



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
July 14, 2016**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, July 14, 2016.

CLOSED SESSION

11:45 a.m. To Discuss Property, Personnel and Litigation

WORK SESSION

5:25 p.m. Council Questions and Comments

5:35 p.m. – Review Draft Ordinance Amending Title 11, Chapter 13- Impact Fees of the Municipal Code of Park City, Utah **PAGE 3**

REGULAR MEETING

6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

Ice Arena Scheduled Closure Report **PAGE 18**

Park City Main Street Plaza Design Update **PAGE 23**

Quarterly Budget Report - Fourth Quarter 2016 **PAGE 25**

Neighborhood Traffic Management Program Update **PAGE 35**

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

IV. CONSIDERATION OF MINUTES

1. Consideration of a Request to Approve the City Council Meeting Minutes from June 23, 2016, and June 30, 2016 **PAGE 39**

V. CONSENT AGENDA

1. Consideration to Approve Resolution No. 16-2016, a Resolution Proclaiming July 15, 2016, as Sister Cities International Day **PAGE 53**

VI. NEW BUSINESS

1. Consideration to Approve the Level Three Special Event Permit for the Tour of Utah, as Conditioned, on the Following Dates: Saturday and Sunday, August 6-7, 2016 **PAGE 56**

(A) Public Input

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 **PAGE 80**

(A) Public Hearing (B) Action

3. Consideration to Approve Ordinance No. 2016-33, an Ordinance Approving the Sterlingwood Condominiums Second Amended Plat – Amending Unit 16, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **PAGE 123**

(A) Public Hearing (B) Action

VII. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

The Council should consider adopting an ordinance which amends Title 11, Chapter 13 of the Park City Municipal Code regarding impact fees in order to revise, simplify and more clearly define how fees are calculated.

Respectfully:

Michelle Downard, Deputy Chief Building Official



City Council Staff Report

Subject: Park City Municipal Code Title 11 Impact Fees Amendment
Author: John Allen, Plan Check Coordinator
Michelle Downard, Deputy Chief Building Official
Department: Department of Building and Fire Safety
Date: July 14, 2016
Type of Item: Legislative

Summary Recommendation

Adopt an ordinance which amends Title 11, Chapter 13 of the Park City Municipal Code regarding Impact Fees in order to revise, simplify and more clearly define how fees are calculated.

Executive Summary

- Staff is recommending to revise, simplify, and more clearly define how the current Impact Fees are calculated with code amendments to Title 11, Chapter 13 of the PCMC.
- **Parks, Police, and Roadways Impact Fees-** The values and fees remain the same while the table layout has been modified. The square footage of units is now in numerical order.
- **Indoor Non-residential Water Impact Fee-** Staff has assigned dollar figure amounts and eliminated "Calculated" from the table. Fee values are not proposed to be modified and staff would calculate fees as they have been in the past with the exception of outdoor dining areas which would be calculated as described in this report and the attached draft ordinance.

Acronyms

PCMC – Park City Municipal Code
LOD – Limits of Disturbance Fence

The Problem

- Customers have expressed confusion on how fees are and have been calculated.
- Property owners and developers have had difficulty forecasting fees before they apply.
- Staff has experienced recurring questions about the Appeal and Independent Fee Calculation fees and submittal deadlines.

Background

Park City requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of impacts on municipal facilities and infrastructure caused by new growth.

Simplify and Clarify

Staff recommends defining certain fees as opposed to using the term “Calculated” as it appears in the current code. This should clarify how these fees have been determined by the Official.

Parks, Police, and Roadways Impact Fees

The values and fees remain the same while the table layout has been modified to show unit size in ascending order of the magnitude of the impact. The square footage of units is now in numerical order.

The table is amended to reflect the fee is assessed per unit for Duplex & Multi-Family and Hotel Rooms. This is consistent with how fees are and have been determined.

Outdoor Water Impact Fees

Staff recommends that the outdoor water impact fee be clarified to indicate that the full \$1,441 fee be assessed for every 1,000 sq. ft. or fraction thereof above 10,000 sq. ft. This methodology is consistent with how the fees are applied within the smaller sq. ft. ranges.

Staff recommends that all disturbed area within the limits of disturbance (LOD) fence is treated as being replaced with irrigated landscaping sq. ft. Therefore, outdoor water impact fees are assessed for all sq ft areas within the LOD fence. This is consistent with how fees are and have been determined and does not change the amount to be charged.

The existing PCMC 11-13-7 (G) is recommended to remain unchanged and allows for a property owner to be eligible for a rebate of up to 50% of the paid exterior water impact fee for the installation of a drip irrigation system and drought tolerant landscaping in the area of disturbance. Refunds are tracked in the same permitting software (EDEN) that requires the original fees to be paid. Those records are retained permanently in accordance with the Park City’s retention schedule and therefore provide a record for future reference.

Indoor Residential Water Impact Fee

Staff recommends amending the table title to more clearly identify the fee being assessed. Staff also recommends indicating that the fee shall be assessed per unit for Duplex & Multi-Family and Hotel Rooms. The fee shall include living area sq. ft. only and exclude garages, decks and porches. This is consistent with how fees are and have been determined and does not change the amount to be charged.

Indoor Non-residential Water Impact Fee

Staff recommends amending the table title to more clearly identify the fee being assessed. Staff also recommends indicating that any property type not listed in the table will be considered non-standard and will be calculated by the Building Official on a case by case basis.

Staff recommends listing the floor area per unit. Recommended values are reflective of the Building Code and are consistent with how the other floor areas in the table were calculated.

Staff recommends establishing fee values that were previously not listed and eliminating any fees that were listed as “calculated.”

All amendments to the Indoor Non-residential Water Impact Fee are consistent with how fees are and have been determined and do not change the amount to be charged.

Outdoor Dining Decks

Staff recommends amending the Municipal Code to change the method by which PCMC imposes water impact fees for outdoor dining areas. Staff finds that the operation of seasonal, outdoor dining “decks” does not materially increase the peak demand on PCMC’s water delivery system. Staff therefore supports amending the impact fee ordinance to forego imposing water impact fees, in almost all instances, on development activity which would come under the newly defined term “outdoor dining areas.” The term “outdoor dining areas” would broaden the currently codified term “decks” and provide the Chief Building Official with more latitude in calculating outdoor water impact fees. This change is consistent with the city council goal of encouraging outdoor dining.

City Council discussed this in a work session on March 3, 2016 and directed staff to return with amendments to the Municipal Code to make this change. This topic was reviewed by City Council on March 3, 2016. Meeting minutes from the March 3 meeting can be found here ([minutes](#) p.6).

Appeals

Staff recommends establishing an appeal fee of \$500 with an exception for appellants that can demonstrate financial hardship, including qualifying individuals in accordance with affordable housing deed restrictions. The fee is recommended to be refundable commensurate with the percentage reduction in the impact fee, up to 100% of the appeal fee paid. For example, if the outdoor water impact fee was reduced 50% following an appeal, \$250 of the appeal fee paid would be refunded to the appellant.

Independent Fee Calculation

Staff recommends establishing a ten (10) day deadline for the submittal of an independent fee calculation.

Alternatives for City Council to Consider

1. Adopt the ordinance as proposed.
2. Amend the ordinance and adopt.
3. Request additional information and continue.

4. Reject the ordinance.

Department Review

This Staff Report has been reviewed by Water, Streets, Police, Parks, Legal and Sustainability.

Funding Source

No Funding required.

Attachment

EXHIBIT 1- PCMC Title 11, Chapter 13 Proposed Amendments

Ordinance No. 2016-XX

**AN ORDINANCE AMENDING TITLE 11 CHAPTER 13- IMPACT FEES
OF THE MUNICIPAL CODE OF PARK CITY, UTAH**

WHEREAS, Park City Municipal Corporation (City) is a political subdivision of the state of Utah, authorized and organized under the provisions of Utah law; and

WHEREAS, the City requires the payment of impact fees as a condition of development approval, so that development pays an equitable portion of the costs of impacts on municipal facilities and infrastructure caused by new growth; and

WHEREAS, a public hearing was duly noticed and held at the regular scheduled City Council meeting of July 14, 2016;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park City, Utah that:

SECTION 1. AMENDMENT TO THE MUNICIPAL CODE OF PARK CITY, UTAH: Amendment to Title 11, Chapter 13 of the Municipal Code of Park City is hereby amended as shown on Exhibit A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Park City, Utah that:

PASSED AND ADOPTED this July 14, 2016.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Exhibit A

11-13-1 Definitions

The following words and terms shall have the following meanings for the purposes of this chapter, unless the context clearly requires otherwise:

- A. **BUILDING PERMIT.** The permit required for any Development Activity, as defined herein, and pursuant to Chapter 11-3 et seq. of the Municipal Code of Park City, Utah.
- ~~A-B.~~ **CALCULATED.** Fees as determined by the Official.
- ~~B-C.~~ **CONSTRUCTION VALUE.** The value of construction per square foot used by the Park City Building Department to determine plan check and Building Permit fees, multiplied by the area of Development Activity.
- ~~C-D.~~ **DEPARTMENT.** The Park City Building Department.
- ~~D-E.~~ **DEVELOPMENT ACTIVITY.** Any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any change in the use of land, which is accompanied by a request for a Building Permit.
- ~~E-F.~~ **OFFICIAL.** The Chief Building Official of Park City or his/her designee.
- ~~F-G.~~ **ENCUMBER.** To reserve, set aside or otherwise earmark, the Impact Fees in order to pay for commitments, contractual obligations or other liabilities incurred for Public Facilities.
- ~~G.~~ **IMPACT FEE.** Any fee levied pursuant to this chapter as a condition of issuance of a Building Permit. "Impact Fee" does not include fees imposed under ~~MCPC § 11-12-Section 11-12 of the Municipal Code.~~
- H. **INDEPENDENT FEE CALCULATION.** An Impact Fee calculation prepared by a fee payer to support assessment of an Impact Fee different from any fee set forth herein.
- I. **OWNER.** The owner of record of real property, or a person with an unrestricted written option to purchase property; provided that, if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.
- J. **PARKS, TRAILS AND OPEN SPACE IMPACT FEE.** The Impact Fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of City-owned parks, trails and open space
- K. **PROJECT IMPROVEMENT.** Site improvements and facilities that are planned and designed to provide service for the Development Activity and are necessary for the use and convenience of the users of the development resulting from the Development Activity.
- L. **PUBLIC FACILITY.** Any structure built by or for, or maintained by, a governmental entity.
- M. **PUBLIC SAFETY FACILITIES IMPACT FEE.** The Impact Fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, acquisition, engineering, financing and construction of public safety facilities.
- N. **STREETS AND STORM WATER IMPACT FEE.** The Impact Fee imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of additional street and storm water management facilities.
- O. **SYSTEM IMPROVEMENT.** Public facilities identified in the 2006 Capital Facilities Plan and Impact Fee Analysis, the 2014 Water Impact Facilities Plan and the 2014 Water Impact Fee Analysis that are not Project Improvements.
- P. **WATER IMPACT FEE.** The Impact Fee, calculated as an expression of gallons per minute (gpm), to assess the impact of indoor Development Activity, and increased area of irrigated landscape, to assess the impact of outdoor Development Activity, imposed as a condition precedent to a Building Permit that is used to offset the proportionate impact of the Development Activity on the need for the planning, design, engineering, acquisition, financing and construction of water delivery systems. The Water Impact Fee is assessed within the Service Area which is the area within the Park City Water Service District Boundary.

11-13-2 Assessment ~~And~~ and Calculation ~~Of~~ of Impact Fees

- A. **ASSESSMENT OF IMPACT FEES.** The City shall collect the following Impact Fees from any applicant seeking a Building Permit:
- Parks, Trails, Open Space, Public Safety Facilities, Streets and Storm Water Facilities Impact Fees:**

2005 PCMC IMPACT FEE ANALYSIS UPDATE
Proposed Impact Fee Schedule (Calendar Year 2005)

	Parks, Trails, Open Space	Police	Roadway Facilities	Total
New Construction				
Single Family				
<i>Average Unit</i>	<i>\$3,855.00</i>	<i>\$605.00</i>	<i>\$315.00</i>	<i>\$4,775.00</i>
Unit Less Than 3,000 sq. ft.	\$1,925.00	\$300.00	\$155.00	\$2,380.00
<u>Unit 3,000 – 5,000 sq. ft.</u>	<u>\$3,855.00</u>	<u>\$605.00</u>	<u>\$315.00</u>	<u>\$4,775.00</u>
Unit More Than 5,000 sq. ft.	\$5,780.00	\$910.00	\$470.00	\$7,160.00
Duplex & Multi-Family (per unit)				
<i>Average Unit</i>	<i>\$3,150.00</i>	<i>\$495.00</i>	<i>\$290.00</i>	<i>\$3,935.00</i>
Unit Less Than 2,000 sq. ft.	\$1,575.00	\$245.00	\$145.00	\$1,965.00
<u>Unit 2,000 – 4,000 sq. ft.</u>	<u>\$3,150.00</u>	<u>\$495.00</u>	<u>\$290.00</u>	<u>\$3,935.00</u>
Unit More Than 4,000 sq. ft.	\$4,725.00	\$740.00	\$435.00	\$5,900.00
Hotel Room (per unit)				
<i>Average Unit</i>	<i>\$2,005.00</i>	<i>\$315.00</i>	<i>\$170.00</i>	<i>\$2,490.00</i>
Unit Less Than 750 sq. ft.	\$1,000.00	\$155.00	\$85.00	\$1,240.00
<u>Unit 750 – 2,000 sq. ft.</u>	<u>\$2,005.00</u>	<u>\$315.00</u>	<u>\$170.00</u>	<u>\$2,490.00</u>

Unit More Than 2,000 sq. ft.	\$3,005.00	\$470.00	\$255.00	\$3,730.00
Commercial	NA	\$555.00	\$410.00	\$965.00
Light Industrial	NA	\$445.00	\$320.00	\$765.00
Additions				
Single Family				
0-500 Square Feet	NA	NA	NA	\$0.00
501-1500 Square Feet	\$480.00	\$75.00	\$35.00	590.00
1501-3000 Square Feet	\$960.00	\$150.00	\$75.00	1,185.00
3001-5000 Square Feet	\$1,925.00	\$300.00	\$155.00	2,380.00
More than 5000 Square Feet	\$3,855.00	\$605.00	\$315.00	4,775.00
Duplex & Multi Family <u>(per unit)</u>				
0-500 Square Feet	NA	NA	NA	0.00
501-1000 Square Feet	\$390.00	\$60.00	\$35.00	485.00
1001-2000 Square Feet	\$785.00	\$120.00	\$70.00	975.00
2001-4000 Square Feet	\$1,575.00	\$245.00	\$145.00	1,965.00
More than 4000 Square Feet	\$3,150.00	\$495.00	\$290.00	3,935.00
Hotel Room <u>(per unit)</u>				
0-200 Square Feet	NA	NA	NA	0.00
201-750 Square Feet	\$500.00	\$75.00	\$40.00	615.00
751-2000 Square Feet	\$1,000.00	\$155.00	\$85.00	1,240.00
More than 2000 Square Feet	\$2,005.00	\$315.00	\$170.00	2,490.00
Commercial (per sq. ft.)	NA	\$0.55	\$0.41	\$0.96

Light Industrial (per sq. ft.)	NA	\$0.44	\$0.32	\$0.76
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2. **Water Impact Fee Schedule:**

Outdoor Impact Fee This fee shall be assessed for every 1,000 sq ft or fraction thereof. For the purpose of this impact fee, all disturbed area and all area within the limits of disturbance fence is treated as being replaced with irrigated landscaping sq ft.

Yard Area (Irrigated Sq Ft)	Peak Day Gallons	1 Gpm (Gal)	Gpm Demand	Proposed Fee
Calculated Per 1,000 Sq Ft	138.8	1,440	0.096	\$1,598

3. ~~INDOOR~~ Indoor Residential Water Impact Fee - Winter Month Average Day (Observed Dec 16 to Jan 15) This fee shall be assessed per unit for multi-unit dwellings. The fee shall include living area sq ft only and exclude garages, decks and porches.

Unit Size (Sq. Ft.)	Peak Day	1 Gpm (Gal)	Gpm Demand	Proposed Fee
- 1,000	298	1,440	0.2067	\$3,428
1,001 2,000	400	1,440	0.2776	\$4,602
2,001 3,000	539	1,440	0.3740	\$6,200
3,001 4,000	687	1,440	0.4771	\$7,910
4,001 5,000	817	1,440	0.5671	\$9,403
5,001+	983	1,440	0.6829	\$11,322

4. Indoor Non-residential Water Impact Fee (Peak Day) Fees for any property type not listed below will be considered non-standard and will be calculated by the Official on a case by case basis.

Property Type		Gallons per Unit	GPM per Unit	Floor Area per Unit	Fee per Unit
Assembly					
	Restaurant, Bar including decks	35	0.0243	15	\$402.97

	Theater, Auditorium, Church	5	0.0035	7	\$57.57
Office		15	0.0104	100	\$172.70
Educational					
	Classroom	25	0.0174	20	\$287.84
	Shop/Vocational	25	0.0174	50	\$287.84
Exercise Area		25	0.0174	50	\$287.84
Hotel/Motel		150	0.1042	580	<u>\$1,727.02</u>
Industrial		Calculated	Calculated		Calculated
Institutional					
	Inpatient Treatment	250	0.1736	240	\$2,878.36
	Outpatient Treatment	5	0.0035	<u>100</u>	Calculated <u>\$57.57</u>
	Sleeping Area	5	0.0035	<u>120</u>	Calculated <u>\$57.57</u>
<u>Commercial Laundry</u> <u>(per washer)</u>	Other	Calculated <u>580</u>	Calculated <u>0.4027</u>	Per Machine	Calculated <u>\$6,677.80</u>
Retail		10	0.0069	60	\$115.13
Swimming Pool or Skating Rink					
	Rink or Pool Area	10	0.0069	50	\$115.13
	Decks	Calculated <u>10</u>	Calculated <u>0.0069</u>	<u>15</u>	Calculated <u>\$115.13</u>
Warehouse		Calculated	Calculated		Calculated
Parking Garage		Calculated	Calculated		Calculated

Government		Calculated	Calculated		Calculated
Library					
	Reading Area	Calculated	Calculated		Calculated
	Stack Area	Calculated	Calculated		Calculated

5. Non Standard Impact Fee Calculation

Non-Standard Users Impact Fee Formula
Step 1: Identify Estimated Peak Day GPM Demand of Proposed Development Step 2: Multiply Equivalent Peak Day GPMs by Impact Fee per GPM of \$16,579.38

PCD (Amended by Ord. Nos. 96-12; 01-37; 03-05; 05-37; 07-35; 11-27; 14-49)

11-13-3 Offsets

- A. A fee payer can request that an offset or offsets be awarded to him/her for the value of a required System Improvement identified in the Capital Facilities Plan and Impact Fee Analysis, the Water Impact Fee Facilities Plan and the Water Impact Fee Analysis.
- B. For each request for an offset or offsets, unless otherwise agreed, the fee payer shall retain an appraiser approved by the Department to determine the value of the System Improvement provided by the fee payer.
- C. The fee payer shall pay the cost of the appraisal.
- D. After receiving the appraisal, the Official shall provide the applicant with a letter or certificate setting forth the dollar amount of the offset, the reason for the offset, where applicable, the legal description of the site donated, and the legal description or other adequate description of the project or development to which the offset may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate, and return such signed document to the Official before the Impact Fee offset will be awarded.

