**PARK CITY COUNCIL WORK SESSION NOTES**
**SUMMIT COUNTY, UTAH**
**MARCH 29, 2007**

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kent Cashel, Deputy Public Works Director; Jonathan Weidenhamer, Project Manager; Gary Hill, Budget Manager; Ken Fisher, Recreation Manager

**1. Council questions/comments.** Roger Harlan reported that the School District Joint Task Force continued to meet. Candace Erickson commended the Recreation Roundtable Group (City, School District, and Snyderville Basin Recreation) for finalizing a three-party agreement clarifying use of facilities. Jim Hier had attended the Leadership meeting, as well as the HMBA, Park City Heights, and Interagency Task Force meetings. Park City Heights Task Force will present an update to Council on April 5th.

**2. Bonanza Drive traffic study.** Kent Cashel, Deputy Public Works Director, referred to Council's adoption of the Transportation Strategic Plan and discussions about the interdependency of transportation decisions that would be coming before them. The Bonanza Drive reconstruction and waterline project represents the first major decision based on those transportation elements and he wanted to highlight the challenges that project poses and relate it to the walkability study that will be discussed later in the meeting.

The Bonanza Drive reconstruction is driven partially by age of the road, but primarily because of the need to install a larger water line to provide water to areas in Flagstaff Mountain and provide redundancy for the Main Street area water system. The project will take approximately four months and will present significant disruption to vehicular and pedestrian traffic, as well as businesses along Bonanza Drive. Staff has been meeting for over a year to develop plans to minimize the impacts and engage business owners so they are ready for the project.

Because Staff did not possess a solid understanding of current and future traffic conditions along Bonanza Drive, and given the significant impacts on businesses, pedestrians and vehicles, they engaged Interplan Co. to conduct an evaluation of vehicular capacity needs. The study looked at current conditions and provides an idea of how it will function as the area builds out. Roughly, 80 percent of the traffic is through traffic with Bonanza serving as a main arterial for people coming and going to Main Street, Deer Valley Resort and Park City Mountain Resort. Intersections are becoming challenged because there are not many breaks in traffic. We need to keep traffic moving but also need to consider how we control cross traffic and don't want to redirect drivers to other problem areas.

With that in context, Mr. Cashel explained the Walkability/Bikeability Study identifies Bonanza as a major pedestrian arterial and includes a set of recommendations for improving safety and convenience through the corridor. He emphasized that the studies were completed independently and did not consider impacts on the other issues. He stressed that Bonanza was a difficult corridor and Staff needs to balance needs for utilities, pedestrians and bicycle traffic, and vehicular traffic.

As a result, he explained that Staff recommended a four-step process: 1) Council determines which issues it chooses to address; 2) Council communicates desired funding levels; 3) CIP Committee weighs projects against funding, timing, traffic flow, project challenges; and 4) Staff recommends implementation and funding schedule as component of CIP Budget in May.

Marianne Cone and Joe Kernan supported a look at alternatives to address the cross traffic and pedestrian issues. Jim Hier clarified that Staff was requesting process approval so they can develop options to consider during the CIP process. Council members all concurred with the process proposed in the Staff Report.

Cindy Matsumoto, Bonanza Drive business owner, summarized her understanding of the project that would occur in 2009 for a four-month period.

Carol Potter, Mountain Trails Foundation, supported the idea of including walkable issues.

**3. Walkability discussion and public input.** Jon Weidenhamer, Project Manager, Gary Hill, Budget and Grants Manager, and Landmark team members Mark Vlasic and Andrea Olsen were present.

Jon Weidenhamer explained that Landmark had completed their professional recommendations and identified potential levels of services; provided options on capital projects and operations and maintenance levels of service; and, provided cost efficiency analysis and comparisons with other cities. He emphasized that Landmark identified issues and developed project alternatives; but most importantly, they identified the issues that we need to solve. For example, instead of recommending an overpass, underpass, or Hawk Beacon Signal on Kearns, the issue that needs to be resolved is getting to the schools safely. Based on the project goals (safety, efficiency, enhancing local connectivity, and enhancing regional connectivity) the issues were ranked and placed into five tiers. Tiers 1 and 2 include highest ranked issues and Tiers 3 through 5 contain projects that were less representative of the study's goals. Tiers were then grouped into Levels of Service based on issues, recommended projects and project costs.

