

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
APRIL 5, 2007

Present: Mayor Dana Williams, Council members Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier and Joe Kernan. Planning Commission members Jack Thomas, Evan Russak, Mark Sletten and Charlie Wintzer. Historic Preservation Board member Ken Martz.

Patrick Putt, Planning Director, Jonathan Weidenhamer, Project Manager.

1. Old Town Plat Amendments – Planning Director Pat Putt explained that City Council, Planning Commission, and Historic Preservation Board held a joint work session on February 8, 2007 to discuss a number of Old Town issues.

Staff wishes to confirm direction from that meeting and requests discussion on the “how and when”. They received a number of tasks ranging from moving forward with adoption of the Secretary of Interior Standards for Rehabilitation for the Main Street Historic District; completing the final draft of the historic building inventory; developing a stakeholders group to consider topics which include defining what historic integrity means, base density for Old Town large parcels in conjunction with plat amendments, building mass and scale, access and steep slope conditional use criteria; and, more specific plat amendment criteria for Old Town. Other tasks included initiating ongoing training with the Historic Preservation Board and Staff. He reported that Staff has begun training with HPB members, Dina Blaes has been fine tuning the historic inventory document, and the Sustainability Team has developed a budget request for funding to complete the Historic District Guidelines update.

Staff has heard concerns about whether or existing tools will help to solve the problems and issues the Planning Commission and City Council are currently experiencing. Therefore, Staff's concern is whether to continue working forward as directed in February, or whether there are “low-hanging fruit” that Staff should address immediately by amending codes or policies. The timeframe for a stakeholders group to work through issues is approximately six to eight months. The alternative approach, addressing issues through ordinance, would take two months or longer. Under either scenario, the seven questions listed in the staff report are answered; however, one is more holistic and the other is a more fragmented, issue specific approach. His concern is that Old Town is very complex and fixing one component could have implications for other issues.

Charlie Wintzer believed they need to review the Subdivision Ordinance, which was written for large subdivisions. They need to address what is occurring in Old Town. He stressed they needed a training session to hone their tools and become more aggressive.

Mark Sletten encouraged a holistic approach. Old Town has been evolving and maturing since the 1970's and they need to consider the whole, not just parts.

Jack Thomas desired a macro look and felt they should consider reducing square footage, height, and talked about damage to Old Town from the mass and size of additions and new construction.

Evan Russack felt they should use a two-step approach and address issues such as plat amendments, steep slope criteria immediately, and wait six to eight months for the macro review.

Mayor Williams commented on beautiful homes on the hillside that were completely incongruous with Old Town as well as the historic structure across the street that seems to have been lost in the remodel. Because the flavor of Old Town is being chipped away, it is time to step back and decide what we want to accomplish because the threat to historic structures is growing.

Ken Martz commented on numerous new homes on 25' wide lots, which are of good architectural quality, but lack landscaping and streetscape appeal. Mass, scale and demolition are the most important, and complex, issues. Historic houses face heavy restrictions, whereas one can build whatever fits on empty lots.

Candace Erickson did not believe we had to change Old Town so everyone can live there. She would rather keep it small. Some of the additions have been larger than the houses themselves and they have completely lost the flavor. She would no longer allow lot combinations and added that additions should complement the location where they exist.

Marianne Cone asked if there were way to separate new additions to historic houses so the old home stayed old. Patrick Putt explained there are a number to ways to connect historic buildings and control the spatial relationship between the new addition and the existing home.

Jim Hier expressed concern about height on steep lots and suggested creating a methodology to restrict square footage so they can't increase size by stepping up the lot. Currently, given a steep enough lot, one can have a building that steps up ad infinitum.

Roger Harlan emphasized they could not control the escalating price of real estate which drives a lot of what they are discussing. To the degree they can take the appropriate time necessary, in mid-stream, to keep from losing the enjoyment, integrity

and delight that Old Town brings he is willing to face the public criticism that might ensue.

Manager Tom Bakaly suggested they review Items 1-7 in the Staff Report to determine which of the items they would like Staff to do more quickly and discuss what the impacts would be.

Mayor Williams requested public input before providing direction.

Peter Barnes, local designer, state they needed to separate myth from reality. A 6,000 square foot house cannot be created on two combined lots. It is important to understand how the numbers work in the built environment. Various groups have had these discussions before and as we are living in the most restrictive regulatory environment that we have ever had in Park City, and you do not like the result, it seems the regulations are the problem and should be reviewed. Quoting Einstein, he said the world will not evolve past its current state of crisis by using the same method of thinking that created the crisis in the first place. We need to think more deeply.

Mike Sweeney, HMBA, requested that they have an opportunity to participate in the stakeholder group. He preferred a holistic approach as opposed to putting band aids on things that may not correct the problems.

Regina White, resident, owns a large metes and bounds parcel with a small historic house. She would like to subdivide, and sell one lot so she can afford to preserve her historic home and expressed concern that this would prevent her from doing that.

