PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 25, 2009

Present: **Mayor Dana Williams; Council members Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Thomas Eddington, Planning Manager; and Matt Cassel, City Engineer

Dina Blaes, Preservation Consultant; Scott Adams, Park City Fire District; Dr. Winn and Dr. Pidwell, Park City Family Clinic

1. Council questions/comments. Liza Simpson commented on the landscaping at the Museum. Candace Erickson thanked staff for repairing the giant pothole on the corner of Holiday Ranch and Little Kate. She commented on the effectiveness of adopting the Sunshine Resolution for Savor the Summit on Main Street on Friday but the pig roast at the Farm was challenged with rain on Saturday. Recycle Utah is hanging in there and if the price for commodities rise, it will be doing well. Roger Harlan noted the beautiful flower baskets in the downtown core and reported on a meeting with the County on expanded transit. Jim Hier discussed the Chamber Board of Director's meeting where the annual budget was adopted and new officers introduced. The Park City Heights annexation meeting yesterday was productive.

2. LMC amendments and Historic District Guidelines. Preservation consultant Dina Blaes referred to the information contained in the staff report. The process to develop revised design guidelines for the Historic District and historic sites started in August 2007 and has been an on-going project for the Historic Preservation Board. It is important to review the design guidelines and zoning concurrently to make sure there are no conflicts which precipitated a look at the Land Management Code, involving the Planning Commission. After a year and a half, a positive recommendation on the amendments has been rendered by the Planning Commission and a positive recommendation from the HPB on the Design Guidelines. She read a missing sentence in a section which will be corrected before the public hearing on July 9. Jim Hier pointed out a correction and asked what an *Order* is. Ms. Blaes stated that the Legal Department provided the language and Mark Harrington explained that an Order is the proclamation of whether the Council is upholding an appeal or denying it. Mr. Hier asked where *Final Action* is defined. Mr. Harrington believed that the definition is in a different section but will make sure that it is there. Under the appeal section, Mr. Hier suggested referencing 15-1-18 so that readers know where to look for criteria for a HPB appeal. Liza Simpson pointed out the same thing in 2-2. Thomas Eddington confirmed that Final Action appears in the definition section. The Mayor invited public input.

Ruth Mentsma, resident, stated that she has been very involved in the process since it began. She supports the progress but has a few suggestions. Dina Blaes should be maintained as a consultant because of her expertise and value to planning. The

Historic Preservation Board should be noticed of any application activity in the Historic District. Candace Erickson interjected that there is another group in town with the same interest and she has asked the City Manager to explore noticing through an email list. Thomas Eddington added that the Legal Department advised that email noticing is not an issue with regard to due process and a group mailing list will be created for the HPB and the Historical Society. Liza Simpson explained that the new City website will provide the ability for people to sign up for email alerts for different things. Ms. Mentsma felt that funding is essential to make the program work. Code enforcement should be expanded to include planning and project information should be archived well so that it can be shared with the public.

The Mayor asked Ms. Mentsma if the funding comment relates to the grant program. She responded yes, and spoke about the high cost of rehabilitation. Ms. Simpson pointed out that there may be other grants available through state and federal agencies. The Mayor brought up her suggestion of expanded code enforcement and Dina Blaes explained that the design review process developed its framework from concerns expressed by departments. A design review process is detailed in the proposed Design Guidelines which involves both Building and Planning and issues can be understood early in the process. A final review with both Planning and Building is created to make sure once a project has received associated approvals that both departments are in agreement. If a project proceeds in violation of the process, the City will initiate an enforcement proceeding. The Mayor felt that sharing archived information is a great idea. Ms. Blaes added that the Planning Department does not have a formal approach to this, but when the most recent inventory was conducted, photographs were digitized and entered into the Eden system and the inventory is relatively easy to keep up to date.

John Stafsholt, 633 Woodside Avenue, suggested that the City create a lowered property tax program as an incentive to preserve significant and landmark structures and sites. He felt code enforcement is important especially with the implementation of the new amendments to the LMC and Historic District Guidelines. He has read the documents thoroughly and feels these changes will address many problems and their adoption is a huge step forward.

