PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 15, 2010

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

Michael Kovacs, Assistant City Manager, Mark Harrington, City Attorney; Phyllis Robinson, Public Affairs Manager

Justin Kable, UDOT

1. Council questions/comments. Candace Erickson discussed Recreation Advisory Board business including improvements to the north end of City Park and the status of Mountainlands Community Housing Trust's projects. Cindy Matsumoto commented on the Library Board meeting and Alex Butwinski reported on the Public Art Advisory Board meeting and the late Planning Commission meeting. Liza Simpson thanked staff for its extensive clean-up efforts for the 4th of July and the Historic Preservation Board's expanded interest in preserving outbuildings. She congratulated the Library on its Community Reads Program. Michael Kovacs shared favorable sales tax numbers reflecting a strong winter quarter. Dana Williams discussed meeting with Utah State University representatives on renewable energy projects over the years and the prospect of Park City being chosen as a test site for an electric bus system capable of being charged in the street. Summit County Home Builders Association requested including one of the Snow Creek houses on the Home Tour. He thanked the public for participating in the Treasure open houses. In order to appropriately separate roles, he explained that the Planning Commission and planning staff are not involved in these sessions so that their reviews of the project are not compromised. Ms. Simpson added that an abbreviated version of the introduction given at the open houses was presented to the Planning Commission.

2. UDOT update – SR224. Phyllis Robinson introduced Justin Kable from UDOT. Mr. Kable, through a PowerPoint presentation, pointed out the project limits from Kearns Boulevard to Bear Hollow. Improvements include an asphalt overlay, new pedestrian ramps at select intersections and driveways, new striping, and possibly new traffic loops. He discussed scheduling work which will be primarily performed at night from 7 p.m. to 6 a.m. to minimize inconveniences. No construction is planned from July 22 to July 25 for the holiday and the anticipated completion date is August 4. He added that Fehr & Peers has been contracted to coordinate with Park City and Summit County staff and to reach out to affected businesses and property owners. Message signs on I-80 provide information on hours of work. Mr. Kernan extended his appreciation of working during the night which is a huge benefit and Alex Butwinski felt the message boards are very helpful. Liza Simpson encouraged Mr. Kable to work with the Special Events staff to coordinate work with summer concert schedules.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 15, 2010

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, July 15, 2010. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Michael Kovacs, Assistant City Manager; Mark Harrington, City Attorney; Francisco Astorga, Planner; Thomas Eddington, Planning Manager; Katie Cattan, Planner; and Matt Twombly, Project Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that Rail-Central is among his recycling customers.

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

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 24, 2010

Alex Butwinski, "I move approval of the work session notes and minutes of June 24th". Liza Simpson seconded. Motion unanimously carried.

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")*

Ms. Simpson and Mr. Butwinski indicated their interest in removing Items 3 and 4 from the Consent Agenda. Joe Kernan, "I move we approve Items 1 and 2 of the Consent Agenda". Liza Simpson seconded. Motion unanimously carried.

1. Consideration of four appointments to the Public Art Advisory Board for terms expiring June 30, 2012: Greta Church, Bob Peek, Kai Bolger and Bob Kollar – Staff recommends approval.

2. Consideration of award of professional service provider contract for the Recreation Center Remodel project for Testing and Special Inspection, in a form approved by the City Attorney, to Consolidated Engineering Laboratories in an amount not to exceed $40,000 – Staff recommends approval.

3. Consideration of a lease of City property/right-of-way for Zona Rosa, located at 501 Main Street for street dining – See New Business.

4. Consideration of a lease of City property/right-of-way for the Red Banjo, located at 322 Main Street for street dining – See New Business.

