

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 5, 2007**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 5, 2007.

Closed Session – City Council Chambers

3:30 Property

Work Session – City Council Chambers

4:00 Joint Work Session with Planning Commission

- Old Town Plat Amendments
- Main Street Vertical Zoning
- Park City Heights Update

5:50 Council questions/comments

Regular Meeting – City Council Chambers

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV CONSENT AGENDA PUBLIC HEARINGS *(items listed will be open for public hearing prior to consideration for adoption or rejection; hearings may also be continued by vote of the Council)*

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”)*

VI NEW BUSINESS

1. Sustainability Week Resolution

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

Posted: 04/02/07

See: www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

April 2007

- 12 **No meeting**
- 19 Closed Session – Property
Park City Silly Sunday Market – Revised MFL – work MP
Park City Silly Sunday Market – Economic Development Grant – work JW
Special event parking discussion and direction – work 30 minutes - BA
Delivery and Loading Zones on Main Street discussion and direction – work 20 minutes – BA
Main Street Recycling & Old Town Trash Container Issues – JG
Recommendation from Joint Transportation Task Force – work 30 min KC
Dog Park – continued discussion – work - KF
Ordinance considering approval of amendments to the Land Management Code of Park City, Utah, to address substantive revisions to Chapter 2.2 Historic Residential (HR-1) District, Chapter 2.23 Community Transition (CT) District, Chapter 3- Parking, Chapter 4- Supplemental Regulations, Chapter 2 Zoning Districts, and Chapter 15- Definitions.
Ordinance – 411 Park Avenue Subdivision – RM
Ordinance – 573 Main Street Subdivision – RM
Ordinance – 300 Deer Valley Loop/Roundabout – KC
Ordinance – Continuation of hearing 621 Woodside Avenue plat amendment KW
Ordinance – 436 Main Street Subdivision – KC
Ordinance – 605 Woodside Avenue – continuation from 3/29 - RM
- 26 **No meeting**

May 2007

- 3 Joint venture program update – Bob Kollar 658-9608 (15 min)
Recreation needs assessment (45 min) – work
Trails master plan – work
Recreation Facility Joint Use Agreement
Budget
- 10 **No meeting**
- 17 Budget
Roger Gone
- 24 Emergency preparedness – work
MOU between Park City and Summit County for Animal Control Services – LE
Budget
Ordinance - Municipal Code Title 3, Chapter 3, Campaign Disclosure Amendment -CL
Roger Gone
- 31 Budget

Pending Items:

Quarterly Status Updates – 1st Quarter
Naming rights contract

General Plan - Park/Bonanza
Electronic voting
Noise/outdoor decks
Air quality discussion
Regional bus service SLC
Resort cities/transit tax – 01/08

Tentative “no meeting” dates:

June 14
July 26
August 16
September 6
October 18
November
December 27

City Council Staff Report



Author: Patrick Putt
Subject: Old Town District Issues
Date: April 5, 2007
Type of Item: Joint Work Session

**PLANNING
DEPARTMENT**

Summary Recommendation: Confirm joint direction at the February 8, 2007 City Council work session. Alternatively, direct Staff to initiate specific Land Management Code amendments prior to a comprehensive public stakeholders' process and Staff analysis.

Background

On February 8, 2007, Council held a joint work session with the Planning Commission and the Historic Preservation Board to discuss the draft of the City's Historic Property Inventory and the Historic District recommendations prepared by the project consultant (**2/8/07 work notes are attached**). The work session focused on four themes:

- What, if any, is the problem(s) in the Historic District?
- Why is it important to address these problems now?
- How will these problems be addressed?
- When will this action be implemented?

The specific issues that were discussed included:

- National Park Service Historic District Designation;
- Demolition and/or Disassembly of Historic Buildings;
- Mass and Scale of Buildings in the Historic District;
- Plat Amendment Process and Historic District Density; and
- Steep-Slope Development Historic District Design Review Process.

At the end of the joint work session it was concluded that:

- The Secretary of the Interior Standards for Rehabilitation be scheduled for public hearings and possible adoption for the Main Street Historic District;
- The final draft of the Historic Building Inventory be completed and noticing to the affected property owners commence prior to Council Final Action;
- A stakeholders' group be created to study, and make recommendations on, Historic District issues including historic integrity, base density on large Old Town parcels, building mass and scale, access, and steep slope conditional use permit and plat amendment criteria;
- Current applications would be reviewed pursuant to the existing Land Management Code and Historic District Design Guidelines;
- Training and Education programs be implemented; and

- No Temporary Zoning Ordinance (TZO) should be enacted at this time.

In the time following the February 8th joint work session, the following actions have been taken:

- A draft Land Management Code amendment to adopt the Secretary of the Interior Standards for Rehabilitation for the Main Street Historic District has been scheduled for Historic Preservation Board consideration on April 16, 2007;
- An informational meeting was between the Historic Building Inventory project consultant and the Chief Building Official and Historical Society. The Inventory has been revised as necessary to reflect this input. Final mapping is expected to be completed by the first week of April and affected property owner noticing will commence immediately thereafter. Staff will recommend a hearing process for those owners who wish to challenge their listing;
- A budget option has been developed by the Sustainability Team for a consultant to facilitate the Historic District stakeholders' process and the creation of updated Historic District Design Guidelines. It is anticipated that an RFP will be issued by the end of April and a consultant selected by the end of May when the City budget process is completed. It is contemplated that the stakeholder process could be completed and Phase I of the updated Design Guidelines could be completed by the end of this year. Staff will evaluate and recommend additional steep-slope and plat amendment criteria and zoning district regulations to align with the results of the stakeholders' process as necessary; and
- A training program has commenced with the Historic Preservation Board. Staff has enrolled the HPB in the National Alliance of Preservation Commissions, a resource center and network of national, state, and local preservation organizations providing information and training for local preservation and landmark boards.

Discussion:

The Staff and the Planning Commission continues to apply the Land Management Code in its evaluation of all current subdivision, plat amendment, conditional use permit, and steep-slope conditional use permit applications (**see work session notes 12/2005**). Staff, with the assistance of the City's Historic District design consultant, utilizes the existing Historic District Design Guidelines in processing design review applications. Issues relating to determining base density, building size and mass, building height, relocating and/or lifting historic structures, and additions to historic buildings remain difficult matters to balance. Staff has been working to better raise awareness of the existing Land Management Code provisions which authorize the Planning Commission to place reasonable conditions on plat and steep-slope conditional use permit approvals. All sides in this debate seek greater clarity and predictability in the Historic District development process. Staff is continuing to move forward with the Historic District strategies based on aforementioned joint work session direction and subsequent follow-up actions. This is the Staff recommendation.

