



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060**

October 20, 2016

The Council of Park City, Summit County, Utah, met in open meeting on October 20, 2016, at 4:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, personnel, and litigation at 4:00 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

WORK SESSION

Council Questions and Comments:

Council Member Matsumoto visited the Sewer Board meeting. She said everything was on schedule for their treatment plant. She attended most of the Library luncheon and said it was very nice. She attended the Senior Lunch and there were visitors from San Francisco who liked visiting the Senior Center whenever they were in Park City.

Council Member Gerber met with the Youth City Council. They would like to shadow Council. They were interested in coming to part of Work Session. They wanted a tour of City Hall and would like to meet with the Police Department too. Council Member Gerber attended Planning Commission where they discussed Treasure Hill. She also attend the Friends of the Farm meeting on Monday and they talked about the possible uses of the farm after the structural upgrade is completed.

Council Member Henney thanked Staff for updating the Council Goals & Priorities posters in Council Chambers and on the website. He attended the Leadership graduation banquet and said the Leadership program was invaluable. Council Member Henney was on a panel that discussed the two transit and transportation tax plans. He stated that HPCA was doing better now that Michael Barille had taken over. He also attended the BOA meeting.

Council Member Worel loved the Friends of the Farm event. She attended the JTAB meeting and received a great update. She stated that the Peace House would have a fundraiser. Council Member Worel attended the PC Tots board meeting and they were excited for the money from Rob Katz. She talked with Ember Conley about the events in town and also attended the Library Board meeting.

Council Member Beerman wanted to thank Worel for bringing the Katz foundation into the PC Tots fund. He attended the Leadership dinner and saw Jane Patten receive the Citizen of the Year award from the Leadership program. Council Member Beerman attended the Utah League of Cities and Towns meeting and commented that they were being audited. He was excited about the Climate Reality Project and said that Moab would like to do something similar.

Mayor Thomas wanted to compliment the Council on the relationships they had with the non-profits in the community. He stated that he and Diane were taking their Spanish class. He met with a group called America's Council and they wanted to come to Park City's Latino Advocate meeting. Mayor Thomas had looked at graphics that Jed and Linda were working on regarding the complete community concept. He said the Leadership event was amazing.

Linda Jager, Community Engagement Manager, wanted to follow up on the proposed community outreach series, which was a combination of coffee, après, and backyard events with Council over the next eleven months.

Council Member Henney stated he was very excited about this series. He said he wished he could attend all the meetings, but after looking at his schedule he realized he could not.

Jager presented a schedule and Council Members decided on the days they could attend.

Lynn Ware Peek, Community Engagement Liaison, discussed engaging the Latino community by inviting them to the Coffee with Council meetings. She suggested going to the locations that the Latino community already gathered such as McPolin Elementary and Anaya's Market and bringing a translator. Peek also suggested meeting with seniors and millennials. She said Deanna Perez, the Latino outreach person from UVU, had suggested inviting the community to an event where people could practice speaking Spanish to each other, listen to speakers, and talk about the Latino culture.

1. Woodside Park (Former Fire Station) Architectural Concepts and Senior Updates:

Jonathan Weidenhamer, Economic Development Director, stated they had moved forward with Council's direction given on August 25 to do the following:

1. Pursue Option 3, which was the most dense and included footprints for four single family homes ranging in size from 869 – 1,800 sf; and four townhomes, each with an accessory apartment; and a shared parking lot at 1364 Woodside.
2. Create additional accessory units where possible; and
3. Consider different approaches to parking including parking across street in a possible underground garage and/or parking reductions (contingent upon a planning process).

Weidenhamer stated that the design of this option had been further developed and would be presented to City Council at this meeting. Staff sought affirmation that staff and the design team were moving in the right direction in terms of scale, streetscape and design. If Council supported this direction, a next step would be to begin the planning process.

Craig from Elliott Work Group presented their preliminary architecture proposal to Council.

Council Member Matsumoto asked if the accessory apartments could be opened up to connect to the townhomes if the owners wanted more space and wanted to use it themselves. Craig stated they were not currently designed to have that capability, but that they could discuss the possibility.

