy Matsumoto seconded. Motion unanimously carried.

V RESIGNATIONS AND APPOINTMENTS

Consideration of three appointments to the Police Complaint Review Board for terms expiring June 30, 2014 – The Mayor recommended the appointment of Tore Steen, Tom DeLeone and Michael Kaeske. Liza Simpson, "I move we appoint the three mentioned applicants to the Police Complaint Review Board". Joe Kernan seconded. Motion unanimously carried.

VI 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 authorization to staff to execute a change order to the Comstock/Sidewinder Walkability Project Construction Agreement in a form approved by the City Attorney with Miller Paving for $154,778 – Liza Simpson, "I move we approve Consent Agenda No. 1". Alex Butwinski seconded. Motion unanimously carried.

2. Consideration of authorization to staff to enter into a Professional Services Agreement, in a form approved by the City Attorney, with Curb It Recycling in an annual amount not to exceed $20,000 annually – Joe Kernan disclosed that he will be abstaining from voting because he is an owner of a recycling business. Cindy Matsumoto, "I move we approve Consent Agenda Item No. 2". Alex Butwinski seconded. Motion carried.

Alex Butwinski	Aye
Joe Kernan	Abstention
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Aye

VII NEW BUSINESS ***(New items with presentations and/or anticipated detailed discussions)***

1. Consideration of an Ordinance amending the Land Management Code adding Historic Preservation Board review and approval for historic reconstruction and disassembly processes in Park City, Utah – Dick Peek, "I move to continue to September 15th". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of a Master Festival License for the Valley Mental Health Recovery Days to be held September 9, 2011 from 5 p.m. to 9 p.m. at the South City Park Gazebo and Picnic Area – Tommy Youngblood described the application. The Mayor opened the public hearing; there was no input. Liza Simpson, "I move we approve the Master Festival License for the Valley Mental Health Recovery Days to be held September 9th". Cindy Matsumoto seconded. Motion unanimously carried.

3. Consideration of Amended and Restated Park City Heights Co-tenancy Agreement, in a form approved by the City Attorney – Phyllis Robinson explained that the City acquired a co-tenancy interest in the project from The Boyer Company in November 2009. The City and Boyer are equal co-tenants in an undivided interest of 200 acres. The annexation was approved in May 2010 and the MPD in June 2011. The MPD consists of 160 market units and 79 affordable units.

She relayed that there are five goals associated with this partnership including (1) to reduce the overall density of the project; (2) to address the City's affordable housing needs; (3) to provide input on the design of the project located on our entry corridor; (4) to recover the public's investment; and (5) to transfer 28 IHC affordable housing units into the subdivision. The co-tenancy agreement clarifies roles and the City's role at this point is infrastructure development and off-site improvements like the water tank after a certain density is reached. This is also true for the IHC units. The project will be going to the Planning Commission in September and it is hoped to begin construction in Spring 2012 for Phase 1 which includes 75 market units, 35 City affordable units, and 28 units for IHC. Ms. Robinson noted that Phase 2 will be tied to market development for the remaining 85 units. The Boyer Company is the applicant for the annexation and the MPD and the City has agreed that both parties will jointly plan the site and the infrastructure and also participate in the creation of the budget and the authorization of all expenditures. The Boyer Company is responsible for the bidding of consulting contracts and contractor services and will act in the capacity of Project Manager, although both parties will formulate marketing strategies, a marketing budget, and target sales prices. Project financing will cover operating expenses which are split by both parties and the site infrastructure may be funded through Municipal Building Authority bonds for Phase 1. MBA bonds or private financing would be used for Phase 2. With regard to return on investment, the City took its initial share when it removed 40 market units from the project and The Boyer Company therefore can retain additional earnings from the project up to a $4 million cap equated to $100,000 for each removed lot and any remaining proceeds will be split by both parties. Any additional money accruing to the City would be allocated to the capital improvements program.