Discussion ensued on a reduced property tax incentive program. Mark Harrington explained that this probably has not been considered in the past because compared to other parts of the country, the City portion is relatively low and we preferred to earmark funding in a grant program. Liza Simpson reported that the HPB is exploring incentives for home owners which will be forwarded to the Council.

Roger Durst, HPB member, expressed that the Board unanimously endorsed the revised guidelines and complimented Ms. Blaes, the Planning staff and all of the participants in the community for helping in the process. He stated that this is a living document and something that needs to be continually improved. He has some reservations about the design review process and is looking forward with working with the Planning staff to improve it. Planning is not design and the objective criteria have been broadened a bit which will sustain and improve quality and allow for creativity, but there needs to be greater room for subjective judgment on design. The Mayor thanked Mr. Durst for his contributions to the project.

There were no further questions from Council and Dina Blaes reported that public hearings on the Historic District Guidelines and amendments to the LMC are scheduled before Council on July 9.

3. Bonanza Drive reconstruction project. Matt Cassel stated that he is looking for direction on the proposed drives to the Park City Health Clinic and referenced Drawing Nos. 1 and 2. Drawing No. 1 is the current design which preserves the existing drives into the Clinic and other facilities, eliminates the medians at the south end, allows left and right turns into the south entrance, but the north entrance is restricted to only right turns and left turns in and out will not be allowed. This is to help facilitate the Prospector Avenue intersection. Mr. Cassel noted that in response to complaints expressed by and recent discussions with the Clinic, Drawing No. 2 was created. The second alternative eliminates the south drive and the farthest north drive nearer to The Maverick and moves the existing middle drive approximately 100 feet south of its current location; the rendering reflects an approximate area. It is proposed that the driveway would be directly facing the Clinic building and in order to make this work, a median would be removed and striping reworked.

Liza Simpson stated that this process would be a lot easier if all of the medians were eliminated. Tom Bakaly clarified that this is not staff's recommendation. Candace Erickson felt that removing a driveway to The Maverick will result in a nightmare; circulation is already horrible. She suggested widening the driveway and replacing the planter box with an entrance sign for the Clinic. Mayor Williams spoke about the potential of frantic drivers trying to find the Clinic. Matt Cassel acknowledged that signage is important.

Mark Fischer, owner of The Maverick, the Clinic and the No Place Like Home buildings, stated that the reconstruction greatly affects him and he felt there should be a third alternative. He suggested that he speak with the Coleman's, owners of the Park City Plaza, to agree to moving the intersection at Prospector and aligning it with the new cut into the Clinic. The new intersection would be located further south of The Maverick. In the 2030 plan, Prospector Avenue is shown going over the top of Spencer's Barbecue and this can be solved by aligning it in such a way that it can be directed to the Clinic and function for future development of the NOMA area. The No Place Like Home building is scheduled to be torn down. He urged Council to *slow down*.

Matt Cassel explained that staff is trying to address immediate concerns fully realizing that in the future it is anticipated that the Prospector intersection will be moved. Mr. Fischer used the rendering to detail his intersection proposal and suggested possibly including a development pad for the Coleman's when negotiating right-of-way area. He mentioned that in checking with an appraiser, the median reduces the value of his Maverick lot. His tenants do not want the current plan to move forward.

Dr. Bill Pidwell, Clinic, thanked Council for accommodating them. The group felt the second drawing is a good solution and the location of the Clinic will not change in the long term. Drawing No. 1 creates a difficult situation for the ambulance and fire trucks to navigate from the Bonanza entrance without removing quite a few parking spaces in the parking lot, which are badly needed. Over a ten month period, 400 ambulances serviced the Clinic. They don't necessarily hate the median concept, because the intersection is terrible, but having no left hand turn option is not good for their patients.

Dr. Winn stated that signage is very important. He spoke about the history of the Clinic and building the facility. Bonanza Drive operated very differently twenty years ago and he acknowledged that improvements are necessary. He explained that the Clinic has a contract with Deer Valley Resort where all of their patients come to them and he described the potential of frustrated drivers who can not find the entrance creating more accidents. From a public safety point of view, he felt Drawing No. 2 is better. He asked that Council address helicopter access and repeated Dr. Pidwell's comments with regard to fire trucks and ambulance access.