Mr. Weidenhamer explained that the Level of Service (LOS) 1 related to historical spending over the past ten years which was $867,800, most of which was spent on recreational trails. Landmark's recommendation is LOS 2, which includes Tiers 1 and 2. LOS 3 adds "easy" and inexpensive projects from Tiers 3-5. LOS 4-5 increase incrementally and include the most expensive projects, i.e., grade separation of bicycles and pedestrians, overpasses, underpasses, etc.

Gary Hill, Budget Manager, referred to the matrix in the staff report that illustrated impacts on other City projects, utility and environmental challenges, timing and funding, staffing impacts, and impacts on private property. Levels of Service 4, 5 and 6 will require additional funding or revenue sources such as bonding or tax increases.

Mr. Hill stressed the success of Park City's walkability depends on how well we are able to maintain the infrastructure. We need to ensure that existing trail infrastructure is maintained, and that new improvements are taken care of into the future. For example, historic trails maintenance has been about $40,000 per year; only $10,000 of which was budgeted for trails overlay and the balance was borrowed from pavement management funds. In order to maintain new improvements listed in the Landmark recommendation would require additional funding of $44,000 per year. The report includes a table identifying annual operations and maintenance associated with Levels of Service.

Mr. Hill emphasized that the walkability study was neither designed as a traffic calming study nor a timeline for implementation of the projects. It is important to understand the interdependent nature with other projects and rely upon the CIP Committee, Staff, and outside consultants if necessary, to compare and understand them. Therefore, Staff requests that Council identify a Level of Service, which will provide a starting point for the budget process. Staff will consider the walkability-recommended solutions from Landmark with traffic and transportation, funding, timing with other City projects and will return to talk about the projects as components of the budget. He pointed out that ultimate solutions may differ from Landmark's recommendation and Council will have the ultimate say on those solutions.

Mayor Williams thanked the consultants for their efforts and patience and requested discussion from Council members.

Jim Hier clarified that Council was selecting Level of Service as opposed to considering dollar amounts represented in the tables. Mr. Hill concurred and reiterated that provided Staff a sense of the order of magnitude and general direction for issues and potential solutions.

Mr. Hier preferred Level of Service 3, which addresses major issues plus "easy" projects in Tiers 3-5. He favored developing solutions, issues and analysis for the CIP

Committee to consider, including how many people are being served so we have a cost benefit analysis. He would like to separate the projects that will require significant investment, such as Kearns and Bonanza, and establish an internal team to explore tools to fund a solution beyond General Fund or bonding. Grants, special service district, cost sharing are tools to help fund a deeper solution and the problems warrant continuing analysis and study.

Candace Erickson concurred and suggested they run simultaneously. Solving some of the pedestrian issues in the two locations will help traffic.

Roger Harlan also preferred Level 3. He felt the public would understand they have options as we look into the future if we start with the smaller issues.

Marianne Cone agreed and felt some of the “fixes” in Level 3 could improve connectivity. She stated we should not design one more road without being sure it worked for everyone, not just vehicles.

Joe Kernan appreciated the efforts to improve connectivity and provide safer routes to schools. He commented on the community’s past willingness to support spending to improve the community and expressed comfort considering projects up to $3,000,000. Because the larger items are more likely to be related to children, he supported connections between neighborhoods and schools and was willing to consider larger expenses in those areas. He asked for alternatives related to timing so they could consider options on what could be accomplished in future years and he liked the idea of bonding for those amenities

Mayor Williams summarized unanimous agreement for Level of Service 3. Bonanza and Kearns will require time, effort and funding and must be addressed soon. He applauded the Prospector Neighborhood for identifying and addressing some of their issues. He expressed concern about solutions that require taking people’s front yards.