Staff continues to hear individual concerns regarding the on-going process of applications. On March 28th, Staff held a work session with the Planning Commission to continue the dialogue on Old Town District issues. The Planning Commission expressed its continued support for the pending public stakeholders' process, but additionally suggested there may be an immediate focus on short term action items that may include code, guideline, and/or policy changes that provide greater clarity in processing Old Town development applications. The "low-hanging fruit" mentioned are criteria for smaller, Old Town plat amendments and additional steep-slope standards specifically relating to reorienting, relocating, and/or adding to historic buildings.

If Council and the Planning Commission recommended changing direction, they should advise Staff to better frame the policy issues accordingly.

Specifically, Staff seeks discussion on the following items:

1. Should Staff initiate consideration of an ordinance which amends the Land Management Code to reduce the building sizes in the residential neighborhoods of the Historic District?
2. Should Staff initiate consideration of an ordinance which amends the Land Management Code to provide additional steep-slope conditional use permit criteria that would further limit building sizes and increase building separation on steep-slope lots?
3. Should Staff initiate consideration of an ordinance which amends the Land Management Code to reduce the building sizes in the Main Street Historic District?
4. Should Staff initiate consideration of an ordinance which amends the Land Management Code to reduce the building heights in Historic District?
5. Should Staff initiate consideration of an ordinance which amends the Land Management Code and/or Historic District Design Guidelines to prohibit or restrict the relocation and/or reorientation of historic buildings?
6. Should Staff initiate consideration of an ordinance which amends the Land Management Code and/or the Historic District Design Guidelines to further restrict the when and how an historic building is raised or lifted?
7. Should Staff initiate consideration of an ordinance which amends the Land Management Code and/or Historic District Guidelines to further limit the degree to which an addition alters the facades of an historic building?
8. Should Staff initiate consideration of an ordinance which amends the Land Management Code to prohibit Intensive (*Real Estate Offices*) and/or General Office uses, including residential concierge's/owners clubs, be prohibited on first-floor/street-level locations on Main Street and Swede Alley? Should the LMC limit all but restaurant and retail uses (*i.e. businesses open to the general public and pay sales taxes*) on the Main Street level? In recent years the City has carefully studied the commercial mix on Main Street to ensure business trends are not resulting in an unfavorable business mix – one that isn't focused on uses that generate sales tax (primarily restaurant and retail). Studies were conducted and presented to City Council in November 2002 (**work session notes attached**),

and again in March 2006 (**work session notes attached**). Both times the analysis revealed that the shift to office or other non-tax generating uses was not significant and was more perceived than real (in 2006, there were 8 main street storefronts occupied by offices, with an estimated forgone sales tax revenue of \$29,000 - \$49,000 annually). Both in 2002 and 2006 Council chose not to pursue an ordinance limiting use of ground floor space in Old Town. As the market continues to grow and prices and associated real estate pressures escalate in the region, staff again believes a discussion on the potential impact of non-retail and restaurant uses, as well as the potential of exclusive, member-only clubs is prudent.

Summary:

Staff would like preliminary direction on each of these items above. A discussion of priority and resources should also be discussed. One option would be for Council to ask staff to return with more information on all or some of these eight items.

Staff is looking for confirmation of the February 8, 2007 direction. No public hearing has been scheduled on this matter. It is likely that when a public hearing is scheduled there will be considerable public comment on these topics. Regardless of whether the decision is to move forward with the stakeholders' process as directed at the February 8th work session or to expedite some or all of the issues listed above, Staff recommends that either option involve a transparent public, board and commission process based first on an analysis of existing conditions and early opportunity for public input.

EXHIBITS

Work Session Notes – February 8, 2007
Work Session Notes – December 8, 2005
Work Session Notes - November 24, 2002
Work Session Notes – March 30, 2006

WORK SESSION NOTES – EXCERPT FEBRUARY 8, 2007

Present: Mayor Dana Williams (excused for a portion of work session); Council members, Marianne Cone; Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan

Historic Preservation Board members: Gary Kimball, Todd Ford, Ken Martz, Nancie Putnam, and David White;

Planning Commission members: Jack Thomas, Evan Russack, and Mark Sletten

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Patrick Putt, Planning Director; Ron Ivie, Chief Building Official;

Dina Blasé, consultant

1. Historic District discussion with Planning Commission and Historic Preservation Board. Patrick Putt acknowledged the number of board members and public in attendance and distributed a letter from HPB member Puggy Holmgren who could not be in attendance. He referred to his staff report and stated that the Historic District is an important resource to a variety of stakeholders. The City Council recently discussed the Historic District at its Visioning Workshop held in January and associated issues and alternatives are included in the staff report. Additionally, potential effects are outlined for each option, including associated costs and resources. Recommendations range from changing a process, providing additional training/education, and/or proposing a budget option for a more substantial project like updating our Historic District Guidelines. He suggested moving ahead with program changes that may involve amendments to existing policies, guidelines and the Land Management Code. It is beneficial to clarify this information for neighborhoods, property owners, designers, and staff, specifically as it relates to the Main Street Historic District. Mr. Putt noted that the inventory has been completed and updating the Historic District Guidelines is the next logical step. Mr. Putt strongly recommended a concerted historic preservation program, including education and training, not only for staff, but the Council, HPB and Planning Commission. He urged Council to consider directing staff to begin the process to formally adopt the Historic District Inventory by notifying all affected property owners of scheduled public hearings. The inventory is contemplated to become the official list of the significant properties in Park City.

Mr. Putt addressed the first issue, the Historic District designations. Staff recommends strengthening the Historic District's preservation policies and programs by reinforcing Main Street District programs and policies by adopting the Secretary of Interior's standards for rehabilitation. These standards are applied to evaluate restoration projects or new construction in the Main Street District. It would involve updating the Historic District Guidelines and using the Grant Program as a financial incentive to encourage compliance with national standards. This could include requiring the removal of modifications to historic structures made over the years. Staff encourages the use of

grant monies toward rehabilitation of threatened buildings in the Main Street core. Updating and clarifying the Historic District Guidelines for the residential area, or Thematic District, defining the meaning of *integrity* and illustrating design objectives are contemplated. In developing a new strategy for the guidelines, he recommended a collaborative approach including stakeholders and available local resources. There needs to be involvement and buy-in with regulators, designers, and builders and the changes should be quantifiable and factual, not based on feelings or emotions. Mr. Putt pointed out that there are 25 properties in the Thematic District eligible for listing on the National Register and holding public workshops for property owners is another possibility.