Scott Adams, Park City Fire District, stated that he met with Mr. Cassel and Ron Ivie on the proposal. The left-hand turn from Bonanza Drive through the parking lot works fine for them. If a truck misses the turn it can drive over the median at the Prospector Avenue intersection. Most ambulances access the Clinic via Bonanza not Kearns.

Tom Bakaly explained that Drawing No. 2 creates turning conflicts and the more south the driveway is moved, the better. However, there are very mature trees in the area that would have to be removed with the realignment. Matt Cassel shared accident information for each intersection. Roger Harlan discussed the importance of helping the out-of-town visitor find the Clinic.

Candace Erickson found Mr. Fischer's testimony helpful and if the intersection is going to be moved in the future, she asked why we are doing this twice. Let's do it once and do it right. Drawing No. 1 makes perfect sense in a perfect world but having a health clinic there means making accommodations. The City should take some time to design an entrance that works.

Mike Sweeney, HMBA, complained that the plan makes it more difficult to access The Maverick. This is an important gas station and he suggested better signage to direct people to the business.

Mark Fischer stated that he has been working with the doctors on building a new state-of-the-art clinic on the empty lot behind Whimsy. The ambulance bay will stay in the same spot. The Maverick wants to buy part of the property to enlarge the gas station, pointing out that the plan is not static and all of the buildings will be changed over five to seven years. He again asked for time to talk with the Coleman's.

The Mayor felt that the upcoming year should be spent on looking at a realigned intersection. Candace Erickson referred to Ms. Simpson's plan of removing the medians and striping the road. Matt Cassel noted that it is different because bike lanes and better pedestrian access will be added inviting more uses. Liza Simpson believed that pedestrians and bikers will slow down traffic and it will only cost the City $20,000 more to install the medians in two years if the plan is not working. Tom Bakaly explained that this is not safest alternative in staff's opinion. Ms. Simpson felt that there are pedestrians and bicyclist on the road already and she doesn't think the striping will encourage more pedestrians and bikers in the corridor as much as actually making it safer.

Matt Cassel expressed his preference to remove all of the medians from the plan because nothing will be accomplished by installing them in consideration of the scope of requested changes, which was acceptable to Council members. The Mayor described this plan as an interim approach before a more permanent solution is found. Jim Hier felt that no left turns out of the drives will make a big difference in improving traffic flow.

4. Planning Commission interviews. The City Council interviewed Rich Wyman, Richard Luskin, Steve Joyce, David Ireland, Brooke Hontz, Richard Peek, and Puggy Holmgren to fill vacancies on the Planning Commission.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 25, 2009

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, June 25, 2009. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kayla Sintz, Planner; Dani Lo Feudo, Human Resources Analyst; Kim Leier, Human Resources Manager; Diane Foster, Sustainability Manager; Kathy Lundborg, Water Manager; Matt Cassel, City Engineer; Phyllis Robinson Public Affairs Manager; Marin Decker, City Manager Intern; and Todd Touchard, Project Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that Talisker 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 11, 2009

Roger Harlan, "<u>I move approval of the work session notes and minutes of the meeting of June 11, 2009</u>". Joe Kernan seconded. Liza Simpson abstained from voting as she was not in attendance. <u>Motion carried</u>.

Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Abstention

V NEW BUSINESS

1. <u>Consideration of an Ordinance approving the 575 Park Avenue Plat Amendment, located at 575 Park Avenue, Park City, Utah</u> - Kayla Sintz explained that the Planning Commission forwarded a positive recommendation on the application on May 27, 2009. The proposal combines Lot 19 with Lot 20 of Block 5 of the Park City Survey into one lot of record, totaling 2,813 square feet. This is an existing non-conforming landmark historic structure due to footprint size and non-compliance with side yard setbacks. The applicant wishes to combine the lots into a lot of record to facilitate a rear second story expansion which will not increase footprint or degree of non-conformity. A building

permit can not be issued with a structure sitting across lot lines. She added that staff is conducting a Historic District design review at this time. The Mayor opened the public hearing; there were no comments from the audience and the hearing was closed. She assured Mr. Kernan that the addition will not increase the footprint of the home. Liza Simpson, "I move we approve the plat amendment for 575 Park Avenue based on the findings of fact, conclusions of law and conditions of approval". Candace Erickson seconded. Motion unanimously carried.