Charlie Wintzer commented that currently when people request a subdivision, the Planning Commission has no idea of the ultimate plans for the property. They don't have the tools to look at massing of units.

Mayor Williams commented on large homes on the periphery of Old Town and asked if they were from metes and bounds parcels as opposed to being subdivided lots. Patrick Putt explained that every case has a different story; some came from lots that were created through Treasure Hill MPD which had specific parameters that Planning Commission and Council put on a number years ago; Northstar lots are atypical HR-1 lots subject to HR-1 requirements; others are by-products of lot combinations and some contain structures built under maximum building footprint, height and setbacks; some are products of late 80's, early 90's MPDs; and some date back to the 70's and 80's when height limits were taller.

Ken Martz commented it begins with a small sign noticing a plat amendment hearing, and leads to a lengthy building process. Adjacent homeowners only receive notice of

the plat amendment. He felt there should be a combined process, with notification of what is going on, so neighbors have a say in the whole process.

Tom Peek, Old Town property owner, believed Peter Barnes made good points. He hears more complaints about single homes on 25' lots than the bigger homes on combined lots. Although we don't see many lot combinations, you end up with less square footage than you would with two single family homes. He suggested taking an inventory to identify what is good and what is bad. He, too, would like to be involved in the stakeholder process.

Steve Deckert, Daly Avenue resident, commented that the Sensitive Lands Ordinance was not applied to the historic district, because it would have rendered all remaining lots in Old Town unbuildable. He believes the Land Management Code Subdivision Ordinance already provides tools for the Planning Commission to rein in and reduce densities more than they have been doing. Training sessions and support from the Legal Department is a good idea.

Gordon Strachan, Old Town resident and business owner, suggested they begin knowing what will happen later when a plat amendment comes through. He referred to the three lots near his home and Bad Ass Coffee where three huge buildings, designed by a well-respected, talented architect, are being constructed. He urged protection of other parts of Old Town and encouraged them to use the tools they have now. He touched on Item 8 and commented it had become a mall selling "villages" that are being built in around Park City. He urged the group to protect what has been a wonderful, beautiful main Street.

Mayor Williams encouraged taking a visual survey to identify projects, both good and not good, and understand how the Code and tools they already have work.

Jim Hier stated they are concerned with plat amendments and subsequent development, but they can't link the two. If they were presented as master planned developments, they could attach design and construction to the approval. Attorney Harrington responded they would look into it, but it was important to balance our controls with what the State Legislature asks municipalities to focus on. The key is further defining standards so applicants know what they can get when they look at the Code.

Patrick Putt summarized possible courses of action. Points raised in the discussion were looking at building size, mass and scale; developing building height and plat amendment criteria for Old Town; and providing training and education on existing tools; and, steep slope criteria. The first course of action would be to direct Staff to immediately begin to initiate Land Management Code revisions to address those.

Another idea was to evaluate the built environment so the group can better understand how big these buildings are, when they were built, and the provisions of the Land Management Code in effect when they were built. He asked if the group wanted to initiate amendments or review the visual tour of LMC history, both of which would be in advance of creating a stakeholders group.

Jim Hier felt it was important to review Steep Slope Conditional Use Permit criteria.

Mayor Williams preferred to become better educated through a visual look and learn what the LMC has produced over the years, rather than requesting Land Management Code changes right.

Mr. Putt felt it would be a valuable exercise and would help separate myth from reality. Comparing houses built under a certain set of regulations, with a certain set of tools, and comparing them would be a fundamental step.

Manager Bakaly clarified that this is similar to strategies employed in the stakeholders function. Some of the group favored immediate Code changes and he wanted to ensure that Staff was not missing any expectations by taking the time to prepare this study. He clarified that Staff would return within a month for another joint discussion with Planning Commission and City Council to review existing tools and apply them to practical examples particularly in the areas of steep slopes and plats. This will involve high focus from Staff and they will not be working on ordinance changes during this period of time.

2. Main Street Vertical Zoning - Mayor Williams explained this item refers to regulation of real estate offices on Main Street, which has been a concern because linear square footage has been converting into offices on Main Street.

Project Manager Jonathan Weidenhamer explained that in 2002 and 2006, Staff had brought updates to Council on mixed uses on Main Street. In 2002, 11% were office use and 82% were restaurant and retail. In 2006, offices had decreased to 8% and 91% were restaurant and retail. At that time, there was a consensus that the threat was more perceived than real and Staff was directed to monitor uses as they proceeded with a market analysis.

The market analysis will be a two-phase approach providing first an inventory of the types of businesses, and based on sales tax revenues, what types of businesses are more successful than others. The second phase will involve a comparison to other resort communities and their mix of businesses. This information will provide a basis for Council to discuss the efficiency of our mix and to discuss whether we want to look at something else. Park-Bonanza updates will also help shape discussions on some type of preferred future.

Based on observations, Staff has observed the possibility of ownership changes on Main Street involving “residential concierge or owners’ clubs”. They are unclear what the impact could mean in terms of sales tax.