Joe Kernan believes the level of mandatory requirements is important to establish. Gary Kimball, HPB, stated that the preservation of the entire Historic District is important. Todd Ford, HPB, expressed his support of applying higher standards on Main Street than in the residential section and feels updating the Guidelines is also a good step. HPB Chair David White encouraged that the Main Street area become a top priority. The Design Guidelines were crafted in 1983 and need to be updated. Ken Martz, HPB and long-time resident of the Historic District, pointed out that the thinking has gone full circle. The growth and increasing valuations in the Historic District create unique challenges and these recommendations are a step in the right direction. Training is very important. Planning Commissioner Evan Russack and Nancy Putnam, HPB, agreed with the comments made. Mark Sletten felt it would be helpful to get direction from Council first. Roger Harlan stated that an investment in education and training is money well-spent. Jim Hier indicated that he is not in favor of a “stick” approach. There are a number of modified structures in the Historic District that are no longer compliant and the difficulty in economically justifying bringing the building back to an acceptable condition. In an effort to move on, he suggested supporting staff recommendations. Candace Erickson relayed that she prefers the stick approach, acknowledging that there also needs to be an accompanying incentive program. The 25 property owners in the Thematic District should be advised of potential benefits, if applicable. She pointed out that the current grant program is subsidized with RDA funding and a long-term funding source will need to be identified. Marianne Cone agreed with staff’s recommendations. Planning Commissioner Jack Thomas believed that other communities are far ahead of Park City with regard to historic preservation and it is time to take a more professional approach. Joe Kernan encouraged finding a compromise or middle-ground with regard to regulations. Mayor Pro Tem Cone invited public comment.

Tom Peek, developer, asked for clarification on the scope of revisions. Pat Putt explained that this discussion was prompted by the risk of Park City losing its historic designation. The Main Street District and the Thematic District are our two technical areas of discussion. If there is potential for delisting an area, it would probably be Main Street although the City has not been threatened by the state or any other agency. Since the inventory was completed, a focus on taking appropriate corrective actions to bolster the District is emerging. He added that we can learn from the mistakes made in the past. The residential area is known as the Thematic District which is quite different

than the Main Street District, a contiguous historic property group. The Thematic District is a collection of individually listed historic buildings and buildings that could be eligible for the National Register. There is a perception that an historic home surrounded by new or incompatible buildings should be exempted from the list which is not the case. This discussion is geared toward preserving our Main Street designation and taking appropriate steps to preserve historic homes in the residential areas. The goal is to provide livable houses, including practical elements like garages and getting cars off the street for snow removal and emergency access, recognizing that a garage may affect the historic character of the structure.

Jim Hier asked if the Thematic District can be defined by a geographical boundary. Consultant Dina Blasé clarified that the Main Street Historic District contains contiguous properties from the top of Main Street to Heber Avenue, and including some buildings on Heber Avenue. This designation is consistent with the National Park Service Program. The Thematic District includes non-contiguous properties within Park City that meet the National Park Service guidelines for eligibility on the National Register for Historic Places. She acknowledged confusion prompted with the City's duplicate assignment of the word, "District" for its zoning designations. Ms. Blasé added that a period of significance must be identified for a Thematic District, and qualification in Park City is limited to four architectural types from the mining boom era in Park City. Even if a building was built during this period, it must be one of the housing types. The City Manager encouraged direction on developing mandatory approaches or focusing on preservation incentives.

Don Bloxom, designer, emphasized that providing latitude to design professionals may result in better projects in the Thematic District. He pointed out the current challenges in bringing the dwellings in compliance with modern codes. He felt that these only have historic significance as a grouping. He is very concerned about piece-meal changes to the LMC which is a lousy document and should be rewritten. The stick approach could cost property owners millions of dollars and he felt that the money would be better allocated to pedestrianization or parking. There should be an appropriate cost to benefit ratio.

Dina Blasé added that the criteria established for eligibility for the National Register is different than provisions in the LMC. It is important to understand that there are buildings in the inventory listed as *historically significant* which are not eligible for the National Register of Historic Places which creates some confusion for people. She stated that the stock in the Thematic District includes mining boom era residences, some of which are historically significant and some that are not. If they are not, it means that they do not comply with the standard outlined in the LMC. There is no additional level of regulation for the eligible but unlisted 25 properties in the Thematic District. She explained opportunities to receive federal rehabilitation tax credits and the recognition of being on the National Register of Historic Places. Ms. Blasé reiterated the importance of the properties meeting criteria established in the LMC which guides owners on what is allowed.

Craig Elliott, architect, referred to Mr. Bloxom's comments and felt that there should be some latitude relating to restoration projects. However with regard to the complexities of the LMC document, Mr. Elliott pointed out that it has been generated over time. He felt it is a good document in need of a *tune-up* and the suggestion of forming a task force with professionals and staff is a good solution, which he supports.

Ron Whaley, property owner and realtor, stated that in an effort to better understand this dialog, asked what is *broken*. Pat Putt explained that this public forum is intended to hear comments or concerns about losing important elements of the Historic District, acknowledging that this objective is very broad and invites many different points of view. There are also complaints that recent projects constructed in Old Town are too big or architecturally inappropriate. He discussed the term "*transparency*" or "*predictability*"; implementing goals with easy to understand rules and guidelines so applicants know what to expect in the process. He senses support from the Council, Commission and Board to begin to update the guidelines. Funding this project will be considered during the budget process. There also seems to be support for a stakeholders' group and implementing education and training, which could occur immediately. Jim Hier interjected that the LMC will never be fixed and stable; it is a living working document,

Patrick Putt asked for feed-back on demolition and disassembly of buildings. There are a number of historically significant buildings in different conditions. The Building and Planning Departments require preservation plans to determine if the project is feasible. Disassembly is used as a last resort to preserve historic elements which has raised criticism. Staff is recommending that the Chief Building Official continue to work with architects on disassembly on a case-by-case basis. Staff recommends continuing to allow this as an option because it may contribute to the long-term preservation of the building. Keeping buildings in-tact does not always result in saving them in the future. Staff recommends continuing to use this approach and with the input of the stakeholders' group, will provide upfront clarity on features of a preservation plan.

David White stated that he has experience with both approaches; some buildings can withstand being raised or craned to pour a foundation under the structure. Other dwellings are so fragile, that trying to move them in tact is a big mistake and in that situation he recommended taking the building apart. With the latter, the architect should provide for an additional phase to clearly define what elements are being reused and those that are not. Todd Ford expressed concerns with "*panelization*" of structures. He relayed that is not so much the materials, but the preservation of original form and streetscape. This relates to updating the Design Guidelines and construction needs to be closely monitored and regulated. Gary Kimball felt that buildings should be examined individually but pointed out increases in density with platting parcels. Ken Martz liked the idea of a preservation plan which needs to be reviewed on the onset by the HPB and the plan should be inspected and monitored.

Evan Russack believes that staff should have *as many arrows as necessary* until we get a firm policy in place. Marianne Cone also supported requiring preservation plans. Candace Erickson referred to previous discussions on the inventory regarding the

number of elevated historic buildings with new foundations. Although garages help mitigate on-street parking problems, the dwellings are likely to lose their historic significance designation. Also, historic structures with huge additions are no longer eligible for inclusion in the Thematic District and there should be some balance. Roger Harlan pointed out the successful restorations of historic homes on upper Main Street and expressed that the untrained public isn't likely to be aware of replication.

