PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 1, 2011

Present: **Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Planning Commissioners Brook Hontz, Charlie Wintzer, Nan Worel, and Jack Thomas

Tom Bakaly, City Manager; Mark Harington, City Attorney; Michael Kovacs, Assistant City Manager; Matt Cassel, City Engineer; Thomas Eddington, Planning Manager

Brett Hunter and Chad Ambrose, Rocky Mountain Power; Mary Wintzer, property owner, and Mark Fisher, property owner

1. Council questions/comments. Dick Peek relayed that he attended the Historical Society meeting this morning and discussed the goal of obtaining long term storage for artifacts. Alex Butwinski stated that the HPCA meeting went well. The Mayor congratulated the Special Events Department on receiving an award from the Recycling Coalition of Utah. He announced that Linda Gorton will be leaving KPCW in a month; he thanked her for her fair reporting and friendship.

2. Electrical utilities: recap of Bonanza Park goals; Bonanza Park Substation move; electrical pole/lines visual mitigation; and Ordinance for siting utility facilities. Michael Kovacs reported that a decision on the location of the substation will be made by December 31 and an area plan for Bonanza Park will be completed at the same time which will become part of the General Plan.

Thomas Eddington displayed a PowerPoint presentation. One of the goals was to look at the area and to arrive at a plan to accommodate mixed uses and other goals of Council. Based on the joint work session discussion held on November 4, 2011 it was decided to look at Bonanza Park as an individual neighborhood and prioritize it for redevelopment. Members directed staff to return with a Bonanza Park plan, partner with the owner, consider moving the power station, and formulate a mitigation plan. At the meeting, Council and Planning Commission members were surveyed about the current character of the area, functions, and what officials wanted to see. Responses were used as guiding principles to keep the area vibrant, affordable, available for life-long Parkites and to look at mixed use opportunities. Members wanted Bonanza Park to be local, include parks and campus-like settings. It should encourage business incubation and economic opportunities, while discouraging big box buildings. Mr. Eddington stated that ten guiding principles have been developed focusing on the direction provided to date including circulation, connectivity, authenticity, and opportunities for neighborhood mixed uses and mixed income.

Through illustration of a slide, Mr. Eddington discussed the features of the 99 acre site. He pointed out the existing road pattern which is recommended to be replaced with an overlay grid which keeps the blocks small. Many of the proposed roads bifurcate property lines. The benefit of the grid system encourages pedestrian use and discourages vehicles. It is suggested to provide open space around the historic rail spur and maximize views in the area. He pointed out considering zero lot lines while maintaining the grid and creating an organic form for walkways and bikeways which take advantage of the view corridors. A transportation hub by the park is anticipated to enhance connectivity. This plan has been presented to stakeholders at a public meeting and most people were very excited about the concept. Some concerns were raised about how the density will work but for the most part, people liked the pedestrian focus, additional density and zero lot lines. There is a give and take process in planning the area and some of the gives may be in the form of regulatory relief which could be height, density or moving some of the massing. A MPD may be the mechanism to provide the ability to move things on site.

Through illustration of slides, Mr. Eddington pointed out the current and proposed site which is bigger and may better meet Rocky Mountain Power's needs. The new location in Bonanza Park offers the opportunity to develop the area to create the kind of housing for mixed income residents. The current location off of Munchkin Road is in the General Commercial Zone and the proposed location in Bonanza Park is in the Light Industrial Zone which is more appropriate for the use. It also offers an opportunity in terms of mitigation because of the slope nearby and proposed landscaping. This location may decrease the linear feet of transmission lines required currently. Mr. Eddington felt the plan offers opportunities for Bonanza Park and a better location for the substation. Tom Bakaly stated that the plan will be delivered to Council members by the end of the year and a joint work session with the Planning Commission will be held on the substation plan on January 12.

Michael Kovacs spoke about considering the greater good and the future of the community and pointed out that it may take years to realize the vision for Bonanza Park. He displayed a rendering of a mitigation plan with trees screening the facility. He referred to a model ordinance that the Utah League of Cities and Towns and Land Use Task Force have been working on for the cities in the state. The ordinance is optional for municipalities but without an ordinance, RMP would have to follow the processes outlined in the LMC.