Jim Hier felt we should be taking a look at how we can limit non retail, non restaurant uses, not necessarily doing a market retail study of which facilities provide us with more sales tax. Joe Kernan wanted ideas from other towns who have addressed this issue. Ken Martz believed the more public you could make Main Street, the better it will be. Jack Thomas felt the vitality and future of Main Street depended on the ease with which we can get there. Evan Russack wondered what the trigger point was if we were going to make efforts to change the economic landscape on Main Street. Mayor Williams explained there was a mix of about 10-11%, which was livable, but we are trying to define a percentage for the future since there is the potential to go higher.

Manger Bakaly summarized Council's direction to return with more discussion of issues surrounding this and that they desire fact finding to frame the information from other cities that have done this, rather than returning with an ordinance.

3. Park City Heights Update - Patrick Putt, Planning Director, presented a status report for the benefit of Planning Commission and Council members who were not involved in the Task Force. In March 2005, the City accepted an annexation petition for Park City Heights Annexation, involving 256 acres, broken into two separate areas, owned by several individual property owners. The original proposal involved 200,000 square feet of commercial area and 352 residential units.

Because of the complexity of issues associated with the project, City Council implemented a Task Force in May 2006 to provide recommendations on General Plan Elements relating to affordable housing, economic impacts, traffic, underlying zoning and density. The current plan illustrates the 24 acre parcel will be conveyed to the City; there will be no commercial development; residential density includes 166 market units, and 16 affordable housing units, totaling 182 units. In addition to Park City Heights market units and affordable housing requirement, 28 affordable housing units will be added to this site for the Intermountain Health Care/Burbidge Annexation, creating a total of 210 units. Incorporating the IHC units into Park City Heights would create a viable community designed to provide a mix of residential unit and affordability types. He added that Talisker also owns a piece of property within the annexation area and the Task Force has been looking at site planning and integration of all potential uses that we could see in this area. Depending on how many owners join in the master plan for affordable housing, the Task Force anticipates forwarding a recommendation in May.

Joe Kernan stressed the importance of having a variety of price levels and the importance of interspersing affordable housing throughout the market rate housing.

Mayor Williams asked about appreciation caps being placed on the affordable units and talked about new models that allow owners to gain appreciation. The single biggest source of wealth that most people get in life is their homes, and it allows people to buy out of affordable housing.

Jack Thomas wondered if there would be a commercial component to meet basic food shopping needs. Mayor Williams expressed the philosophical concern of the task force that it wasn't enough to justify putting in businesses, and it created the dilemma of another subdivision that was not close to commercial/

Marianne Cone encouraged a variety of architectural styles. Patrick Putt indicated the Task Force stopped short of requiring LEED certification, but they did encourage "greenness".

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

I ROLL CALL

Mayor Williams called the regular meeting of the City Council to order at 6:30 p.m. at the Marsac Municipal building on Thursday, April 5, 2007. Members in attendance were Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier and Joe Kernan. Staff present was City Manager Tom Bakaly; City Attorney Mark Harrington; Alison Butz, Project Manager

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Marianne Cone thanked the Water Department for their efforts and noted it was nice to see town being cleaned up as the snow melts.

Roger Harlan reported that the Schools Task Force was making progress and would make a recommendation to Council soon. He, too, noted the street sweepers had been out and he appreciated striping that occurred on Bonanza Drive.

Candace Erickson reported the Recreation Advisory Board wanted to answer the challenges they had been given and they are reviewing sites for their next report to Council. She also reported the Historical Society was excited about Council's decision.

Mayor Williams reported they had met at Hill Air Force and developed with criteria on what they wanted to achieve. National Step It Up Day is next Saturday. He commented on the ban of plastic bags in San Francisco and had a discussion with the Market at Park City regarding cost comparisons.

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. Resolution Declaring Park City's Recognition of the Week of April 14 through April 22, 2007 as Sustainability Week. Mayor Williams noted that over 1100 cities across the United States will participate in the Step It Up program. He referred to the Supreme Court's environmental decision and believed it would help create change in terms of dealing with air quality issues and sustainability.

Marianne Cone, "I move approval of the Resolution Declaring Park City's Recognition of the Week of April 14 through April 22, 2007 as Sustainability Week." Roger Harlan seconded. Motion carried unanimously.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at 3:30 p.m. Members in attendance were Mayor Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, City Manager; Mark Harrington, City Attorney; Dave Gustafson, Project Manager; Alison Butz, project Manager; Gary Hill, Budget Manager; Lloyd Evans, Chief of Police, and Jonathan Weidenhamer; Project Mmanager. Marianne Cone, "I move to close the meeting to discuss property". Joe Kernan seconded. Motion carried unanimously. The meeting opened at 4:00 p.m. Jim Hier, "I move to open the meeting." Joe Kernan seconded. Motion carried unanimously.

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 Sharon Bauman, Analyst II