Kevin King, designer, stated that he agreed with David White's position. Documentation is the key as is measuring and duplicating details like the eaves or soffits. It shouldn't matter whether the project is panelized. The UBC provides that anytime the loads are modified greater than 5%, the structure has to be brought up to current code standards. The proposal will require compliance with a preservation plan in addition to shear and seismic regulations. He asked what is preservation; the siding or materials or is it the form. He didn't feel the City should be able to determine if the building should be disassembled or moved. Many larger buildings have been built onto several times. These buildings can not be raised and he suggested replacing historic elements with new pieces milled to the original specifications. There needs to be less emotion and better documentation of the buildings.

Chief Building Official Ron Ivie felt that one of the problems with this discussion is that it is too detailed at this point. These discussions should be held in a technical forum to determine the appropriate approach. He suggested that the word "*integrity*" be defined and that Main Street be viewed differently than the residential district. Define *integrity* and what you expect to have and then focus on writing clear concise standards. He strongly supported a preservation plan, recognizing that each building will be ranked individually on its importance and technical requirements. He reiterated the need for a systematic approach and discouraged education and training until goals are defined. He felt the new inventory is flawed like the others because it doesn't address integrity. There is a list of properties, *but what do we do with them?* After that target is determined, the technical standards can then be applied. He questioned how productive it is to debate panelization or replication at this point because there needs to be some direction on process. Again, a meaningful technical document needs to be written to update current code provisions. Mr. Ivie pointed out that many of these buildings were not built to last.

Patrick Putt explained that the mass and scale of buildings in the Historic District can be addressed by updating the guidelines and providing training and education. It is contemplated that the stakeholders group will address these important issues by analyzing the number of remaining vacant in-fill lots, the number of steep slope conditions, and other factual information. Marianne Cone acknowledged the flurry of opinions in the community on the state of the Historic District. Jack Thomas emphasized that the American Institute of Architects and the Utah State Code both recognize the five phases of construction, which include schematic design, design development, construction documents, construction administration, and bidding/negotiation. In terms of evaluating mass and scale, the board needs to see a complete set of schematics, not sketches, or models in an early stage to better

understand the massing before the architectural drawings are rendered. At the schematic stage of an application, there should be complete plans, sections, elevations, and a massing model provided so an early evaluation can be made. Marianne Cone noted that she hears many complaints on the size of additions onto historic structures. Evan Russack pointed out that mass should be considered in the context of the streetscape or surrounding buildings.

Jim Titora described the difficulty in designing a plan to be compatible with adjacent properties when there is the possibility that they will be modified at some point in the future. He doesn't believe there is a problem in Old Town and is happy with the look of Woodside Avenue. People's investments should not be encumbered and there should be an opportunity for discussions before a decision is made.

Susan Gilson, Woodside Avenue resident, commented on eight new condominiums and a duplex constructed near their historic home. These units average about 4,000 square feet and she doesn't feel this size is appropriate.

Roger Durst, architect and former HPB member, commented that addressing just massing and scale is not enough. The visual elements and contextual qualities are also important to consider.

Missy O'Neal, Woodside Avenue resident, relayed that some visitors are not aware of where the Historic District is located because she feels its historic character has been compromised.

Pat Putt stated that there is no simple solution and establishing some complicated formula to reduce size is probably not the answer. The greatest chance of solving this is a holistic approach, and the sizes of buildings are being driven by the LMC. There are situations where a small historic house sits on a large lot and applicants feel compelled to pursue the maximum building footprint. He suggested separating the buildings rather than constructing an addition. Currently, the Code does not allow this approach. Solutions like this should be considered and the stakeholders group may be helpful in identifying other ideas.

The next issue involves the plat amendment process and the density in Old Town. Concerns expressed are that the plat amendment process is a mechanism to increase density. Staff believes that the density in Old Town is established by the Park City Survey and the Snyders Addition, as well as the underlying zoning. He is not recommending changing the underlying density in Old Town, but rather maintaining the existing density entitlements as established by the plat and zoning. However, there could be criteria in the Subdivision Ordinance regarding the existing context of the neighborhood. Standards to evaluate base density for large unplatted lots, unplatted properties, or lots that may not have street access could be formulated. Many vacant lots have no street access or utilities and it may be wise to explore our standards for improving streets in platted but unbuilt rights-of-ways.

Jim Hier stated that he has a hard time visualizing a small house with a new structure on the same lot and maintaining the same density. He supports not increasing density over what platted lots would allow under the LMC. A square footage calculation designed so that the total building square footage is not increased but allowing for more than one structure depending on size may be desired. Todd Ford asked if this initiative would prohibit the subdivision of a 50 foot wide lot into two legal 25 foot wide lots. He added that 25 foot wide lots in Old Town are historically consistent and he would rather have two small homes than one large home in the neighborhood. He likes density in Old Town. Jim Hier clarified that developing 25 foot wide platted lots is different than platting a metes and bounds property into 25 foot wide lots and that is what he believes needs to be examined. Don Bloxom suggested looking at definitions and uses in the LMC.

Marianne Cone discussed the process for plat amendments where the end product and result is unknown at the time of action. Evan Russack stated that he also struggles with this as a Planning Commissioner and felt that additional criteria for review of plats would be helpful. Compatibility criteria would be beneficial in considering applications. Ken Martz spoke about property owners maximizing their building footprints to the extent that there isn't room for landscaping. This results in boring cookie-cutter designs and unappealing living areas. There may be opportunities to create green spaces in the platting process.

Pat Putt addressed the criticism that steep slope lots are too large, visible and disruptive to be compatible in the Historic District. Staff's recommendation is moving forward with the stakeholders' group to look at some of these issues including revisiting the maximum building height permitted through the CUP exception. Right now it is established at 40 feet and there may be a desire to rethink this and to look at criteria for height exceptions not exceeding some standard. He encouraged everyone to read the steep slope criteria in place and believed there are effective tools in this document. It allows the Planning Commission to recommend reduced square footage for projects. Mr. Putt felt that flexibility to arrive at good designs in the steep slope section of the Code should be maintained. Dana Williams pointed out the difficulty in measuring natural grade for steep slope lots and while the floor area ratio is small, the look of the massing of the building appears huge. Pat Putt described the method for measuring height from the highest point of the roof directly down to existing grade (prior to construction). Height exception requests exceeding 27 feet require approval by the Planning Commission, subject to specific criteria outlined in the LMC.

Jim Hier asked the status of applications submitted in the interim. Mr. Putt explained that it is staff's recommendation to move forward but to continue to apply the existing LMC and Historic District Guidelines. He is not recommending consideration of a temporary zoning ordinance. He felt there is clear direction to proceed with the initial phase consisting of noticing all affected property owners of public hearings on the Historic District Inventory document before the Planning Commission and City Council. A strategy for the rewrite of the Guidelines and for establishing the stakeholders group will be formulated. It is contemplated that the task force will be charged with reviewing

the integrity issue, establishing criteria for base density for large parcels (mass and scale), access problems, steep slope criteria and processes. Time frames will be assigned for each element and a schedule will be available within three weeks. The training and education programs can be implemented immediately. Joe Kernan supported the concept of the stakeholders' group and hoped the historic character of Old Town can be better protected, specifically with regard to parking.