Council Member Beerman asked if they could have carports with solar on top and also storage sheds for the smaller apartments where they could keep skis and bikes in. Craig said it was possible that they could have carports with solar on top and storage sheds, but that there would be additional costs associated with those. Council Member Beerman stated he thought it was important that as the apartments became smaller they provide storage even if it wasn't full garages and that the extra buildings with more solar would create a win-win.

Council Member Matsumoto asked what they meant by "built-in." Craig said the couch was built-in and there was storage underneath it. He said this built-in concept was good for young people who were coming to the community without any furniture and other stuff.

Council Member Matsumoto asked if the apartments each had a washer and dryer. Craig said they did each have them, but the accessory apartments did not. Council Member Matsumoto asked if the apartments were ADA accessible. Craig answered that any that had a bedroom on the first floor could be ADA accessible. She asked if the rooms all accommodated queen beds. Craig answered that they did accommodate queen beds and the master bedrooms all accommodated king beds.

Council Member Worel asked if the roof deck was a live use in that zone and Craig said it currently was.

Council Member Gerber asked if residents would be able to expand onto the roof deck in the future and Craig responded that that was up to Council's direction whether they would allow future expansion or not. He said that zoning would allow it, but that it was up to Council's vision.

Council Member Matsumoto asked if the green roofs had access to them. Craig explained that they did not have access to them—they were just green roofs.

Council Member Henney asked if the angle of the roofs would be favorable to solar and Craig responded that the pitch is very favorable to solar.

Council Member Gerber asked if the apartments on the ends had more windows and that was why they were able to have an extra bedroom. Craig confirmed that the end units had another bedroom whereas the middle units could have an office, but not another bedroom because of egress, although they had skylights.

Mayor Thomas stated the overhangs could be an issue. He pointed out that because of the angle and pitch of the roofs, metal could be problematic because of the velocity of snow when it slides.

Council Member Matsumoto stated she was not a fan of flat roofs and would rather have them all be pitched, but that she wasn't there to change it. Mayor Thomas pointed out the flat roofs were a secondary form on the design and Craig stated the gabled roofs were primary. Council Members Beerman and Worel said they liked the flat roofs. Craig explained that flat roofs created a reduction in the run-off by soaking up the snow and rain and that it was a benefit regarding the stormwater issues cities were experiencing.

At this meeting staff would also present preliminary options for relocation of both the senior program/use and current senior building. The footprint of the current Senior Center building was insufficient to meet the current or future senior program. Additionally, to meet Council's housing goals, staff believed relocation of the current building was necessary. Council discussions to date had focused on keeping the Senior Center and associated programming in the general vicinity of the current building location, therefore relocation options were limited. While there was not yet a defined scope or budget to accomplish a move, this report was a step along the path to accomplishing that. This issue would be a high focus as a next step in this process.

Weidenhamer stated the current footprint of the Senior Center does not work for their programming, so a new building and relocation to the new space at City Park is necessary.

Council Member Worel asked about the gap time when the new facility was being built. She wondered where the seniors would meet during that time. Weidenhamer replied that the time frame depended on who would be using the current building and when they started construction. They could start as early as the upcoming fall.

Council and Staff agreed to continue the discussion on the November 3rd Council meeting as they were short on time.

2. Main Street Paid Parking Progress Update:

Blake Fannesbeck, Public Works Director, gave an update on the Main Street Parking Implementation Plan. One of the recommendations of the plan was to put together a task force. Fannesbeck stated there were a lot of people working together on the task force. As they looked at the complexities of the technologies they were working with as informing and engaging the public, the task force concluded they would not be able to have the plan implemented by December. Their revised goal is to have it implemented by June 1.

Mayor Thomas stated a June 1 goal would ensure they had sufficient public input as well. Fannesbeck agreed and stated the advantages to the June 1 goal would be more time to get it right, time to get the message out to employees and customers, ensure there would be multiple transit and parking alternatives for the employees on Main Street, time to develop incentive programs for employees, and time for a testing period as well. Fannesbeck stated the timing of the electric bus fit well into the June 1 goal because it would be running by then and would provide another means of transportation. He also suggested that when the plan is implemented there would be bugs to work out and the summer season would be a better time to work out the bugs than trying to fix things in December.