Jim Hier noted the School District Task Force was also addressing the high school crossing, traffic and transportation issues. He emphasized the expectation to provide a line item budget for trails maintenance as part of Council’s LOS recommendation.

City Attorney Mark Harrington clarified that the CIP budget process would prepare a variety of recommendations regarding operation and maintenance. Further, comments on page eight of the report regarding dangerous situations are citizen comments and are neither technical conclusions by the consultant nor the Risk Management Department. Risk Management will evaluate O&M issues, which may result in some funding movement as well.

Mr. Hill summarized that Staff has a list of projects that can be tackled immediately as part of the CIP budget process. In addition, Staff will work concurrently on how to begin addressing Kearns, Bonanza, and other issues that might not be addressed immediately. They will have a plan for issues to be addressed through O&M. These can be discussed during the budget process.

Jim Barth stated he is Park City official serving in capacity of Planning Commissioner, however he is speaking in personal capacity as a resident at 2025 Lucky John Drive. He is opposed to items 12 & 108 specifically providing for a 5' wide concrete sidewalk for the entire length of Little Kate Road and Lucky John Drive. Based on his review of the proposal, such a sidewalk would have negative impact on his property and home. To construct this urban concrete sidewalk, numerous 20-30 year old trees and other foliage in front of his home would have to be removed. He questioned why the City would consider such a large expenditure that would benefit so few people. He suggested a new sidewalk on Little Kate terminating at the intersection of Little Kate and Monitor Drive at the Racquet Club would be less intrusive, less expensive, and would provide a direct link to Monitor Drive sidewalk system. He wondered why this approach had not been provided.

Carol Potter, Mountain Trails Foundation, encouraged making active transportation a routine part of our community and our lives.

Michael Robert Watson referred to his guest editorial in the *Park Record* that promoted painted, signed bike lanes as economical ways to promote cycling so our guest visitors will know it is way we live and they will want to come back here.

Stacey Dymalski, Park Meadows resident, thanked Staff and the consultants for their work and appreciated the extensive public input process. Focusing on the level of service and allowing that to dictate the budget means a lot to her. She preferred to have Council consider the most expensive options for getting people across Hwy. 248 and felt eliminating one of the crossings would help traffic. Referring to the LDS Seminary crossing, she suggested talking to the LDS Church to see if they would contribute to the costs. Although there are many people in favor of a sidewalk on Little Kate, there are some who aren't and she suggested it should be placed to a vote. She wanted to be sure that the outcome provided a solution for the majority of people who need or want it.

Referring to lessons learned from the I-80 bridge at Kimball Junction, Roger Harlan cautioned that public officials have a fiduciary responsibility to use taxpayer money wisely. They need to have a level of assurance that the solution, and ensuing disruption, would in fact solve a particular problem. Ms. Dymalski suggested it would be wise to take formal counts of foot traffic crossing Hwy 248.

Shirin Spangenberg, Prospector resident, thanked the group. She believed an underpass would be more realistic than a bridge and asked Council to consider it because it provides safety for kids and keeps traffic moving. As a citizen, she wanted to take accountability and help with whatever it takes to accomplish this.

**4. Dog park discussion and public input.** Recreation Manager Ken Fisher explained the Recreation Advisory Board had presented a desire to create a dog park at the PC Hill on the North 40 fields during their visioning report to Council. One of the contingencies was the creation of a user group to be responsible for maintenance, upkeep and amenities that went into the park. At that time, Council was supportive of using Neighborhood Parks money for fencing.

Mr. Fisher reported the user group has met on a monthly basis and has requested a change to Council's direction. They would like the City to perform trash removal maintenance and would rely on users of the facility to clean the grounds. In exchange, they would raise funds for doggie bags, signage, and future amenities. The group is seeks direction as to whether Council wishes this to go forward, and that they support the location. The next step would be obtaining a Conditional use Permit for the site through Planning Commission.

