

**PARK CITY COUNCIL AND PLANNING COMMISSION
JOINT WORK SESSION NOTES
CITY HALL COUNCIL CHAMBERS
JULY 21, 2011**

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

Chair Charlie Wintzer; Commissioners Brooke Hontz; Julia Pettit; Jack Thomas; Mick Savage; and Adam Strachan

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michael Kovacs, Assistant City Manager; Katie Cattan, Senior Planner; Francisco Astorga, Planner; and Patricia Abdullah, Analyst

ABSENT: Commissioner Nann Worel

WORK SESSION ITEMS

Redevelopment Discussion

Mayor Dana Williams called the work session to order at 6:26 PM.

Charles Buki with czg consulting outlined the structure of the work session; clarify the overall message from the last joint session, define that message, and delve deeper into the topic in order to resolve the lot combination issue. He wanted to touch base with Commissioner Pettit and Commissioner Strachan regarding their stance on redevelopment since they were unable to be at the last joint session.

Commissioner Pettit acknowledged that redevelopment is a strong part of the town. She felt that the entry corridor should be closely examined for better utilization of areas identified that currently contain outdated buildings, empty buildings, and parking lots. She stated that now is the time to look at these redevelopment measures for the City to stay competitive. Mr. Buki said that was on point with what Becky Zimmerman had led Council to conclude was a necessity in the previous meeting.

Commissioner Strachan assumed that while redevelopment is a reality it is not a requirement everywhere in Park City. He stated that they needed a more specific view neighborhood by neighborhood to decide if redevelopment was a pressing force there. Once it was defined as a necessity in that area then you would follow the oppositional stance with the inclusion of L2 and L3 as outlined in the staff report on page 67.

Mr. Buki's job was to get to the categorical viewpoint that resides in the Council members and Commissioners as it was that majority that would shape the General Plan language and how the City reacts to the redevelopment process through the redraft of the General Plan. Commissioner Savage thought it would be best then to define redevelopment so that everyone had the same definition in mind. Mayor William's definition was to look at everything brought in front of them from

face lifts of buildings to replacing new areas in town to the current areas of concerns; parking lot redevelopment, Bonanza Park area, Treasure Hill. He stressed that redevelopment was not just the act of rebuilding but can also may constitute economic factors. Council member Simpson that the definition depended on the project or neighborhood itself and that those neighborhoods may evolve. In the Historic District it may be sensitive additions and a traditional sense of redevelopment in that you take a non-useful building or property and create something usable to the community. The Council and Commission needed to look at more than just the traditional (physical) sense of redevelopment.

Council member Matsumoto returned to the concept of growth and that redevelopment does not always have to be tied to the idea of growth. In an area already developed growth does not have to be the primary goal in order to be redevelopment it could be a concept that helps the community. Commissioner Pettit added onto that statement that it is possible to have redevelopment and re-use with an existing footprint and building something within that space that is a better fit for the community. She reminded the Council that it was a result of the visioning that Park City wanted to remain a small town and raised the question as to how they hang onto that while redeveloping. Council member Simpson raised the question as to whether it is an actual number that we tie into being a small town or if it is the feeling of a small town that they are looking to preserve.

Council member Kernan felt it was the bringing of people together in local events that make it a small town. Commissioner Pettit cautioned that the local events grow beyond a local scale. The concerts at Deer Valley were used as an example of an event that had grown beyond a local scale. In adding more people there is a loss in the opportunity to make individual connections. Council member Matsumoto didn't think it was just the second home owners that were growing events it was also Salt Lake residents that wanted to join in on that small town experience. She felt that as some events grow other smaller secret events would take their place.

Commissioner Thomas had visited small towns in Europe of 50,000 people that had a strong sense of community and character. He didn't feel that there was a number that caps what a small town is. He felt it was more of an issue of having so many visitors that fuel our economy that upset the balance. Through redevelopment and opportunities there should be a sense of community and cross sections that creates a balance that can sustain the generations to come. He wondered if it might be a bit late due to the existing popularity of the ski resorts. It was more of a matter on moving forward and continuing the growth in a fashion that maintains the qualities that the Council wants to see in the community.

Mr. Buki refocused the discussion on the groups and the assignment that was given at the end of the last work session. What did each individual group encounter and the alignments that were found. Mr. Buki wanted the feedback to be ranking of priorities in order to help the Council make choices on which items to were the most important to focus on and how to best to and when to develop partnerships. There was some concern among the groups in regards to the increase of taxes and how to increase the permanent population of Park City.

There was some general discussion regarding the Bonanza Park project and questions Mr. Buki needed Council and Commission to answer prior to being able to make the project a priority; height,

connectivity, traffic circulation, and the uses and how those uses effect the community.

Commissioner Pettit was concerned that focus should not be on specific neighborhood plans over the rest of the General Plan. A plan for a district could not be created in a vacuum. Mr. Buki clarified that there may be development pressures that demand an answer even if there isn't an umbrella that guides it.