Marianne Cone asked the consultants for a recommendation on moving houses. Dina Blasé responded that they didn't make a recommendation on moving historic buildings. Ms. Cone believes this also relates to the integrity issue.

Cindy Matsumoto, property owner in the Historic District, stated that at some point she would like to improve her two properties to reap the economic rewards or the rewards of living in a home. She felt that when Council disbanded the Historic District Commission in 2003, the Historic District began to fall apart. Citizens are upset because the public process has been eliminated and reinstating the public back into the process is important. She felt the *status quo* recommendation regarding process is not acceptable. The public feels left out.

Tom Fey, property owner, agreed with Ms. Matsumoto's comments and stated that Alternative 2 should be adopted under the Historic District Process section. Many people felt left out of the 2003 process. He felt the newly formed Historic Preservation Board should not have more review authority than staff. Cindy Matsumoto supported better educating staff and the design community, but other things need to be done.

Joe Tesch, attorney, expressed that individuals are concerned about how their properties will be affected with amending regulations in the Historic District. Jack Thomas encouraged that in an effort to analyze individual buildings that we don't lose sight of how the entire community feels. He suggested thinking in terms of streetscapes and neighborhoods.

Marianne Cone thanked everyone for attending and encouraged the audience to contact Council members with ideas and comments. Peter Barnes spoke about seeking out and utilizing available resource material on contextual planning.

WORK SESSION NOTES EXCERPT – DECEMBER 8, 2005

Present: Mayor Dana Williams; Council members, Kay Calvert, Marianne Cone Candace Erickson; Jim Hier; and Joe Kernan

Historic Preservation Board Members Roger Durst; Gary Kimball; David White; Mark Huber; and Puggy Holmgren

Planning Commissioners Jim Barth, Michael O'Hara, Mark Sletten; Andrew Volkman; and Jack Thomas

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Patrick Putt, Planning Director; Ron Ivie, Chief Building Official; Gary Hill, Budget Manager; and Brooks Robinson, Planner

1. Historic Preservation. Patrick Putt referred to the three discussion points outlined in his staff report, Historic District design review, historic building documentation, and steep slope development. He relayed that in 2003, the City Council enacted amendments to the LMC which changed the process for review of applications in the Historic District. The Historic District Commission was disbanded and a Historic Preservation Board (HPB) was formed. The new board was charged with forming policies, managing the grant program, and hearing appeals of staff decisions on applications. This direction is consistent with Council's goals in promoting historic preservation and streamlining the design review process for the public and balancing those interests. He described the staff review team, including planning, building, and sometimes engineering and contracted services. There is an opportunity for applicants to meet with staff at a pre-application meeting before any substantial investment is made, specifically with regard to rehabilitating historic structures. Once the application is received, it is discussed at a staff review meeting with engineering and utility companies, etc. When all identified issues are addressed, the noticing of the project occurs with information to adjacent property owners about the appeal process. Mr. Putt described the effectiveness of the noticing in the 9 Hillside Avenue project, which was appealed by the neighbors. Applications in Old Town are dealt with on a case-by-case basis and staff is recommending soliciting RFPs for a licensed architect to assist in processing applications in the Historic District. Another alternative is forming a professional design review committee to make the final call on staff's determination, but this approach is somewhat redundant because there are two licensed architects currently serving on the HPB. He asked the group if staff has met the objective of timely reviews or do these new alternative steps need to be considered.

Mr. Putt continued to explain that historic building documentation would provide very helpful information on identifying original elements and the structural condition of existing stock. When applications are submitted, this documentation will be used in formulating a strategy with regard to rehabilitation options. Mr. Putt described taking apart a building to salvage historic features, using a colloquial term, "*panelizing*". In his opinion, this is a last case scenario and staff's objective is restoring in-tact buildings.

He recommended applying baseline information early in the process and using contract professionals. Additionally, once a method is identified, more information can be included in the public notice.

Mr. Putt explained that prior to March 2000, the City had no specific steep slope review process and applications went through the standard review. Some problems can be identified and solved in the plat and/or subdivision phase but establishing criteria for conditional use permits for steep slope construction provides that the same standards are applied throughout the Historic District. Conditional use permits are scheduled on the Planning Commission consent agenda and can be removed to schedule a public hearing, if deemed appropriate. There is a proposal to schedule public hearings for all steep slope applications. He stated that staff believes they have excellent tools in place currently but are open to alternatives. In response to a question from Kay Calvert about where the responsibility lies in exploring the condition of an historic structure, Mr. Putt responded that it is incumbent on the property owner but it is common for staff to assist with a preliminary inspection of the building. He emphasized that early determination of the condition of an historic structure is needed before design review and he discussed collecting baseline information for Old Town inventory. Ms. Calvert brought up problems associated with mold and Mr. Putt again spoke about “*panelization*” being a last resort. Mr. Kernan asked for examples of different restorative approaches and Mr. Putt discussed Gary Bush’s project.

Puggy Holmgren suggested that applications go to Historic Preservation Board first before review by the Planning Commission. Dana Williams discussed amendments to the Code for the Historic District and the goal of streamlining the application process. David White, HPB member and architect, felt that the City should be aggressive with the documentation project and felt that contracting for architectural services may be helpful. Gary Kimball interjected that buyers should be aware of the condition of their purchases. Mark Huber noted that the amended Code provides improved service to the community and he felt that the Board is working well. He supports documentation of buildings and educating the community on historic preservation. Roger Durst supported the contract with a licensed architect for historic building reviews, but urged the City to avoid the image a *design czar*. He emphasized the benefits of different perspectives collaborating on rehabilitation options for property owners.

Chief Building Official Ron Ivie strongly urged to keep “*panelization*” as an option to save elements on historic structures. There are some instances when taking the building apart is the only way to save anything, particularly when mold is present. He encouraged early inspections and a rational process for determining historical significance and the right approach for restoration. Moving a building with mold, for instance, will only be moving the problems and in some instances, buildings need to be dismantled to waterproof them. Marianne Cone interjected that the condition of the structure should be disclosed by the realtor to the buyer.

Patrick Putt reiterated that staff believes they have good tools in place with regard to requirements, the process and professionals in the planning and building departments.

The addition of a licensed architect to look at Historic District applications could augment resources and eliminate as much as possible any *surprises* to the property owners and other stakeholders. In response to a question from Mark Huber, Mr. Putt felt that the condition and significance of the historic structure would be addressed on the application document. It is not the objective to burden home owners with producing onerous reports, but rather providing basic fundamental information. Mark Huber still expressed concerns that owners be informed early in the process and Mr. Putt felt there are ways to be more proactive in the real estate and building community. Because of the market, there is a lot of information requested at the planning counter. Marianne Cone pointed out potential conflicts of interest with an historic preservation architect and clients in town. Jim Hier commented on whether this position should be filled by an architect or an engineer and Pat Putt believed the City has adequate engineering expertise. Jack Thomas stated that he, like other architects recruit the advice of engineers and in his opinion, it should be an architect and Roger Durst agreed.