2. Consideration of a Resolution authorizing the issuance and confirming the sale of $2,500,000 Park City, Utah Taxable Water Revenue Bonds, Series 2009A for the purpose of financing the costs of construction and installation of culinary water system improvements; authorizing the execution and delivery of a supplemental Indenture of Trust to secure said bonds, and other documents required in connection therewith; authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this Resolution – The City Manager explained that the bonds will be placed directly with the State Division of Drinking Water at a zero percent interest loan rate and staff recommends approval. The Mayor opened the public hearing; there was no input and the hearing was closed. Jim Hier, "I move approval of the bond resolution related to the sale of $2.5 million of water revenue bonds for infrastructure projects". Roger Harlan seconded. Motion unanimously carried.

3. Consideration of a Resolution adopting the revised Personnel and Policies Manual for Park City Municipal Corporation – Kim Leier explained that changes to the Personnel and Policies Manual are approved by the City Council and become retroactively effective on July 1. Dani Lo Fuedo thanked individuals serving on the committee. Liza Simpson read the last sentence in the first paragraph of Section 5.7, reclassification, *if reclassification results in a budget increase or the creation of a new position not previously included in the adopted pay plan. . .*originally it read, *City Council approval is required* and the proposed change is *City Council approval may be required*. She felt it should not be changed. Ms. Erickson agreed and used the example of hiring an assistant city manager. She felt that this is a significant change because it doesn't even prompt a discussion with the Council. Kim Leier felt this could be reworded to more clearly specify that the section addresses the pay plan and not a budgeted position or a new full time employee. Ms. Erickson emphasized that this is not a new position but an existing one that could be reclassified.

Jim Hier pointed out that there are a number of reclassifications that are routine and not of interest to Council and review would be a waste of time. He suggested deferring to the Human Resources Manager to arrive at wording that may be a compromise. Liza Simpson asked if these reclassifications happen all of the time, why have they not been before Council. Ms. Leier noted that reclassifications are addressed in the pay plan. Ms. Simpson asked what positions are specifically addressed by the sentence in the section. Ms. Leier answered that Council reviews them during the budget and the City Manager explained that Council would also see classifications during an interim reorganization. Mr. Hier suggested that Council review any reclassification if a budget change is created as opposed to budget increase. Modifying the language was again suggested.

Mark Harrington advised to leave as is, and staff will return with an interim change once preserved positions are identified. He believed it is meant to be read in conjunction with the other position or the internal reorganization pending the budget process. There is a separate section in the Municipal Code which requires new departmental reorganizations to be reviewed by the City Council. He felt that the wording *may be* was intended to accommodate the temporary window, pending budget approval and Council approval is required in other sections of the Code. The Mayor pointed out, however, that this would not apply to the assistant city manager position. Mr. Harrington suggested that any change be addressed in the Municipal Code, which will be before Council for other amendments shortly.

Liza Simpson, "I move we adopt the revised Personnel and Policies Manual for Park City Municipal Corporation". Joe Kernan seconded. Motion unanimously carried.

4. Consideration of a three year contract between Park City Municipal and Summit Land Conservancy in the amount of $143,833, in a form approved by the City Attorney - Diane Foster explained that the City has paid for these services through a special service contract and it is now recommended by staff that monitoring easements be handled through a regular contract. A RFP was issued and five organizations expressed interest but only two submitted bids. The selection committee found that Summit Land Conservancy was the only qualified bidder and staff is comfortable with the proposal, acknowledging that it is an overall increase but services will be provided at cost. Roger Harlan asked why the Huntsman Parcel does not have a conservation easement and Jim Hier explained that a number of open space parcels are not currently included but should be addressed sometime in the future. Ms. Foster noted that staff will follow-up and explained the addition of a per acre price for newly added properties. Jim Hier suggested defining payment terms in the contract and all members agreed. The Mayor invited public input; there was none. Roger Harlan, "I move approval of a three year contract between the City and Summit Land Conservancy in the amount of $143,833, in a form approved by the City Attorney regarding payment". Liza Simpson seconded. Motion unanimously carried.