Mayor Williams requested public input.

Charlie Sturgis commented that benefiting the greater population of dog owners would be great, as opposed to the negative actions that have been taken against dog owners.

Greg Schirf, property owner, expressed concern about fencing two acres of pristine open space housing wildlife and scenery. Even though he is a dog owner, he would never use it.

Beth Mahon, property owner, travels with pets and has chosen to no longer visit dog parks because of aggressive dogs and litter issues. They already have soccer fields at the North 40, but adding a dog park would increase traffic impacts. They enjoy the wildlife and propose placing the dog park somewhere where it will not impact their neighborhood.

Valine Quinn, Park Meadows resident, spoke of her enjoyment viewing the fox, deer and sand hill cranes. A dog park along the creek will affect wildlife, as well as the people who use the area for recreation. It will also bring people closer to the schoolchildren. She believed it should be placed in another location that will have less impact on residents, wildlife and the environment.

Rich Wyman stated his son, Ian, started this process two years ago after visiting a dog park in Florida. This process has been going on for four years and they have considered numerous sites. He stressed there was community support for a dog park and explained their planning efforts. Phase 1 is a fence that will be rustic and natural looking. Phase 2 involves fund raisers to secure funding for park amenities. He talked about the therapeutic value of providing an area where people could experience the companionship and presence of dogs. He added that animal control, police, Mountain Trails Foundation and Friends of the Animals all supported the park.

Tony Mahan, resident, suggested placing the dog park near the barn where it won't bother people. He did not want it located in a residential neighborhood.

Troy Stevens, President, Summit County Friends of Animals, spoke in favor of dog parks. He had visited many t were used by responsible people that were successful because of the rules. He believed it would be an asset for the community and noted there was a buffer between the location and residential properties.

Roz Cohn, resident, agreed that we need dog parks, but not in residential areas. She doubted that having a dog park meant that everyone would then leash their dogs. She suggested the field near the Library, or designating hours when dogs in City Park could be unleashed.

Charlie Sturgis agreed he would not like a dog park in his backyard and encouraged the investigation of other areas.

Margie Slusser, Friends of Dog Park Committee, explained her interest in having fenced area where her small dog can play off-leash. The committee has good intentions and doesn't want disharmony in the community, but they do want a find a location in the City.

Dawn Butters, nearby resident, expressed fear of impacts on the neighborhood and inviting people to come to an area so near the schools. She felt the area should be open to everyone, not just dogs.

Dena Fleming, Park Meadows, felt the community needed to work together to find the right location for a dog park. As a board member and as a citizen she was open to investigating and considering all areas.

Kathy King, Friends of Animals board member, took the comments to heart and asked the people who organized against it to help the committee determine where a dog park should be located.

Charlene Brewster, board member, Summit County Friends of Animals, recalled similar arguments to putting a skateboard park in City Park and that has turned out to be a successful amenity. She explained that animal control laws are set by Summit County, which is a ranching community. Dogs are not allowed off-leash unless they on their property or in a designated fenced-in area, which this would be. She emphasized this would be controlled by a Conditional use Permit, which could be revoked if there were problems. She requested a try.

Gayla Baggett, resident in the neighborhood, commented on the serene setting and didn't believe that people would want to be boxed up in one space when they could be walking around. She researched dog parks on the internet and found that most were located in industrial areas, not in areas of multi-million dollar homes.

Hearing no further comment, Mayor Williams closed the hearing.

Marianne Cone asked if this was a proper use for that open space. Attorney Harrington clarified that the Planning Commission would determine whether a Conditional Use Permit was appropriate or not. Council's direction does not affect the subsequent process.

Ken Fisher explained the fencing would be split-rail with wire mesh, similar to the field fencing at Quinn's.

Roger Harlan asked about the City's exposure if something were to happen to a dog in the dog park. Attorney Harrington indicated liability of the municipality was negligible assuming we do everything correctly.