Mayor Williams felt that the City has always been reactive to development and needs to be more proactive in shaping how Park City grows.

Mr. Buki did not deny that the General Plan needed to be finished but the General Plan had many layers that was made up of different districts and those districts need different plans as agreed upon by Council and Commission. The question is whether the staff should pause on other items until those neighborhood plans were compiled. Council and Commission would have to deal with the consequences of that change in direction.

Council member Simpson laid out the current development pressures as Bonanza Park and Old town, which included the current temporary zoning ordinance that was enacted in July. Mr. Buki then raised the question as to whether the priority should be on the creation of neighborhood plans prior to or after the solution of Bonanza Park project and lot combination issues in Old Town.

Mayor Williams felt that the Bonanza Park project was of a higher priority than the Old Town discussion due to the fact that the magnitude of the Bonanza Park project was not unknown whereas the number of properties and scale of the issue is not yet known.

Council member Matsumoto felt the neighborhood plans area bigger issue than the discussion of lot combinations. She believed the larger issues should be addressed first, then the middle range issues (i.e. parking lots at Deer Valley and Park City Mountain Resort) and then smaller details further down. She did not feel the lot combination issue belonged in the big picture discussion of the General Plan. Mr. Buki added that Historic Character was ranked of high importance from the Visioning and is a trigger point for Community Character. Council member Matsumoto did feel the discussion on lot combinations was important and necessary but not necessarily should be done at this joint session. Planner Cattan said that staff is looking for clarification for the General Plan in regards to redevelopment in Old Town, three years ago Staff addressed the issue of density in Old Town but is now being asked to talk about mass and scale.

Commissioner Pettit felt the discussion should take place because the City has a commitment to Historic Preservation that makes the community unique. Her point was to move forward with policies and plan of neighborhoods to protect and enhance what the City currently has and make buildings more compatible through future development. Council member Kernan agreed that the issue of lot combinations is an important one because he's seen the impact of what lot combinations has had but did not feel that any change now would have any noticeable impact on future development for some time while there were already applications before them that could have large impacts now.

Mr. Buki reasoned that while the lot combination issue is specific to a certain part of the community

the discussions and reasoning resulting from them can be used when creating plans for other parts of the community.

Council member Peek felt that the Land Management Code amendments made in 2009 along with the update to the Historic Guidelines have not had a chance to show results as there have not been many projects that have gone through the process. Council member Simpson agreed with him in that there has not been enough time to measure the result of the previous changes. She felt they might be more in front of the issue but need time in order to find that out.

Council member Butwinski felt the proposed ordinance went beyond the temporary zoning ordinance that Council had enacted. What is currently being proposed is revisiting things like height of the building, which was discussed two years ago. He was not aware at the time of the TZO would result in a pending ordinance of this magnitude.

Mr. Buki knew there was a contingency that wanted to table the issue of lot combinations tonight but he thought it necessary to stay in the weeds and get a resolution. City Manager Bakaly wanted clarification for Staff on what the tone for redevelopment in Old Town is.

A 5 minute break was taken.

Mayor Williams called the meeting back to order and opened the public hearing.

Kate Riggs with the Park City Board of Realtors said the Board of Realtors recently finished reviewing the second quarter market figures. The figures show that the market is still troublesome for real estate. She received many calls from members and private property owners and it was clear from the comments that there is an unanimous interest in upholding the character of Old Town but there is an obligation when discussing the lot combination issue to residents are taken into account. After hearing the discussion she offered a suggest to the body for the consideration to acknowledge that the Land Management Code changes of 2009 with the update to the Historic Guidelines have not yet been put to the test, with only one home having finished the process of being reviewed through the guidelines. She suggested repealing the TZO and allowing the current Code time to show results. If the Council would like to proceed she additionally suggested the formation of an advisory group from the community to give guidance the City Council on the proposed changes.

Joe Tesch a local attorney offered the opinion that the temporary zoning ordinance is a bad idea at the current time as the Code changes that took place in 2009 have not yet had time to produce results. He also raised an issue with the discussion of the TZO taking place at the joint work session. The pending ordinance was heard at Planning Commission on July 13 and the public hearing was kept open for more public comment on August 24. People may not be in attendance at the joint meeting that want to speak in regards to the matter and no decision should take place at this meeting. Most of the people at the Planning Commission meeting on July 13 were not developers, they were citizen owners that were opposed to the changes. He stressed he represented more individual owners than developers and the citizens felt imposed with a pending ordinance that they don't want. If the City keeps changing the Code every two years then people will not invest in Old Town. He felt there was currently a nice balance with the regulations today and that

people are maintaining and are required to maintain their existing historic structures. He urged the Council to get rid of the temporary zoning ordinance.