The failure of the applicant to sign, date, and return such document within sixty (60) days shall nullify the offset.

- E. Any claim for offset must be made not later than the time of application for Building Permit. Any claim not so made shall be deemed waived.
- F. Determinations made by the Official pursuant to this section shall be subject to the appeals procedure set forth in Section 11-13-6 below.

11-13-4 Waiver

The City Council may waive Impact Fees for:

- A. Construction of affordable housing, up to \$5,000 per unit;
- B. Construction of a public facility.

11-13-5 Appeals

- A. A fee payer may appeal the Impact Fees imposed or other determinations, which the Official is authorized to make pursuant to this Chapter. However, no appeal shall be permitted unless and until the Impact Fees at issue have been paid.
- B. Appeals shall be taken within ten (10) days of the Official's issuance of a written determination, by filing with the Department a notice of appeal specifying the grounds for the appeal, and providing payment of \$500 or a request for a fee waiver showing a justification of hardship, which the Official may grant in his/her sole discretion. Criteria considered for hardship may include, but is not limited to qualified individuals in accordance with affordable housing deed restrictions or a lack of financial resources to pay the fee without impacting basic living expenses. The fee for appeal is refundable at a percentage proportional to any reduction in the impact fee as a result of the hearing up to 100%.
- C. The Department shall fix a time for the hearing of the appeal and give notice to the parties in interest. At the hearing, any party may appear in person or by agent or attorney.
- D. The Hearing Officer is authorized to make findings of fact regarding the applicability of the Impact Fees to a given Development Activity, the availability or amount of the offset, or the accuracy or applicability of an Independent Fee Calculation. The decision of the Hearing Officer shall be final, and may be appealed to the Third Judicial District Court for Summit County.
- E. The Hearing Officer may, so long as such action is in conformance with the provisions of this Chapter, reverse or affirm, in whole or in part, or may modify the determinations of the Official with respect to the amount of the Impact Fees imposed or the offset awarded upon a determination that it is proper to do so based on principles of fairness, and may make such order, requirements, decision or determination as ought to be made, and to that end shall have the powers which have been granted to the Official by this Chapter.
- F. Where the Hearing Officer determines that there is a flaw in the Impact Fee program or that a specific exemption or offset should be awarded on a consistent basis or that the principles of fairness require amendments to this Chapter, the Hearing Officer shall advise the City Attorney as to any question or questions that the Hearing Officer believes should be reviewed and/or amended.

11-13-6 Establishment ~~Of~~ of Impact Fees Accounts

- A. Impact Fees shall be earmarked specifically and deposited in special interest-bearing accounts. The fees received shall be prudently invested in a manner consistent with the investment policies of the City.
- B. Funds withdrawn from these accounts must be used in accordance with the provisions of Section 11-13-8 below. Interest earned on the Impact Fees shall be retained in each of the accounts and expended for the purposes for which the Impact Fees were collected. Money in these accounts shall not be commingled with other funds.
- C. Impact Fees shall be disbursed, expended, or Encumbered within six (6) years of receipt, unless the Council identifies in written findings an extraordinary and compelling reason or reasons for the City to hold the fees beyond the 6 year period. Under such circumstances, the Council shall establish the period of time within which Impact Fees shall be expended or Encumbered.

11-13-7 Refunds

- A. If the City fails to disburse, expend, or Encumber the Impact Fees within six (6) years of when the fees were paid, or where extraordinary or compelling reasons exist, such other time periods as established pursuant to Section 11-13-7(C) below, the current Owner of the property on which the Impact Fees have been paid may request a refund of such fees. In determining whether Impact Fees have been disbursed, expended, or Encumbered, such fees shall be considered disbursed, expended, or Encumbered on a first in, first out basis.

- B. Owners seeking a refund of impact fees must submit a written request for a refund of the fees to the Official within 180 days of the date that the right to claim the refund arises.
- C. Any Impact Fees for which no application for a refund has been made within this 180 day period shall be retained by the City and expended on the type of public facilities for which they were collected.
- D. Refunds of Impact Fees under this section shall include any interest earned on the Impact Fees.
- E. When the City seeks to terminate any or all components of the Impact Fee program, any funds not disbursed, expended, or Encumbered from any terminated component or components, including interest earned shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the City shall place notice of such termination, and the availability of refunds, in a newspaper of general circulation at least two (2) times. All funds available for refund shall be retained for a period of 180 days. At the end of the 180 day period, any remaining funds shall be retained by the City, but must be expended on the type of public facilities for which they were collected.
- F. The City shall refund to the current Owner of property for which Impact Fees have been paid all Impact Fees paid, including interest earned on the Impact Fees attributable to the particular Development Activity, within one (1) year of the date that right to claim the refund arises, if the Development Activity for which the Impact Fees were imposed did not occur, no impact resulted, and the Owner makes written request for a refund within 180 days of the expiration or abandonment of the permit for the Development Activity.
- G. A property Owner may be eligible to receive a rebate of up to fifty percent (50%) of the paid exterior water Impact Fee for installation of a drip irrigation system and drought tolerant landscaping in the area of disturbance. For a rebate to be considered an application must be submitted to the Planning Department within two (2) years of the payment of the exterior water Impact Fee and within six (6) months of the installation of drought tolerant landscaping. The completed application form and an irrigation plan must be submitted to the Planning Department for review and approval. Conversions of previously disturbed or existing landscaping do not apply; only newly disturbed area from Development Activity will be eligible for a rebate.

PCD (Amended by Ord. Nos. 04-27; 14-49)

11-13-8 Use ~~Of~~ of Funds

- A. Pursuant to this Chapter, Impact Fees:
 - 1. Shall be used for public facilities that reasonably benefit the new [Development Activity](#) ~~development~~; and
 - 2. Shall not be imposed to make up for deficiencies in public facilities serving existing developments; and
 - 3. Shall not be used for maintenance or operation of public facilities.
- B. Impact fees may be used to recoup costs of designing, constructing and/or acquiring public facilities previously incurred in anticipation of new growth and development to the extent that the Development Activity will be served by the previously constructed improvements or the incurred costs.
- C. In the event that bonds or similar debt instruments are or have been issued for the advanced provision of public facilities for which Impact Fees may be expended, Impact Fees may be used to pay debt service on such bonds, or similar debt instruments, to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the Development Activity.

PCD (Amended by Ord. Nos. 96-12; 14-49)

11-13-9 Independent Fee Calculations

- A. If a fee payer believes that a fee should be charged, other than the Impact Fees determined according to this Chapter, then the fee payer shall prepare and submit to the Official an Independent Fee Calculation for the Impact Fee(s) associated with the Development Activity for which a Building Permit is sought prior to or within ten (10) days of payment of the impact fee determined according to this chapter. The documentation submitted shall show the basis upon which the Independent Fee Calculation was made. The Director is not required to accept any documentation, which the Official reasonably deems to be inaccurate, unsubstantiated, or unreliable and may require the fee payer to submit additional or different documentation prior to the Official's consideration of an Independent Fee Calculation.
- B. Any fee payer submitting an Independent Fee Calculation shall pay an administrative processing fee, per calculation, of one hundred dollars (\$100).
- C. Based on the information within the Official's possession, the Official may recommend, and the City Manager is authorized to adjust, the Impact Fee to the specific characteristics of the Development Activity, and/or according to principles of fairness. Such adjustment shall be preceded by written findings justifying the fee.
- D. Determinations made by the Official pursuant to this section may be appealed subject to the procedures set forth herein.



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

This report updates Council on the Ice Arena closure, including the process and work involved in removing the ice from the Ice Arena.

Respectfully:

Amanda Angevine, Ice General Manager

The Ice Arena closed May 9th through June 6th for scheduled ice maintenance and project work. The focus of the closure was to take out the ice, a process important for offering a high quality ice surface. The closure also provided an opportunity to replace materials along the boards that can only be replaced when the ice is out. Staff was also able to complete other repairs and perform preventative maintenance tasks.

Critical Priorities:

- ✓ Remove ice
- ✓ Touch up paint
- ✓ Replace yellow kick-plate
- ✓ Make ice
- ✓ Open on June 6!

Other Important Projects:

- Repair duct work on roof
- Mitigate leak on mezzanine
- Concrete epoxy in showers
- Deep clean:
 - Bleachers
 - Storage areas
 - Staff areas
- Enhance coach’s area

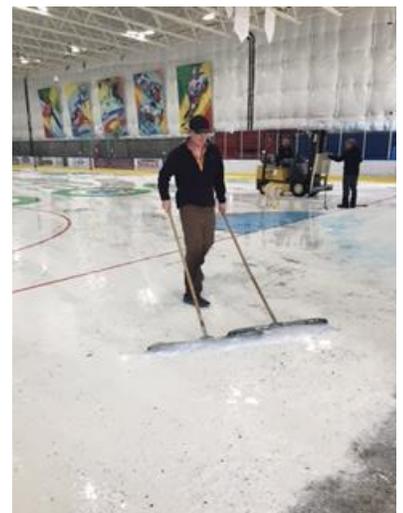
High Priorities:

- Replace vinyl on dasher boards
- Replace blue rail

The industry recommends replacing ice every 1-3 years and our surface had not been completely removed in over six years. Additionally, our ice consisted of water that had been filter using two different methods of filtration; deoxygenating and reverse osmosis. Having one method of filtration contributes to the consistency of the layer which contributes to ice quality.

Phase I: Removing the Ice

- Refrigeration was turned off the evening of Sunday, May 8.
- The ice resurfer was used to scrape ice off the surface, as the slab also began to melt. Once the ice is approximately ½ of an inch thick, the machine can no longer be driven on the slab and manual techniques are used (see photo) to remove the remaining ice.
- It took 42 staff hours to remove water and ice chips from the surface and 8 man hours to sweep and mop the surface.

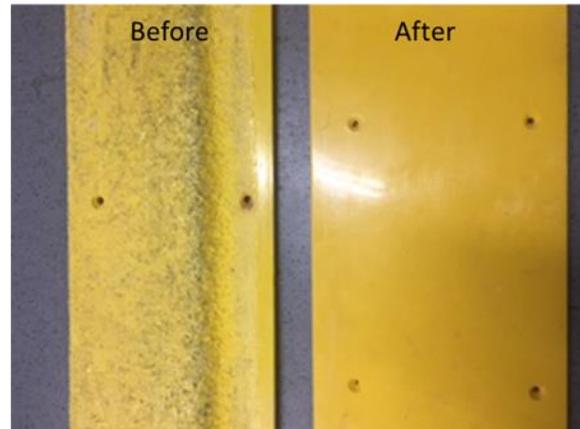


Most ice arenas paint their ice, while we paint the underlying concrete slab. We are able to do this because we remove the ice so infrequently, being a busy year round facility. This was the first time we had removed the ice since our initial painting of the concrete. We anticipated some paint would chip but we were not prepared for the amount we experienced. Staff put a rush order in for more paint and we worked on other tasks while the paint shipped and the concrete surface dried.



Concrete surface after ice was removed

The yellow kick plate that runs the perimeter of the sheet was replaced after a long life of 10 years!



We spent hours sweeping; mopping and drying the concrete and then it was all hands on deck with the delivery arrived.



Phase II: Making Ice

Making ice is a long process that demands patience. Hot water, at approximately 130 degrees, is laid down and frozen, layer by layer, to make the ice slab. The high temperature reduces oxygen and contributes to the clarity and hardness of the ice. Additional staff is needed to hold the hose across the surface and must also keep it constantly moving so the warm hose doesn't melt the ice.

The person at the front of the hose walks approximately 33 miles to make ice that is roughly $\frac{1}{2}$ inch thick. Once the ice is $\frac{1}{2}$ of an inch thick, the ice resurfacers are used to build an additional $\frac{3}{4}$ of an inch of ice. This takes approximately 10 hours of driving.



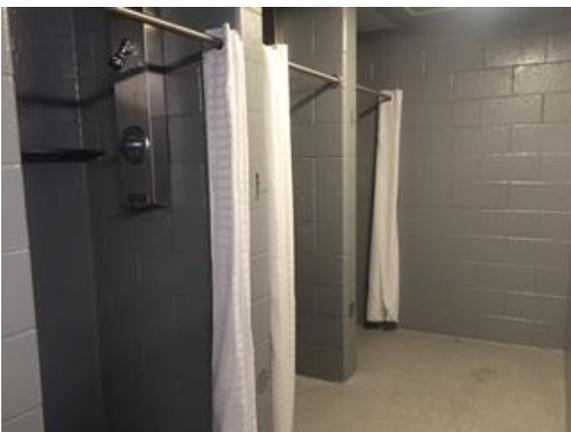
Ice Making Crew



Making ice

Other Projects:

The closure was a great opportunity to complete preventative maintenance, repairs and special projects throughout the building. We also used the time to do some deep cleaning.



Epoxy coating in locker room showers



Upkeep to duct work



Lots of deep cleaning throughout the building



New benches and space for instructors



Cleaned & Organized Lobby

The team worked extremely diligently for four weeks and was able to accomplish the critical priorities and we opened on time. The unexpected paint chipping set back some of the projects and the team has re-prioritized and will be accomplishing those tasks throughout the summer.



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

Park City Main Street Plaza

Over these past months the design team has developed plaza schemes focused on responding to what Park City wants for this space. We have heard many different motivations from many groups including the City Council, HPCA, potential partners, neighbors and the public. The design of the Main Street Plaza grew out of a conceptual design process that identified several sets of considerations or goals to guide the look, functionality and viability of the plaza. These goals were identified and confirmed by City Council last year

- Generate daily activity
- Allow and promote event activity
- Encourage stay and play
- Combine natural and built elements
- Be multi-season

Now as we close the Schematic Design phase for the project these goals have evolved. As we move forward we wanted to confirm this realignment clarify what the primary objectives are for the project, establish clear design principles and refine the basic design plan and spatial organization prior to beginning the Design Development Phase. This step will serve as solid footing for the development of the Plaza/ Park design moving forward where the project objectives, design, program and budget of seven million dollars all align.

Original objective

- Attract residents, visitors of all ages to the top of Main Street, thru the creation of a vital 18 hour destination plaza featuring amenities, entertainment and possibly food establishments to encourage longer stay times.
- Develop a plaza type space that is flexible and adaptable for multiple and ongoing events, concerts, festivals and programmed activities.
- Create a distinctive 'world class' design that will become one of the must see, must do places in Park City. The place where the world comes to Park City and Park City reaches out to the world.

RE-defined objective

- Create a public space that attracts both residents and visitors of all ages with limited programmed events and with no retail or flexible use building types.
- Create a public space that is adaptable for occasional events but primarily suited for the casual or day to day park/ plaza type use.
- Enhance the visitor experience to Park City through the development of a well-designed

and unique 'Park City' public space.

What we heard:

The goals for the plaza have changed from an urban balance of natural and built elements with functions that promote daily activity and supplement events to a more quiet and park-like space, emphasizing simplicity and flexibility and allowing for event uses but not specifically designed to promote them. It has become a more passive space to be programmed for activity as oppose to one the creates its own, more of a respite from a busy Main Street experience than a continuation of that experience. It should still employ art and interactive elements that celebrate Park City, enhance the visitor experience and express the heritage , pioneering spirit and 'rebellious' and competitive culture of Park City. It should support the day to day high quality of life in Park City and amplify the attraction to families and kids thru interactive adventure play opportunities.

With this refined design direction we would like to take one last opportunity to refine the plaza layout and address some of the remaining concerns that the Council expressed. Despite the Council's support for the Scheme A presented at the meeting on June 16th there were still concerns about the placement of the restrooms, functionality of the plaza space and flexibility for future changes as the needs of Park City change. We would like to respond to these concerns within the seven million dollar budget and explore some final possibilities before we confirm the design direction and complete the design for this work.

The design team will return to Council at the end of July to finalize the schematic design prior to developing a scope and moving forward on the next phases of design and engineering.

Respectfully:

Matthew Twombly, Senior Project Manager



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

The attachments within this report consist of Monthly Expenditure and Revenue Reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be prepared and reviewed by Council monthly for all funds.

Respectfully:

Kory Kersavage, Budget Analyst

MEMO



To: City Council
From: Budget Department
Date: July 01, 2016
Subject: Quarterly Budget Reporting

Budget, Debt, & Grants

445 Marsac Ave.
P.O. Box 1480
Park City, UT 84060
Tel 435.615.5154
www.parkcity.org

State Compliance Quarterly Budget Reporting

The attachments within this report consist of Monthly Expenditure and Revenue Reports detailed by Fund and Major Object Type. The format of these reports follows the audit procedure from the State Compliance Audit Guide, the Utah statute and sample summary reports found in the Utah Uniform Accounting Manual. These summary reports should be prepared and reviewed by Council monthly for all funds.

The beginning and ending (399 Beginning Balance) fund balances (09 Interfund transfer) have not been calculated for the FY15 or the FY16 YTD actuals and thus do not show up in the report. We typically calculate these when we begin balancing the budget in April.

Notable Observations:

- 98% of the Personnel budget for the general fund has been spent, which means that personnel expenditures are on track for FY 2016.
- 84% of the General Fund Materials budget has been spent so far, expenditures for FY 2016 will continue to come in for the next couple of months
- 93% of the General Fund utilities budget has been spent so far, which means utilities should be pretty close to being under budget. There will still be utilities expenditures coming in for the next couple of months.
- 93% of the total General Fund budget has been spent. Expenditures will continue to come in, in the next couple of months. The General Fund is projected to come in under budget.