Fannesbeck mentioned that in the last Council meeting there had been public concern that the 9-5 employee was not considered in the plan at all, but he explained that the 9-5 employee had been considered quite a bit and that they were taken into account. He explained that in the new plan an employee value pass for China Bridge (\$121) would be less expensive than the current annual pass (\$150). He explained that the weekends, evenings, and special events would have the highest rates, so it would not affect the 9-5 worker as much. Fannesbeck explained that Sandridge would still be free for everyone with this plan.

Council Member Beerman thanked Fannesbeck for the work he had done. He was disappointed it would not be ready for implementation for this winter season, but understood the need to get it right. Council Member Beerman thought the demand based system was great, but questioned whether the pricing was fitting the demand very well. He thought the July and August pricing should look more like the winter pricing and the November pricing should be the lowest whereas it was currently very high in the plan. Fannesbeck agreed the demand based parking prices needed to be

tweaked and said they would continue to change those rates. He said the numbers were based on data from consultants over the last few years, but that they would look at the numbers again.

Council Member Worel stated she liked the concept. She asked when the new transit center at Kimball Junction would be finished. Fannesbeck said it will be partially operational by Nov 18th and fully open by December 6th. Council Member Worel asked if it would be operational before the parking plan was implemented and Fannesbeck replied that it would be.

Council Member Gerber stated she also liked a lot of what she was seeing. She said one thing she was not seeing was a carpool program. Fannesbeck explained that it wasn't highlighted in his latest update, but that it was mentioned in the plan. He said carpooling would be part of the incentive plan for employees and they could receive a credit on their payment card for carpooling.

Mayor Thomas asked how often they would receive updates and when the public would have another opportunity to give input. Alfred Knotts, Transportation Planning Manager, replied they would give updates monthly. Diane Foster, City Manager, explained they were working with Linda Jager, Community Engagement Manager, on a Public Communication Plan in order to educate the community on the parking plan.

Council Member Henney wondered how staff knew the timeline for implementing the parking plan was correct. He wanted the implementation to happen more quickly and wondered how staff could be sure it would happen by this summer. Knotts replied that one part of the project would not hold up the other parts of the project, so he felt good about the June 1 date. He suggested that because Park City already had a free transit system, it enabled the City to move forward with the parking plan more quickly. Knotts said he was also hiring an employee to focus on the project. Council Member Henney suggested staff should put extra focus on the Old Town portion of the project, ensuring the other parts of the plan would not hold up the parking plan for Old Town and the Historic District.

Council Member Henney suggested having free parking times that would be determined by the demand statistics. Fannesbeck replied that there would be free times. Council Member Henney would like to expand the free times. Fannesbeck replied that this program was made to change depending on the demand. Council Member Henney suggested the narrative needed to include the verbiage of free parking, which would spread the message that this paid parking plan could be less expensive for many. Foster explained that in the report it said that at least 1/3 of the time would be free.

Council Member Beerman suggested staff should implement more surveys this winter in order to gather baseline information on who was using the parking. Knotts replied that

staff would be tracking using the data from sensors and the tracking would begin in the next couple weeks.

Council Member Gerber asked if Blynscy could be used to track the number of cars that were coming to Main Street and which direction they were coming from. Knotts replied that Blynscy could track that information and that staff was already gathering that information.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Katie Madsen	Deputy City Recorder	Present

II. COMMUNICATION AND DISCLOSURES FROM COUNCIL AND STAFF

- **FY 2017 First Quarter Budget Report**

III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Thomas opened the meeting for those wishing to comment on items not being addressed on the agenda.

Michael Barille, Executive Director of the Historic Park City Alliance (HPCA), wanted to compliment Craig Elliott on the floor plans for the Lower Park Avenue development. He said the HPCA supported any development of smaller units in Old Town that could be occupied by the local business owners and their employees. He also said the parking plan seemed to be going in the right direction. Barille agreed with Council Members Beerman and Gerber regarding the collection of as much information as possible in order to know who was using the parking and when. He also suggested having a trial

period before fully implementing the paid parking plan in order to learn what works and what does not. Barille would like to include some Main Street employees on the subcommittee as well in order to learn from the users how it was working.