He explained that about six other locations were considered, including Monitor Drive, but placing it within a quarter of a mile of the existing substation is advantageous and it is intended to underground transmission lines as much as possible. Ms. Matsumoto asked how high the poles will be and Chad Ambrose indicated that they will be 45 feet at minimum. Matt Cassel clarified that the power poles off of the hillside will be 75 feet to 90 feet in height and then they drop down in height but RMP doesn't know the height of the poles yet. It was pointed out that the height of the polies represented in the rendering is about 25 feet. The Mayor encouraged RMP to work with the residents in the area about the placement of poles so visual corridors are protected.

Bret Hunter, RMP Customer and Community Manager, complimented Park City for becoming involved early in the process but at this point, there are many unanswered questions. The growth of Park City is a major consideration for RMP which is a regulated utility and tariff driven and there are things it can't do but the team will be as creative as possible. The position and height of poles will be based on replacing 46,000 volt lines with 138,000 volt lines. However at this point, RMP doesn't know where they are going to be and how they are going to look. Mayor Williams stated that expanding the existing site scored the highest. Mr. Hunter pointed out that people get accustomed to seeing existing facilities in their current location and relocating them creates anxiety and Matt Cassel confirmed that the existing site scored the highest. Chad Ambrose discussed initially selecting seven or eight locations which were pared down to two. Selecting a site will occur by the end of the year and the permit process will begin July 1, 2012.

Alex Butwinski understood that the City will pay for enhancements over and above the base project. Mr. Ambrose advised that costs have not yet been determined but RMP has completed a survey of the lower Iron Horse property and a detailed design will be available by the end of this month. From that point, RMP is able to develop and refine costs and will compare the preferred location with the current location. Those two costs will be evaluated and if the lower Iron Horse location is significantly more, the requesters will pay the differential. Mr. Butwinski confirmed that the equipment features for both sites will be similar. Chad Ambrose stated they will be apples to apples as much as possible and continued that the lower Iron Horse property is not a cookie cutter design because it is triangular and most substations are located in square shaped parcels so the design will have to be creative.

Alex Butwinski asked about the obligations of cleaning up properties. Chad Ambrose explained the opportunity of working with Park City early in the process and seven locations were initially studied. They were narrowed down to these two sites. Mr. Ambrose noted that Mark Fisher owns the lower Iron Horse property and has indicated that he will contribute the property which will be cleaned up and will be in a buildable condition. If the current site is not used, Mr. Fisher has offered to purchase the property from RMP and the difference in property valuations would have to be addressed. Alex Butwinski asked about camouflaging or treating poles and whether the City would have to cover the cost of extraordinary requests. Mr. Ambrose explained that there are treatments and the look of the poles is something that can be better defined during the CUP process. Mr. Ambrose commented that RMP has raised its standards and chain link fences, for example, are not installed anymore. He acknowledged that these details need to be clear especially for the benefit community. Substations are not attractive but they are a necessity and Mr. Hunter felt these issues can be worked out.

Cindy Matsumoto commented on the difficulty to visualize the project if the poles are twice as tall as represented in the rendering and there are four times as many poles. Matt Cassel explained that the rendering was an attempt by staff to try to show if things could be done to soften the impacts of the substation and staff will return with a design with exact specifications so impacts can be adequately addressed. Chad Ambrose explained that two transformers will be installed and six distribution circuits will be underground. Liza Simpson asked Mr. Cassel to work with RMP on options for the visuals for the next meeting; it would be helpful to look at available materials and color options for poles. Scoring was discussed. Dick Peek emphasized that since Bonanza Drive is one of the City's main corridors that the views above and below the Rail Central Building be studied. Mr. Ambrose emphasized that the project is not designed yet and no one knows exactly what the heights will be. There will be a mix of steel and wood structures but the poles will need to be higher from a clearance perspective because they will be designed for 138,000 volts. Jack Thomas understood that there are less reflective conductors and Mr. Ambrose stated that if using certain material is a requirement of the City, a non-reflective conductor will be provided. The main route of the line will be coming from the Silver Creek Substation off US40 heading west and will go from a single circuit to a double circuit transmission line. It will go all the way to Deer Valley Drive and split down to the new substation.

Bret Hunter indicated that staff asked them a number of times to provide renderings for the meeting and they pushed back because of the fear of creating high expectations and they didn't want to provide inaccurate information without enough study. The City's team produced the drawing and RMP will provide details for the next meeting. Jack Thomas understood that there will be no distribution lines under the high tension lines. Mr. Ambrose stated that distribution will be under-built along Deer Valley Drive and Mr. Hunter discussed community outreach programs.