Attachment A: Expenditure Summary by Object and Type

Attachment B: Revenue Summary by Object and Type

FY 2016 Q4 Expenditures by Object Type

July 1, 2016

Object Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
011 GENERAL FUND						
01 PERSONNEL SERVICES	15,722,555	16,906,148	18,056,527	19,553,305	19,894,487	341,182
02 MATERIALS, SUPPLIES AND SERVICES	1,108,543	1,113,051	1,183,269	984,028	1,178,550	194,522
03 UTILITIES	962,477	726,142	1,420,453	1,359,732	1,468,863	109,131
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	2,362,298	1,791,738	1,856,064	1,784,461	2,492,012	707,551
05 PARTS/MAINTENANCE SUPPLIES	874,810	983,655	891,169	709,328	992,260	282,932
06 SPECIAL SERV CONTRACT/MISC CHARGES	906,940	919,237	1,035,873	957,618	1,050,400	92,782
07 CAPITAL OUTLAY	167,822	208,870	200,988	86,470	369,282	282,812
09 INTERFUND TRANSFER	10,420,758	11,932,280	12,486,945	2,622,006	11,624,443	9,002,437
Total 011 GENERAL FUND	32,526,204	34,581,120	37,131,289	28,056,948	39,070,297	11,013,349
012 QUINNS RECREATION COMPLEX						
01 PERSONNEL SERVICES	720,419	701,623	670,273	716,714	736,682	19,968
02 MATERIALS, SUPPLIES AND SERVICES	63,517	48,642	54,764	50,298	53,040	2,742
03 UTILITIES	149,022	169,420	169,862	129,709	184,443	54,734
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	64,140	95,903	96,458	48,432	70,699	22,267
05 PARTS/MAINTENANCE SUPPLIES	56,800	66,228	60,074	51,262	123,275	72,013
06 SPECIAL SERV CONTRACT/MISC CHARGES	8,885	12,106	12,465	11,805	4,500	-7,305
07 CAPITAL OUTLAY	7,439	1,903	78	2,085	6,000	3,915
09 INTERFUND TRANSFER	-2,919,038	-3,204,032	-3,497,044		-3,900,683	-3,900,683
Total 012 QUINNS RECREATION COMPLEX	-1,848,817	-2,108,208	-2,433,070	1,010,306	-2,722,044	-3,732,349
021 POLICE SPECIAL REVENUE FUND						
07 CAPITAL OUTLAY			200			
09 INTERFUND TRANSFER	28,644	29,144	29,944		31,374	31,374
Total 021 POLICE SPECIAL REVENUE FUND	28,644	29,144	30,144		31,374	31,374
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT						
07 CAPITAL OUTLAY	1,054		1		4,867	4,867
09 INTERFUND TRANSFER	19,133	17,258	17,257		18,128	18,128
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	20,187	17,258	17,258		22,995	22,995
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
01 PERSONNEL SERVICES			6,460	22,028	22,634	606
02 MATERIALS, SUPPLIES AND SERVICES			11,950	10,200	20,000	9,800
03 UTILITIES			9,868	10,597	12,000	1,403
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC			67,071	70,863	150,000	79,137

FY 2016 Q4 Expenditures by Object Type

July 1, 2016

Object Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
06 SPECIAL SERV CONTRACT/MISC CHARGES				485,451	568,000	82,549
09 INTERFUND TRANSFER			2,204,075	1,641,125	1,774,685	133,560
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND			2,299,424	2,240,264	2,547,319	307,055
024 MAIN STREET RDA SPECIAL REVENUE FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC				30,090	80,000	49,910
06 SPECIAL SERV CONTRACT/MISC CHARGES			310,086	276,082	405,000	128,918
09 INTERFUND TRANSFER			959,885	752,000	816,638	64,638
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND			1,269,971	1,058,172	1,301,638	243,466
031 CAPITAL IMPROVEMENT FUND						
01 PERSONNEL SERVICES	4,634	34,424	45,169	65,905		-65,905
07 CAPITAL OUTLAY	6,421,041	9,376,543	18,685,295	8,209,472	45,465,596	37,256,123
09 INTERFUND TRANSFER	18,905,552	27,240,940	33,201,102	1,297,588	4,720,540	3,422,952
Total 031 CAPITAL IMPROVEMENT FUND	25,331,227	36,651,907	51,931,567	9,572,965	50,186,136	40,613,170
033 REDEVELOPMENT AGENCY-LOWER PRK						
01 PERSONNEL SERVICES	274	5,365	7,861	7,745		-7,745
06 SPECIAL SERV CONTRACT/MISC CHARGES	557,051	525,297	543,620			
07 CAPITAL OUTLAY	550,549	3,060,404	8,846,299	1,817,338	13,025,293	11,207,955
09 INTERFUND TRANSFER	10,345,387	8,534,271	882,497	324,000	2,121,391	1,797,391
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	11,453,261	12,125,337	10,280,278	2,149,083	15,146,684	12,997,601
034 REDEVELOPMENT AGENCY-MAIN ST						
06 SPECIAL SERV CONTRACT/MISC CHARGES	271,927	281,491				
07 CAPITAL OUTLAY	231,915	2,385		47,541	122,603	75,062
09 INTERFUND TRANSFER	2,187,956	2,224,068	2,221,001	803,885	1,969,986	1,166,101
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,691,798	2,507,943	2,221,001	851,426	2,092,589	1,241,163
035 BUILDING AUTHORITY						
07 CAPITAL OUTLAY		2,844	66,575	3,961	42,198	38,237
08 DEBT SERVICE	1,500					
09 INTERFUND TRANSFER	523,457	523,127	458,911		416,713	416,713
Total 035 BUILDING AUTHORITY	524,957	525,971	525,486	3,961	458,911	454,950
038 EQUIPMENT REPLACEMENT CIP						
07 CAPITAL OUTLAY	580,465	735,016	1,019,443	1,115,497	2,471,132	1,355,635
09 INTERFUND TRANSFER	1,586,254	1,902,793	1,832,162		372,030	372,030
Total 038 EQUIPMENT REPLACEMENT CIP	2,166,719	2,637,809	2,851,605	1,115,497	2,843,162	1,727,665

FY 2016 Q4 Expenditures by Object Type

July 1, 2016

Object Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
051 WATER FUND						
01 PERSONNEL SERVICES	1,934,179	2,077,220	2,305,294	2,476,810	2,430,216	-46,593
02 MATERIALS, SUPPLIES AND SERVICES	214,913	192,431	197,443	232,493	284,425	51,932
03 UTILITIES	813,641	882,759	955,923	820,587	1,123,197	302,610
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	1,099,370	744,473	617,246	782,710	1,081,955	299,245
05 PARTS/MAINTENANCE SUPPLIES	531,919	823,086	602,799	609,741	843,230	233,489
06 SPECIAL SERV CONTRACT/MISC CHARGES	63,143	18,764	22,459	30,148	28,100	-2,048
07 CAPITAL OUTLAY	5,560,278	7,965,236	6,047,589	5,937,732	13,731,488	7,793,756
08 DEBT SERVICE	4,300,405	4,361,654	4,510,478	1,892,437	4,509,004	2,616,567
09 INTERFUND TRANSFER	10,558,717	8,070,283	10,441,425	1,619,227	11,216,075	9,596,848
Total 051 WATER FUND	25,076,565	25,135,905	25,700,655	14,401,884	35,247,691	20,845,807
055 GOLF COURSE FUND						
01 PERSONNEL SERVICES	588,144	678,265	728,579	696,328	784,597	88,269
02 MATERIALS, SUPPLIES AND SERVICES	82,281	70,894	52,638	50,462	74,900	24,438
03 UTILITIES	60,817	56,458	46,996	46,873	58,387	11,514
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	69,628	70,196	71,478	71,694	93,942	22,248
05 PARTS/MAINTENANCE SUPPLIES	185,172	185,738	208,841	200,945	240,800	39,855
06 SPECIAL SERV CONTRACT/MISC CHARGES	22,571	23,565	25,400	23,910	30,500	6,590
07 CAPITAL OUTLAY	252,192	55,877	46,545	2,815	149,084	146,269
08 DEBT SERVICE	36,080	36,080	36,080	27,060	27,060	0
09 INTERFUND TRANSFER	1,065,768	1,176,585	1,315,444	117,077	1,274,663	1,157,586
Total 055 GOLF COURSE FUND	2,362,654	2,353,658	2,532,002	1,237,164	2,733,933	1,496,769
057 TRANSPORTATION & PARKING FUND						
01 PERSONNEL SERVICES	4,119,385	4,496,723	4,896,369	5,804,423	5,907,758	103,335
02 MATERIALS, SUPPLIES AND SERVICES	345,988	263,923	346,871	340,639	233,734	-106,905
03 UTILITIES	106,871	130,215	131,885	123,843	140,744	16,901
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	504,543	572,123	769,977	772,548	1,156,473	383,925
05 PARTS/MAINTENANCE SUPPLIES	8,502	11,100	30,305	11,967	21,000	9,033
06 SPECIAL SERV CONTRACT/MISC CHARGES	101,851	81,866	72,297	73,407	36,000	-37,407
07 CAPITAL OUTLAY	1,491,113	2,622,510	677,758	623,908	15,144,542	14,520,634
09 INTERFUND TRANSFER	20,463,096	21,135,122	22,661,534	2,538,804	15,554,410	13,015,606
Total 057 TRANSPORTATION & PARKING FUND	27,141,349	29,313,582	29,586,997	10,289,538	38,194,662	27,905,123

FY 2016 Q4 Expenditures by Object Type

July 1, 2016

Object Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
062 FLEET SERVICES FUND						
01 PERSONNEL SERVICES	635,023	670,854	800,303	877,585	851,510	-26,075
02 MATERIALS, SUPPLIES AND SERVICES	56,874	66,970	70,130	70,397	70,100	-297
03 UTILITIES	1,309,680	1,118,663	994,533	691,867	837,900	146,033
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	3,747	3,133	3,639	6,557	4,200	-2,357
05 PARTS/MAINTENANCE SUPPLIES	539,026	622,705	668,413	725,594	708,420	-17,174
07 CAPITAL OUTLAY	13,288	6,794	7,438	6,116	10,000	3,884
09 INTERFUND TRANSFER	874,294	961,174	1,145,417		1,111,287	1,111,287
Total 062 FLEET SERVICES FUND	3,431,932	3,450,294	3,689,874	2,378,117	3,593,417	1,215,300
064 SELF INSURANCE FUND						
01 PERSONNEL SERVICES						
02 MATERIALS, SUPPLIES AND SERVICES	8,571	12,720	38,560	31,409	50,300	18,891
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	217,075	236,240	700,711	322,209	836,000	513,791
06 SPECIAL SERV CONTRACT/MISC CHARGES	402,792	520,639	582,721	640,392	550,000	-90,392
09 INTERFUND TRANSFER	1,423,816	1,208,215	607,450		421,816	421,816
Total 064 SELF INSURANCE FUND	2,052,254	1,977,814	1,929,442	994,011	1,858,116	864,105
070 SALES TAX REV BOND - DEBT SVS FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC			429,374			
08 DEBT SERVICE	1,566,588	1,559,863	8,733,012	732,796	2,601,563	1,868,767
09 INTERFUND TRANSFER	1,960,392	1,165,265	18,597,136	3,715,347	6,515,764	2,800,417
Total 070 SALES TAX REV BOND - DEBT SVS FUND	3,526,980	2,725,128	27,759,521	4,448,143	9,117,327	4,669,184
071 DEBT SERVICE FUND						
04 CONTRACT SVCS/CONSULTING/SOFTWARE LIC	311	123,931	74,606			
08 DEBT SERVICE	4,657,485	7,107,411	8,282,350	4,214,043	4,230,380	16,338
09 INTERFUND TRANSFER	407,093	7,596,740	1,003,018		1,063,074	1,063,074
Total 071 DEBT SERVICE FUND	5,064,889	14,828,082	9,359,974	4,214,043	5,293,454	1,079,412
TOTAL	141,550,804	166,752,743	206,683,419	84,021,521	207,017,661	122,996,140

FY 2016 Q3 Revenue by Type

July 1, 2016

Revenue Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
011 GENERAL FUND						
311 Property Taxes	10,023,934	9,279,024	9,268,604	10,384,768	10,464,000	79,232
312 Sales Tax	7,649,200	7,314,413	7,408,763	10,495,116	7,416,832	-2,141,179
313 Franchise Tax	3,037,408	3,158,716	3,061,207	2,872,771	3,144,000	541,229
321 Licenses	391,550	422,747	412,605	455,906	504,000	-6,906
322 Planning Building & Engineering Fees	1,019,748	2,154,168	2,578,017	1,870,611	2,277,000	-325,611
326 Other Fees	38,793	41,961	36,865	133,288	49,000	-90,288
331 Federal Revenue	24,841	69,654	44,557	43,302	34,000	16,698
332 State Revenue	297,567	69,198	66,218	66,428	106,000	5,572
333 County/SP District Revenue	8,000				2,000	
344 Cemetery Charges for Services	24,777	26,250	38,188	20,657	38,000	6,344
346 Recreation	1,695,154	1,836,326	1,913,310	1,819,080	1,998,000	55,920
349 Other Service Revenue	75,927	86,364	99,640	81,955	91,000	9,045
352 Library Fines & Fees	19,079	16,124	12,456	19,207	20,000	1,793
353 Fines & Forfeitures		100	150			
361 Misc. Revenues	313,916	348,604	192,873	190,161	361,000	210,839
381 Interfund Transactions (Admin)	1,415,722	1,346,991	2,166,534	2,256,360	2,256,360	
391 Special Revenues & Resources	42,771	42,800	42,048	42,428	54,000	3,572
399 Beginning Balance	6,447,817	8,367,681	9,789,256	10,255,105	10,255,105	361,444
Total 011 GENERAL FUND	32,526,203	34,581,121	37,131,290	41,007,143	39,070,297	-1,272,298
012 QUINNS RECREATION COMPLEX						
333 County/SP District Revenue	13,500	23,000				10,000
346 Recreation			13,815	2,826		-2,826
347 Ice	648,177	787,773	757,271	670,688	775,000	41,812
361 Misc. Revenues	60	58	-24	349		-349
399 Beginning Balance	-2,510,554	-2,919,038	-3,204,132	-3,497,044	-3,497,044	-148,469
Total 012 QUINNS RECREATION COMPLEX	-1,848,817	-2,108,208	-2,433,071	-2,823,181	-2,722,044	-99,832
021 POLICE SPECIAL REVENUE FUND						
332 State Revenue	1,112	500	1,000	1,430	1,430	-1,430
399 Beginning Balance	27,532	28,644	29,144	29,944	29,944	-800
Total 021 POLICE SPECIAL REVENUE FUND	28,644	29,144	30,144	31,374	31,374	-2,230
022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT						
332 State Revenue	11,201	-1,875		3,996	5,738	-3,996
399 Beginning Balance	8,985	19,133	17,258	17,257	17,257	1

FY 2016 Q3 Revenue by Type

July 1, 2016

Revenue Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
Total 022 CRIMINAL FORFEITURE RESTRICTED ACCOUNT	20,186	17,258	17,258	21,253	22,995	-3,995
023 LOWER PARK AVE RDA SPECIAL REVENUE FUND						
311 Property Taxes			2,298,631	2,391,151	2,413,792	22,641
361 Misc. Revenues			793			
399 Beginning Balance				133,527	133,527	-128,527
Total 023 LOWER PARK AVE RDA SPECIAL REVENUE FUND			2,299,425	2,524,678	2,547,319	-105,886
024 MAIN STREET RDA SPECIAL REVENUE FUND						
311 Property Taxes			1,266,718	1,252,742	1,242,000	-10,742
361 Misc. Revenues			3,254			
399 Beginning Balance				59,638	59,638	-59,638
Total 024 MAIN STREET RDA SPECIAL REVENUE FUND			1,269,972	1,312,380	1,301,638	-70,380
031 CAPITAL IMPROVEMENT FUND						
311 Property Taxes		283,345				
312 Sales Tax	2,521,908	6,184,909	7,389,182	3,673,453	8,745,007	3,457,547
322 Planning Building & Engineering Fees	201,235	397,737	817,666	425,365	765,000	434,635
331 Federal Revenue	61,492	12,613	4,091	1,044	1,000,000	998,956
332 State Revenue	358,866	1,302,855	2,385,239	285,873	312,267	14,127
333 County/SP District Revenue	640,010	341,001	100,000	50,000	50,000	
361 Misc. Revenues	477,063	1,785,454	1,713,671	277,253	232,000	-47,253
382 Interfund Transactions (CIP/Debt)	849,400	7,164,160	12,069,371	3,715,347	3,715,347	-3,715,347
391 Special Revenues & Resources	344,852	408,647	345,772	197,460	316,491	105,040
392 Bond Proceeds					2,100,000	
399 Beginning Balance	19,876,401	18,771,186	27,106,574	32,950,023	32,950,023	-27,478,077
Total 031 CAPITAL IMPROVEMENT FUND	25,331,227	36,651,907	51,931,567	41,575,817	50,186,136	-26,230,371
033 REDEVELOPMENT AGENCY-LOWER PRK						
311 Property Taxes	2,305,162	2,203,448				
361 Misc. Revenues	63,683	44,598	26,634	721,823	750,000	-721,823
382 Interfund Transactions (CIP/Debt)			2,070,548	1,641,125	1,641,125	
392 Bond Proceeds					12,200,000	10,000,000
399 Beginning Balance	9,084,417	9,877,290	8,183,095	555,559	555,559	2,434,932
Total 033 REDEVELOPMENT AGENCY-LOWER PRK	11,453,261	12,125,336	10,280,277	2,918,507	15,146,684	11,713,109
034 REDEVELOPMENT AGENCY-MAIN ST						
311 Property Taxes	1,284,211	1,263,060				
361 Misc. Revenues	10,019	6,927	18,035			

FY 2016 Q3 Revenue by Type

July 1, 2016

Revenue Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
382 Interfund Transactions (CIP/Debt)			900,247	752,000	752,000	
399 Beginning Balance	1,397,569	1,237,956	1,302,719	1,340,589	1,340,589	-140,638
Total 034 REDEVELOPMENT AGENCY-MAIN ST	2,691,798	2,507,943	2,221,001	2,092,589	2,092,589	-140,638
035 BUILDING AUTHORITY						
361 Misc. Revenues	3,389	2,513	2,359			
399 Beginning Balance	521,568	523,457	523,127	458,911	458,911	631
Total 035 BUILDING AUTHORITY	524,957	525,970	525,486	458,911	458,911	631
038 EQUIPMENT REPLACEMENT CIP						
361 Misc. Revenues	17,586	146,554	23,812	33,825		-33,825
382 Interfund Transactions (CIP/Debt)	905,000	905,000	925,000	1,011,000	1,011,000	-15,000
399 Beginning Balance	1,244,133	1,586,254	1,902,793	1,832,162	1,832,162	-1,468,944
Total 038 EQUIPMENT REPLACEMENT CIP	2,166,719	2,637,808	2,851,605	2,876,987	2,843,162	-1,517,769
051 WATER FUND						
322 Planning Building & Engineering Fees	711,464	1,225,961	2,303,997	1,140,313	2,100,000	959,687
331 Federal Revenue		485,097	1,445,229	42,874		-42,874
341 Water Charges for Services	12,199,081	13,128,172	14,125,896	13,870,777	15,660,141	1,789,364
361 Misc. Revenues	302,999	435,958	508,095	247,878	178,023	-69,855
392 Bond Proceeds					8,400,000	8,400,000
399 Beginning Balance	11,863,021	9,860,717	7,317,437	8,909,527	8,909,527	-8,574,144
Total 051 WATER FUND	25,076,564	25,135,905	25,700,655	24,211,369	35,247,691	2,462,178
055 GOLF COURSE FUND						
333 County/SP District Revenue	129,024	11,000				
346 Recreation	1,325,627	1,327,549	1,426,520	1,147,207	1,469,596	322,389
361 Misc. Revenues	32,326	62,941	25,829	14,149	51,350	37,201
382 Interfund Transactions (CIP/Debt)	25,000	25,000	25,000	25,000	25,000	
399 Beginning Balance	850,677	927,168	1,054,654	1,187,987	1,187,987	-134,022
Total 055 GOLF COURSE FUND	2,362,654	2,353,658	2,532,002	2,374,343	2,733,933	225,568
057 TRANSPORTATION & PARKING FUND						
312 Sales Tax	3,868,264	4,019,133	4,398,879	4,255,853	4,850,000	-65,853
321 Licenses	951,477	951,713	1,040,014	1,028,564	923,699	-104,865
326 Other Fees	1,500	1,500	320	2,125		-2,125
331 Federal Revenue	1,200,950	2,827,961	1,630,990		7,991,572	2,000,000
342 Transit Charges for Services	2,243,874	2,175,148	2,200,248	1,961,584	2,556,039	594,456
353 Fines & Forfeitures	757,842	739,204	970,338	1,004,238	679,200	-325,038

FY 2016 Q3 Revenue by Type

July 1, 2016

Revenue Type	Actuals FY 2013	Actuals FY 2014	Actuals FY 2015	YTD Actual FY 2016	Annual Budget FY 2016	Remaining Budget FY 2016
361 Misc. Revenues	128,922	108,100	142,300	70,393	742,500	22,108
391 Special Revenues & Resources	332,444	452,727	408,972	224,214	346,000	121,786
399 Beginning Balance	17,656,077	18,038,096	18,794,937	20,105,652	20,105,652	-11,764,147
Total 057 TRANSPORTATION & PARKING FUND	27,141,349	29,313,582	29,586,998	28,652,623	38,194,662	-9,523,680
062 FLEET SERVICES FUND						
381 Interfund Transactions (Admin)	2,910,430	2,576,000	2,728,700	2,448,000	2,448,000	282,800
399 Beginning Balance	521,502	874,294	961,174	1,145,417	1,145,417	-468,456
Total 062 FLEET SERVICES FUND	3,431,932	3,450,294	3,689,874	3,593,417	3,593,417	-185,656
064 SELF INSURANCE FUND						
361 Misc. Revenues	204,000	204,000	258,000	258,000	258,000	
381 Interfund Transactions (Admin)		349,998	463,227	992,665	992,666	-499,999
399 Beginning Balance	1,848,254	1,423,816	1,208,215	607,450	607,450	67,411
Total 064 SELF INSURANCE FUND	2,052,254	1,977,814	1,929,442	1,858,115	1,858,116	-432,588
070 SALES TAX REV BOND - DEBT SVS FUND						
361 Misc. Revenues	6,540	2,747	4,669	30,784		-30,784
381 Interfund Transactions (Admin)	180,847	181,247	168,616	164,089	164,089	
382 Interfund Transactions (CIP/Debt)	1,380,741	1,380,741	1,428,429	2,425,473	2,425,473	
392 Bond Proceeds			24,992,543			
399 Beginning Balance	1,958,852	1,160,392	1,165,265	6,527,765	6,527,765	-13,390
Total 070 SALES TAX REV BOND - DEBT SVS FUND	3,526,980	2,725,127	27,759,521	9,148,111	9,117,327	-44,174
071 DEBT SERVICE FUND						
311 Property Taxes	4,577,873	5,082,714	5,321,592	4,223,453	4,223,453	
361 Misc. Revenues	74,704	94,732	65,958	62,757	66,983	4,226
392 Bond Proceeds		9,243,543	3,539,845			
399 Beginning Balance	412,312	407,093	432,580	1,003,018	1,003,018	-12,290
Total 071 DEBT SERVICE FUND	5,064,889	14,828,082	9,359,975	5,289,228	5,293,454	-8,064
TOTAL	141,550,802	166,752,742	206,683,419	167,123,664	207,017,661	-25,236,074



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

The information provided in this Manager Report is an update on the items that have been or are in the process of being evaluated by the Neighborhood Traffic Management Program (NTMP).