Bob Peek, owner of an electric car, stated that there were not many charging stations in town. He explained that the China Bridge stations were usually full. Peek said that at Kimball Junction they have a charging station at Backcountry, but it's next to a handicap parking stall. This setup made it so that if someone else was already in the stall, he could not pull up next to it and charge at the station. Peek suggested Council should look at more opportunities for providing charging stations for electric cars in the City.

Council Member Beerman agreed with Peek that it was hard to find available charging stations. He thought there would be a wave of electric vehicles coming soon and it would be important to provide stations for them. He said that as a part of Rocky Mountain Power's plan to focus on clean energy they had talked about providing more stations and Council Member Beerman thought Council should address the issue again.

Mayor Thomas closed the public input portion of the meeting.

IV. CONSIDERATION OF MINUTES

1. **Consideration to Approve the City Council Meeting Minutes from September 22, 2016, and October 6, 2016:**

Council Member Beerman moved to approve the Council Meeting minutes from September 22 and October 6 2016. Council Member Henney seconded the motion. Council Member Matsumoto abstained from approving the October 6 minutes because she was not present at the meeting.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

V. CONSENT AGENDA

1. **Request to Authorize the City Manager to Execute the Construction Agreement with Alder Construction, Inc., in a Form Approved by the City Attorney, for Construction Services for the Quinns Junction Water Treatment Plant Upgrades Project for a Total Amount Not to Exceed \$3,878,465.00:**

Council Member Worel moved to approve the Consent Agenda. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VI. OLD BUSINESS

1. Consideration to Approve the Modification of the Current Real Estate Purchase Contract (REPC) for the Southern Portion of 1251 Kearns Boulevard (The Yard) in Order to Extend the Due Diligence Deadline from November 1, 2016 to December 9, 2016:

Jonathan Weidenhamer, Economic Development Director, explained that staff wanted to extend the due diligence deadline in order for staff to complete massing and feasibility work that would show possible options for what could be built on this site. The extension would also provide staff more time to educate and inform the neighborhood of the possible options.

Council Member Matsumoto moved to approve the modification of the current real estate purchase contract. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VII. NEW BUSINESS

1. Public Hearing for the Purpose of Receiving Public Input on the \$25 Million Bonanza Flats General Obligation Open Space Bond Initiative that Will Appear on the November 8, 2016, Ballot and the Economic Impact that the Facilities and Property Financed with the Bonds Will Have on the Private Sector:

Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.

2. Consideration to Approve Ordinance 2016-32, an Ordinance Approving the Lilac Hill Subdivision Located at 632 Deer Valley Loop, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Historic Preservation Planner, stated that at the September 22 Council meeting, Council looked at different conditions of approval that Council might want to consider as part of the plat amendment and Council had directed staff to choose a medium restriction. Grahn stated that the applicant would only consent to the condition of approval number six regarding the 40% open space if Council added the condition of approval regarding compliance with LMC 15-2.15-3. Staff was not willing to add that condition unless it was qualified that the condition was not actually vesting any zoning because staff cannot do that as part of a plat amendment or plat note.

Grahn said that the neighbors had also recommend conditions of approval and the properties they referenced are part of Master Plan Development that got approved in 1991 and the plat notes were reflective of that development agreement. Council also received public comment in their emails this week about the public use and driveway access off of Rossi Hill. Grahn said staff had talked to Engineering about that and it was really hard for the City to regulate where a driveway would be located when they did not know what future development would look like. She explained that the conditions of approval that were proposed with this plat were mechanisms to control where that driveway could go to ensure the safety of the community.

Council Member Henney asked for clarification on entitling development rights through zoning. Grahn explained the reason staff felt it was redundant was because when there was a planning application it was vested on the day the application was submitted. She stated that a condition of approval did not vest the property. She explained that if Council passed the plat amendment and later the City decided to change the zoning, the plat amendment could not be vested because a plat note could not do that. Council Member Henney asked if it would be possible to do both—to 1) do something that is redundant just for the sake of doing it because it would not harm, and 2) make the provision so it would not carry any zoning implications to the future. Grahn stated Council could and the condition would say something about how the condition would comply with the Land Management Code (LMC) and staff would also add the line that it would not limit the Council from changing the zoning in the future. She stated staff would put both in as the same condition. Grahn also pointed out that Council had considered changing the zoning of this property during the September 22 meeting and Council had decided not to change the zoning for this parcel. Council Member Henney asked Matt Mullin, applicant, how he felt about this aspect of the conditions of approval.