Planning Commissioner Jack Thomas felt that using wood poles may be better and getting non-reflective conductors is worth considering. He has no heartburn about the lower Iron Horse location. He understood that the neighbors have some concerns and issues need to be mitigated. Perhaps more landscaping can be done adjacent to the condominiums and the relocation of the road to the other side of the property helps because it allows the substation equipment to be tucked into the toe of the hill. He felt a substation may be an improvement over the gas station in the area and potential environmental problems. He spoke about undergrounding 138,000 volt lines and stated that he thinks this is a good location that will work.

Discussion ensued on mitigation and Thomas Eddington pointed out the benefit of the hillside serving as a screen for the Ironhorse and Fireside Condominiums. Liza Simpson relayed that residents are concerned that the substation cuts them off from the rest of Bonanza Park. Thomas Eddington responded that access is being studied and the City will continue to work with RMP. Matt Cassel explained that staff has been looking at access alternatives but need to know what RMP decides to do with the existing road. Planning Commissioner Charlie Wintzer felt it important that the project transitions well into the area and agreed with Mr. Thomas that neighborhood concerns be addressed. The Mayor invited public input.

Mary Wintzer, property owner, expressed that she has no preferred location but if the cost comes in really high to move it, she encouraged to be open to another way of working with what we've got. At a certain point, even the economic benefit of the new Bonanza Park might not outweigh the cost to get there.

Mark Fisher, property owner, stated that he is a willing participant and the goal is a win-win solution for the entire neighborhood. He pointed out that Rail Central is probably the most negatively impacted but he is committed to be fair and reasonable. He encouraged moving ahead and meeting deadlines. He emphasized that there would have been more complexities expanding the current site.

Michael Kovacs referred to the draft ordinance in the meeting packet intended to standardize the process for siting utilities. Mark Harrington clarified that staff is not looking for a decision on the document itself but to initiate an ordinance review which would replace the conditional use permit process. The Mayor pointed out that Mr. Harrington worked on crafting the siting ordinance with members of the Utah League of Cities and Towns and asked if there are any advantages with going this direction. Mark Harrington felt it is advantageous for both sides because it clarifies expectations by adding conditional use type standards and he recommended members going forward with it. This is meant as an interim step so that the state doesn't decide to adopt uniform standards and preempt local planning and zoning. Members were supportive.

The work session concluded earlier than expected and the City Council convened into a closed session before the regular meeting at 6 p.m. See memorandum of closed session made a part of these minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
DECEMBER 1, 2011

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, December 1, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Scott Robertson, IT Manager; Jon Weidenhamer, Economic Development Manager; Kirsten Whetstone, Planner; Clint McAffee, Water Manager; and Chad Root, Chief Building Official.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 10, 2011

Joe Kernan, "<u>I move we approve the notes and minutes of November 10th</u>". Alex Butwinski seconded. <u>Motion carried</u>.

Alex Butwinski	Aye
Joe Kernan	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Abstention

V OLD BUSINESS *(Continued Items)*

<u>Consideration of extending the Letter of Intent on Treasure between Park City and the Sweeney Family (MPE Inc.)</u> – Jon Weidenhamer explained that the LOI is a non-binding document for negotiating parties which establishes the goals of resolution. He urged Council members to extend the LOI until March 2012. In April 2010, the Council appointed a hearing panel as an appeal body for Treasure Hill which allows the Council to take on an owner/negotiator role. In September 2010, Council approved a LOI with three primary tenants including (1) removing half of the density, (2) pursuing a parallel track of removing all of the density, and (3) a redesign of the remaining density.

Significant progress has been made and in April 2011, the LOI was extended through the end of November and staff is requesting that it be extended again.

Mr. Weidenhamer noted that from the last open house in July and results of the survey, it was felt that the public may not be willing to bond for partial buy-down of density which shifted the process. The focus is on the progress made and on the goals moving forward and the parties have agreed that the total buy-out number will be brought forward by Treasure by December 16, 2011. The redesign will identify a maximum gross square footage, heights and limits of disturbance. Other goals include reducing parking as much as possible and impacts of traffic on the neighborhood, agree on the uses within the project. and decide whether affordable housing will count toward density.

The City wants beds on the hill while Treasure wants some residential purchase component. He relayed that Treasure owners may ask for the City to purchase more open space if the project is reduced and the parties will consider flexibility with regard to phasing and deadlines. There is a commitment to continue to work on a potential receiving zone or transfer of density rights. In response to a question from Alex Butwinski, Mike Sweeney stated that the draft is a product of Mark Harrington and Craig Call and the partners have approved the LOI. Dick Peek asked if the Housing authority will make a determination on whether affordable housing should be on-site for any application. Mark Harrington explained that there is standing direction on the current application and changing it requires Housing Authority action. The Mayor opened the public hearing; there were no comments from the audience.