Candace Erickson asked whether the Planning Commission would consider wildlife migration. Attorney Harrington stated the Cup criteria dealt with environmental and wildlife impacts.

Jim Hier advised Dawn Buttars he had forwarded her e-mail to Council. He commented on potential sites and explained some were restricted by conservation easements while others were in residential areas. He wants to move forward, but prefers re-looking at potential sites and analyzing pros and cons of each. He also wanted to have a target for the friends group who would monitor the dog park to ensure they have funding to support it. His personal concept would be making Round Valley "leash free".

Candace Erickson sits on the Recreation Advisory Board and stated they had looked at every piece of property within the City Limits and had talked with the County. It seems that every property has limitations. They continue to look for locations so they can accommodate this segment of the community who wants to have a place for their dogs to run free.

Council directed the group to return in three weeks with an analysis of potential spots, within the City Limits.

**PARK CITY COUNCIL MEETING**
**SUMMIT COUNTY, UTAH**
**MARCH 29, 2007**

## I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at 6:30 p.m. at the Marsac Municipal Building on Thursday, March 29, 2007. Members in attendance were Dane Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier and Joe Kernan. Staff present included Tom Bakaly, City Manager; Mark Harrington, City Attorney, Katie Cattan, Planner; Ray Milliner, Planner

## II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that UPCM and Royal Street with Deer Valley are customers.

Marianne Cone had received hand-written letter from resident on Upper Park Avenue complaining about garbage cans being left out. She felt it was time to revisit the issue and find a solution to this ongoing problem. Manager Tom Bakaly indicated they would add it to the solid waste discussion on April 19th.

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

Noxious Weeds - Mindy Wheeler, chair of Summit County Cooperative Weed Management Area, distributed handouts illustrating what the noxious weeds we have in this area are capable of doing. CWMA received funding to conduct a weed survey and she illustrated areas where noxious weeds are located within the City limits. She referred to construction disturbance in Empire Canyon, Flagstaff area, and stated one way the noxious weeds come in is through heavy equipment. They are also imported with fill soil. She stressed that education and enforcement were important factors of weed management plans and suggested that developers be required to have weed management plans. Council members requested that the Building Department consider elements in construction mitigation plans. Manager Bakaly confirmed they wished to add this to the Building Department's work plan and agreed to discuss the topic at a work session where they would discuss enforcement, and the costs of enforcement.

## IV WORK SESSION NOTES AND MINUTES OF MEETING OF MARCH 15, 2007

Candace Erickson, "I move approval of the Work Session Notes and Minutes of March 25, as submitted". Marianne Cone seconded. Motion was approved unanimously.

## V 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)*

1. Consideration of an Ordinance approving the Sundance Cottages lot combination creating two lots of record located at 1450 and 1460 Park Avenue, Park City, Utah -

Planner Katie Cattan and applicant Don Bloxom addressed Council. The request is to create two lots of record from two metes and bounds parcels with an historic home on each. The centerline will be moved to create two equal dimension lots. Mayor Williams opened the public hearing and receiving no input, closed the hearing. Marianne Cone asked how far the houses sit from the sidewalk. Mr. Bloxom indicated the houses currently sit 25 feet back, but would be moved forward so additions can placed to the rear and be connected via enclosed walkways.

2. Consideration of an Ordinance approving the Parcel B-2 Empire Village Subdivision - Principal Planner Brooks Robinson stated this would amend the Empire Village Subdivision to create three lots of record: Lot A is the day lodge; Lot B is JSSD's Daly West head frame; and Lot C will be the Montage Resort and Spa. Mayor Williams opened the public hearing. Receiving no input, he closed the hearing.