Matt Mullin, applicant, replied that he was not thrilled with the conditions of approval. He said that one of the conditions was a commitment to 40% open space, which was made after staff had created a condition of approval tying the property to that LMC section. He stated that if the property would never be tied to the LMC section and the reason was so that Council could change the zoning of the property in the future, then why were the applicants being asked to hold their offer to a perpetual standard. He suggested it could not go both ways and that it was necessary to have both the offer the Mullins made and the condition that was part of making that offer in the conditions of approval or both of them out. Mullin stated they made that offer in reliance on that condition being in there and said it was proposed by staff in the July 14 meeting as part of their recommendation of approval. He said that this change to the conditions to not have it in either for redundancy or because it needs to be changed at some point in the future was news to the Mullins as to the last week and they had made their commitment to the 40% open space when it was not a debatable topic.

Council Member Henney asked if else had insight to offer on the subject. Bruce Erickson, Planning Director, said he believed the recommendation that Grahn was

putting forward was correct. He explained that there were some timing issues involved as well because the original recommendation to tie it to the zone setbacks was part of the low, medium, high scenario staff presented months ago. Erickson explained that the applicant and the neighbors had continued to negotiate and at the same time staff went through the staff report review by the Legal department and it was the Legal department that identified the fact that the action of taking a plat cannot vest in a previous zone. He said the staff report may have not spoken correctly about the redundant nature of it, but he believed the review by Legal had identified that the proposed July solution was not appropriate on this plat.

Council Member Beerman asked about what could be built on the lot under the proposed conditions. Grahn stated that as one lot the historic house falls under the historic district design guidelines. If the lot were to be subdivided, the new lot without the historic house would also have to follow the historic district design guidelines. She stated that no homes could be built in front of the historic home, which would block the view of it. Grahn stated she thought it was important for Council to move forward with the suggested conditions of approval in order to preserve the historic nature of Rossi Hill. She also explained the City did not know what the Mullin's development would look like and that they would review the plans as they came in.

Council Member Matsumoto pointed out that the conditions of approval language said 'Park City design guidelines' and she did not know which guidelines it was referring to. Grahn stated the official term was the 'design guidelines for historic sites and structures' and that staff could amend the language in the conditions of approval. Council Member Matsumoto asked if the historic site guidelines differed from the LMC and Grahn stated that they were in addition to the LMC. Council Member Matsumoto stated these guidelines were much stricter than the LMC and wondered if the applicant was okay with the guidelines. Mullin stated that they were in agreement that any development on this property would follow the Historic District Design Review (HDDR). He said they had tried to not have that be part of the conditions of approval because they don't know what the development will be and that Planning Commission had agreed with the applicant on that point. He said the based on Council's input they had backtracked from that position and that currently they were willing to follow the HDDR guidelines. Council Member Matsumoto supported having the historic guidelines in the conditions of approval and was happy the applicant had agreed to it.

Council Member Gerber asked if there was anything in addition to what was already in the conditions of approval that could limit the maximum footprint of the development. Mark Harrington, City Attorney, said there were two additional ways beyond what had been proposed in the conditions of approval: 1) add a finding that the 40% open space was necessary to ensure a transition zone between the historic zone and the new construction, 2) add an additional qualifier to condition 6 that states if the area was rezoned in the future, Council, staff, and the applicant could revisit the conditions of approval. Mullin asked if it would be better to remove all the language and just deal with

it at a later date. Harrington said that if there was agreement on the zone staying the same, that 40% open space was achievable and there was no reason to not have that language in the conditions. He said that if something were to happen down the road Council and the applicant could revisit it. Mullin explained that his fear was that Council could change the zoning on his property.