Ms. Matsumoto understood Phase 1 wouldn't break ground until the market warranted it and Patrick Moffat of The Boyer Company explained that 28 IHC affordable housing units are included in Phase 1, as well as the City's affordable housing units and market units. Ms. Matsumoto asked if there is market demand for affordable housing and Ms. Robinson explained that the current market study for the project shows an existing shortfall for single family detached product as well as other ownership projects. The market will be monitored before the City moves into construction.

The Mayor invited public input; there was none. He acknowledged that this is the first public/private partnership the City has been involved in and he thanked The Boyer Company for its willingness to work with the City. Alex Butwinski, "<u>I move we approve the amended and restated Park City Heights co-tenancy agreement, in a form approved by the City Attorney</u>". Liza Simpson seconded. <u>Motion unanimously carried</u>.

VIII OLD BUSINESS

<u>Consideration of Ordinance No. 11-19 enacting a temporary land use regulation pursuant to UCA §10-9A-504 and §15-1-7F of the Park City Land Management Code which prohibits approval of plat amendment applications filed after June 15, 2011 in the</u>

HR-1, HR-2, and HRL Zoning Districts for a period not to exceed six months until the City Council considers limits on the maximum building footprint allowed as a result of lot combinations in such zoning districts – The Mayor complimented Francisco Astorga on his staff report. Mr. Astorga stated that the Planning Commission made a motion to recommend to the City Council to end the TZO without adopting further limitations on maximum footprint solely for plat amendments. The Commission provided direction to staff not to spend any more time with regard to research and analysis for the TZO and felt the General Plan rewrite would answer those questions. Thomas Eddington added that there was discussion with regard to potential approaches to the alternative but ultimately decided to wait and see how the 2009 Historic District Guidelines and Land Management Code revisions played out which will take more than a few months.

Mr. Astorga indicated that staff has been receiving many questions about the pending ordinance reviewed by the Planning Commission on July 13, 2011 and also discussed on July 21, 2011. The Mayor stated that he will never be sorry for responding to people concerned about the sizes of historic buildings in Old Town and pointed out inconsistencies throughout the Historic District. The work on historic neighborhoods in the General Plan will be helpful. The Mayor opened the public hearing

Ruth Meisma, resident, stated that she did not say anything at the Planning Commission meeting last night because her view was not popular. She had all the confidence in the world that the City was taking care of business as it should and the public over-reacted. She emphasized that she did not see a problem with the TZO.

Kate Riggs, Park City Board of Realtors, felt that the 2009 Guidelines need an opportunity to demonstrate themselves. There was harm done by the uncertainty of the threat of change early on in the process and the Planning Commission received significant public input on this issue. She strongly urged that members support the recommendation from the Planning Commission as it has been advanced to Council.

With no further input, the public hearing was closed. Liza Simpson thanked everyone who sent members thoughtful and measured input on this issue. However, some of the communications were inflammatory and raised the fear factor for a number of Old Town residents and she has spent the last three weeks talking with residents and developers. There were some who chose to misrepresent the TZO and continue to communicate to residents that Council was considering limiting the number of stories, etc. Alex Butwinski indicated that he attended the Planning Commission meeting where the discourse was very civil for the most part. The Planning Commission based its decision on the fact that a review will continue under the General Plan rewrite. He also encouraged the public to attend meetings as participation is integral and considered when decisions are made. Mr. Butwinski stated that the Planning Commission was clear that this is not totally dead. Cindy Matsumoto commented on the staff report which made issues clearer to her and she referred to a graph illustrating the increase in floor area in Old Town which was the reason for public outcry, although it may not be from the same people in the room today. She would like to continue to study scale and mass in the Historic District in the context of the General Plan and hoped recent dissenters will be part of the public process.

Alex Butwinski, "I move we rescind the Temporary Zoning Ordinance". Dick Peek seconded. Motion unanimously carried.

IX ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

X ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a joint work session with the Planning Commission on redevelopment convened at 6 p.m.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Diane Foster, Sustainability Manager; and Mark Harrington, City Attorney. Dick Peek, "I move to close the meeting to discuss litigation and property". Cindy Matsumoto seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Liza Simpson, "I move to open the meeting". Dick Peek seconded. Motion unanimously carried.

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

Janet M. Scott, City Recorder