Respectfully:

Corey Legge, Engineer Tech

Staff Communications Report



To: City Manager for Mayor and City Council
Subject: NTMP Update
Author: Corey Legge
Department: Engineering
Date: July 14, 2016
Type of Item: Informational (NTMP)

The information provided in this Staff Communications Report is an update on the items that have been or are in the process of being evaluated by the Neighborhood Traffic Management Program (NTMP).

Acronyms

MUTCD- Manual of Uniform Traffic Control Devices
 NTMP – Neighborhood Traffic Management Program

Summary of the NTMP Items since September 2015

In Progress				
NTMP Item	Request for	Progress	Start Date	Comments
Webster Drive Parking Issue	Parking permit program	Phase I	9/15/2015	Took parking inventory. Discussed with Vaughn and Clint with Golf. Took parking inventory at Hotel Park City. Discussed with Planning Department. Waiting for Planning to analyze current parking uses.
Parking Issue Sidewinder	Parking issue near 2298 Sidewinder Drive	Phase I	12/15/2015	Increased police enforcement. Hales Engineering has finalized parking study. Mitigation measure: "No parking 2 AM - 6 AM" signs were installed June 27th.
Aerie Drive Pedestrian Crossing	Crosswalk at Aerie Drive and Deer Valley Drive (State Road 224)	Phase II	1/10/2016	Parametrix is conducting a study of crossing alternatives. Community meeting was held June 29th to discuss issues and concerns with residents. Parametrix will analyze alternatives and provide a recommendation.

Lowell Avenue Residential Parking	Residential Permit Parking Program	Phase II	1/10/2016	Met with resident. Collected data. Held a community meeting to gain information from residents. Mitigation measure: Will install bulb-outs and neighborhood zone signs with Lowell Ave Reconstruction. Denied the request to change residential permit program or install a turnaround south of Sweetwater Hotel.
Rossie Hill Width	Improve parking, snow clearance, and emergency vehicle access	Phase II	1/10/2016	Met with requestor on May 20, 2016. Report/discussion will be presented to Council on August 4, 2016.
Parking at Bottom of Rossie Hill	Eliminate parking to improve landscape	Phase I	1/10/2016	Discussed with requestor. Mitigation measure will occur during the Rossie Hill Reconstruction.
Pedestrian Movement	Install stairs from Rossie Hill Drive to Deer Valley Drive Loop Road	Phase I	1/10/2016	Discussed with requestor and planning. Mitigation measure: Adjacent development will be approached about installing the stairs as part of their development.
Rossie Hill No Parking Signs at hair pin turn located on lower section of road.	Make no parking signs more efficient	Phase I	1/10/2016	Discussed with requestor. Mitigation measure: Will install no parking sign at easterly bend of Rossie Hill. Signs have been ordered and will be installed by the City's Streets Department.
Deer Valley Drive Crosswalks	Request to add cross walks along Deer Valley Drive	Phase II	2/9/2016	Collected data, researched MUTCD crosswalk guidelines. Denied original request. In meeting with residents, their concern was with the existing cross walks and cars were not stopping. Mitigation measure: improve existing crosswalk at Sunnyside Drive.

Deer Valley Drive Intersection Signage	Address signage at Royal Street intersection and the exit from Deer Valley Resort	Phase I	2/10/2016	Mitigation measure: Will improve signage at Royal Street intersection and do nothing at the exit to Deer Valley Resort. Signs have been ordered and will be installed by the City's Streets Department
9th Street Stop Sign	Discuss the need for a stop sign at 9th street	Phase II	2/11/2016	NTMP discussed at June 14 th meeting. As part of the discussion, staff completed our evaluation criteria form for stop signs. Per the criteria, the intersection warrants a stop sign. NTMP members concerned about the evaluation criteria's application. Currently researching the criteria. Community meeting is being scheduled to further discuss with residents.
Short Term Parking Spaces on Park Avenue	15 minute parking signs near 8th and Park	Phase I	4/12/2016	15 minute parking signs have been ordered and will be installed by the City's Streets department.
Parking Issue on King Road by Upper Norfolk	"No Standing" Sign at 69 King Road	Phase I	6/14/2016	Will be evaluating site triangles, intersection dimensions, and turning radius off of Upper Norfolk.
Traffic on Ontario	"Uphill Traffic has the Right of Way" Sign	Phase I	6/14/2016	No MUTCD guidance for this issue. Will be evaluating similar signage located on Hillside Avenue.



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for June 23, 2016, and June 30, 2016.
Thank you for your consideration.

Respectfully:

Michelle Kellogg, City Recorder



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PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, UT 84060
SUMMIT COUNTY, UTAH

June 23, 2016

CALL TO ORDER

The Council of Park City, Summit County, Utah, met in open meeting on June 23, 2016, at 10:00 a.m. in the City Council Chambers.

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

Council Member Beerman moved to close the meeting to discuss personnel and litigation at 10:00 a.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

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

ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



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PARK CITY COUNCIL MEETING MINUTES-DRAFT
445 MARSAC AVENUE
PARK CITY, UTAH 84060

June 30, 2016

The Council of Park City, Summit County, Utah, met in open meeting on June 30, 2016, at 1:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, personnel and litigation at 1:00 p.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

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

STUDY SESSION

Affordable Housing Policy Discussion - Joint Meeting with Planning Commission:

Planning Commission members in attendance: Adam Strachan, Laura Suesser, Melissa Band, Douglas Thimm, John Phillips, Preston Campbell, and Steve Joyce. Mayor Thomas opened the meeting and stated affordable housing was a continuing issue. Real Estate prices continue to rise, and as children grow up, they are no longer able to afford to live in the community. He hoped there would be open discussion, including ideas on how to address this issue.

Rhoda Stauffer, Affordable Housing Specialist, reviewed the discussion points that came out of the EPS study: balancing of community-based solutions with regulatory incentives, expanding the applicability and raising the density bonuses available to projects that include affordable housing, modifying the employee generation rates to reflect the outcome of the local survey of businesses, establishing a housing goal in a numeric target, modifying an in-lieu fee calculation, making the residential obligation portion of the resolution applicable to all residential development, pursuing a blended approach to structuring affordability protections, i.e. shared equity in addition to current appreciation caps, establishing timing goals for revisions to program policies and amending the housing resolution, and establishing priorities for allocation of the \$40 million set aside for affordable housing development between now and 2020.

1 Council Member Henney thought accessory apartments were a good move in
2 addressing affordable housing. Not only were they affordable but they increased the
3 housing stock within the City. He thought this could play a role in the future as well.
4 Council Member Matsumoto knew that many neighborhoods prohibited accessory
5 apartments, and hoped that those neighborhoods could be encouraged to allow this
6 type of affordable housing. Steve Joyce stated if the City pushed the position of being
7 favorable towards accessory apartments, HOAs might have a harder time enforcing
8 their rules. John Phillips stated old town had restrictions on accessory apartments. His
9 concern was that the number of vacation homes in the City was increasing, so
10 neighborhoods were no longer neighborhoods. Melissa Band stated neighbors were
11 concerned that there were too many cars parked in front of rental properties. Council
12 Member Gerber gave examples of employees camping or living out of their vehicles
13 because they could not afford to live in Park City.

14
15 Constructing small rental units was discussed by the group. Mayor Thomas felt this
16 should be a focus moving forward, and stated home ownership may not be feasible for
17 this community. Anne Laurent stated the City was discussing projects like the Empire
18 that was designed for seasonal housing, and she welcomed input on that topic as well
19 as input with regard to subsidies the City might give for this type of housing. Matsumoto
20 felt the City should spend its money for year round housing, and the resorts could
21 provide the seasonal housing.

22
23 Council Member Beerman hoped the trend of residents leaving the City could be
24 reversed. He proposed that a goal be set so progress could begin, and suggested the
25 goal of 220 units by 2020. Council Member Gerber indicated there were seasonal
26 workers who worked at the resorts summer and winter, and had become year round
27 residents. She hoped these employees would not be categorized and the City should
28 not think in terms of us versus them.

29
30 Joyce expressed his frustration of the slow progress being made towards the housing
31 goal. This had been discussed for the last 18 months, but nothing had come before the
32 Planning Commission. He stated the code needed to be changed to make affordable
33 housing easier to access.

34
35 Council Member Worel agreed that an audacious goal should be set. She asked who
36 was being targeted for the affordable housing projects. Stauffer stated the study would
37 clarify the target population for this housing when the report comes out in October.
38 Laurent indicated the product the city puts out would determine which target population
39 it appeals to. She also talked about the difficulty of choosing the persons of need when
40 selecting candidates for deed restricted housing. Band asked if there had been progress
41 on partnering with developers. Stauffer stated many different projects were in the works.

42
43 Council Member Henney stated one priority for affordable housing was essential
44 employees, but noted the ski resorts had a different definition of essential service

1 providers. It was difficult to determine who was essential because there were many
2 different aspects of the community which required different types of essential workers.

3
4 It was indicated the Planning Commission should be used as a long term planning body
5 and not just a body that handles the Land Management Code. Joyce suggested new
6 ideas should be discussed to help developers build affordable housing, noting that the
7 current incentives were not enticing enough because the developers were not taking
8 advantage of them. Council Member Gerber stated nobody had the answers on how to
9 achieve the goal of having 25% of the workforce living in the City, but a goal needed to
10 be made. Council Member Beerman stated a short-term goal should be set as well as a
11 long-term goal.

12
13 Bruce Erickson, Planning Director, stated that until Council gave the word on what they
14 were willing to give up in the code, progress could not be made in achieving this goal.
15 Joyce agreed that height incentives could be given to developers, in spite of the fact
16 that tall buildings were not popular with the residents. One Planning Commissioner
17 indicated that a 220 unit goal by 2020 was good, but he was not in favor of sprawl, so
18 he suggested that the goal should be 220 units with no annexations.

19
20 Mayor Thomas suggested encouraging a second story addition to commercial
21 development for the purpose of the second story becoming residential units. Council
22 Member Matsumoto asked why these housing projects took so long to go from first
23 approval to finished projects. Council Member Beerman suggested putting affordable
24 housing projects to the front of the que for reviews, design, etc.

25
26 Another idea was to offer subsidies to keep residents in old town and Park Meadows.
27 Council Member Henney asked what would need to be given up to get the projects that
28 were in the pipeline out of production. Erickson stated if the plans would be approved
29 without being extremely scrutinized, less changes would need to be made and moving
30 through the process would be simpler. Some things Erickson felt might need to be given
31 up could be recreation, open space, height restrictions, etc. Mayor Thomas stated that
32 projects could be done fast or done well. Good projects took time and the community
33 would have to live with it for many years to come.

34
35 Council Member Henney stated he thought great progress was being made. Projects
36 were in the pipeline and nothing had been given up. Mayor Thomas indicated the
37 process could be stepped up. Erickson asked that the Council members and Planning
38 Commission members encourage accessory apartments in their own neighborhoods.
39 Mark Harrington explained different concerns with affordable housing within the
40 community and stated the next step was to define the locations for affordable housing
41 and move forward from there.

42 **WORK SESSION**

43 **Council Questions and Comments:**

1 Council Member Matsumoto stated she attended a Sewer Board meeting and they were
2 making progress on their building expansion.

3
4 Council Member Gerber indicated she attended the Historic Park City Alliance (HPCA)
5 annual meeting and they elected new board members. She also attended the Planning
6 Commission meeting. She requested that staff have 220 affordable housing units by
7 2020 and 800 units by 2026. The Council agreed to bring this item to a future meeting
8 for further discussion.

9
10 Mayor Thomas stated he attended the Transportation working group with Summit
11 County.

12
13 Council Member Worel went to the Historic Home tour was stated it was very well done.
14 She indicated the Summit County Behavioral Health Needs Assessment is finished and
15 looks forward to reviewing that. She also went to the Affordable Childcare Task Force
16 meeting but there was no representation from the Hispanic community. She went to the
17 Chamber board meeting as well, where they approved their annual budget.

18
19 Council Member Henney attended the Recycle Utah meeting and noted there would be
20 many events this summer. He also attended the HPCA board meeting and spoke to the
21 group about the Trademark issue. He attended the Board of Adjustment meeting, and
22 also indicated he attended his son's wedding in New York City.

23
24 Council Member Beerman stated he met with Utah League of Cities and Towns (ULCT)
25 board of directors, and indicated there would be a Legislative Special Session this
26 summer to discuss the transportation bill that added a gas tax and road funding. There
27 was a clerical error which was shorting the cities by \$12 million which needed to be
28 corrected. He noted nightly rentals had ongoing negotiations. He attended a COSAC
29 meeting, where they discussed passing additional protections on the library field. The
30 Central Wasatch Commission also met and would convene formally next month. He
31 also attended the Prospector Square HOA Board meeting, where improved walkability
32 was discussed.

33
34 **Public Art Advisory Board Policy Update:**
35 Jenny Diersen, Special Events Coordinator, and Brian Markman, Public Art Advisory
36 Board (PAAB) Chair presented this item. Diersen thanked the board members for their
37 work on the board. She reviewed the functions, goals and strategies of the PAAB. She
38 stated public art enhanced the community as a cultural destination. She also discussed
39 funding for art and wanted to discuss temporary art as well as permanent art.

40
41 Diersen stated that the board policies had proposed changes, including attendance
42 requirements and the extension of board terms from two to three years. She updated
43 the Council on recent art projects within the last year at the library, Quinn's Junction and

1 Poison Creek. Markman indicated the board spent hours on updating its policies and
2 working on projects.

3
4 Council Member Worel stated this board had now defined its role, which was a great
5 first step. To the questions on Page 95 in the packet:

6
7 1. Does City Council agree with PAAB's current recommendation regarding the role
8 of Arts Council's support of the Board including reducing its role to administer the
9 PAAB? The Council supported the recommendation. Council Member Henney asked
10 how the increased staff time impacted Diersen's workload. She indicated it had become
11 a normal part of her workload.

12
13 2. Does City Council agree with PAAB's current direction to amend board terms to
14 two (2), three (3) year terms and adopt both attendance and voting policies? Staff
15 recommended modifying the Terms to promote continuity across projects. The Council
16 supported this change.

17
18 3. Does City Council believe that PAAB should continue to focus on visual arts, or
19 should they explore making recommendations regarding inclusion of temporary
20 exhibitions and performance experiences and funding sources for such
21 programs? Council Members Beerman and Worel wanted permanent art displays and
22 suggested that Diersen could bring back a temporary art project for Council approval on
23 a case by case basis. Markman clarified temporary art and proposed a project where
24 the pedestal would remain but the art on the pedestal would rotate. Council Member
25 Matsumoto was supportive of temporary art but not performing arts. Council Member
26 Gerber recommended waiting for performing arts as well and supported wraps on the
27 power boxes. Council Member Henney asked if the sound garden was visual art, to
28 which Diersen replied in the affirmative. Council Member Henney stated he was good
29 with what the board recommended. Mayor Thomas agreed with Council Members
30 Beerman and Worel. Council Member Gerber stated she agreed with Council Member
31 Henney. Diersen confirmed that temporary art was approved but not performing art.

32
33 4. Does City Council believe that PAAB should continue to explore including all
34 permanent works, rather inside of or on City property in the collection?

35
36 5. Does City Council agree with the purpose of the Public Art Advisory Board
37 including program goals and strategies?

38
39 Diersen stated that during the discussion of questions one through three, the Council
40 had answered questions four and five as well. She stated other projects would be art on
41 power boxes, and temporary art at the MARC, Lower Park Avenue and other locations.
42 Council Member Gerber stated she would like to see interactive art as well.

43

1 **Monthly Transportation Update - State Route 248 Corridor and Safety**
 2 **Improvement Project Update:**

3 Alfred Knotts, Transportation Planning Manager, presented this item. He indicated he
 4 presented a plan to UDOT that the City would take the lead on this project and UDOT
 5 would support it. He reviewed the history of the SR 248 project and the options for this
 6 corridor, including having a flex lane and adding an HOV lane for transit. Council
 7 Member Beerman asked if the bike lanes would be sacrificed with this project
 8 implementation. Knotts stated the bike lanes would remain.

9
 10 Knotts stated the project would progress in three phases: Richardson Flat access
 11 improvements, HOV/Transit only lanes, and school access improvements with an
 12 increased number of cross walks. He also reviewed that local funding would be used for
 13 design and UDOT would plan for construction. If federal funding was approved, it would
 14 be an 80% / 20% match. He stated the design process would be worked on during the
 15 winter months, and he hoped that the survey work and the geotechnical work could be
 16 done in the next few months. He thought construction could take place in 2018.

17
 18 Council Member Henney asked if Knotts was comfortable with UDOT or Federal
 19 funding. Knotts stated UDOT was proactive and approached Park City because they
 20 knew this was a high priority for the City. He also stated there would be a cooperative
 21 agreement between the City and UDOT.