5. Consideration of approving the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Stantec Consulting Inc., for the design of the Park City Raw Water Infrastructure Project Design in an amount of $338,260 – Candace Erickson disclosed that her husband is employed by Stantec so she will recuse herself from discussion and voting. Kathy Lundborg explained that the modification to the contract is needed because of the realignment of the pipe line. The original concept was the Rail-Trail alignment established in the Snyderville Basin Water Transport study but more environmental information revealed risks. After evaluating the risks, it was decided to pursue alternative alignments and recently a final alignment was selected. Ms. Lundborg explained that different alignments relate to different agencies

for funding like the EPA, Army Corps of Engineers, or the state but all agencies need to buy off on the project. The Mayor invited public input; there was none. Liza Simpson, "I move that we authorize the City Manager to execute the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Stantec Consulting for the design of the Park City Raw Water Infrastructure Project Design in an amount of $338,260". Roger Harlan seconded. Motion carried.

Candace Erickson	Abstention
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Aye

6. Consideration of a Professional Service Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates for the construction, engineering, management and inspection of the Quinn's Raw Waterline Phase Project in an amount of $89,792 – Todd Touchard explained that the two upcoming construction seasons are scheduled with a significant number of water projects so management services were put out to bid. The selection committee considered qualifications and price and Bowen Collins negotiated a good price for the project. Typically bids come in between 6% to 12% of the construction amount. The project is estimated at about $2.25 million and is out to bid for construction. The Mayor asked if bids come in low whether the award will be re-evaluated. Mr. Touchard noted that it won't but it is a *not to exceed* bid and the City will only be charged by the hour. In response to a question from Mr. Hier about the timing of construction for the treatment plant, Mr. Touchard explained that it is currently under design and the project is being reviewed by the Planning Commission. Construction is anticipated in August.

Kathy Lundborg acknowledged that staff is behind on the water treatment plant schedule and a contract amendment on the design will return to Council. Liza Simpson thanked Mr. Touchard for including a map in his staff report and is pleased with the pedestrian trails component. Mr. Touchard pointed out the cost savings realized in building trails at the same time and the approach is cheaper than re-vegetation. Roger Harlan discussed potential challenges in tunneling under US40 and Todd Touchard explained that a roadway fill section was selected as opposed to a cut area, but there is still a risk. Candace Erickson, "I move we approve a Professional Service Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates for the construction, engineering, management and inspection of the Quinn's Raw Waterline Phase Project in an amount of $89,792". Joe Kernan. Motion unanimously carried.

7. Consideration of a Professional Service Agreement in a form approved by the City Attorney with Stanley Consultants for construction management services related to the construction of Bonanza Drive in the amount of $147,452 – Matt Cassel explained that the construction contract will be coming to Council on July 9. The Stanley contract is to provide construction management services for the first phase of the project. The

Mayor invited public input; there was none. Liza Simpson, "I move we enter into a Professional Service Agreement in a form approved by the City Attorney with Stanley Consultants for construction management services related to the construction of Bonanza Drive in the amount of $147,452". Jim Hier seconded. Motion unanimously carried.

8. Consideration of a construction agreement for the reconstruction of Hillside Avenue with Granite Construction Company for Alternative #1, in a form approved by the City Attorney, in an amount not to exceed $1,589,210 – Matt Cassel explained that four bids were received. In response to a question from Joe Kernan, Mr. Cassel advised that there is no added lighting. The Mayor invited public input; there was none. Roger Harlan, "I move approval of a construction agreement for the reconstruction of Hillside Avenue with Granite Construction Company for Alternative #1, in a form approved by the City Attorney, in an amount not to exceed $1,589,210". Candace Erickson seconded. Motion unanimously carried.

9. Consideration of an economic development grant contract, in a form approved by the City Attorney, with High West Distillery in the amount of $11,000 – and

10. Consideration of an economic development grant contract, in a form approved by the City Attorney, with Park City Performing Arts Foundation in the amount of $9,000 - Intern Marin Decker addressed Items 9 and 10 together and relayed that last week Council directed staff to prepare contracts to award grant money to High West Distillery in the amount of $11,000 and the Performing Arts Foundation in the amount of $9,000. The Foundation's funding was contingent on proof of a lease for two years or longer which has been satisfied.