3. Consideration of denial of a request to amend Parcel 1 of the Walter Daniels Subdivision - Mayor Williams disclosed an ex parte communication between Kevin King and himself. Planner Ray Milliner explained the request was to amend Parcel 1 of the Walter Daniels Subdivision into two lots; lot 1 would be 5,281 square feet and lot 2 would be 1,880 square feet. There is an existing historic home on the property and the applicant proposes to remove an existing garage and restore the historic home at a smaller scale and then create a driveway to the larger lot in the rear where they would construct a separate single-family home in the rear. The size of the larger lot allows a duplex as a conditional use.

Per the Staff Report, Staff and Planning Commission recommended denial of the request because the subdivision would create an increase in density that would be incompatible with the neighborhood. Mr. Milliner explained the Walter Daniels Subdivision was created to clean up problems and encroachments there were created by the multiple lots. This parcel and two lots were combined into one to accommodate the existing historic house. If this application is approved, Staff's finding is that it will increase density because there will be two lots, with one large enough to accommodate a duplex. The other finding is that the applicant does not have sufficient street frontage along Woodside because of the LMC requirement for a minimum 25 foot lot width. As proposed, Lot 2 is only 16 feet wide. Other adjacent streets are unbuilt.

Mr. Milliner requested that if Council adopted the staff recommendation, they change Conclusion of Law 3 to state "the public **will** be materially injured by the proposed plat amendment".

Mark Kozak, attorney for the applicant, stated that from a legal perspective, the report says a lot, but says nothing, and the test for whether the denial will be upheld is whether it is supported by fact. His sense from reading this report is a sentiment of “because I said so”; and, while it sounds legalistic, it fails the substantial fact test.

Lawrence Meadows, applicant, explained he wanted to restore the smithy’s house to its original shape and form, moving the mass to the back, so it will be about 1,300 square feet. He would build a new 4,800 square foot structure that will be separated by about 30 feet of open space. He sees his proposal as a positive and disagrees with Staff’s determination of lot width and asserts he has 50 feet of frontage on Norfolk, which is shown in the Streets Master Plan as a platted street. He feels the decision is arbitrary and stresses they are doing a very positive thing. He and Kevin King take pride in their work, and their designs, and are trying to create a better situation that now exists.

Kevin King, architect, stated they originally proposed an accessory apartment, but because the definition was so stringent they pursued this design. He asserted that during Planning Commission discussions, Evan Russak liked the idea of protecting the integrity of the structure, but it must be done in a way that allows the historic structure to stay recognizable. He stated that Commissioner Pettit favored keeping integrity in historic structure and was pleased with that part of the proposal. Finally, he said Commissioner O’Hara wanted to explore ways to expand the definition because he wanted to protect the use and liked the unique application.

Lawrence Meadows explained they ultimately requested a plat amendment because the accessory apartment definition was so stringent. He suggested the guesthouse definition was a perfect alternative; however, the definition restricted it to a one-acre lot. They feel very strongly about their concept and there were multiple ways to achieve it.

Mr. Kozak emphasized the value of their product and noted the trend to save small historic structures. He stated this was not a Conditional Use Application that introduces the subjective elements of mass, size, and spacing, and asked if anyone could tell him the criteria for approval of a subdivision application.

City Attorney Mark Harrington stated it was listed in the Chapter 15 of the Land Management Code. To that point, he asked Planner Milliner whether an existing structure to the north had non-compliant setbacks. Because he did not have a scale, he was unable to determine whether it was at the setback or encroached into it. Mr. Harrington explained the intent of the original subdivision was to minimize encroachments. He asked whether the proposed subdivision would respect setbacks.

Lawrence Meadows state the front house would be three feet from the property line, and the new house would comply with a five foot setback on a 50 foot wide lot.

Because the size of the larger lot would allow a duplex, Candace Erickson asked whether a plat note would serve to prohibit it. Mr. Meadows stated they would prefer that. Mr. Kozak indicated it had never been proposed by Staff. Planner Milliner explained that plat notes could be removed in the future, and the intent would not be achieved; therefore, Staff prefers to not use plat notes.

Mayor Williams clarified that the Planning Commission vote to deny the application was unanimous. He opened the public hearing.