Mayor Williams summarized direction to complete an inventory and associated documentation. Kay Calvert believed that most buyers assume that historic homes are subject to special regulations. Marianne Cone pointed out the time saving resources the Historical Society can lend with regard to the inventory. Candy Erickson agreed that much of the research has already been completed. She commented on out-of-state buyers who purchase an historic home as an investment, and the responsibility of the realtor to disclose pertinent information.

Discussion ensued about escalating property values in the Historic District and the resulting applications to build on steep slopes, including properties no one ever imagined. Jack Thomas suggested imposing greater front yard setbacks for structures on steep slopes, which would reduce the volume. Andrew Volkman agreed and felt there should be language in the Code so that regulations are clear. Marianne Cone addressed stepping back buildings. Jim Hier felt that a table could be formulated to illustrate slopes and associated setbacks but questioned the feasibility of applying the formula to in-fill lots. Mark Huber pointed out the impossibility of creating a rule for every circumstance. Patrick Putt asked if the current practice of reviewing steep slope applications on a case-by-case basis is acceptable or is steep slope analysis so critical that new regulations need to be contemplated. Kay Calvert felt that with rising real estate prices, the City will be receiving more applications. With regard to perceived entitlements, Patrick Putt added that the under-lying zoning prompts expectations among property owners. He again stated that he believes staff has the tools to address steep slope analyses. Mark Huber and Jack Thomas agreed that the current regulations are adequate and applications should be reviewed on an individual basis. Michael O'Hara suggested requiring public hearings for slopes of 30% and greater. Mr. Putt continued that if the objective is to make buildings smaller in Old Town, the Code could be amended and another opportunity is the review of a subdivision or lot combination request. **Patrick Putt understood the Planning Commission agendas will remain the same with steep slope CUPs scheduled on the consent agenda.** Staff will develop a strategy for completing an inventory and documentation of Old Town

properties. The Mayor felt there should be an established timeline on the inventory project.

Tom Bakaly explained that the architect would be a contract position not full-time staff. There was again discussion on whether that person should have historic preservation experience or engineering expertise. There was agreement to hire an architect and to **keep the Planning Commission process for steep slope review the same.** At the conclusion of the historic preservation discussion, the Historic Preservation Board members left the meeting.

EXCERPT FROM NOVEMBER 14, 2002 WORK SESSION NOTES

2. Analysis of Main Street uses. Rick Lewis explained that this is part of the economic development strategic plan which is being developed with the HMBA and the Chamber. This is a status report and not a final report and Mr. Lewis displayed a computer assisted presentation. During the period of 1998 through 2002, there has been a 21% decrease in square footage of retail replaced by an increase of real estate (4%) and restaurants (13%). Total office use increased by 25,000 square feet (13% to 17%); real estate office space increased from 6,000 to 22,600 square feet over the five year period (2% to 6%). In 1998, there were seven real estate business licenses on Main Street and in 2002, 18 licenses. He continued that there has been a 12% decrease in retail business licenses over the period and a slight decrease in restaurants. In response to a suggestion from the HMBA, a measurement of linear feet of real estate store fronts was analyzed. There is about 4,000 linear feet on Main Street and Heber Avenue, of which 177 linear feet or 9% is real estate while 82% represents restaurants and retail.

Mark Christensen stated that one of the questions frequently asked is the amount of sales tax generated on Main Street compared to other areas. His calculation includes sales, resort and transit tax; it does not include taxes collected by Summit County. Through illustration of a chart, he explained that in 1994 Main Street represented about 8% and in 1997-98 it peaked to 16% where it has remained constant. Restaurants represent about 49% while retail generates about 42%. In response to a question from Peg Bodell about Town Lift revenues, Mr. Christensen responded that he believes those numbers are reflected in the recreation category. He discussed quarterly sales tax numbers indicating an increase in 1997-98, leveling off in 2000-02, and spiking in 2002. Restaurants are the highest generators of sales tax with office use the lowest. Mr. Christensen discussed differences with business mix and sales tax revenues on upper and lower Main Street and specifically lodging trends. He emphasized that this information is not a detailed analysis but information regarding trends. Mayor Williams expressed his interest in finding information about the loss of potential sales tax revenues because of the number of professional offices on Main Street. Mr. Christensen believed that the work involved in this report can be used for further analyses and helpful to the HMBA in developing its strategic plan. In response to a question from Kay Calvert about the effects of paid parking, Mark Christensen indicated when paid parking came on line in 1997-98 there is a slight increase in sales tax revenues. The Mayor pointed out that who knows how much higher sales tax could have been if paid parking weren't in place. Peg Bodell felt it would be helpful to know what retail Main Street is missing compared to successes in other resort communities. Jim Hier suggested that Mr. Christensen be available to assist the HMBA in providing information for its strategic plan.

WORK SESSION NOTES – EXCERPT MARCH 30, 2006

Present: Mayor Dana Williams; Council members, Marianne Cone; Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan

Planning Commission members Charlie Wintzer and Jack Thomas

Tom Bakaly, City Manager; Kirsten Whetstone, Planner; Polly Samuels-Mclean, Assistant City Attorney; Jonathan Weidenhamer, Planner; Ben Davis, Planning Intern; Seth Atkinson, Budget Analyst

Bruce Erickson, Stantec consultant; Tim Henney, Bonanza Drive property owner; Heather Colson, Homestake Condominiums HOA; Carol Potter, Mountain Trails Foundation; Cindy Matsumoto, Bonanza Drive merchant; Terry Frank, NOMA Board Member; Jenny Smith, Park City Mountain Resort; Jennifer Guetschow, Summit Land Conservancy; Greg Freedman, Claimjumper Condominiums HOA; Rodman Jordan, Centura Development; and Mary Wintzer, Iron Horse Drive property owner

1. Analysis of Main Street business uses. Jonathan Weidenhamer explained that after the Olympics, the City began to develop an economic development strategic plan and one component addressed commercial mix. A trend of real estate offices moving to Main Street prompted concerns, and some Council members expressed interest in exploring an ordinance to control the proliferation of real estate offices on Main Street. He pointed out the decrease in retail from 1998 to 2002 and the increase of real estate offices fronting on the street from seven to twelve. At that time, however, Council decided not to pursue an ordinance and directed staff to monitor uses.

He added that the economic development plan has been in place for the past several years and at the January 2006 Visioning Session, Council discussed conducting a market analysis of the entire town and updating the 2002 information. Ben Davis explained that the 2002 study area included the Main Street corridor, including Heber Avenue and Swede Alley. This project only looked at Main Street and although the numbers are a little different, the percentages are the same. The number of business licenses, in the 220 to 230 range, has remained relatively consistent. Mr. Davis discussed Aspen's ordinance, which prohibits real estate offices on the street level. Since 2002, restaurant uses have remained constant at 35%, the retail presence has grown by about 9%, and he explained the drop in vacancies in buildings. Office uses total 8.4% which was at 11% in 2002. General office uses are up from 2% to 2.4% while real estate offices have decreased from 9% to 6%.