22 **REGULAR MEETING**

23 **I. ROLL CALL**

I.	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
	Michelle Kellogg	City Recorder	Present

24
 25 **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

26
 27 **Staff Communications Reports:**

- 28 • Special Events Advisory Committee Update
- 29 • Initiation of Stormwater Utility Fee
- 30 • New Permit Software Update
- 31 • Integrating General Plan into Staff Reports

- 1 • 2016 Rain Harvest Program
- 2 • Backhoe Report – June
- 3 • Library Room Use Report and Policy Consolidation

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

6 Dana Williams, former Park City Mayor, stated that he spoke to some on the Council
7 who listened to the feedback from the last meeting and felt the atmosphere did not
8 seem angry. He had discussed the trademark issue with various people, including a
9 former deputy director of the Federal Department of Patents and Trademarks, who
10 stated this department was looking at issues that could arise such as would it cause
11 confusion, was it in the public domain, etc. Williams wrote a petition, and saw many
12 anonymous people. He contacted about ten of them and found they feared retribution
13 since they worked for Vail, owned a business, or were scared to identify themselves. He
14 gave a copy of the petition to the recorder to enter into the record. He also reviewed that
15 Bill Malone spoke at the last meeting and stated the Chamber would not oppose the
16 trademark. Williams contacted members of the Chamber and they related that they
17 were never contacted about this issue. Williams thought Malone must have been
18 speaking for himself and not for the members of the Chamber. He also talked about a
19 guest editorial in last Saturday's edition of the Park Record about the City's international
20 brand– that people all over the world know who we are as a destination resort, and
21 Williams felt this would support fighting the trademark. He also talked about a Vail
22 lawsuit that had been settled, and it cost the local business owner \$30,000 in attorney's
23 fees. Also, in the last 24 hours, somebody's job was threatened because she was
24 verbal about Vail. Williams also stated it was the City Manager's and City Attorney's job
25 to avoid risk, and this was a big risk. He encouraged the Council to fight the trademark.

26
27 Sarah Berry, Future Park City, read the following prepared statement:
28 *Honorable Mayor and dedicated City Councilors, thank you in advance for giving us*
29 *another opportunity to address the as yet unresolved matter of Vail Resorts and its*
30 *move to trademark our town name and to enter comments into public record. I am here*
31 *representing Future Park City.*

32
33 *Where our previously stated position supported Vail's trademark filing and right to*
34 *protect against future ski resort operators attempting to co-opt the Park City name,*
35 *potentially hurting Vail's valuable brand and our community, this support came with*
36 *conditions which we have expressed and documented for you.*

37
38 *In the days leading up to the June 9th deadline to file for opposition or to extend (the*
39 *same day City Council agendized the matter in pursuit of public input) and in the days*
40 *immediately after, Vail offered very clear promises to the greater Park City community.*
41

1 They said they would enter into an MOU with the City to protect all present and future
2 businesses with Park City in their name against trademark action by Vail Resorts. They
3 also said they would, and I quote, “offer” similar agreements to ANY local businesses
4 wanting an additional layer of protection. Furthermore, they promised to disclose all of
5 the Park City related trademarks they are holding.
6

7 Despite Vail having been in negotiations with the City, confirmed both by Vail and City
8 Councilors present here today, to develop that MOU, and despite being a publicly
9 traded company with deep financial and legal resources, it is 23 days since we had our
10 own conversation with Vail, 21 days since the City Council meeting and STILL no
11 municipal agreements have been published and no individual agreements have been
12 offered.
13

14 As facilitators and monitors of the overwhelming majority of conversations Vail Resorts
15 is engaged in with local businesses, we can confirm the following as of this very
16 moment today:
17

- 18 - Vail HAS pursued trademark action against at least one local business. In
19 advance of an agreement, that business spent money to defend itself and
20 negotiate a resolution.
21
- 22 - Kristin Williams, Vail’s SVP of Mountain Community Affairs, stated in an email
23 exchange you were copied on late this afternoon: “Every business we’ve spoken
24 with has gone very well. No one has been told to draft their own agreement.”
25

26 In fact, one business was asked to propose its own agreement. Vail rejected it.
27 There are costly lawyers involved.
28

- 29 - Again Ms. Williams “We have not gone dark.”
30

31 When we asked Andre Shoumatoff, co-owner of Park City Bike Demos and
32 seeker of an agreement with Vail Resorts just yesterday about his talks with Vail,
33 his update was quote “radio silence.” We asked for permission to share this
34 information and got one more update from Andre at 4:30pm today. Still nothing
35 from Vail.

- 36 - Ms. Williams “We are working toward a universal agreement form based on the
37 conversations we’ve had and the concerns we are being asked to address and
38 that we could get that back to folks potentially by the end of this week but
39 certainly well before July 9.”
40

41 Well before July 9th was last week. To deliver any small business a legally
42 binding document and ask them to review it within a few days is absurd.
43

- 44 - Ms. Williams has not disclosed the other trademarks Vail holds.

1 *I will refrain from addressing any of the cloudier issues today such as brand*
2 *confusion and community trust. What I will offer is our new position.*

3
4 *The likelihood that another company anywhere in this world will try to trademark*
5 *“Park City” as it relates to the operation of a ski resort is slim to none. And if it does*
6 *happen, Vail Resorts has decades of established ski resort business under the*
7 *name Park City Mountain Resort as well as piles of cash to fall back on in mounting*
8 *an opposition to someone else’s attempt to trademark “Park City.” In its most recent*
9 *investor presentation, Vail itself states that they perceive no real competition in the*
10 *marketplace and that no one is opening new ski resorts. Their growth strategy is*
11 *solely acquisition based.*

12
13 *Lest they gobble up everything good about Park City before we know what*
14 *happened to our cool, quirky and anything but corporate town, we now stand with*
15 *Former Mayor Dana Williams and the myriad other engaged community members in*
16 *fully opposing Vail’s trademark at this time. So until Vail improves communication,*
17 *becomes fully transparent, makes good on all they’ve promised and shows that they*
18 *truly intend to be a good neighbor long term member and community leader, let’s*
19 *eliminate concern for everyone in Park City, mount a thoroughly defensible*
20 *opposition campaign on issues of confusion which stand to hurt Main St businesses*
21 *significantly and “just say no.”*

22
23 **IV. CONSIDERATION OF MINUTES**

24
25 **Consideration of a Request to Approve the City Council Meeting Minutes from**
26 **June 9, 2016, and June 16, 2016:**

27 Council Member Gerber moved to approve the City Council Meeting minutes from June
28 9, 2016 and June 16, 2016. Council Member Matsumoto seconded the motion.

29 **RESULT: APPROVED**

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

31
32 **V. CONSENT AGENDA**

33
34 **1. Consideration to Approve Resolution 15-2016, a Resolution in Support of**
35 **Local First Utah’s Independents Week:**

36
37 **2. Request to Authorize the City Manager to Enter into an Amendment #1 to**
38 **the Construction Manager at Risk (CMAR) Contract in a Form Approved by the**
39 **City Attorney’s Office with Hogan and Associates, Inc., for the Guaranteed**
40 **Maximum Price (GMP) of One Million One Hundred Ninety Three Thousand Ninety**
41 **Dollars (\$1,193,090) for the McPolin Barn Structural Upgrade, and Also to Waive**

1 **Building Permit Fees Estimated at Twelve Thousand Six Hundred Fourteen**
2 **Dollars (\$12,614):**
3

4 Council Member Worel moved to approve the Consent Agenda. Council Member
5 Beerman seconded the motion.

6 **RESULT: APPROVED**
7 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

8
9 **VI. OLD BUSINESS**

10
11 **1. Consideration of Denying a Plat Amendment at 220 King Road, Second**
12 **Amended Lot 2, Phase 1, Treasure Hill Subdivision Pursuant to Findings of Fact**
13 **and Conclusions of Law, in a Form Approved by the City Attorney:**

14 It was indicated that the developer had requested a continuation for this item.

15
16 Council Member Matsumoto moved to continue the consideration of denying a plat
17 amendment at 220 King Road, Second Amended Lot 2, Phase 1, Treasure Hill
18 Subdivision pursuant to findings of fact and conclusions of law, in a form approved by
19 the City Attorney until August 25, 2016. Council Member Henney seconded the motion.

20 **RESULT: CONTINUED** **Next: 8/25/2016 6:00 PM**
21 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

22
23 **2. Consideration to Approve Ordinance 2016-29, an Ordinance Amending Title**
24 **10, Motor Vehicle, Chapter 1 Section 4.5, Non-Motorized Trail Use, of the Park City**
25 **Municipal Code:**

26 Stuart Johnson, Trails Coordinator, presented this item. He noted that the language to
27 approve Class I and II bikes was clarified in the ordinance.

28
29 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
30 closed the public hearing.

31
32 Council Member Beerman moved to approve Ordinance 2016-29, an Ordinance
33 amending Title 10, Motor Vehicle, Chapter 1 Section 4.5, Non-Motorized Trail Use, of
34 the Park City Municipal Code. Council Member Gerber seconded the motion.

35 **RESULT: APPROVED**
36 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto and Worel

37
38 **VII. NEW BUSINESS**
39

1 **1. Consideration to Approve Ordinance. 2016-31, an Ordinance Adopting Title**
2 **11, Buildings and Building Regulations, Chapter 21, Utah Wildland-Urban**
3 **Interface Code, of the Park City Municipal Code:**

4 Chad Root, Building Official, and Kurt Simister, Fire Marshall, presented this item. Root
5 stated this ordinance would approve the 2006 Wildlife-Urban Interface manual. He
6 stated the benefits to adopting this ordinance would be that the City could pay into a
7 state insurance fund or make payments in-kind to ensure that the properties and
8 buildings were more fire wise. The City cost would be \$5,000 if this ordinance was in
9 place. He explained that structures burned faster than wildlife.

10
11 Mayor Thomas asked if there would be requirements with regard to vegetation in
12 proximity to buildings. Root stated there would be regulations set up for landscaping on
13 new construction. Simister reviewed that defensible space was the space that would
14 give firefighters a better chance of extinguishing the fire. Root stated these regulations
15 would apply to new construction or remodeling projects over \$50,000.

16
17 Council Member Worel asked who would pay if a wildfire started today. Root stated the
18 City would pay. Foster further explained the current process for being reimbursed by the
19 state and that there was no guarantee of reimbursement. Root stated this ordinance
20 would protect residents from their neighbors' carelessness, and would protect residents
21 from wildland fires. It was indicated the City would be liable for \$5,000 plus \$10,000 in-
22 kind.

23
24 Steve Barker, Elliott Group, stated the 2015 version of the Wildland-Urban Interface
25 Code was being adopted tomorrow. Root stated that was true but the 2006 version was
26 the only version approved for municipal adoption by state officials.

27
28 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
29 closed the public hearing.

30
31 Council Member Gerber moved to approve Ordinance. 2016-31, an Ordinance adopting
32 Title 11, Buildings and Building Regulations, Chapter 21, Utah Wildland-Urban Interface
33 Code, of the Park City Municipal Code. Council Member Henney seconded the motion.

34 **RESULT: APPROVED**

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

36
37 **VIII. ADJOURNMENT**

38
39 **IX. PARK CITY REDEVELOPMENT AGENCY**

40
41 **1. Request to Authorize the City Manager to Enter into a Professional Service**
42 **Provider Agreement in a Form Approved by the City Attorney's Office with Elliott**

1 **Work Group, in the Amount of Seventy Thousand Dollars (\$70,000) for Project**
2 **Management and Pre-Design:**

3 Jonathan Weidenhamer, Economic Development Manager, presented this item. He
4 explained this contract was for pre-design work and the construction contracts would
5 come to the Council at a future date.
6

7 Mayor Thomas indicated the timeline would be important to the Council. Council
8 Member Gerber asked what the timeline was for the housing options for the Fire Station
9 Lot, because there was an error in the staff report. It was indicated this would be
10 expedited. Steve Barker, Elliott Group, stated the fire station process was to be worked
11 on at a faster pace than the other parts of the project. He hoped to have everything
12 approved by fall so there could be a spring construction start date.
13

14 Council Member Beerman moved to approve the City Manager to enter into a
15 professional service provider agreement in a form approved by the City Attorney's
16 Office with Elliott Work Group, in the amount of seventy thousand dollars (\$70,000) for
17 project management and pre-design. Council Member Henney seconded the motion.

18 **RESULT: APPROVED**

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

20
21 **X. ADJOURNMENT**

22 With no further business, the meeting was adjourned.
23
24
25
26
27

Michelle Kellogg, City Recorder



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

Each year on July 15, 2016, sister cities across the globe come together as a worldwide community to celebrate a day dedicated to “Peace through People” - when citizens, families, businesses, community centers, students, politicians and more celebrate the 60th anniversary of Sister Cities International, an organization created to foster world peace.

Local mayors and cities around the country, including ours, have been part of the sister city fabric for decades. Our city of Park City currently shares a tremendous sister city relationship with Courchevel, France, that dates back to 1984. As a sister city partner of Sister Cities International, we respectfully request that the city of Park City honor July 15, 2016, as Sister Cities International Day.

Respectfully:

Karen Anderson, Deputy City Recorder



City Council Staff Report

Subject: Sister Cities International Day
Author: Karen Anderson
Department: Executive
Date: 7/14/2016
Type of Item: Proclamation Resolution

Summary Recommendation

Approve a resolution to proclaim July 15, 2016, as Sister Cities International Day in Park City, in honor of our longtime Sister City, Courchevel, France.

Executive Summary

Each year on July 15, 2016, sister cities across the globe come together as a worldwide community to celebrate a day dedicated to “Peace through People” – when citizens, families, businesses, community centers, students, politicians and more celebrate the 60th anniversary of Sister Cities International, an organization created to foster world peace.

Local mayors and cities around the country, including ours, have been part of the sister city fabric for decades. Our city of Park City currently shares a tremendous sister city relationship with Courchevel, France, that dates back to 1984. As a sister city partner of Sister Cities International, we respectfully request that the city of Park City honor July 15, 2016, as Sister Cities International Day.

Background

Park City has enjoyed a sister city relationship with the city of Courchevel, France, for over 30 years. This relationship was based upon each community’s storied history, character, and desire to share a common goal of becoming world-class ski destinations. Since 1984, both cities have enjoyed educational, recreation, cultural and commercial exchanges; also, many high school students have experienced the once-in-a-lifetime opportunity to visit Courchevel and immerse themselves in the local culture, schools, sport, and recreation through the student exchange program. On July 15th, we will celebrate our accomplishments and continued desire to share our cultures and enrich our students.

Department Review

Executive Department.

Attachments

A Resolution No. 16-2016



Resolution No. 16-2016

**A RESOLUTION PROCLAIMING JULY 15, 2016 AS
SISTER CITIES INTERNATIONAL DAY**

WHEREAS, to facilitate and maintain world peace, cities, their elected officials, and their citizens need to collaborate internationally, through international organizations, such as Sister Cities International;

WHEREAS, in 2016, Sister Cities International is celebrating 60 years of global citizen and civic diplomatic action, with 550 US member cities, counties and states with relationships 145 countries;

WHEREAS, Park City is proud to be a driving part of this global network through its Sister City relationship with Courchevel, France, a relationship began in 1984 to foster educational, recreational, cultural and commercial exchanges and advances; and

WHEREAS, Sister Cities International Day is a fitting occasion to commemorate the significant impact that the organization has made here locally in Park City with hundreds of students, local families, and ski resorts participating in the exchange over the course of the last 30 years.

Now therefore, I, Jack Thomas, Mayor and the City Council of the City of Park City, do hereby proclaim July 15, 2016, as **Sister Cities International Day** in the City of Park City.

PASSED AND ADOPTED this 14th day of JULY, 2016.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

Park City has hosted the Tour of Utah over the past 6 years. Park City hosts two sections of the race. The Queen Stage comes through Park City on Saturday, August 6, as the cyclist pass by highway 248/Kearns Boulevard and climb up Guardsman's Pass to Snowbird. The event culminates on Sunday, August 7 in Park City with the Final Stage of the race on Historic Main Street on Sunday, and attracts an estimated 15,000 people. Staff is returning to update City Council on the significant changes to the Final Stage of the race for 2016.

Respectfully:

Michelle Kellogg, City Recorder

8 City Council Staff Report



Subject: Level Three Special Event Approval for the 2016 Tour of Utah
Author: Jenny Diersen, Special Events Coordinator
Department: Special Events
Date: Thursday, July 14, 2016
Type of Item: Administrative

Summary Recommendation

Review the Level Three Special Event Permit, conduct a hearing, and approve the permit for the Tour of Utah, as conditioned, on the following dates: Saturday and Sunday, August 6 & 7, 2016 and approve an increased fee reduction in the amount of \$4,800.

Executive Summary

Park City has hosted the Tour of Utah over the past 6 years. Park City hosts two stages of the race. The Queen Stage comes through Park City on Saturday, August 6, as the cyclist pass by highway 248/Kearns Boulevard and climb up Guardsman's Pass to Snowbird. The event culminates on Sunday, August 7, in Park City with the Final Stage of the race on Historic Main Street on Sunday, and attracts an estimated 15,000 people. Staff is returning to update City Council on the significant changes to the Final Stage of the race for 2016 and increased request for fee reduction for the event.

Acronyms

Chamber – Park City Chamber of Commerce/Convention & Visitors Bureau
HPCA – Historic Park City Alliance
PCMC/City – Park City Municipal Corporation
SEAC- Special Events Advisory Committee
TOU – Tour of Utah

The Problem and Opportunity

The Special Events Department continues to work to both facilitate events and mitigate their impacts. Due to projected private and City construction projects in 2016, the start and finish line of the race was moved from the intersection of Heber and Main Street to the top of Main Street and Swede Alley. This Special Event Permit is being presented to City Council with less than a month before the event, as we have just been able to confirm transportation and security plans. With this new start/finish line at the top of Main Street, it is important to note that this change will impact:

- Traffic and Transportation
- Parking Access
- Public Safety
- Main Street Business
- Old Town Residents

The Tour of Utah is a statewide event, supported by the Utah Office of Tourism, the Governor's Office of Economic Development and the Utah Sports Commission. This event gets both international and national exposure through the broadcast and print media and highlights Park City as a cycling destination. The 2015 Tour of Utah (TOU) was attended by over 380,000 spectators across seven stages generating over \$22 million of economic impact for the State of Utah.

A larger portion of the economic impact was generated during the final weekend of the event including the Final Stage with its start/finish line on Park City's Main Street. Conservative estimates

of the number of spectators enjoying the Final Stage on Park City's Main Street are 10,000-15,000. In addition, Park City benefitted from 21+ hours of national television coverage on Fox Sports and international television coverage seen in over 49 countries.

Background

A Master Festival License (now referred to as a Level Three Special Event Permit) has been granted for the Tour of Utah every year since 2010. It is important to know that though the applicant is Utah Cycling Partnership, the Chamber signs a host City agreement for the Tour of Utah and acts as the Local Organizing Committee.

Staff is returning this evening to update Council regarding a few significant changes for this year's event. The applicant has been working to ensure that the community, residents and businesses are made aware of public impacts of the event, as well as working to mitigate those impacts.

City Council Reports

May 24, 2012	Tour of Utah Update Managers Report – pages 7 – 17
May 24, 2012	Tour of Utah Update Summary – page 1 & 2
July 19, 2012	Tour of Utah Approval Staff Report – pages 68 - 78
July 19, 2012	Tour of Utah Approval Summary – page 2
May 5, 2016	Special Event Fee Reduction Staff Report – pages 152 - 170
May 5, 2016	Special Event Fee Reduction Approval Summary – pages 9 - 10
June 2, 2016	Tour of Utah 2015 Financial Update Managers Report – page 271- 274
June 2, 2016	Tour of Utah 2015 Financial Update Managers Report Summary – page 5

The proposed Tour of Utah event in 2016 includes the following changes from previous years:

The Start and Finish of the Race moving from the intersection of Heber Avenue and Main Street to the top of Main Street, near Swede Alley. Staff anticipates that the spectators will move to upper Main Street during the event. This change will impact traffic and transportation.