The Mayor opened the public hearing on either or both items. With no comments from the audience, the public hearing was closed. Jim Hier, "I move we approve an economic development grant contracts in a form approved by the City Attorney with High West Distillery in the amount of $11,000 and with Park City Performing Arts Foundation in the amount of $9,000". Joe Kernan seconded. Motion unanimously carried.

11, Consideration of a Letter of Consent, in a form approved by the City Attorney, with the Snyderville Basin Special Recreation District – Ken Fisher explained that the interlocal agreement was signed in August 2004. Three funds were set up including the ice facility reserve fund with a zero balance. The Basin contributes $50,000 a year, $37,500 of which has been allocated to the capital replacement and reserve fund and the remaining $12,500 to the ice expansion fund which has a balance of $25,000. The capital replacement fund has a total of $69,000. A three year review of the allocations is required as a part of the interlocal agreement, and the Basin is supportive of allocating all $50,000 into the capital replacement fund. The $25,000 in the ice expansion fund can be used for master planning of the site in the future and the distribution of funds will be reviewed again in 2012. He explained that the City holds these monies in the CIP Fund and there are no changes in the interlocal agreement. The Mayor invited public comment; there was none. Roger Harlan, "I move approval of a Letter of Consent, in a form approved by the City Attorney, with the Snyderville Basin Special Recreation District". Candace Erickson seconded. Motion unanimously carried.

VI OLD BUSINESS

Consideration of an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR248 and US40 interchange in the Quinn's Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and approving a Water Agreement, and amending the Official Zoning Map of Park city to zone the property in the Community Transition Zoning District (CT) – Mark Harrington explained that Council members Harlan and Hier have been serving as liaisons at meetings. The intent of the plan is to better integrate the City's affordable unit equivalents (AUEs) into the project with a recommendation from staff on the number and type of configuration. He urged members to consider the applicant's changes to the site plan to reflect a tighter overall plan that would justify the ability to increase the148 units determined by Council in December to the maximum 1:1 zoning from the Planning Commission if criteria is met in the MPD. Due to the compressed time frame, staff is seeking input from Council about additional density now so there is clarity on all sides as to what the maximum density could be. He referred to information on the original density break-out, the most current applicant proposed density, and the initial staff recommendation. One policy question for members deals with the site plan configuration and he asked if the plan is clustered enough in terms of what the Council had previously directed in order to consider additional density beyond and above the 148 number.

Mr. Harrington posed the second question of whether the Council wants the number of AUEs to be as close as possible to the Talisker obligation or is it willing to offset that and reduce the number for site planning considerations, land contribution, or partnership considerations such as infrastructure cost sharing or other reasons. He asked if it is more important to maximize the ability to build affordable housing units here or is it more important to achieve a balance of interests, including an overall reduction in density and perhaps providing better quality units that may serve a segment of our population that would not have been served with the Talisker proposal.

Dave Allen, Boyer Company, pointed out that the revised plan integrates the properties to create a more seamless project. The project has been moved 60 to 75 feet off the hill, neighborhood back yard open space has been maximized, and an enhanced entrance to the project has been added. Visual impacts are minimized with development moved off the ridge. Mark Harrington discussed staff's involvement in the plan reflecting a mountain resort element compatible with the General Plan but if Council consensus is different, direction is needed at this time. Mayor Williams noted that the committee discussed the design of neighborhoods and green building standards and Mr. Harrington stated that those decisions are memorialized in the annexation agreement.

Members left the dais to look at and discuss the renderings with Messrs. Allen and Moffat. Mark Harrington pointed out that the area is 202 acres, 40 acres are Talisker's and the market units are proposed at the maximum density of the CT Zone at 1:1. The City is affected by Talisker's proposal for the transfer but density would not exceed 40 units. He reviewed a chart outlining the original plan with 158 AUEs constructed in roughly 113 units and the old plan had 148 market units with an ability to increase to 1:1 through the MPD process if all conditions of the CT Zone are met. The pre-annexation agreement determined a basis.