Seth Atkinson explained that the Budget Department maintains a data base of sales tax collected which can be broken down by geographic area or business type. He explained that foregone sales tax revenue was determined by calculating the retail sales

tax generated on Main Street and a retail square foot sales tax rate. Staff estimated a range of \$29,000 to \$49,000 annually and estimate that in 2006 about \$740,000 will be collected in sales tax revenue for Main Street, representing roughly 47% of all sales tax revenue. There was discussion about the boundaries of the study area and Jonathan Weidenhamer explained that this work is the first step in establishing a market analysis. Staff recommends not pursuing an ordinance. In response to a question from Candace Erickson about the defensibility of an ordinance, Polly Samuels McLean explained that *office use* could be prohibited on street level, not specifically identifying real estate offices. Aspen's ordinance is drafted in this manner. Council concurred with staff's recommendation.



City Council Staff Report

Author: Patrick J. Putt, Planning Director
Subject: Park City Heights Annexation Update
Date: April 5, 2007
Type of Item: Informational

Topic: Informational

Update on Park City Heights Annexation Task Force Process

Background

1. Annexation Petition History: The Park City Heights Annexation Petition was accepted for consideration by the City Council on March 10, 2005. The overall annexation area proposed is 256.84 acres and is located in the Quinn's Junction area near the southwest quadrant of the US-40/SR-248 interchange. The properties included in the proposed Park City Heights Annexation are two separate parcels owned by the applicant (*north/"90" Parcel--24 acres; south/Clark Ranch Parcel--176 acres*); together with the 12.46-acre Byer property; State of Utah Rail Trail; and a 40-acre parcel owned by the United Park City Mines Company (UPCMC). Neither Byer nor UPCMCM is listed as an applicant on this annexation petition.

The annexation area is bounded on the north by the 29.55 acre Quinn's Junction Partnership property; SR-248 right-of-way, City-owned open space, and UDOT property to the west; Morning Star Estates Subdivision and Gillmor land to the south; and the US-40 right-of-way to the east.

The current County zoning for the property is Developable Lands (DL) at 1 unit per 20 acres-base density; and Sensitive Lands (SL) at 1 unit per 40 acres (*for wetlands and land over 30% slope*). The underlying zoning being requested is a combination of General Commercial (GC-MPD), Residential Development—Medium Density (RDM-MPD), Residential Development (RD-MPD), and Recreation and Open Space (ROS-MPD). The property is presently undeveloped.

The proposed Park City Heights Annexation area is located within Park City Municipal Corporation's Annexation Expansion area, as described by the adopted Annexation Policy Plan. The applicant's property is the subject of a July 2, 1992 Pre-Annexation and Settlement Agreement executed between the City and Frank and Nadine Gillmor. Section C of the Pre-Annexation and Settlement Agreement states that:

The parties agree that the Subject Properties should be annexed into Park City as and when they develop. The Gillmors and their assignees agree to petition for annexation of the Subject Properties to Park City before seeking any zoning or

development approvals. The parties understand that Park City may not bind future City Councils to specific courses of Legislative action. However, Park City represents that it would favorably consider petitions for annexation of Subject Properties based upon the terms and conditions of its Annexation Policy Declaration, the Land Management Code and its dedication of water rights described in paragraph D of this Agreement.

Preliminary work associated with the preparation of Park City's comprehensive plan shows that low to moderate density residential uses, with limited light industrial or support commercial uses are appropriate for the Clark Ranch and "90" properties. Actual use and configurations and densities cannot be finally determined until master plan approval and annexation of the Subject properties is formally proposed, and will depend on site planning, infrastructure, and market conditions at the time the Subject Properties are proposed for annexation and development.

The original proposal included 200,000 square feet of commercial area on the 24-acre "90" and 352 residential units on the 176-acre Clark Ranch/south parcel. No development is identified on either the 40-acre UPMC land or the Byer parcel. The Park City Planning Commission held a public hearing on the annexation petition on July 27, 2005 and expressed concerns including: proposed density type and location, lack of clustering, location and amount of open space, hillside development, traffic, and consistency with the resort community.

2. Creation and Purpose of the Park City Heights Annexation Task Force: On May 4, 2006, the City Council adopted a resolution to establish the Park City Heights Annexation Task Force to review elements of the General Plan including affordable housing, economic impacts, traffic, and underlying zoning and density for the property as related to the Park City Heights Annexation Petition (see attached resolution).

The Task Force is empowered to review the aforementioned topics as they relate to elements of the General Plan as well as application of underlying zoning and density, and affordable housing. The task force consists of two members of the City Council appointed by the City Council (*Jim Hier and Roger Harlan*), three Planning Commissioners appointed by the Planning Commission (*Michael O'Hara, Charlie Wintzer, and Mark Sletten*), one ex-officio, non-voting Summit County Planning Commissioner appointed by Summit County Planning Commission, and staff support. The Task Force is responsible for making a recommendation to the Planning Commission on the annexation petition prior to the Planning Commission forwarding a recommendation to the City Council.

3. Current Project Proposal and Progress-to-Date: The project plan has evolved considerably since the original submittal through a number of concept plans. The 24-acre "90s" Parcel is proposed to be conveyed to the City. No commercial development is proposed. The residential density is currently proposed at 166 market units and 16 affordable housing units (*a total of 182 units on the Park City Heights property*). The Petitioners have been in discussions with the Burbs LLC and the Intermountain Healthcare to determine whether or not the IHC affordable housing commitment that is contemplated for development on the 5 acre parcel near the intersection of US-40 and SR-248 can be developed on the Park City Heights property. Should 28 affordable housing units associated with the IHC project be developed on the Park City Heights site, the total residential unit count will be 210 units. The current project open space proposed is approximately 73%.

To date the Park City Heights Annexation Task Force has met eight times. Council has had one previous joint meeting with Planning Commission as well. The elements reviewed and discussed to date include proposed land use; potential zoning designations; traffic impacts; and affordable housing. The Task Force has also spent several meetings reviewing revised project site plans to evaluate methods to better integrate the proposed unit mix, as well as traffic and pedestrian circulation. The Talisker Corporation, which owns a 20 acre property within the proposed annexation area, has been involved with the Task Force's site planning discussions. Talisker is considering developing affordable housing on the 20 acre parcel in fulfillment of its Empire Pass/Montage obligations. Its involvement has centers around exploring ways to better integrate the two projects through road and trail connectivity, transit and overall site layout. Although part of the annexation area, Talisker has not formally agreed to participate with the existing annexation Master Planned Development (MPD) application, or filed its own MPD.