The applicant is working with the Park City Police Department and Transportation Planning Departments, as well as the Special Events team to come up with traffic and barricade plan to ensure traffic continues to move and that the general public is impacted in the least way possible. These efforts include:

- Heber Avenue, Park Avenue and Lower Main Street will remain open for traffic and transportation.
 - Staff believes this will allow for better traffic mitigation. In years past, the race has removed parking and closed transportation on Park Avenue.
 - Parking will remain unavailable on Lower Main Street and Heber Avenue but will allow transportation and traffic flow.
- Flag Pole, Galleria, Bob Wells and Brew Pub parking lots will be closed. Additionally, Swede Alley will be closed to vehicular traffic with the exception of bus access. The Tour of Utah will use Swede Alley as part of the course during the start of the race and as programming for Official Team Parking which will be open to spectators.
 - Official Team Parking for the Tour of Utah is for race teams. Race teams will park both vehicles and recreational vans (RVs). The vehicles remain parked during the race and allow for spectators to visit the race teams and allow spectators to interact with teams and learn about cycling.
- Main Street will be closed from Heber Avenue to Hillside/Park Avenue intersections. The course will be in the middle of the street and the expo will be between dining decks on the East side of the street. This portion of Main Street will remain closed for the entirety of the event.
 - The applicant continues to work with businesses and residents in this area who may be impacted by the event to ensure accessibility to stores and residences.

- China Bridge will be used for parking for Tour of Utah Media, VIPs and TOU Staff. Additionally China Bridge will be open for paid parking.
 - China Bridge Pass Holders will be able to park in North Marsac Parking Lot and Galleria Center underground parking structure.
 - China Bridge patron parking will not be able to exit from China Bridge between approximately 3:00 and 5:00 p.m. The garage will be heavily signed and messaged so that patrons who are entering understand this. Between 3 and 5 p.m., patrons cannot exit China Bridge because both Swede Alley and Marsac Avenue are part of the race course.

For the 2016 event, the following items will remain:

- The applicant has secured permission from Park City High School for free general parking with free transit to Main Street via Park City’s transit busses.
- The applicant has been working to notify and address concerns residents and businesses may have regarding the event. In the residential areas surrounding the event, the applicant has done this by going door-to-door, calling and notifying residents by letter. Notifications will also be announced on KPCW and are also anticipated to be in the Park Record. The targeted notification areas include Main Street (including HPCA), Old Town, Aerie, and Deer Valley, including the Historic Park City Alliance.
- The applicant has worked with PCMC Staff to secure many volunteers along the course.
- Both the applicant and staff continue to coordinate with other jurisdictions including Summit County and Utah Highway Patrol regarding the event.

Financial Considerations

When the event was first approved in 2010, an agreement between the City and Chamber was approved to share in the estimated event costs of \$80,000. The City’s 2012 split between use of the Joint Venture, which is a shared position and budget with the Chamber and the City’s general fund (City Service Fees and value in kind) was a conscious one, balancing economic development tools and cost recovery goals.

Changes to the event and increased costs primarily for public safety have caused the event related expenses to reach fees amounting to \$93,636 in 2015.

2015 Approved Fee Reduction Agreement

City	\$20,000 - existing Staff resources
City	\$14,318 - Fee reductions, including additional \$6,818 of increased services/scope from previous years.
Chamber	\$20,000 - Joint Venture, \$39,318 - combined Chamber and Cash/value In-kind and including additional \$6,818 of increased services/scope over previous years.
Total	\$93,636

2016 Fee Reduction Agreement

The Special Event Department continues to track expenses and fees for this event. Staff has been working with the Chamber to understand budget projections for this event in 2016. Based on recommendations from SEAC, the City (pre)-approved City Service Fee Reduction of \$35,000 at the May 5, 2016 City Council meeting. Additional changes to the 2016 event required the need of additional funding for City Services. This increase in fee estimate is for an increase in Public Safety, as well as, for increased after hour fees for the Building Department inspections. According to previous agreements, the Chamber and the City should continue to split these additional increases.

It is estimated that the current total cost of the 2016 event is \$103,918.50. These costs are paid for by PCMC and the Chamber.

- Originally staff anticipated a total of \$53,136 estimated in City Services Fees for the 2016 Tour of Utah and \$35,000 was approved for reduction at the May 5, 2015 City Council meeting.
 - As staff has continued to work with City Departments, staff believes a new estimate of City Service fees is \$62,736.
 - The City would need to reduce an additional \$4,800 in fees to the applicant; bringing the total fee reduction from \$35,000 to \$39,118.50. Additional fees not reduced are paid for by the Chamber, not the Tour of Utah.

- The Chamber anticipated a total of \$60,000 in event fees for items such as non-reduced City Services, promotional/marketing items and non-city service items such as portable restrooms and fire/ems for the event.
 - The Chamber's portion of the fees would increase from \$60,000 to \$64,800 for the 2016 event.

The chart below outlines the recommended fee structure between PCMC and the Chamber for 2016. If City Council were to choose to not approve the additional fee reduction needed for the event, the scope and funding needed to produce the event would need to be decreased.

City	\$20,000 - existing Staff resources \$19,118.5 - Fee reductions this is an increase of \$4,800 from what was reported at the May 5, 2016 City Council Meeting.
Chamber	\$20,000 - Joint Venture, \$44,800 - combined Chamber and Cash/Value in kind and increased services.
Total	\$103,918.50

Item	2012 Actual/ Fiscal Year 13	2015 Actual/ Fiscal Year 2016	2016 Estimated/ Fiscal Year 2017	Notes
Total Possible City Service Fees	\$36,922.00	\$53,136.00	\$62,736.00	These amounts are total possible City Service Fees for the Tour of Utah.
City Approved Fee Reduction	\$27,500.00	\$34,318.00	\$35,000.00	These amounts are City Service fees the City agreed to reduce and therefore did not receive funds for. The City Service costs are staff resources and fee reductions for permits and city owned equipment.
New City Service Fee Reduction			\$39,118.50	New Requested Fee Reduction, addition of \$4,800.
Chamber Agreement	\$52,500.00	\$59,318.00	\$60,000.00	These amounts are agreed upon by the Chamber based on Spring projections. The Chamber takes on unapproved fee reduction of the City Service Fees, as well as, advertising and marketing costs and any out of jurisdiction permitting charges.
New Chamber Agreement			\$64,800.00	New Requested Chamber Agreement
Chamber Fees Paid	\$49,149.00	\$59,318.00	<i>Will be invoiced after the event. Invoice Amount should reflect New Chamber agreement of \$64,800.00</i>	
Total Tour of Utah Event Fees	\$86,071.92	\$93,636.00	\$103,918.50	Includes both City Service Fees and marketing, promotion & other services not provided by the City.

Department Review

Special Events, Economic Development, Public Safety, Transportation Planning, Streets, Building, Parking Services, Parks, Budget, Finance, Executive and Legal Departments have reviewed this report.

In addition, the appropriate external governmental agencies have reviewed the application for the Tour of Utah and their comments have been incorporated into the report.

All departments and agencies continue to work with the applicant.

Funding Source

Funding will come from the City's general fund within existing budgets.

Alternatives for City Council to Consider

1. Recommendation:

Approve the Level Three Special Event Permit allowing the 2016 Tour of Utah according to the findings of the fact and approval, and an additional \$4,800 in fee reduction for City Services for the event, bringing the total City Service Fee Reduction to \$39,118.50.

Pros

- a. Changes to this year's event further reduces transportation congestion and impacts by ensuring that Park Avenue remains open as a detour during the start of the race to ensure that traffic can continue to flow out of the Old Town area.
- b. Reduces hard closure impacts to traffic congestion on Park Avenue.
- c. This plan positively impacts of Council goals of reducing impacts on transportation and congestion as well as increasing regional collaboration. Furthermore we believe that this

event adds to a diverse event calendar, which allows for both economic and cultural opportunities, as well as helps create a world class, multi-seasonal destination.

Cons

- a. Park City Roads will be impacted during both the start and finish of the race with hard closures. During this time, both traffic and transit will not be allowed into the area.
- b. Traffic plans have been coordinated within Park City and other jurisdictions; if the transportation plan is not upheld by each jurisdiction and the applicant, there could be damaging effects on coordination could cause negative impacts both in Park City and in other jurisdictions.
- c. Additional fee reductions impact PCMC and the Chamber's budget, as well as, staffing in departments for this event, specifically in with regard to Building and Public Safety.

2. Null Alternative A:

Approve the Level Three Special Event Permit allowing the 2016 Tour of Utah according to the findings of the fact and approval, and deny the additional \$4,800 in fee reduction for City Services for the event.

Pros

- a. Further reduces transportation congestion and impacts by ensuring that Park Avenue remains open as a detour during the start of the race to ensure that traffic can continue to flow out of the Main Street area.
- b. Reduces hard closure impacts to traffic congestion on Park Avenue.
- c. This plan positively impacts of Council goals of reducing impacts on transportation and congestion as well as increasing regional collaboration. Furthermore we believe that this event adds to a diverse event calendar, which allows for both economic and cultural opportunities, as well as helps create a world class, multi-seasonal destination.

Cons

- a. Park City Roads will be impacted during both the start and finish of the race with hard closures. During this time, both traffic and transit will not be allowed into the area.
- b. Traffic plans have been coordinated within Park City and other jurisdictions, if the transportation plan is not upheld by each jurisdiction and the applicant, there could be damaging effects on coordination could cause negative impacts both in Park City and in other jurisdictions.
- c. Denial of further fee reductions would cause the Chamber to take on increased unexpected costs for this event or cause the scope of the event to be further reduced.

3. Null Alternative B:

City Council could ask the event continues as it has in the past. Changes would not made, and event would continue without any changes.

Pros

- a. The event would continue status quo.

Cons

- a. Traffic and congestion would continue the Park Avenue area.
- b. Community and Stakeholder Partners may be negatively affected.
- c. Facilities needed to host at the past locations and would cause impacts on host community partners as well as the applicant, City and Chamber.

4. Modification Alternative:

City Council could review and ask to continue the discussion in order to receive additional information and could ask that additional mitigations are implemented in order to proceed with approval.

Pros:

- a. Additional mitigations or restrictions could further reduce impacts to Park City including those to traffic and congestion, residential impacts and safety during the event.

Cons:

- a. Additional mitigations may increase the amount of Staff time, resources and fees associated with the event.

5. Denial of Approval Alternative

City Council could deny the approval of the event. The event would be cancelled and City Council could request further information is needed in order to proceed with approval.

Cons:

- a. Due to the multijurisdictional coordination efforts, denying the event would cause challenges both in the Park City's jurisdiction as well as among our community partners and stakeholders.
- b. Denying the event would cause serious implications to the Tour of Utah overall, as it is a month out from beginning and Park City is a key venue along the course.

Attachments

- | | |
|-----------|---|
| Exhibit A | Tour of Utah Event Application |
| Exhibit B | Tour of Utah 2016 Site Plan |
| Exhibit C | Tour of Utah 2016 Findings of the Fact & Conditions of Approval |



Park City Municipal Corporation

Special Events Department
 City Hall, Third Floor
 445 Marsac Avenue
 P.O. Box 1478
 Park City, Utah 84060
specialevents@parkcity.org

Special Event Permit Application

Print **Submit**

You must save the PDF first, then open from computer, complete and submit.

APPLICATIONS DO NOT CONSTITUTE AS A PERMIT.
PERMITS ARE APPROVED BY THE SPECIAL EVENTS DEPARTMENT OR CITY COUNCIL IN WRITING AFTER COMPLETE APPLICATIONS ARE REVIEWED UNDER PARK CITY MUNICIPAL CODE 4-8.
 Applications for Special Event Permits are due no later than 90 days (Level 3), 60 days (Level 2), or 30 days (Level 1) prior to an event. Incomplete applications cannot be reviewed. Applications submitted after the deadlines as described above may be denied. More information can be found at www.parkcity.org or by contacting specialevents@parkcity.org.

IF YOU HAVE QUESTIONS, OR WOULD LIKE TO SCHEDULE A MEETING BEFORE SUBMITTING YOUR APPLICATION, PLEASE CONTACT:

Tommy Youngblood tommy.youngblood@parkcity.org **435.615.5187** **Jenny Diersen** jenny.diersen@parkcity.org **435.615.5188**

APPLICATION FEES & EXPENSES

- | | |
|----------------------------------|----------|
| Level Three Special Event Permit | \$160.00 |
| Level Two Special Event Permit | \$80.00 |
| Level One Special Event Permit | \$40.00 |
- Application Levels are determined by the Special Events Department after reviewing complete applications.
 - Additional fees for other City Services will be estimated and provided to the applicant upon receipt of a complete application.
 - Applicants may incur additional expenses from other City, County or State jurisdictions.
 - Fee Reductions for some City Services are considered bi-annually. Fee Reduction Applications are due on:
 - **April 1**, for events July 1 – December 31; and **October 1**, for events January 1 – June 30.

AS THE APPLICANT YOU UNDERSTAND & AGREE TO THE FOLLOWING: (Check all that you understand and agree to)

- To insure prompt and accurate processing of your application, ensure that ALL support materials and documentation accompany your application. Failure to do so will constitute an incomplete application and may delay review and approval processes. I understand a complete application shall include this application completed, with traffic and transportation plan, contingency plan – including operations plan, emergency plan, weather conditions and residential and notification outreach plan; site plan and permission of use for properties.
- Park City Municipal Corporation requires a certificate of insurance in an amount to be determined by the City Attorney's Office. Submitting incomplete application information may delay the ability to determine the amount required. The amount of insurance required by the City Attorney's office is final and the applicant shall be required to submit proof of coverage including naming Park City Municipal Corporation, 445 Marsac, P.O. Box 1480, Park City, Utah 84060 as additionally insured prior to the start of any event activity.
- After the application is evaluated, the applicant will be responsible for providing proof that I have obtained other permits as necessary from City, County or State agencies, as well as the application fee amount based on the Level of event.
- I understand that as the applicant, I will assume and reimburse the City for any and all costs and expenses determined by Park City Municipal Corporation. Park City Municipal Corporation may require a deposit to cover such expenses. I may incur costs from other departments or other jurisdictional agencies. I understand I can request an estimate of City Services for the event upon submitting a complete application, and that should I choose to, I can request a reduction of fees for some services as pertains to Park City Municipal code 4-8-9 through the bi-annual fee reduction application and process.
- I understand I am able to request a meeting with the Special Events Department prior to submitting an application and that this application does not constitute as a valid permit. I understand that permits are approved by the Special Events Department or City Council in writing after complete applications are reviewed under Park City Municipal Code 4-8.

APPLICANT AND SPONSORING ORGANIZATION INFORMATION

NAME OF EVENT: Tour of Utah - Stage 7 Start/Finish

FIRST TIME EVENT: Yes No ANNUAL EVENT: Yes No IF ANNUAL, HOW MANY YEARS: 12

ANNUAL EVENT THAT WILL BE THE SAME AS LAST YEAR: Yes No

ANNUAL EVENT THAT WILL HAVE CHANGES FROM LAST YEAR: Yes No

NAME OF APPLICANT (FIRST & LAST): Sam Andros

TITLE / POSITION: Executive Director

BUSINESS / ORGANIZATION NAME: Utah Cycling Partnership

IS BUSINESS / ORGANIZATION A REGISTERED NON-PROFIT Yes, a copy of IRS paperwork is attached No

MAILING ADDRESS OR BUSINESS / ORGANIZATION: 301 W South Temple

CITY, STATE, ZIP: SLC, UT 84101

PHYSICAL ADDRESS OF BUSINESS / ORGANIZATION: same as above



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CITY, STATE, ZIP:										
PHONE (PRIMARY): 801.699.8588					PHONE (SECONDARY):					
EMAIL: jenn@tourofutah.com										
BUSINESS / ORGANIZATION WEBSITE: tourofutah.com										
SOCIAL MEDIA LINKS:										
DAY OF EVENT / DATE / CONTACT										
ON-SITE DAY OF PRIMARY CONTACT NAME (FIRST & LAST): Brent Snodgrass										
ON-SITE DAY OF PRIMARY CONTACT CELL PHONE: 706.255.4944										
ON-SITE DAY OF PRIMARY CONTACT EMAIL: brent.snodgrass@medalist sports.com										
WEB SITE FOR PUBLIC EVENT INFORMATION										
WEB SITE FOR PUBLIC EVENT INFORMATION: tourofutah.com										
PHONE NUMBER FOR PUBLIC EVENT INFORMATION:										
EMAIL ADDRESS FOR PUBLIC EVENT INFORMATION:										
Overall event description is attached as a separate document, with the contingency plan and is submitted with the application.										
EVENT LEVEL DETERMINATION										
THE EVENT WILL INCLUDE THE FOLLOWING ACTIVITIES: (Check all that apply)										
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
FESTIVAL / FAIR	PARADE	SKI / SNOW BOARD	RUN	BIKE	WALK	TRAIL USE	CONCERT	CULINARY	FILMING	
<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>			<input type="checkbox"/>			
ARTS & CULTURE EVENT		HOLIDAY CELEBRATION		RECREATION / SPORTING EVENT			OTHER:			
THE EVENT WILL INVOLVE THE USE OF: (Check all that apply)										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
MAIN STREET	RESORT PROPERTY	SCHOOL DISTRICT PROPERTY	PRIVATE PROPERTY	CITY PARKS	CITY FIELDS	CITY FACILITY RENTAL	RESIDENTIAL AREAS	PARK CITY LIMITS	MULTI-JURISDICTION	AMPLIFIED SOUND
THE TARGET MARKET FOR THIS EVENT IS: (Check all that apply)										
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OTHER: <input type="checkbox"/>	
YOUTH / FAMILIES	ADULTS	LOCAL	STATE-WIDE	REGIONAL	NATIONAL	INTER NATIONAL	SPECTATORS	PARTICIPANTS		
THIS EVENT WILL: (Check all that apply)										
<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
LIMIT # OF PARTICIPANTS	BE FREE FOR SPECTATORS		BE FREE FOR PARTICIPANTS		INCLUDE VENDORS OR SPONSOR		BE FREE AND OPEN TO THE PUBLIC			
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
LIMIT # OF SPECTATORS	CHARGE ADMISSION FOR SPECTATORS		CHARGE PARTICIPANTS		NOT INCLUDE VENDORS OR SPONSOR		BE A PRIVATE EVENT			
THIS EVENT WILL BE HELD: (Check all that apply)										
EVENT DATE(S): August 7, 2016										
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY				
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>				
WEEKLY		MONTHLY		SERIES		ONE DAY				
NUMBER OF EVENT(S): 1			# OF CONSECUTIVE DAYS: 1							



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ONE DAY EVENT HOUR(S)

EVENT HOUR(S):	10:00AM - 4:00PM	OPENING TIME:	10:00AM	EVENT ENDS:	4:00PM
EVENT SET-UP DATE:	August 6, 2016	BREAK-DOWN DATE:	August 7, 2016		
SET-UP TIME(S):	5 PM	BREAK-DOWN TIME(S):	9:00 PM		

MULTIPLE DAY EVENT HOUR(S) - If different for each date

DAY:	DATE:	OPENING TIME:	EVENT ENDS:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	OPENING TIME:	EVENT ENDS:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	OPENING TIME:	EVENT ENDS:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	OPENING TIME:	EVENT ENDS:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	
DAY:	DATE:	OPENING TIME:	EVENT ENDS:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	

INCLEMENT WEATHER INFORMATION:

DAY:	DATE:	OPENING TIME:	EVENT ENDS:
EVENT SET-UP DATE:		BREAK-DOWN DATE:	
SET-UP TIME(S):		BREAK-DOWN TIME(S):	

No inclement weather date is required, and the event will be held rain or shine. I understand the event may be cancelled or postponed by the city due to hazardous or damaging conditions

EVENT ATTENDANCE (Complete all that apply)

IF ANNUAL EVENT:	
TOTAL EVENT ATTENDANCE OF PREVIOUS YEAR:	10,000
TOTAL DAILY EVENT ATTENDANCE OF PREVIOUS YEAR:	10,000

ALL APPLICANTS MUST COMPLETE THE FOLLOWING SECTION (NEW OR ANNUAL EVENTS)

ESTIMATED # OF PARTICIPANTS:	130	ESTIMATED # OF VENDORS:	40
ESTIMATED # OF SPECTATORS:	10000	ESTIMATED # OF VOLUNTEERS:	200
ESTIMATED # OF STAFF:	200	ESTIMATED DAILY ATTENDANCE:	10,000
ESTIMATED HIGHEST TOTAL ATTENDANCE AT ONE TIME:	8000	ESTIMATED TOTAL ATTENDANCE OF ENTIRE EVENT:	10,000

I anticipate the event to have an attendance of 500 or more people and understand, as the applicant, I may be required to obtain a mass gathering permit from summit county: <http://www.summitcountyhealth.org/>



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SIDEWALK & STREET USE (circle and complete all that apply)

THE EVENT WILL HAVE:

STREETS

<input checked="" type="checkbox"/>	STREET CLOSURE MAP IS ATTACHED	<input checked="" type="checkbox"/>	CLOSURE SIGN / MARKING
<input checked="" type="checkbox"/>	ROLLING CLOSURE	<input checked="" type="checkbox"/>	PARTIAL CLOSURE
<input checked="" type="checkbox"/>	FULL CLOSURE	<input type="checkbox"/>	NO CLOSURE

NAMES OF STREETS TO BE CLOSED:	TIMES: (START / END OF CLOSURE)
Main St (9th to Swede Alley)	START: Aug 7 - 4am
	END: Aug 7 - 9pm
	START:
	END:
	START:
	END:

REASON FOR CLOSURE:
 Start/Finish takes place on Main St along with Team party and Expo

SIDEWALKS

<input checked="" type="checkbox"/>	SIDEWALK CLOSURE MAP IS ATTACHED	<input type="checkbox"/>	CLOSURE SIGN / MARKING
<input type="checkbox"/>	PARTIAL CLOSURE	<input checked="" type="checkbox"/>	FULL CLOSURE
<input type="checkbox"/>	NO CLOSURE	<input type="checkbox"/>	CROWD CONTROL PLAN

ADDRESS:	250 Main St
ADDRESS OF CLOSURE: (FROM / TO)	Eastside
FROM: Swede Alley	TO: Wasatch Brew Pub
START: 7:00 AM	END: 6:00 PM
FROM:	TO:
START:	END:
FROM:	TO:
START:	END:

REASON FOR CLOSURE:
 Placement of stage/lighting (restricted access for credentialed staff)

TRAILS

<input type="checkbox"/>	TRAIL COURSE MAP IS ATTACHED	<input type="checkbox"/>	COURSE / SIGN MARKING INFORMATION IS ATTACHED
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NAMES OF TRAILS TO BE USED:

PARADE

ASSEMBLY AREA:	DISBANDING AREA:	# OF PARADE ATTENDEES:
----------------	------------------	------------------------

PARADE IS:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALKING ONLY	VEHICLES & WALKING	VEHICLES ONLY	WILL HAVE ANIMALS

OTHER PARADE INFO:



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CITY PARKING FACILITIES REQUEST

GENERAL PARKING (Where will you be directing event attendees to park cars?)

HOW MANY PARKING SPACES DOES THE EVENT NEED? AT HIGHEST POINT?

<input checked="" type="checkbox"/> MAIN STREET	<input checked="" type="checkbox"/> CHINA BRIDGE	<input checked="" type="checkbox"/> FLAGPOLE LOT	<input type="checkbox"/> BREW PUB LOT
<input checked="" type="checkbox"/> SANDRIDGE PARKING LOTS	<input type="checkbox"/> PARK AVENUE	<input type="checkbox"/> CITY PARK	<input type="checkbox"/> MAWHINNEY LOT
<input type="checkbox"/> QUINNS LOT	<input type="checkbox"/> RICHARDSON FLATS	OTHER: <i>Municipal Parking</i>	

WILL THE EVENT PROVIDE TRANSPORTATION SERVICES TO THE EVENT FROM PARKING AREAS?: YES NO

ADA PARKING AVAILABLE?: YES NO

THE EVENT WILL REQUIRE PARKING REMOVAL?: YES NO

The event will require parking removal as indicated below, and I will complete a special use of public parking application as required with the Park City Parking Services Department

NAME OF AREA OR STREETS: *Main St* BETWEEN: *9th and Swede Alley*

TIME - START / END: *4am - 6pm* REASON (what/who): *clear for build and event*

NAME OF AREA OR STREETS: BETWEEN:

TIME - START / END: REASON (what/who):

NAME OF AREA OR STREETS: BETWEEN:

TIME - START / END: REASON (what/who):

NAME OF AREA OR STREETS: BETWEEN:

TIME - START / END: REASON (what/who):

NAME OF AREA OR STREETS: BETWEEN:

TIME - START / END: REASON (what/who):

TRANSPORTATION

WILL THE EVENT PROVIDE ALTERNATIVE TRANSPORTATION OPTIONS?

<input type="checkbox"/> BUS	<input type="checkbox"/> BIKE	<input checked="" type="checkbox"/> WALK
---------------------------------	----------------------------------	---

THE APPLICANT IS PROVIDING SHUTTLE OR BUS TRANSPORTATION OUTSIDE OF THE CITY'S SCHEDULE. THE APPLICANT HAS PROVIDED BUS DROP OFF AREA ON THE SITE MAP ATTACHED WITH THIS APPLICATION.

NAME OF TRANSPORTATION PROVIDER / COMPANY:

PHONE: EMAIL:

TBD THE APPLICANT IS PROVIDING BIKE TRANSPORTATION AT THE EVENT. WE HAVE PROVIDED BIKE PARKING AREAS ON THE SITE MAP WITH THIS APPLICATION.

WE ARE PROVIDING WALKING AS AN OPTION TO ATTEND THE EVENT. WE HAVE PROVIDED WALKING PATH IDEAS ON THE SITE MAP WITH THIS APPLICATION.

ADDITIONAL TRANSPORTATION INFORMATION:

ADDITIONAL TRANSPORTATION INFORMATION:

ADDITIONAL TRANSPORTATION INFORMATION:

PUBLIC FACILITY USE

CHECK ALL THAT APPLY:	<input type="checkbox"/> MINERS HOSPITAL AT CITY PARK	<input type="checkbox"/> PARK CITY LIBRARY MEETING ROOMS	<input type="checkbox"/> JIM SANTY AUDITORIUM
	<input type="checkbox"/> SOPUTH CITY PARK	<input type="checkbox"/> CITY PARK COVERED BBQ AREA	<input type="checkbox"/> CITY PARK GAZEBO / STAND
	<input type="checkbox"/> CITY PARK SOFTBALLFIELD	<input type="checkbox"/> CITY PARK RUGBY FIELD	<input type="checkbox"/> SKATE PARK AT CITY PARK
	<input type="checkbox"/> QUINN'S SPORTEX FIELDS	<input type="checkbox"/> ROTARY PARK	<input type="checkbox"/> SCHOOL DISTRICT FIELDS
	<input type="checkbox"/> DIRT JUMP PARK	<input type="checkbox"/> PARK CITY ICE ARENA	<input type="checkbox"/> OTHER:



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TEMPORARY STRUCTURES & FLAMMABLE MATERIALS

I UNDERSTAND ALL TEMPORARY STRUCTURES AND FLAMMABLE MATERIALS MUST BE APPROVED BY THE PARK CITY BUILDING DEPARTMENT. SUCH INSPECTIONS WILL REQUIRE A FIRE/BUILDING PERMIT TO BE SUBMITTED 10 DAYS BEFORE THE EVENT, AS WELL AS AN INSPECTION THE DAY OF THE EVENT.

<input type="checkbox"/>	TEMPORARY BLEACHERS	<input checked="" type="checkbox"/>	INFLATABLES	<input checked="" type="checkbox"/>	CANOPIES	<input type="checkbox"/>	TEMPORARY BADGES	<input type="checkbox"/>	TEMPORARY LIGHTING		
<input checked="" type="checkbox"/>	TENTS 10X10 OR UNDER	HOW MANY:									
<input checked="" type="checkbox"/>	TRAILER	HOW MANY: (4) TV production									
<input checked="" type="checkbox"/>	STRUCTURES OVER 6 FEET TALL	PURPOSE: (1) Stage 16x24 Marshall Awlton (1) Start/Finish truss						HOW MANY:			
DOES EVENT HAVE ELECTRICAL NEEDS?:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DOES EVENT REQUIRE USE OF GENERATORS		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
WILL YOU BE REQUESTING PERMITS FOR FIREWORKS?:								<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
WILL THE EVENT REQUIRE THE USE OF FLAMMABLE MATERIALS, FUELS OR GASSES?:								<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
NAME SUCH MATERIALS:											

WASTE MANAGEMENT AND RECYCLING

THE EVENT WILL PROVIDE ITS OWN GARBAGE CANS AND WASTE MANAGEMENT.

THE EVENT WILL PROVIDE ITS OWN DUMPSTERS, WHICH IS INDICATED ON THE SITE MAP.

THE EVENT WILL USE THE CITY'S GARBAGE CANS AND WASTE MANAGEMENT, REQUIRING ADDITIONAL FEES.

THE EVENT WILL USE THE CITY'S DUMPSTERS, REQUIRING ADDITIONAL FEES.

THE EVENT WILL HIRE A COMPANY AND PROVIDE RECYCLING SERVICES FOR THE FOLLOWING MATERIALS:

<input type="checkbox"/>	PLASTIC	<input type="checkbox"/>	PAPER	<input type="checkbox"/>	ALUMINUM	<input type="checkbox"/>	GLASS	<input type="checkbox"/>	CARDBOARD	<input type="checkbox"/>	COMPOST	<input type="checkbox"/>	OTHER
--------------------------	---------	--------------------------	-------	--------------------------	----------	--------------------------	-------	--------------------------	-----------	--------------------------	---------	--------------------------	-------

THE EVENT WILL UTILIZE CITY RESTROOM FACILITIES (List areas of city restroom facilities below: *Along Main St*)

THE EVENT WILL BRING ITS OWN RESTROOMS AND SANATARY STATIONS.

(May be required by Summit County Health Department or Park City Building Department) *Provided by LOC*

WILL ANIMALS BE AT THE EVENT?: YES NO IF YES, PLEASE DESCRIBE TYPE OF ANIMALS AND WASTE PLANS

TYPES OF ANIMALS:

I HAVE INCLUDED THE PLACEMENT OF THE ANIMALS IN THE SITE MAP OR LINE UP IN THE CONTINGENCY PLAN

WILL DOGS BE ALLOWED AT THE EVENT?: YES NO LEASHED UNLEASHED

WASTE MANAGEMENT PLAN HAS BEEN DESCRIBED IN THE CONTINGENCY PLAN ATTACHED TO THIS APPLICATION.

FOOD & MERCHANDISE SALES

I UNDERSTAND THAT ALL VENDORS MUST OBTAIN A PARK CITY BUSINESS LICENSE. ALL VENDORS SERVING FOOD OR DRINKS MAY BE REQUIRED TO OBTAIN A FOOD SERVICE OR FOOD HANDLERS PERMIT FROM SUMMIT COUNTY.

WILL THERE BE SALE OF MERCHANDISE?:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
WILL THERE BE COMPLIMENTARY FOOD?:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
WILL THERE BE SALE OF FOOD?:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
WILL THERE BE ALCOHOL FOR SALE?:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
<input checked="" type="checkbox"/>	BEER	<input type="checkbox"/>	WINE	<input type="checkbox"/>	LIQUOR

I HAVE CONTACTED THE PARK CITY FINANCE DEPARTMENT REGARDING REQUIREMENTS FOR BEER & LIQUOR LICENSES



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I UNDERSTAND THAT THE UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (UDABC) MAY REQUIRE OTHER PERMITS.

WILL FOOD ITEMS BE PRE-PACKAGED?: YES NO

WILL FOOD ITEMS BE COOKED ON SITE?: YES NO

I UNDERSTAND THAT IF COOKING IS ONSITE, A PARK CITY BUILDING/FIRE PERMIT MAY BE REQUIRED.

WILL FOOD ITEMS BE PREPARED OFFSITE?: YES NO

DESCRIBE ITEMS:
Catering for hospitality VIP

TEMPORARY SIGNS

WILL THERE BE TEMPORARY SIGNS AT THE EVENT?: YES NO

I HAVE ATTACHED A SIGN PLAN DESCRIBING THE CONTENT, SIZES AND LOCATIONS IN THE CONTINGENCY PLAN.

SAFETY - SECURITY

THE EMERGENCY AND SECURITY PLAN HAS BEEN ATTACHED IN THE OPERATIONS PLAN, INCLUDING CROWD CONTROL, ACCESS, FIRST AID. AFTER REVIEW OF THIS APPLICATION, REQUIREMENTS FOR EMTS, FIRE AND POLICE SERVICES WILL BE DETERMINED AS PART OF THE CONDITIONS OF APPROVAL OF THIS EVENT. THE SPECIAL EVENTS DEPARTMENT WILL BE ABLE TO GIVE THE APPLICANT AN ESTIMATE OF SUCH CITY SERVICE REQUIREMENTS.

THE EVENT WILL REQUIRE LAW ENFORCEMENT SERVICES BEYOND ROUTINE PERIODIC PATROL.

THE EVENT WILL NOT REQUIRE LAW ENFORCEMENT SERVICES BEYOND ROUTINE PERIODIC PATROL.

COMMUNICATION NEEDS

WILL THERE BE INSTALLATION OF AN ANTENNA FOR COMMUNICATION NEEDS?: YES NO

INSTALLATION OF AN ANTENNA FOR COMMUNICATION IS INDICATED IN THE SITE PLAN WITH SPECIFICATIONS.

MARKETING OF EVENT

PROPER MARKING OF YOUR EVENT IS VITAL TO ITS SUCCESS. PLEASE CONTACT THE PARK CITY CHAMBER FOR ADDITIONAL INFORMATION AND ASSISTANCE: www.vlsjparkcity.com

I HAVE CHOSEN TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.

I HAVE CHOSEN NOT TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.

WHO IS THE TARGET MARKET FOR THIS EVENT?: *National, international + regional cyclists*

WHERE IS THE TARGET MARKET FOR THIS EVENT?: (choose all that apply)

LOCAL REGIONAL NATIONAL INTERNATIONAL

WILL THIS EVENT BE FILMED AND TELEVISED?: (choose all that apply) YES NO

LOCAL REGIONAL NATIONAL INTERNATIONAL

PLEASE LIST ALL ADVERTISEMENT INCLUDING MEDIA COVERAGE, NEWSPAPER AND MAGAZINES:

MEDIA (RADIO/TV): *Fox Sports*

NEWSPAPER: *South Lake Tribune*

MAGAZINES: *Bicycling Magazine, Utah Outdoor Adventure Guide*

OTHER: *Velo news*

PLEASE SELECT RANGE OF MARKETING BUDGET:

\$100 OR UNDER \$100 - \$500 \$500 - \$1,000 \$1,000 - \$2,500 ABOVE \$2,500



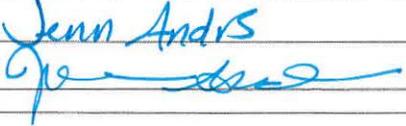
Park City Municipal Corporation

Special Event Permit Application

Special Events Department
City Hall, Third Floor
445 Marsac Avenue
P.O. Box 1478
Park City, Utah 84060
speialevents@parkcity.org

APPLICANT AGREEMENT & SIGNATURE

I, the undersigned representative, have read the rules and regulations with reference to this application and am duly authorized by the organization to submit this application on its behalf. The information contained herein, including supporting documentation is complete and accurate.

Name (Printed):	Jenn Andris	
Signature:		Date: 5/9/16

Road Race
83 mi / 133.5 km

Stage 7 - Park City to Park City
Start and Finish Crew Schedule on Main Street
Sunday, August 7, 2016

12:20 AM	Race Start
3:45 PM	Race Finish (ETA)
Location	250 Main St, Park City, UT 84060
20min	Travel time from Hotel (Start Crew - Crestview Condos, Finish Crew - Bear Hollow Village)
LOC Contact	Bob Kollar - 435.640.5131, Dave Gustavson - 435.901.1527
Saturday 8/6 @ 5 PM	Tent crew stage all festival tent tops in Swede lot
	Clear Wasatch Brew Pub lot
	Layouts of Festival and Race Infrastructure tents
	Tent crew builds media, medical, greenroom, expo, etc. in Wasatch Brew Pub lot
	Announce Stage arrives from Start in Snowbasin in WBP lot
	Start Crew decorates Announce Stage with header, finish banners come from Snowbird
8:00 PM	TV compound park and place access in WBP lot
	Generators arrive, place one big screen in WBP lot
10 PM - 5 AM	Overnight security needed for tents and tv compound
Sunday 8/7 @ 4 AM	Main Street from 9th to Swede Alley is available to begin festival tent build and team parking
	Water source available for tent crew's use (hydrant - contact Dave)
	Build crew call
	Restrooms, trash/ recycling receptacles arrive
	Place Announce Stage / Sound access begins / Timing access begins
	Build and decorate truss - 25' x 13'6" at finish line, kiosks / Fence stinging
	VIP Décor group access begins
5:00 AM	Decorate Announce Stage with 'Sign-in' elements
7:00 AM	Expo vendor access begins
	Hospitality Video build in (load tv's in)
7:30 AM	Big Screens arrive for placement
	TV trucks powered
8:00 AM	TV crew call
	Heber Ave closed between Park Ave and Sky Lodge entrance
8:30 AM	Beverage product delivery, Catering access begins
9:00 AM	Parking crew on-site
9:30 AM	VIP tables and chairs set up completed
9:00 AM	Expo load-in ENDS
	Media access to workroom
9:45 AM	Vehicle staging coordinator on-site
10:00 AM	Verify signage / Banner sorting / Run in confirmed
	Lifestyle Expo Opens
	Construction complete / all vehicles must clear course
10:15 AM	Full Tour Security
10:30 AM	Teams arrive
	Place sandbags on fenceline
11:00 AM	Hospitality Opens
	Feed Big Screen / VIP monitors
	Drivers meeting
11:20 AM	Rider sign-in at stage
	National Anthem singer reports to Announcers Stage
	LOC reps meet at Announcers Stage
11:30 AM	Caravan Vehicles in place
11:50 AM	Four announcers to introduce and interview representatives
12:00 PM	Heber Ave closed between Park Ave and Sky Lodge entrance
	Closure of Main St to 9th St section of Neutral and Finish entry from Deer Valley
12:05 PM	Start Ceremonies begin
	Sling fence on Deer Valley/Main, DV & Park Ave, Bonanza
	Sling fence on Park Ave, Heber & 9th St corners of Start neutral
12:10 PM	Rider sign-in complete, Rider call ups
12:15 PM	National Anthem
12:20 PM	Race begins (2 neutral laps)
12:30 PM	Race leaves Park City
	Pull fence back from corners on start neutrals
12:45 PM	Chalk art begins between 5th & 4th
1:00 PM	UJHC Kid's Sprint to the Finish (on course, from 4th)
	TV Field Crew in Position
1:30 PM	Begin chalk art on Main St., South of 4th, or immediately following Kid's Race (on course)
2:00 PM	Sling fence at Roundabout, and be ready to pull fence into corners on finish approach
3:45 PM	Race Finish
After last rider	Begin awards ceremony
After awards	Festival Load-out begins
4:10 PM	TV Strike field / Expo and Hospitality Closes
5:30 PM	Feed show to FSN
6:00 PM	Media team departs
7:30 PM	TV Strike complete, TV Crew & Trucks depart
9:30 PM	Complete Teardown - streets reopened