Craig Elliott a local architect felt the discussion between the two bodies was excellent. Eighteen years ago in the month of July his family had moved to Park City temporarily for nine months. He was encouraged to move here and eventually stated for the people and the community. He did not want to think of people losing that invitation to join the community because there was a cap on permanent residents. He wanted to continue to invite interesting and diverse people and to encourage second home owners to move here permanently. There was an opportunity for Park City to be more than a resort town and he hoped to have more discussion to help define what Park City wanted to become. Redevelopment was not just making it bigger but creating opportunities for higher value and quality. A couple of his clients now have projects on hold due to the proposed ordinance and his clients were scared as to what they can do with their property. He felt there was a perception that people were combining six lots and building big houses but the current Code does not allow that.

Judy McKie who was serving on the Historic Preservation Board spoke as an Old Town resident. She lived in Old Town with young kids and loved it. She could walk to anything and there were events such as silly market. Unfortunately she would not live in Old Town if the owner the house where she live did not have a yard. She noticed that most homes in Old Town do not have a yard. While her immediate neighbors were second home owners and rarely visited town she had been able to find and become party of a community with other people in the neighborhood. She felt that yard space appealed to families with kids but by allowing people to build out to take up the majority of the lot discouraged those families from investing in a permanent home.

John Phillips a 3rd generation parkite expressed his concern with the limitations that the proposed Code would have on homes in Old Town. He urged Council to think about the people that live inside the homes. Some of the ugliest houses in Old Town were built in the 1970s. Those houses will get uglier because people will let them deteriorate. People that come to visit him are in awe of Old Town, they drive by both big and small houses. If everything looked the same it would be boring. He felt the City should wait to test the Code that was put in place in 2009.

Michael Barille a ten year resident in old town addressed the board and was encouraged by having listened to the two bodies talking together. He felt that disagreement was a positive thing. He stressed that redevelopment is the most important issue. He echoed Kate Riggs' sentiments in that the Council and Commission needed to define framework and get to specific issues. He encouraged them to call on resources within the community. Start with the bigger picture and work into the small picture. He wanted to let different districts have different priorities and strategic plans. He hoped that the City did not fear to try things in some areas.

Tom Peek a resident of Park City stressed that Old Town had never looked better than it did. Very few historic homes were built on sing lots, almost all were built on more than one lot or over lot lines. And many existing structures in Old Town are not historic even though you may think they are.

Michael Barille added to his previous statement in regards to the current economic change and that

over time the trends might continue to change. He stressed looking at redevelopment policies proactively and not being nervous that decisions made might be regretted years later.

Ruth Mensthma addressed the board to speak regarding the historic character of Old Town. She admitted to being surprised by the TZO at first but now understands that Staff was simply being cautious that they might be seeing trends that previously yielded large homes. She was confused when reviewing the Land Management Code that in the historic districts the City Council wanted to encourage permanent residents but the Code allowed for night rentals which in fact encouraged purchasing homes as an investment by second home owners. The neighborhood in which she lived was the most beautiful, but it was not really a neighborhood as no homes around her had permanent residents. She has had to go out and find a community. She stressed tying the allowed and conditional uses to encourage permanent residents. In regards to Bonanza Park she posed the question as to whether a ten story building filled with full time residents would be better than a six story building of night rentals.

Hearing no more comment Mayor Williams closed the public hearing.

Mr. Buki was encouraged by the public comment and had taken from the; that different neighborhoods have to be treated differently, neighborhood plans had to occur, distinguishing physical issues and community issues, and get real clear policy direction in regards to the TZO.

The Council and Commission discussed, at length, the temporary zoning ordinance and the current pending ordinance.

Council members Simpson, Peek, and Kernan along with Commissioners Wintzer, Strachan, and Hontz wanted to keep the TZO in place but limit the discussion to the original intent to analyze the footprint of lot combinations only within the historic districts. Mayor Williams agreed that the pending ordinance got bigger than it was originally intended to be.

Council member Matsumoto agreed that the temporary zoning ordinance should stay in place and Staff should go forward with the analysis. She would prefer a broader scope of analysis to include not just lot combinations but the compatibilities with mass and scale. Commissioner Pettit felt the TZO should be kept as is and that further analysis should take place as there may be other ways to create compatibility other than through footprint.

Council member Butwinski wanted to repeal the TZO and stay under the current Code so that the Council could focus on other issues.

Commissioner Savage felt the temporary zoning ordinance was premature and that it should be removed and the current Code and guidelines should stay in place.

Council member Butwinski asked if they should be planning to put the repeal to a vote that night. City Attorney Harrington responded that no vote should be done as it is not on the agenda as an action item. Staff should take the direction given them tonight by Council and Commission as they go forward in the process. The Land Management Code Amendments were currently scheduled for

Joint Work Session Notes
July 21, 2011
Page 7

Planning Commission on August 24.

It was agreed that the broader discussion should take place when creating the neighborhood plans for Old Town. A meeting for the neighborhood plans and General Plan discussions should be scheduled for August.

The work session adjourned at 10:05 PM.