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

3. Consideration of a lease of City property/right-of-way for Zona Rosa, located at 501 Main Street for street dining – This item was moved from the Consent Agenda. Francisco Astorga explained that the maximum encroachment into the street from the curb is 7 feet 9 inches and the sidewalk encroachment is 6 feet 3 inches, maintaining the 3 feet 8 inches of sidewalk, the minimum clearance recommended by staff. Due to the temporary nature of the request, a full Historic District Design Review is not required. He indicated that Council can amend the application to expand the clearance on the sidewalk. Joe Kernan raised concerns about the shape of the deck and Mr. Astorga explained that sight requirements at the intersection limit the project area. Thomas Eddington explained that he and the City Engineer determined an appropriate width based on the "*sight triangle*". Liza Simpson referred to the design standards for size, "*The encroachment of the proposed decks in the sidewalk shall not exceed one foot three inches".* Mr. Eddington relayed that the *standards* are really guidelines because every circumstance can not be anticipated. The Zona Rosa application warrants a unique situation as it sits on a corner with little frontage to install a viable deck.

Liza Simpson noted that corner lots may realize other benefits and the Zone Rosa already has an upstairs outdoor dining deck. She expressed her reluctance to give up sidewalk clearance. Alex Butwinski believed that Main Street sidewalks are already under-engineered for the level of use and allowing more than the 1 foot 3 inches is unacceptable. Joe Kernan expressed his appreciation of staff's support but there may be business locations where temporary decks do not work.

Mr. Eddington advised the different widths of sidewalk along Main Street. If Council feels comfortable with a lease agreement, he suggested staff working with the applicant through an administrative conditional use permit process to reduce the encroachment on the sidewalk. Ms. Erickson agreed with Ms. Simpson's position about giving up sidewalk space and with Mr. Butwinski about the high volume of pedestrians on Main Street sidewalks. People end up walking in the street because the sidewalks are packed. Cindy Matsumoto felt it helpful to know the width of Ciseros' sidewalk and if it is the same as Zona Rosa's, this application would be hard to deny. Ms. Erickson pointed out that the City didn't provide Ciseros with sidewalk space and Mr. Astorga noted the City providing only 1 foot 3 inches of sidewalk. She stated that she is hesitant to give up four to five feet of sidewalk. Joe Kernan believed that a minimum of six feet needs to remain for sidewalk width.

Mr. Eddington explained that 3 feet 8 inches is the Building Code minimum but felt five to six feet of sidewalk is a reasonable standard. The sight triangle really inhibits this establishment's ability to develop, and applying the 1 foot 3 inch guideline doesn't provide adequate room between tables required by the Building Code. This prompted the recommendation of encroaching into the sidewalk which was approved by the City Engineer. He suggested supporting applications that maintain five and a half to six feet of sidewalk through an administrative conditional use permit process. Liza Simpson calculated that the width of the sidewalk in front of Zona Rosa is eleven feet eleven inches. Alex Butwinski pointed out a conflict with the design and a parking meter and is reluctant to exceed the 1 foot 3 inch guideline. He encouraged making staff reports clearer in the future with regard to non-compliance with a standard. He didn't feel the proposed wire railing is appropriate for a historic building. Francisco Astorga explained that a more contemporary look compliments historic structures and the deck is temporary. Mr. Butwinski did not agree and is not in favor of anything over 1 foot 3 inches.

Ms. Erickson stated that she is willing to compromise somewhat now understanding that the sidewalk is eleven feet. She agreed that the parking meter is a problem and it is not prudent for the City to arbitrarily give up sidewalk. Tom Eddington suggested a design solution and Ms. Simpson estimated that it would leave over seven feet of sidewalk. Discussion ensued on ADA access and members agreed that the modification is acceptable. Mark Harrington clarified that the motion should be to approve with a modification to Exhibit A to push back the deck flush to the meter on the west. Liza Simpson, "I move that we approve the lease of City property/right-of-way to Zona Rosa, 510 Main Street, with the modifications to Exhibit A, pushing the edge of the deck flush with the parking meter". Joe Kernan seconded. Motion unanimously carried.