Affordable Housing Coordination with IHC

The Employee/Affordable Housing requirement for development associated with the Intermountain Healthcare hospital (300,000 square feet) is 44.78 Affordable Unit Equivalents (AUE). An AUE is equal to 800 square feet/2 BR unit. *(Please note that the employee/affordable housing requirement for the Medical Office Building is a separate obligation that is not included in this calculation.)* The Annexation Agreement provides two alternative scenarios by which the housing requirement associated with the hospital can be fulfilled.

- (1) Development of the 44.78 AUEs on-site on a five acre parcel donated by the Petitioner, Burbs LLC. This is consistent with the City's Housing Resolution 17-99 that gives preference to units provided on-site.
- (2) Development of the 44.78 AUEs at some alternate location within the City as mutually agreed upon by the City and Burbs, LLC. Moving the units off-site would like result in a better overall entry corridor design and an enhanced community atmosphere.

Burbs, LLC and the Petitioners for the Park City Heights Task Force have been working together for the past several months to determine the feasibility of locating the 44.78 AUEs (configured as 28 affordable housing units) within the proposed Park City Heights development. The attached site plan (Attachment B) shows the incorporation of these additional affordable units within the Park City Heights development.

The Annexation Agreement requires that the decision as to whether the units would be on-site as part of the IHC campus or at an alternative location must be made by the end of calendar year 2007. Should such a decision not occur, then Burbs, LLC would proceed with the development of the 44.78 AUEs on the 5-acre parcel on the IHC campus.

4. Next Steps: The Task Force has not reviewed the evaluation of the project compliance with the General Plan's Community Economic Element. This matter is being schedule for an upcoming Task Force meeting. A final review of the project site plan for circulation, Sensitive Lands, and geotechnical issues and compliance with the General Plan and Hwy. 40/248 Southwest Planning Area will take place prior to a Task

Force recommendation. Staff anticipates the Task Force will be prepared to forward a formal recommendation to the Planning Commission and City Council by May.

Resolution No. 13-06

RESOLUTION ESTABLISHING THE PARK CITY HEIGHTS ANNEXATION TASK FORCE

WHEREAS, the Park City Heights Annexation Petition was accepted for consideration by the City Council on March 10, 2005; and

WHEREAS, on July 27, 2005 the Park City Planning Commission held a public hearing on the annexation petition, at which time they expressed concerns including: proposed density type and location, lack of clustering, location and amount of open space, hillside development, traffic, and consistency with the resort community; and

WHEREAS, Other remaining annexation elements to be addressed include the designation of the appropriate zoning and density and affordable housing obligation for the proposed annexation area which shall be based on the policies and action items set forth in the General Plan.

WHEREAS, creation of a Task Force is consistent with review of other annexation proposals; and

WHEREAS, the intent of the City Council in forming this Task Force is to provide early input to the Planning Commission and applicant on major components of the application, without effecting the overall procedural requirements of annexation review as required by the Land Management Code and state law.

WHEREAS, the other remaining annexation element to be addressed is the designation of the appropriate zoning for the proposed annexation area,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the IHC/USSA/Burbidge Annexation Task Force is established as follows:

SECTION 1. MEMBERSHIP. The membership of the Park City Heights Annexation Task Force shall include two members of the City Council appointed by the City Council, three Planning Commissioners appointed by the Planning Commission, and one ex-officio, non-voting Summit County Planning Commissioner appointed by Summit County Planning Commission. The Planning Department shall provide all staff and administrative support as necessary.

SECTION 2. DUTIES. Park City Heights Annexation Task Force shall conduct a review and provide a recommendation on the annexation petition to include the Housing, Transportation, and Community Economy Elements of the general plan, as well as designation of underlying zoning and density. The review and recommendation shall occur prior to the Planning Commission forwarding a recommendation on the annexation petition to the City Council.

Chairperson. One of the appointed City Council members shall serve as chairperson of the Task Force. The Chairperson shall vote.

Quorum. No business shall be conducted without a quorum at the meeting. A quorum shall consist when a majority (at least 3) of the voting members is present. All meetings must comply with the Utah Open and Public Meetings Act.

Voting. All actions of the Task Force shall be represented by a vote of the membership.

A simple majority of the members voting at a meeting shall approve any proposed action.

SECTION 3. TERM. The Task Force shall dissolve upon final recommendation to the Planning Commission on the proposed annexation petition, but in no event shall the Task Force remain active past May 4, 2007, without subsequent City Council approval.

PASSED AND ADOPTED this 4th day of May, 2006.

PARK CITY MUNICIPAL CORPORATION

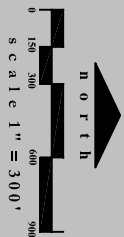
Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



park city heights

park city, utah &
summit county, utah

march 27, 2007

PROPOSED DEVELOPMENT - 204.75 AC.

RESIDENTIAL DEVELOPMENT

- Homesteads - 78 Units
- Cottages - 80 Units
- Attached - 8 Units
- Affordable - 44 Units

TOTAL RESIDENTIAL - 210 UNITS

OPEN SPACE - 190.05 AC. / 73.28% OPEN SPACE



conceptual master plan

Resolution No. 07-

A RESOLUTION DECLARING PARK CITY'S RECOGNITION OF THE WEEK OF APRIL 14 THROUGH APRIL 22, 2007 AS SUSTAINABILITY WEEK.

WHEREAS, a sound natural environment is the foundation of a healthy society and a robust economy; and

WHEREAS, the citizens of the City and visitors to our area appreciate the importance of these natural resources to the quality of our lives by virtue of their aesthetic appeal and intrinsic social and economic value; and

WHEREAS, we recognize that society must be aware of the potential forces which can deteriorate the quality and quantity of these special natural resources and therefore negatively effect our quality of life; and

WHEREAS, we recognize that "we are all in this together" as we work to protect our environment, and that cooperative involvement of citizens is the best deterrent to erosion of these special natural resources.

WHEREAS, the knowledge of ways to live in harmony with our environment and methods and technologies to accomplish this end already exist; and

WHEREAS, local communities can do much to reverse environmental degradation and contribute to building a healthy society by addressing issues such as energy use, transportation, waste prevention, and sprawl; and

WHEREAS, there are sound economic, environmental, and social reasons for local governments to initiate energy efficiency and renewable energy practices; and

WHEREAS, the environmental realities of our time require humans to make a dramatic shift in our relationship to the natural environment; and

THEREFORE, let it be known that Park City recognizes April 14 through April 22 as Sustainability Week and commits itself to undertaking programs and projects that enhance our community's natural environment; and

FURTHERMORE, let it be known that Park City hereby encourages its residents, businesses and institutions to use Sustainability Week to celebrate our environment and natural resources and commit to building a sustainable society; and

FURTHERMORE, let it be known that the Park City commits to the support of programs that further the efficient use of clean, renewable energy within its borders.

Section 1. EFFECTIVE DATE. This resolution shall become effective upon adoption.

Passed and adopted this 4th day of April 2007.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney