PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 4, 1999

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, November 4, 1999.

AGENDA

4:00 p.m. **Field trip to Bonanza Drive** - Meet corner of lower Iron Horse and Bonanza

Work Session - City Council Chambers - Lower Level

4:45 p.m. Council questions and comments
5:00 p.m. Customer service award
5:15 p.m. Review of regular meeting

- Appeal - MPD application for professional office building located east side of Bonanza Drive between upper and lower Iron Horse Loop

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

1. China Bridge Parking Structure update

2. Thank-you

3. 545 Main Street Bamberger Project update

IV SPECIAL MEETING MINUTES OF THE MEETING OF OCTOBER 11, 1999 AND WORK SESSION NOTES AND MINUTES OF THE MEETING OF OCTOBER 14, 1999

V CONSENT AGENDA

1. Resolution proclaiming November 8, 1999 as World Town Planning Day in Park City, Utah

2. Resolution proclaiming November 8 - 13, 1999 as City Family Literacy Week in Park City, Utah

VI NEW BUSINESS

1. Appeal of Planning Commission denial on September 22, 1999 of the Master Planned Development application for a professional office building located on the east side of Bonanza Drive between upper and lower Iron Horse Loop

2. Call-up of Planning Commission approval on October 27, 1999 of a conditional use permit for Old Town Guest House located at 1011 Empire Avenue

VII ADJOURNMENT

PARK CITY SPECIAL COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 5, 1999

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold a special meeting to consider a Resolution accepting the Official Canvass of the November 2, 1999 Municipal General Election held in Park City, Utah on Friday, November 5, 1999 at 1 p.m. at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 11, 1999

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not hold** its regularly scheduled meeting on Thursday, November 11, 1999.

Posted: 11/01/99
Revised: 11/03/99
See parkcity2002.org

Note: It should be noted that Items 2 and 3 under Public Input and Item 2 under New Business occurred at the meeting, but appear on the agenda for reference purposes.

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 4, 1999

Present: **Mayor Brad Olch; Council Members Hugh Daniels; Roger Harlan; Shauna Kerr; Chuck Klingenstein; and Paul Sincock**

Toby Ross, City Manager; Mark Harrington, City Attorney; Rick Lewis, Community Development Director; and Pat Putt, Planning and Zoning Administrator

1. **Council questions and comments.** In response to a question from Chuck Klingenstein, the City Manager explained that the Parks Department is working on the request from HMBA for Christmas trees on Main Street. Mr. Klingenstein noted that he received a request from UPAPA to reduce the speed limit on Park Avenue to 15 mph when one-way is implemented and to obtain enforcement until 10 p.m. Roger Harlan and Shauna Kerr stated that they can not support 15 mph as it would be confusing and ineffective. The City Manager added that there will be a status report on upper Park Avenue and there will be an Ampco contract before Council on November 18, recommending expanded enforcement in residential areas to 10 p.m. The staff is intending to hold meetings this winter with UPAPA to discuss year-round one-way, speeding, speed humps, and signs to reach a consensus on traffic calming. The staff would not recommend a speed change with one-way in order to minimize the number of changes. There was discussion of the difficulty of maintaining 15 mph on the grade of the street. Mr. Klingenstein suggested that staff contact UPAPA in the interim.

Shauna Kerr disclosed that she was contacted by Patty Saccio who has been working for a year on dedicating a memorial bench for Bob Stanton. Rick Lewis suggested that they visit with the City Council regarding a policy on memorial benches, and also that they buy a bench. Hugh Daniels stated that he supports it, but here should be some policies. Paul Sincock felt that buying benches and placing a plaque on them is a great memorial and they could be installed along trails or other view areas. Council supported the project.

Old Town Bed and Breakfast call-up. Ms. Kerr continued that the Planning Commission approved a conditional use permit on October 27, 1999 for the Old Town Bed and Breakfast on Empire Avenue and asked if there is interest in calling this approval up. There are issues with parking and a use that expanded; it originally had a license for two bedrooms which increased to four. She is uncertain if it has met the parking requirements. In response to a question from Paul Sincock, Ms. Kerr clarified that the Planning Commission determined that the street parking could count as its parking. City Attorney Mark Harrington interjected that that is not entirely accurate. Ms. Kerr noted that the findings indicate that no site parking is possible and alternatives for proximate parking have been explored and exhausted, but they own the lot next door and that would be available for parking or they can cut back to two rooms. Ms. Kerr emphasized that the parking in Old Town is critical and the City shouldn't invite businesses to violate the parking laws to the exclusion of the residents who have to park on the street.

Pat Putt explained that the application for the bed and breakfast in 1991 was for two rooms. Subsequent to the application, there was an expansion of a third room and occasional use of a fourth. In March 1999, a complaint was filed by an adjacent property owner because his tenant parked on the street near the bed and breakfast, the police were called and there was an altercation. At that point, a formal complaint was filed about the parking and how many rooms were actually being used. The staff contacted the bed and breakfast operator and proposed filing an amendment to the conditional use permit for a total of four rooms. Mr. Putt continued that there was a public hearing; the adjacent property owner relayed that he would like the opportunity to park in the public's right-of-way. The Planning Commission examined the site configuration and the number of parking spaces. There is a stand of aspen trees on the vacant lot and the Commission was concerned about taking out the trees; not only would it impact the streetscape, but the trees provided a buffer between the bed and breakfast and the adjacent use. It directed staff to take a look at the parking on site. There are two parking spaces in the garage and since it is an historic house, there is not parking requirement for the residence itself. There is 100 feet of right-of-way width in front of the bed and breakfast and the adjacent lots. The 100 feet could accommodate parallel spaces for four plus an additional 28 feet for any member of the public. When this project came back to the Planning Commission, it determined that the public was better served having those trees and buffer remain in place and having the parking waived with some caveats: the garage must provide available parking and the four spaces in the public right-of-way are public spaces. Ms. Kerr pointed out that there are signs in front of the property that indicate *parking for bed and breakfast guests only* in the public right-of-way. Also, monitoring the condition of the garage places the staff in a difficult enforcement position. She felt the Council should look at whether the conditional use should be granted. The trees can be saved if the business is limited to two bedrooms. Paul Sincock stated that he would be open to consider it but would like to have more information.

In response to a question from Roger Harlan regarding the number of rooms, Mr. Putt explained that at some point after 1991, there was a business license application made to operate three rooms. There was never a permit issued for the occasional use of the fourth room. Mr. Putt emphasized that he encouraged the applicant to apply for four rooms. Mark Harrington added that the applicant's attorney, Tom Billings, indicated that the conditional use permit did not include a specific condition that limited the number of bedrooms and the business always had a business license for three bedrooms. It was alleged that they were told by the Business Licensing Department that they didn't need a license for the fourth bedroom if they used it a certain number of days or less. He noted that the Planning Commission concluded that there wasn't a willful use of a room without a permit. Parking was the main issue, and Mr. Putt explained that there hasn't been a history of chronic parking complaints associated with this use. See regular meeting minutes.

Continuation of Council questions and comments. Ms. Kerr discussed the dumpster issue on Park Avenue and the distinction between Park Avenue businesses and Main Street businesses. Ms. Kerr suggested that the newly elected members meet with the seated City Council members and a separate meeting with staff to conduct debriefings on issues prior to the retreat. She also suggested that the concept of the retreat be re-evaluated. The City Manager indicated that he and the City Attorney will be meeting with the newly elected members and the retreat will be addressed.

Paul Sincock stated that he attended a Board of Health meeting and there was discussion about a full-service hospital in Summit County. There is interest in making it a non-profit and bonded by the County. The Mayor noted that Summit is the largest county in the country without a hospital. Ms. Kerr pointed out the number of failing rural hospitals and Park City's access to services in Salt Lake City. He attended the monthly meeting of the Arts Council where the *Olympic Imagination Celebration* bid was discussed. Roger Harlan indicated that he received a complaint about cars being parked on both sides of the street on Lucky John Drive. Hugh Daniels stated that he attended the Mayors Youth Council fund-raiser on Saturday and he will be donating the balance of his campaign fund to them. He congratulated the Council-elect, none of which are in the room. He noted that the Montessori bus was again parked in four spaces the other night at the Education Center. Paul Sincock stated that he received a few calls about The Claimjumper putting food waste out on Main Street where dogs can get into it. He called the Health Department and asked staff if there could be an ordinance crafted requiring restaurants to put garbage in proper containers so animals can not get into it. Mark Harrington responded that staff can explore this; The Claimjumper has met with staff and there is a plan for enclosed structures, which will be installed in the next couple of days. Mr. Sincock suggested that the volume of trash be determined business by business on Main Street so the City can bill through its business license system to bill for services through the new contractor.

2. **Customer service award.** Ms. Kerr presented the third quarter customer service award to Christine Gault who was commended for her great attitude and work on employee functions.

See regular meeting minutes. Councilman Daniels left the meeting.

Prepared by Janet M. Scott

PARK CITY 1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 4, 1999

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 4, 1999. Members in attendance were Brad Olch, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Hugh Daniels was present for the work session and excused for the regular meeting. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Pat Putt, Planning and Zoning Administrator; and Brooks Robinson, Planner

II PUBLIC INPUT

The Mayor invited the public to comment. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

1. China Bridge Parking Structure update - The Mayor presented Joram Litchentstein with a certificate of appreciation for his generous volunteering of his engineering expertise for a variety of City projects, saving the taxpayers hundreds of thousands of dollars.

2. Thank-you - Roger Harlan thanked Council members Klingenstein, Daniels and Sincock for their quiet and insightful work for the benefit of the community over the past four years.

3. 545 Main Street - Bamberger Project - Pat Putt stated that the October 7, 1999 Letter of Understanding required completion of a temporary sidewalk and handrail and installation of twelve trees and ten bushes. The tree size agreed upon was 3" caliper. As of this date, the temporary sidewalk and handrail have been completed. A temporary control gate has been installed and a permanent one is on order. The earth berm along the east side of the Park Avenue right-of-way is completed. Fifteen trees and ten bushes/shrubs have been installed. In addition to this landscaping, two additional red maple trees will be planted in the Park Avenue right-of-way. The Bamberger Company has agreed to work with the City to supply irrigation to the landscaped areas. Irrigation work will be provided next spring.

IV SPECIAL MEETING MINUTES OF THE MEETING OF OCTOBER 11, 1999 AND WORK SESSION NOTES AND MINUTES OF THE MEETING OF OCTOBER 14, 1999

Chuck Klingenstein, "I move approval of the minutes of the meeting of October 11, 1999 and October 14, 1999". Paul Sincock seconded. Shauna Kerr disclosed that she will be abstaining from voting on the Minutes of October 14, 1999 as she was not in attendance. Motion carried.

Hugh Daniels	Absent
Roger Harlan	Aye
Shauna Kerr	Aye - October 11, 1999, Abstention - October 14, 1999
Chuck Klingenstein	Aye
Paul Sincock	Aye

V CONSENT AGENDA

Chuck Klingenstein, "I move approval of the Consent Agenda". Roger Harlan seconded. Motion carried.

Hugh Daniels	Absent
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

1. Resolution proclaiming November 8, 1999 as World Town Planning Day in Park City, Utah - Staff recommends approval.

2. Resolution proclaiming November 8 - 13, 1999 as City Family Literacy Week in Park City, Utah - Staff recommends approval.

VI NEW BUSINESS

1. Appeal of Planning Commission denial on September 22, 1999 of the Master Planned Development application for a professional office building located on the east side of Bonanza Drive between upper and lower Iron Horse Loop - Planner Brooks Robinson indicated that the City Council met on site earlier this afternoon. Ralph Evans, architect, felt the site visit was helpful and invited questions from the Council. Roger Harlan asked about a construction mitigation plan, specifically staging and parking. Mr. Evans responded that he doesn't have an exact plan, but felt there is enough property on the west end for storage for materials and parking. Construction can not begin

until there is a construction mitigation plan in place and Mr. Evans assured Council of his professional experience. Chuck Klingenstein expressed that the setbacks are still an issue for him and felt that the setback from the private road should be greater because of the traffic and snow storage considerations. Shauna Kerr agreed with Mr. Klingenstein's concerns, including staging construction in the setback, and if the project is bordered by three streets, it needs to have setbacks on all sides of it as if each side were a front. There was discussion about a sidewalk taking up most of the setback area on one side of the building. Mr. Evans suggested that they not build a retaining wall but build right over to the building with a high back curb along the edge of the drive so there would be a full ten foot setback on the private road. He envisioned all of the construction staged from the downhill side after the sidewalk is poured. The 20 foot setback is in excess of several other buildings along Bonanza Drive. Mr. Evans explained that he would like to retain the berm on the front side. Mr. Sincock stated that he is not concerned about construction mitigation but questioned the location of the sidewalk which doesn't service the building. Mr. Evans explained it is a sidewalk for the apartments and Mr. Sincock suggested that parking on the side of the roads should be discouraged, and eliminating the sidewalk would result in a whole ten feet which could be used for snow storage. The Mayor invited the public to comment.

Charlie Wintzer, property owner, recalled when he tried to change his LI property to commercial zoning and was told by the Planning Commission that it didn't want to lose its control. He encouraged the Council to use that control in obtaining the right setbacks for traffic considerations. There was discussion about office uses and parking demands for businesses. Mr. Evans discussed the benefits of a secondary living use to alleviate parking. Mr. Klingenstein emphasized that that is not allowed in the LI zone. Mr. Sincock acknowledged that his comments don't relate to the LMC, but relayed that the this is a one-story office building with underground parking which presents itself visually as a three-story office building. The building height is within the LMC but overwhelms the site. He also suggested that the building step down in height at the corner of Iron Horse and Bonanza. Future tenants may be tempted to build loft areas in available spaces for unallowed uses and these violations are difficult for the City to monitor. Mr. Klingenstein asked if the applicant looked at 20 foot setbacks all around the building and utilizing a second floor. Mr. Evans clarified that the configuration of the covered parking is fixed and complained about the Planning Commission not conversing with him about options. He doesn't mind altering the plan and in his opinion, the amount of parking is adequate to service the building; a small structure will clean up the hillside. Mr. Harlan pointed out that some potential tenants may prompt a demand in excess of 18 parking spaces and parking may spill-over on Iron Horse Drive creating problems.

Ms. Kerr suggested that the setbacks be increased from the findings of the Planning Commission because the building maximizes the site. If the setbacks were greater, the building would become smaller. A 20 foot setback should be considered on all three sides. Mr. Klingenstein supported Ms. Kerr's suggestion. Mr. Sincock expressed that he is mainly concerned about the setback on Iron Horse Loop Drive because of shadows and resulting icing problems. There was discussion about the spacing of the driveway on Bonanza Drive and Brooks Robinson explained that the LMC requirement of 25 feet from the intersection has been met. There was also discussion of making a finding that there be a 20 foot setback on the rear side and above-ground construction prohibited there. Paul Sincock believed this would allow the applicant to build needed parking and still have a smaller footprint for the building.

John Sands, President of Prospector Area Business Association, stated that there has been a lot of growth in Prospector and a lot of impacts, particularly traffic. Bonanza Drive is very heavily traveled both by cars and pedestrians. The City has made improvements to Bonanza but there are still problems in the middle section and any project will impact the traffic. This is one of the worst intersections in town that should be fixed before someone gets killed. The project adds to a very severe problem which is not being addressed; he doesn't agree that the road capacity is not maxed out. Mr. Sands pointed out the difficulty in controlling the future uses in the building. When people illegally park on the private streets, who will enforce the parking? He believed the UPS truck will park on the sidewalk and garbage will not be picked up on schedule. There are issues that are broader than the project, and prior to approving this project, these issues should be addressed.

In response to a question from Mr. Sincock, Mr. Robinson responded that the dumpster is located in the underground parking garage. There was discussion about a commercial contract with BFI for trash removal. Mr. Evans stated that he would like to have the option of using his own contractor so that the location of the dumpster doesn't drive the design of the building. There was discussion regarding increased left hand turns with the addition of this building.

Leo Lenning, Ralph Evan's Office, stated that last month he conducted a survey which showed quite a bit of activity at Deer Valley Lodging from 7:30 a.m. to 9:30 a.m. which dropped off during the day. The Mayor pointed out that the peak winter season would reflect its normal operation when a lot more trips are generated. He agreed with Ms. Kerr about setbacks and felt at some point, the Council has to determine what is too much for the site. Mr. Evans noted that the City performed a study which indicated that the road was not overloaded and suggested some landscaping to slow drivers down. Mr. Klingenstein reiterated his concerns over setbacks on all three sides, and felt that the Planning Commission should have dealt with this from the beginning. Roger Harlan pointed out that Bonanza is the linkage road in town and traffic problems are mainly created from people traveling there from different areas, not business owners, however anyone who has an establishment in the area is impacted. In response to a question from the Mayor regarding a motion, Mark Harrington suggested that Mr. Robinson work with Mr. Evans on a consensus of issues expressed by Council. Even though these directives may be more restrictive than the LMC, they can be tied to compatibility and site issues.

Alan Dolonosky, Iron Horse Condominium resident, relayed that the corner currently is an *eyesore* and this building would improve the site. The residents have concerns including parking which may overflow in their complexes. He discussed enforcement of the complicated parking plans for the different condominiums. The building will probably take out a small area of their snow storage. He was also concerned about the possibility of more useable office space with the building's current design. This may be too much development for the site and it would be great to have it remain open as a landscaped area. He discussed the new location of the crosswalk and questioned the recent traffic study that indicated that Bonanza and Iron Horse didn't warrant a signal because it is not at capacity.

The City Manager asked if use is something staff should work out with the applicant. The Mayor felt it is critical. Mr. Robinson suggested that Council revisit the proposed parking requirements for the revised Code as parking appears to be a general concern. Ms. Kerr felt a list of low intensity uses would be helpful. Mr. Klingenstein suggested a redesign to the interior of the building to discourage illegal uses and enforcement problems. Mark Harrington expressed that other issues be raised at a later date if they emerge as a result of these directives. The Mayor requested a motion to continue. Roger Harlan, "I so move". Paul Sincock seconded. Motion carried.

Hugh Daniels	Absent
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

2. Call-up of Planning Commission approval on October 27, 1999 of a conditional use permit for Old Town Guest House located at 1011 Empire Avenue - See work session comments. Ms. Kerr requested support for a call-up so that Council can review what has happened. She is concerned about the precedence set for parking and enforcement and is interested in exploring whether the parking requirement has been met. Chuck Klingenstein expressed that consistency is important and there was consensus among Council members to call-up the approval. The Mayor accepted Ms. Kerr's comments as a motion, and Mr. Klingenstein's input as a second. Ms. Kerr clarified that the call-up deals with a conditional use permit for two additional bedrooms. Motion carried.

Hugh Daniels	Absent
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

VII ADJOURNMENT

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

* * * * * * * *

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

Janet M. Scott, City Recorder