Council Member Beerman stated he still was not clear that if there was a subdivision what would be allowed as far as density, footprint, and number of units. Erickson stated the zoning was RM, so without the HDDR requirements the development could look like the condominiums that surround the site. He explained that under the current zoning, without the restrictions found in the proposed conditions of approval, it would be a fairly dense site. Council Member Beerman asked what it could look like with the proposed conditions of approval and Harrington explained that Council was currently deciding on specific legal boundaries and that in the future when the applicant brought forth the site application further scrutiny would take place with the Council and the Planning Commission. Erickson added that if the historic home had to remain where it stood—according to the relocation guidelines—the possible density on the site would be reduced.

Mullin stated they were trying their best to find a good balance with the City's concerns and what the City had asked for.

Mayor Thomas opened the public hearing.

Mary Wintzer talked about the history of the site. She stated that they gave up footage because of restrictions on their site. She was thinking about equity. The Dennis family sold a home that underwent restrictions. She was in favor of giving the property owner restrictions because the Rossi Hill owners had to do the same. Wintzer wanted Council to consider the access to the development and how it would affect the families. She stated this was a genuine issue of public safety. She wanted access restricted to the lower road.

Jennifer Gurss, 645 Rossi Hill, read a letter from Mark Hare and stated it also represented her views. She said Rossi Hill was the perfect mix of residential and historic. Gurss stated the Rossi Hill Alliance tried to work with the Mullins, but that the neighbors were the only ones to make concessions.

Jack Koson, real estate developer in Park City for twenty years, said this was an important topic for general purposes. He stated the property was purchased thinking the property was a certain zone and code. He thought it was a dangerous precedent to change the rules after someone had made a commitment. It should not be retroactive. Koson wanted Council to approve the development.

Richard Dennis wondered how others could tell him what to do with his own homes and property. He would sell his property for fair market value to Park City if they would buy it. He thought people should be able to do what they would like with their property.

Sean Kelleher, Park City resident, thought the applicant's development should be approved. He stated the Mullins had worked with the neighbors and done things they didn't have to do.

Katy Patterson, Woodside, supported the applicant. She did not see why we were here today.

Bob Martin, 595 Deer Valley Loop, had lived below the historic house since 2003. He felt the City should start over. He stated these historic homes were the last left. Thought the piece should be bought by the City and the City should buy the Mullin's property back from them. He explained that the road was almost impassable in the winter and it becomes one lane sometimes.

Diane, Save Rossi Hill Alliance, said they were not able to reach an agreement. She stated the Mullins would not compromise any more with them. She suggested the City permit access only from Deer Valley Loop and that they preserve the historic density of the lot. She also suggested that any development should rebuild historic buildings that were not in existence any longer.

Allison Kitching, 670 Deer Valley Loop, said she was Mullin's immediate neighbor. She wanted to include the condition of only having the driveway come off of Deer Valley Loop.

Kristine stated the applicants should only be able to have a driveway from Deer Valley Loop.

Jeff Camp, who lives adjacent to the applicant's property, stated the City was dealing with a property that was not created through regular channels. He stated this sets precedence for future development on Rossi Hill. He wanted Council to consider leaving the property as open space and suggested it was a wildlife corridor. He asked Council to preserve this land.

Bob Gurss, Rossi Drive, Save Rossi Hill Group, said the majority of people who signed their petition own property in Park City. He stated it was the last chance to protect historic homes on the site.

Charlie Wintzer, 320 McHenry, owns 1/3 of an acre and he said they were restricted to 80% open space. He stated all of their four houses all had similar restrictions.

Morgan Hull, 310 McHenry, said developers say they were going to do one thing and then they do another and they wanted to save the open space.

Paula Bond stated the City should approve the Mullin's development.

Mayor Thomas closed the public hearing

Council Member Matsumoto asked if staff's recommendation was to not restrict driveway access in the conditions of approval. Grahn replied that they would base restrictions on the driveway after knowing the site plans and they would use the Engineering department's recommendations. Staff recommended that Council not restrict access off of Rossi Hill at this point.

Council Member Worel asked if it was usual to make decisions on things like driveway access before the development was designed. Erickson replied that it was usual to make notes on a plat before the site was designed, but not usual to indicate where the driveway could be located.