The Mayor asked about house sizes and the City Attorney advised that the Planning Commission will decide on maximum footprints. There was discussion that homes could be as large as 9,000 to 12,000 square feet. Mayor Williams continued to express concerns about the potential sizes of market houses. Jim Hier suggested considering some sort of distribution of units to control sizes. Mark Harrington expressed that staff share the same concern and it is intended that the Planning Commission decide maximum house sizes and ensure diversity in product. Mayor Williams believes this project has the potential of receiving national attention. He explained that usually he is not impressed with internal open space but the trail system is a good component. Candace Erickson hoped the developer will consider a variation of sizes and supported the site planning of the neighborhood. Joe Kernan hoped there are tools to limit the maximum footprint and encourage variety. Roger Harlan emphasized the importance of green open space areas for families and the Mayor stated that he really likes the idea of mixed housing and integrating diverse neighborhoods.

Mr. Harrington displayed a chart and detailed numbers from the old and new proposal. Members should decide if they want the maximum number of AUEs constructed or a different number offsetting some of the infrastructure costs. The Mayor suggested not building all of the AUEs at this time but to plan for a future phase. Liza Simpson believed the site plan has improved, but does not want to tie the Planning Commission's hands in any way. Mr. Allen explained that Boyer can be somewhat flexible on the City affordable units but they need a decision on the number of their units.

Candace Erickson believes the project is too dense from a traffic standpoint and is leaning toward the lower end. She is not convinced that more single family is needed for affordable housing. Roger Harlan felt more information is needed from Talisker and favors fewer units. Jim Hier believed the range of 42 to 52 City affordable housing units is adequate. The development agreement will have to be amended because it now reflects the 148 number and 1:1 zoning is a significant increase. He referred to staff's recommendation to increase the density to 190 market units configured as 66 cottages, 84 homestead and 40 attached, leaving ten unallocated. Mr. Allen discussed the importance of addressing density now. Members discussed the project meeting CT

Zone criteria for increased density and commented on other benefits like sharing infrastructure costs and integrating the City units.

Joe Kernan stated that he supports the range of 190 to 200 units but would like more information on infrastructure costs and single family home stock. Phyllis Robinson advised that the Snow Creek Project is the first detached single family housing project in the City. Dave Allen pointed out that under the zone, the project meets the requirements for 200 units and asked the justification for pulling the density back. Liza Simpson stated that she is comfortable with the new plan but wants to make sure the Planning Commission is empowered. Jim Hier felt that the elements from the development agreement, like green building and water conservation, should be formalized in the MPD and supports 190. He doesn't find it appropriate to maximize the number of affordable housing units at this location. Candace Erickson stated that she can support 190 but hoped the developer would consider eliminating ten units and building higher quality units. Mr. Allen indicated the need for flexibility because of the market. Discussion ensued on meeting the CT Zone criteria allowing 1:1 density or 200 units and the room for negotiation with annexations. Mayor Williams emphasized that the CT Zone was specifically created for these parcels and the developer has demonstrated complying with criteria for bonus density. Dave Allen pointed out that this discussion only involves 5% of the density and whether the remaining ten units are detached or attached is not really meaningful in the long run. Patrick Moffat interjected that the City portion is being fully integrated into the project.

Roger Harlan stated that the developer has been asked to jump through hoops. There is agreement that the criteria have been met and to create another set of rules does not seem fair. Candace Erickson appreciated the analogy because in her mind, Boyer has met the 1:1 and 200 is the appropriate number, acknowledging that the Planning Commission can change the number based on its deliberations. Joe Kernan stated that he is comfortable with 200 with the condition that there are varying sizes of homes. Liza Simpson commented that she is comfortable with 200; it is most important to her that the project is an integrated community with a variety of housing stock. Jim Hier stated that he is comfortable with the consensus. The Planning Commission will deal with house size limitations, design configuration, and compliance with the development agreement.

The Mayor opened the public hearing, there were no comments and the public hearing was closed. Liza Simpson, "I move we continue this to the 9th". Roger Harlan seconded. Motion unanimously carried.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

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 1:30 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jonathan Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; Phyllis Robinson, Public Affairs Manager; Tom Daley, Assistant City Attorney; Diane Foster, Sustainability 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 2:30 p.m. Jim Hier, "I move to open the meeting". Roger Harlan 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

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Janet M. Scott, City Recorder