4. Consideration of a lease of City property/right-of-way for the Red Banjo, located at 322 Main Street for street dining – This item was moved from the Consent Agenda. Alex Butwinski expressed that this request has some of the same problems as Zona Rosa. Applications should better meet the guidelines by keeping the leased area to a 7 foot 9 inch width, the size of a parking space. Unmitigated items could be clearer in the staff report. He clarified his position that the deck should not extend further than the posts. Mr. Eddington understood Mr. Butwinski's suggestion of no more than 7 feet 9 inches from curb to final extension into the right-of-way. Mr. Butwinski pointed out that the original intended size was the width of a parking space and he urged not deviating from the concept. Francisco Astorga agreed with limiting the deck to the inside of the posts which is recommended in the staff report. Tom Eddington understood the maximums to be 1 foot 3 inches and 7 feet 9 inches. Liza Simpson, "I move we approve a lease of City property/right-of-way for the Red Banjo, located at 322 Main Street for street dining as recommended by staff". Joe Kernan seconded. Motion unanimously carried.

1. Consideration of the 6808 Silver Lake Drive plat amendment – The Mayor opened the public hearing; there was no input. Joe Kernan, "I move we continue Item 1 under New Business to July 29th". Candace Erickson seconded. Motion unanimously carried.

2. Consideration of an Ordinance approving the 321 McHenry Avenue Plat Amendment, located within Block 59 of the Park City Survey, Park City, Summit County, Utah – Katie Cattan explained that the request is to combine lots to create one lot of record of 4,610 square feet. The Planning Commission approved this plat amendment on June 23, 2010 and staff recommends approval. Mr. Butwinski asked if the plat amendment will increase allowable house size. Ms. Cattan explained that building over lots lines is not allowed so by combining lots, a house can be built. The lot combination results in one standard lot and the other lots are substandard. Discussion ensued on the history of the property and a property trade between the property owner and the City resulting in a guaranteed house size of 2,095 square feet. The Mayor opened the public hearing; there were no comments and the public hearing was closed. Alex Butwinski, "I move that we approve the 321 McHenry Avenue plat amendment according to the findings of fact, conclusions of law, and conditions of approval outlined in the Ordinance". Cindy Matsumoto seconded. Motion unanimously carried.

3. Consideration of an Ordinance approving the 1144 Woodside Avenue Plat located within Lot 20 and 21 in Block 5 of Snyder's Addition to the Park City Survey, Park City, Summit County, Utah – Planner Katie Cattan explained that the application combines two lots of record, both 25 feet x 75 feet creating one lot of record of 50 feet x 75 feet. The Planning Commission forwarded a unanimous positive recommendation on June 23, 2010. The Mayor opened the public hearing and hearing no comments from the audience, closed the hearing. Liza Simpson, "I move we approve an Ordinance approving the 1144 Woodside Avenue Plat located within Lot 20 and 21 in Block 5 of Snyder's Addition to the Park City Survey according to the conditions of approval, findings of fact and conclusions of law outlined". Candace Erickson seconded. Motion carried unanimously.

4. Consideration of the Rail Central Pedestrian Connection Bridge Design – Matt Twombly explained that the City has been working with Mark Fisher, property owner, on an encroachment agreement which deals with the bridge and the timing of the construction. WALC considered this area for a pedestrian bridge but it was decided that two bridges are needed. Elliott Work Group is proposing an 8 foot wide bridge and details are presented in the staff report.

Staff recommends approving the pedestrian connection design in accordance with the second amendment to the encroachment permit and also to authorize staff to design a second bridge in another location in the area. Mr. Twombly explained that the state prefers to review both bridges concurrently during the stream alteration permit process. It also gives the City and the developer an opportunity to work together on engineering. Liza Simpson, "I move that we approve the pedestrian connection bridge between the

Rail-Trail Central Building and the Iron Horse mixed use building". Alex Butwinski seconded. Motion unanimously carried.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII 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 4:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Michael Kovacs, Assistant City Manager; Tom Daley, Deputy City Attorney; Diane Foster, Environmental Manager; and Mark Harrington, City Attorney. Joe Kernan, "I move to close the meeting to discuss property and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 5:30 p.m. Joe Kernan, "I move to open the meeting". Liza Simpson 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