Mayor Thomas suggested restricting access from Rossi Hill and only allowing access from Deer Valley Loop. He stated that the nature of these homes was different because of their historic nature and that the required open space should be increased to 60% open space.

Council Member Beerman asked if the zones were the same in the McHenry neighborhood as the Mullin property. Mullin replied that the zones were not the same. Council Member Beerman asked about the process for regulating driveways and Erickson replied that Planning relied on the recommendations from Engineering.

Council Member Henney asked Mark Harrington what kind of protections the City currently had for the historic home on Lilac Hill. Harrington explained the history of the Lilac Hill property.

Council Member Henney stated he would support having no access off of Rossi Hill. He also stated that he supported staff's conditions of approval.

Council Member Gerber asked if a driveway that was too steep or dangerous was brought before Planning Commission at a future date if they would be able to regulate it at that time. Mayor Thomas replied that the Planning Commission might regulate it.

Erickson explained that Planning Commission would use the current zoning or any future zoning to make the decision about an appropriate driveway on the parcel.

Council Member Worel stated the only way to preserve the historic homes would be to make a lot of record. She appreciated how the applicant had worked with staff and

neighbors and made compromises. Council Member Worel stated she was comfortable with the plat with the proposed conditions of approval because the historic home would not be blocked. She said that in regards to driveway access that that should be decided on when design would be brought forward to Planning Commission.

Council Member Beerman said he was in a similar place to Council Member Worel. He thanked the applicant and the neighbors for working together. He was comfortable with the conditions as suggested by Planning staff and was comfortable with the Planning Commission and Engineering making a decision in the future about the driveway access. He stated that it was a dangerous road and suggested putting a sidewalk along Rossi Hill and a staircase where the goat path was now.

Council Member Gerber thanked the applicant and the Rossi Hill Alliance. She stated the historic homes were a part of Park City and were important to preserve. She thanked the Mullins for agreeing to have 40% open space and adhering to the HDDR. She agreed to not include driveway specifications in the conditions of approval and to leave that decision to the Planning Commission. Council Member Gerber also supported Council Member Beerman's suggestion to build pedestrian access on the goat path.

Council Member Matsumoto stated they needed to go forward with a lot of record for the home. She agreed to go forward with the recommendations of staff.

Grahn clarified the amendments to the conditions of approval Council had suggested by adding the following language:

Condition of Approval #4:

Any development on this lot or future subdivided lots within this lot shall provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort. Any new development on this lot or future subdivided lots within this lot shall comply with Park City's Design Guidelines **for Historic Districts and Historic Sites** to ensure that the new development is compatible with the Historic Structure on this lot and the Historic Structures in the surrounding area.

Condition of Approval #6:

So long as the zone remains RM, new construction on this lot or future subdivided lots within this lot shall provide a minimum of 40% of the site to be Open Space, Landscaped and/or Open Space, Natural as defined by the Park City Land Management Code. **If it is rezoned, open space requirements may be reestablished at that time.**

Council Member Henney moved to approve Ordinance 2016-32, an Ordinance Approving the Lilac Hill Subdivision. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

3. Consideration of Ordinance 2016-48, an Ordinance Approving Amendments to the Land Management Code of Park City, Utah, Regarding the Following Chapters: Chapter 11 Historic Preservation - Regarding Relocation And/Or Reorientation of a Historic Building or Historic Structure and Chapter 15 Defined Terms:

Anya Grahn, Historic Preservation Planner, explained that the City did not want to be relocating historic homes except when there were special circumstances.

Council Member Beerman questioned the difference between a temporary relocation and a permanent relocation. Grahn suggested an amendment could be made to the ordinance in order to clarify it was regarding permanent relocations. The ordinance amendment is as follows:

(B) PROCEDURE FOR THE RELOCATION AND/OR REORIENTATION OF THE HISTORIC BUILDING(S) AND/OR STRUCTURE(S) TO A PERMANENT NEW SITE

Council Member Gerber moved to approve, Council Member Henney seconded, approved unanimously.

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Katie Madsen, Deputy City Recorder