Alex Butwinski, "<u>I move we approve extending the Letter of Intent on Treasure between Park City and the Sweeney Family MPE until March 2012</u>". Cindy Matsumoto seconded. <u>Motion unanimously carried</u>.

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

1. <u>Consideration of a Resolution adopting an Inter-local agreement for enhanced police and dispatch communications between Park City and Summit County</u> – Scott Robertson explained that approval of the agreement will integrate a joint server with Summit County. Chief Wade Carpenter added that both agencies will receive the same information through shared technologies which will improve officer safety and enhance connectivity in the event the system goes down because the systems are separate. In response to a comment from Alex Butwinski, Mr. Robertson stated that this partnership will save about $5,000 a year and more after the start-up.

The Mayor invited public input; there was none. Mr. Robertson pointed out some minor wording modifications requested by Summit County and members were amenable to the changes. Liza Simpson, "<u>I move that we approve a Resolution adopting an Inter-</u>

local agreement for enhanced police and dispatch communications between Park City and Summit County". Dick Peed seconded. Motion unanimously carried.

2. Consideration of an Ordinance approving the Fifth Amendment to the Stag Lodge Phase III Condominiums for Units 47 and 48, located at 8200 Royal Street East, Park City, Utah – Kirsten Whetstone explained that the application is to amend the existing Stag Lodge Phase III plat which includes two stand-alone condominium units. The request is to identify additional basement and sub-basement space not condominiumized and to document the as-built conditions of the units. If approved, the private area for Units 47 and 48 will increase by 1,080 square feet for Unit 47 and 1,550 for Unit 48. The building footprint of the units doesn't change and additional parking is not required. Approval will not increase unit equivalents for the MPD and does not impact the Deer Valley MPD. She stated that on November 9, 2011 the Planning Commission forwarded a positive recommendation after conducting a public hearing where there was no input.

The Mayor opened the public hearing; there were no comments. Dick Peek, "I move that we approve the Fifth Amended Stag Lodge Phase III Record of Survey Plat for Units 47 and 48 based on the findings of fact, conclusions of law and conditions of approval as stated in the Ordinance". Joe Kernan seconded. Motion unanimously carried.

3. Consideration of an Ordinance amending Title 11, Buildings and Building Regulations, Chapters 3, 4, 7, 8, 9, 12 and 13 of the Municipal Code of Park City, Utah to amend the assessment of Water Impact Fees and update references to National and International Codes and Standards - Clint McAffee explained that Exhibit A illustrates the amendments to the Water Impact Fee Schedule, changing the calculation of additions to bars and restaurants to 15 square feet per occupant from seven. This is a short term solution moving toward a fee calculation methodology based on fixture units which will be presented this July. Exhibit B shows amendments to various sections of the Municipal Code which are considered housekeeping items, like updating Code references. Chad Root added that the Code currently references 2006 and approval of the Ordinance updates references to 2009.

Liza Simpson, "I move we approve the Ordinance amending Title 11, Buildings and Building Regulations, Chapters 3, 4, 7, 8, 9, 12 and 13 of the Municipal Code of Park City, Utah to amend the assessment of Water Impact Fees and update references to National and International Codes and Standards". Alex Butwinski seconded. Motion unanimously carried.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Andy Beerman, Council-elect; Tom Daley, Deputy City Attorney; Diane Foster, Sustainability Manager; Michael Kovacs, Assistant City Manager; Joan Card, Environmental Regulatory Manager; Jim Blankeneau, Environmental Regulatory Coordinator; Jason Christensen, Environmental Counsel; and Mark Harrington, City Attorney. Liza Simpson, "<u>I move to close the meeting to discuss litigation and property</u>". Cindy Matsumoto seconded. <u>Motion carried unanimously</u>. The meeting opened at approximately 3:30 p.m. Alex Butwinski, "<u>I move to open the meeting</u>". Dick Peek seconded. <u>Motion unanimously carried</u>.

The City Council convened again in closed session at approximately 5 p.m. Alex Butwinski, "<u>I move to close the meeting to discuss litigation and property</u>". Liza Simpson seconded. <u>Motion unanimously carried</u>. The meeting opened at approximately 6 p.m. Liza Simpson, "<u>I move to open the meeting</u>". Alex Butwinski seconded. <u>Motion unanimously carried</u>.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder

Janet M. Scott, City Recorder