Don Bloxom, local designer, commented he had gone through a similar process on the plat amendment he had presented earlier. He stated it was an issue of definitions; two buildings, touching or not, are deed restricted together are, in essence, a duplex. He created a twenty-foot separation, attached the units via foundation work, and met the letter of the law. He felt Mr. Meadows was trying to create something nice and treating it as a deed restricted duplex might have been a better approach

Mayor Williams closed the public hearing.

Jim Hier stated that like and dislike were not criteria for making Land Management Code decisions and if something doesn't comply with the Code as interpreted by Staff, it doesn't comply. He didn't disagree that they needed to review some definitions, particularly regarding Old Town, but did not see a compelling reason to differ from the Planning Commission's conclusion on this parcel.

Roger Harlan requested clarification of the Code as it relates to duplexes. Planner Milliner explained the Code defined a duplex as a building with two dwelling units, or "a" building. The International Building Code provides further direction on how a building is connected, i.e., a foundation, or a walkway or breezeway. As proposed, the design has a stand-alone, historic single family home and a new, stand-alone single family structure in the rear, and does not meet the duplex definition per the Land Management Code.

Marianne Cone asked if the houses would qualify as one dwelling if were connected. Planner Milliner responded it would theoretically; Staff would have to review it.

Mr. Meadows explained they had submitted a design showing a carport connection between the two structures, but Staff wanted to deduct the footprint of the connection from the square footage of the house. He could not afford to lose that much footprint for an exterior connection.

City Attorney Harrington explained that gets to the original intent of what he referred to about setbacks. We may need a continuance because in order to better understand the issue very factually. They have heard conclusory comments that the Staff Report does not include facts to support the conclusions. They haven't heard competing facts. The presumption is that the original approval of this re-subdivision is valid and met the zone and code. Essentially it reverts back to the original layout of the unplatted lot at the rear and how much the front property line moves, which is about 20 feet from the original location. The original intent of these replats was to allow for smaller additions to the rear of the historic structures and not have competing density at the rear.

Marianne Cone wanted to review Planning Commission minutes before making a decision. She did not know what the applicants were referencing in their quotes from Planning Commissioners. Mr. Harrington explained the comments were not regarding this particular application, they were regarding another issue in terms of accessory apartments. He stated it was appropriate to review the minutes so they are viewed in the context of individual comments represented. He also requested additional clarification on some setback issues.

Marianne Cone, "I move to continue consideration of denial of a request to amend Parcel 1 of the Walter Daniels Subdivision until April 19, 2007". Candace Erickson seconded. The motion carried unanimously.

**VI CONSENT AGENDA *(items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")***

Joe Kernan, "I move we approve Consent Agenda Items 1 and 2." Marianne Cone seconded. Motion unanimously carried**.**

1. Ordinance approving the Sundance Cottages lot combination creating two lots of record located at 1450 and 1460 Park Avenue, Park City, Utah – See staff report and public hearing.

2. Ordinance approving the Parcel B-2 Empire Village Subdivision – See staff report and public hearing.

3. Decision on denial of a request to amend Lot 1 of Walter Daniels Subdivision, 605 Woodside – See staff report and public hearing during the public hearing.

**VII ADDITIONAL DISCUSSION – AGENDA ITEMS**

Council members discussed wording on agendas used to explain the Consent Agenda Public Hearings.

**VIII ADJOURNMENT**

With no further business, the regular meeting of the City Council adjourned at 7:25 p.m.

**MEMORANDUM OF CLOSED SESSION**

The City Council met in closed session at 3:00 p.m. Members in attendance were Mayor Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier and Joe Kernan. Staff present was Tom Bakaly, City Manager, Mark Harrington, City Attorney, and Tom Daley, Assistant City Attorney. Roger Harlan, "I move to close the meeting to discuss property". Marianne Cone seconded. Motion carried unanimously. The meeting opened at 3:30 p.m. Jim Hier, "I move to open the meeting." Marianne Cone 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