Travel time to Hotel - 10min - 6mi

brent.snodgrass@medalistsports.com



Deviation to Park Ave and stage for escort



2 Neutral
Start Laps:
Main St. -> Swede Alley ->
Deer Valley Dr. -> 9th St -> Park Ave. ->
Heber Ave. -> Main St

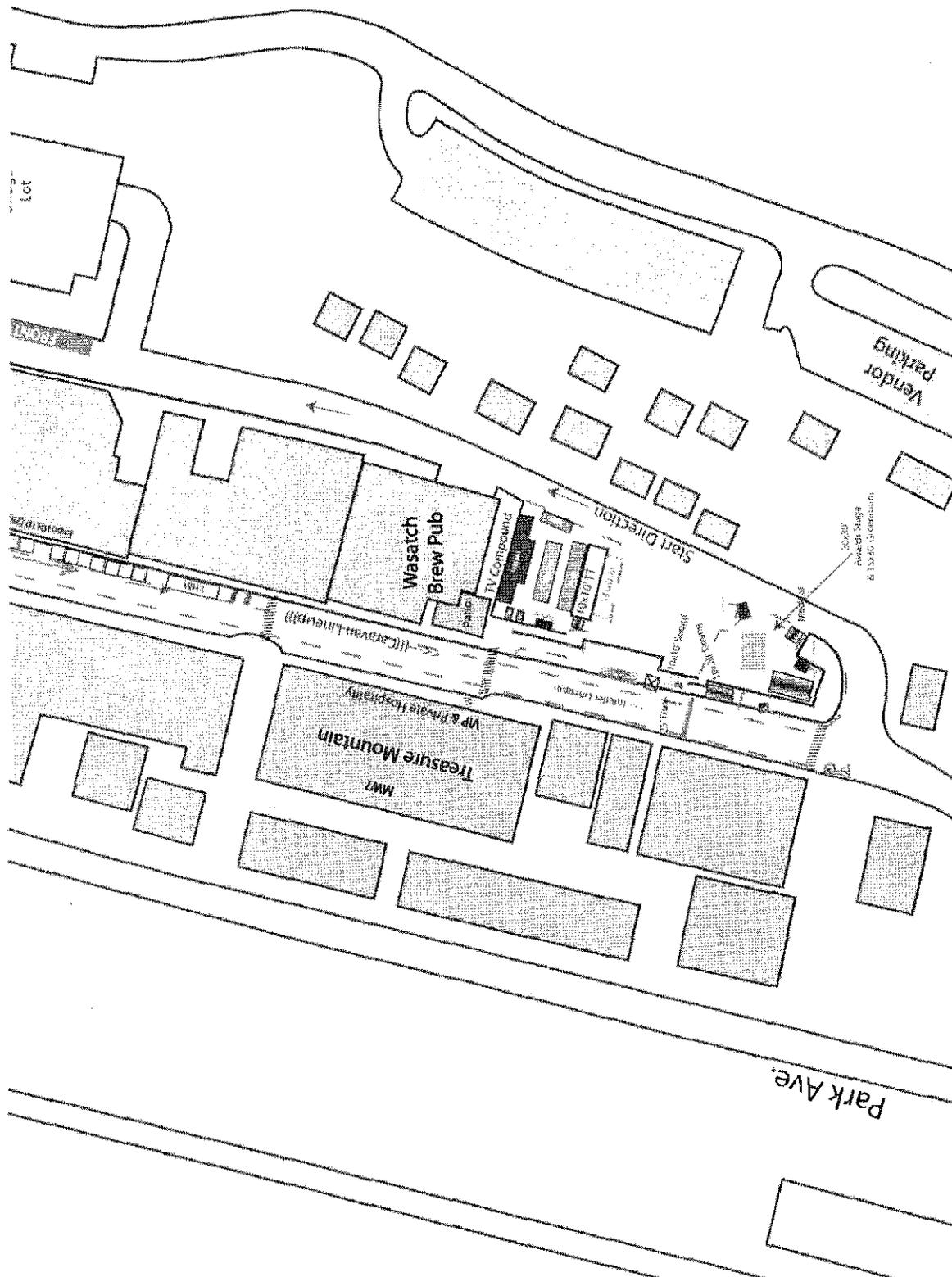
- Start Direction
- ← Finish Direction
- ⊘ Barricade
- - - Temporary Barricade
- ⊘ Pedestrian Crosswalk



UTAH

Stage 7 - Start/Finish
Sunday, August 7
Main St/7th St
Park City, UT
© medalistsports 4/18/16







2 Neutral Start Laps:
Main St. -> Swede Alley -> Deer Valley Dr. -> Main St



- Start Direction
- Finish Direction
- Barricade
- Temporary Barricade
- Pedestrian Crosswalk



Stage 7 - Start/Finish
Sunday, August 7
Main St/7th St
Park City, UT
 © medalistsports 6/20/16





SPECIAL EVENT PERMIT

Level of Permit: ___ Level 1 ___ Level 2 X Level 3
Event Name: Tour of Utah
Event Date(s): Saturday, August 6 & Sunday, August 7, 2016
Event Location: Main Street in Park City, as well as other areas of the City
 including Deer Valley Drive, Marsac Avenue, Kearns/Hwy 248
Licensee: Jen Andrs, Executive Director
Contact Person: Utah Cycling Partnership
Approved By: ___ Special Events Coordinator X City Council of Park City
Approval Date: Thursday, July 14, 2016

The City Council of Park City has approved the Level Three Special Event Permit for the Tour of Utah on Saturday, August 6 & Sunday, August 7, 2016. This Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4-8-4(C) based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Tour of Utah will be held on Saturday, August 6, and Sunday, August 7, 2016. On Saturday, the event is expected to have minimal impacts to the City from 1:00 to 4:00 p.m. On Sunday, the event will last from 12:00 am to 11:59 p.m. with the event itself occurring between 12:00 and 5:00 p.m.
2. Parking for the anticipated crowd of 15,000 participants throughout the day vehicles will be accommodated as follows:
 - Park City School District Parking Lots
 - Paid Parking in China Bridge
3. The events associated with the Tour of Utah will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
4. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
5. There are other Special Event Permits that have been granted for Saturday, August 6 and Sunday, August 7. The table below will show in column (A) -

Geographic separation of events; column (B) - Proposed time and duration of the events; column (C)- Anticipated attendance. The Ragnar Wasatch Back Relay will not substantially interfere with the logistics and venue for any event for which a license has already been granted and with the provision of City services in support of other such events or governmental functions based on the following:

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipated Attendance
Saturday and Sunday, August 6 & 7, 2016	Tour of Utah	Main Street, Deer Valley Drive, Marsac Avenue, 248/ Kearns	12:00 a.m. to 11:59 p.m.	15,000
Saturday, August 6, 2016	Extreme Soccer	Quinn's Junction, School District Fields, City Park	7:00 a.m. to 11:30 p.m.	3,500
Saturday, August 6, 2016	Deer Valley Music Festival	Deer Valley Resort	9:00 a.m. to 10:00 p.m.	2,500 to 5,000
Saturday, August 6, 2016	PC Rec Volleyball Tournament – Summer in the City	City Park	8:00 a.m. to 9:00 p.m.	400
Sunday, August 7, 2016	Big Stars Bright Nights	Deer Valley Resort	9:00 a.m. to 10:00 p.m.	3,500 to 5,000

6. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
7. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

Conclusions of Law:

1. The application is consistent with the requirements of the Park City Municipal Code, Title 4, Chapter 8.

Conditions of Approval:

1. The applicant, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided by the applicant.
2. The applicant will work with City Staff to orient the activities so as to minimize sound impacts to the neighborhood and the applicant shall monitor

Exhibit C – 2016 Tour of Utah Findings of the Fact & Conditions of Approval

the following:

- (A) The program manager, or his/her designee, shall provide on-site management for each aspect of the event.
 - (B) The program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage. No amplified sound is permitted before 10:00 a.m. or after 10:00 p.m.
 - (C) The event shall be open to the public and free of charge.
3. Applicants shall provide proof of liability insurance in the amount of four million dollars (\$4,000,000) or more as may be required by the Special Events Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as additional insured. All Applicants shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees.
 4. All plans for tents, stages and other temporary structures shall be submitted to the Building Department for review and permitting by Tuesday, August 2, 2016.
 5. The applicant is responsible for a Race Operation, Parking, Traffic, Transportation and Pedestrian Management Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.
 6. Applicant accepts the use of all public rights of way, easements and trails in an "as is" condition and Park City make no representations regarding fitness for particular purposes authorized herein.
 7. The Park City Municipal Chief of Police, Emergency Manager or Fire Marshall may cancel the event, if it is determined that such use by the event may harm participants or spectators due to their current condition and/or potential weather that would effect that condition.
 8. The applicant use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
 9. All Summit and Wasatch County permit approvals required for this event shall be secured by Tuesday, August 2, 2016 and submitted to Park City Municipal.
 10. Announcement for the 2017 calendar year may NOT be advertised or sold until staff review and approval which will occur after a full debrief of the 2016 event with Park City Municipal representatives, Summit County representatives and any other applicable service providers and submittal of the required information for a thorough review by the Park City Special Events Department.

APPROVED this Thursday, the 14th day of July, 2016.

PARK CITY MUNICIPAL CORPORATION

City Manager, Diane Foster

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

, City Attorney



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

The site known as Lilac Hill Subdivision at 632 Deer Valley Loop consists of all of Government Lot 26 in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 11th House on the south side of Deer Valley Park City. The owner requests this plat amendment in order to create a legal platted lot of record and to develop the site.

Respectfully:

Anya Grahn, Planner II



PLANNING DEPARTMENT

City Council Staff Report

Subject: Lilac Hill Subdivision at 632 Deer Valley Loop
Author: Anya Grahn, Historic Preservation Planner
Project Number: PL-16-03153
Date: July 14, 2016
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends City Council hold a public hearing and consider approving the Lilac Hill Subdivision located at 632 Deer Valley Loop based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinance.

Description

Applicant: 632 DVL, LLC represented by Matt Mullin
Location: 632 Deer Valley Loop
Zoning: Residential Medium (RM)
Adjacent Land Uses: Residential—Single family, duplex, and multi-family dwellings
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action.

Acronyms

Board of Adjustment	BOA
Bureau of Land Management	BLM
Determination of Significance	DOS
Historic District Design Review	HDDR
Historic Preservation Board	HPB
Historic Sites Inventory	HSI
Residential Medium	RM
Historic District Design Review Pre-Application	Pre-app

Executive Summary/Proposal

The site known as Lilac Hill Subdivision at 632 Deer Valley Loop consists of all of Government Lot 26 in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 11th House on the south side of Deer Valley Park City. The owner requests this plat amendment in order to create a legal platted lot of record and to develop the site.

District Purpose

The purpose of the RM District is to:

- A. Allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- B. Encourage new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area,

- C. Encourage the rehabilitation of existing Historic Structures,
- D. Encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- E. Encourage affordable housing,
- F. Encourage Development that minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas

Background

On April 26, 2016, the City received a Subdivision application for the Lilac Hill Subdivision located at 632 Deer Valley Loop; the application was deemed complete on April 28, 2016. The property is in the Residential Medium (RM) District. Its legal description is all of Government Lot 26 in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian; it was formerly known as 11th House on the south side of Deer Valley, Park City.

This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as a Significant Site. The house was constructed c.1900 during the Mature Mining Era (1894-1930) by George and Elizabeth Thompson. The early twentieth century Sanborn Fire Insurance Maps show that this site was part of a much denser neighborhood comprised of approximately fourteen (14) structures. Of these, only four (4) structures currently exist.

This property has had a long history. The house was initially constructed on mining claims, which came to be held by the Bureau of Land Management (BLM). At the time of its construction, it consisted of a two-room cottage; however, between 1912-1918, it was expanded to a four-room cottage. Then c.1969, the house was remodeled to what exists today. The property was purchased by William and Juli Bertagnole in 1981 from Harold and Mary Dudley. On May 17, 1999, a fire damaged the rear addition of the structure. The Bertagnoles did not make repairs following the fire. The BLM granted the Bertagnoles a land patent for ownership of the parcel on May 2, 2013 (Exhibit G).

On August 21, 2013, the Park City Building Department issued a Notice and Order to Vacate and Demolish the structure due to the fire damage and the dilapidated state of the structure. The Planning Department moved forward with a Determination of Significance (DOS) to review the site's historic designation; on November 13, 2013, the Historic Preservation Board (HPB) found that the site should remain designated as "Significant" on the Historic Sites Inventory (HSI) in accordance with LMC 15-11-10(A)(2). The Bertagnoles appealed the HPB's decision to the Board of Adjustment (BOA) on April 15, 2014; however, the BOA remanded it back to the HPB as the applicant had submitted new evidence. The HPB once again found that the site met the criteria for "Significant" on May 21, 2014. The Bertagnoles withdrew their appeal on July 9, 2014.

The Bertagnoles finalized the sale of the property to its current owner, 632 DVL, LLC in February 2016. On December 2, 2015, the current owner submitted a Historic District Design Review (HDDR) Pre-Application (Pre-app) to discuss renovation options for this

historic structure and development opportunities for the site. The applicant has not yet submitted a HDDR application for the improvements, but has chosen to move forward with the plat amendment in order to make future site improvements.

Analysis

The proposed Plat Amendment creates one (1) lot of record from the existing legal description. The proposed Plat Amendment combines the property into one (1) lot measuring 14,446 square feet.

A portion of Deer Valley Loop (64.27 SF) cuts across the northwest corner of the site and the platted Rossie Hill Drive (62.72 SF) across the southeast corner of the property, consuming a total of 127 square feet (SF). The property surrounding this lot is owned by the BLM, but the BLM has granted a right-of-way easement to the City for the streets that cross over the BLM parcel. The portion of 632 Deer Valley Drive that includes the two streets will be dedicated to the City during this plat amendment, and the street dedication shall be noted on the recorded plat, as reflected in Condition of Approval #3. The portion of the street dedication will reduce the overall lot size to 14,319 square feet and is included on the calculations for footprint below.

The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law. Staff has included this as Condition of Approval #7.

A single-family dwelling is an allowed use in the RM District. The minimum lot area for a single-family dwelling is 2,812 square feet. The proposed lot meets the minimum lot area for single-family dwellings. The required minimum lot width is 27.50; the proposed lot width is 129.41 feet. The proposed lot meets the minimum lot width requirement. The following table shows applicable Land Management Code (LMC) development parameters in the RM District:

Required	Existing	Permitted
Lot size	14,319 SF ¹	2,812 square feet minimum Complies
Front yard setbacks	35 feet front yard (north property line)	15 feet Complies
Rear yard setbacks	52 feet rear yard (Rossie Hill Drive)	10 feet Complies
Side yard setbacks	17 feet (west), 65 feet (east)	5 feet, Complies

¹ This represents the size of the lot after the street dedication.

There is no footprint requirement in the RM District.

The only encroachment that exists is a gravel driveway or parking area off of Deer Valley Loop on the northwest corner of the site. No other encroachments, other than the portion of Deer Valley Loop that crosses the property, exist.

This area of Park City is designated as Significant on the Historic Sites Inventory (HSI). Any proposed development or work on the historic house will require approval of a Historic District Design Review (HDDR) to ensure compliance with the Design Guidelines for Historic Sites in Park City.

Staff finds that this site, along with the BLM-owned property to the northeast that contains the three (3) historic cottages at 555, 560, and 577 Deer Valley contribute to Park City's history and provide a density of historic structures that largely retain their relationship with one another and the hillside. As this area is currently zoned RM, it allows for a much greater density to be added to these sites or larger additions to the historic houses than would be seen in Old Town's H-districts. Under 15-11-12 of the LMC, Historic District/Site design review is required for all Historic Sites; however, any new sites created by a future subdivision would not be required to comply with the Design Guidelines as they would not be considered a historic site. Only the site in which the historic house is located is the historic site.

Staff found that the General Plan identifies this lot as part of the Old Town neighborhood boundary. The General Plan emphasizes that infill and new additions be compatible in the neighborhood context and subordinate to historic structures; the City prevent incompatible infill and the loss of historic structures; the character of historic sites be preserved; and the aesthetic of the Old Town neighborhood be preserved. Staff also found that the purpose statements of the RM District support the goals of the General Plan in that they encourage new development that is compatible with historic structures in the surrounding area; encourage the rehabilitation of existing historic structures; and encourage development that provides a transition in Use and Scale between the Historic District and the resort Developments.

Staff found that it was important that we preserve the historic character of these sites. Therefore, as the historic site encompasses the entire lot and future subdivision will affect the context of the historic home, staff recommended that the Planning Commission approve this plat with a condition of approval that stated:

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. The Planning Department shall review the proposed plans for compliance with the Design Guidelines for Historic Districts and Sites.

Staff found that such a condition of approval would ensure that any future development is in keeping with the historic character of this pocket neighborhood of historic houses and will allow the historic house at 632 Deer Valley Loop to become the focal point of any future project.

Staff based this condition of approval on existing language in districts neighboring the H-districts, such as the Recreation Commercial (RC) zoning district, that require development within two (2) blocks of the H-district to comply with the Design Guidelines so that they create a transition between the historic district and the resort area.

The applicant was opposed to this Condition of Approval. The applicant believed staff was premature in its determination for the Condition of Approval as no development is currently proposed on the lot and any new development would likely require a future subdivision of the existing lot. Further, they argued that if the City wanted new construction to meet the Design Guidelines, then the property should have not been zoned RM. They found that the property is visually, geographically, and topographically separated from the HR-1 zoning district. The applicant's opposition is included as Exhibit F.

The Planning Commission also found that staff was premature in recommending such a Condition of Approval. The Planning Commission understood the need to preserve the historic character of the site and its context related to the other BLM-owned historic houses; however, they found that the purpose statements of the RM District were sufficient to ensure future compatible infill and rehabilitation of the historic structure. Further, the Planning Commission found that it was more appropriate to add a Condition of Approval to a future subdivision application, rather than the current one (1) lot subdivision that will already fall under the purview of the Design Guidelines as a designated historic site. A draft copy of the Planning Commission Minutes has been included as Exhibit I.

Planning Commission recommended amending the Condition of Approval to read:

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. The Planning Department shall review the proposed plans for compliance with the purpose of the RM District, which specifically encourages development that is compatible with historic structures in the surrounding area.*

The updated condition of approval is reflected in Exhibit A- Draft Ordinance.

The City Engineer will also require the applicant to grant two (2) – ten foot (10') snow storage easements along Deer Valley Loop Road and Rossie Hill Drive to address street frontages, per Condition of Approval #5.

The utilities were disconnected from this property on May 26, 1999. The City will also require the applicant to dedicate a public utilities easement to the City for the existing waterline that is located within the Deer Valley Loop right-of-way; this is reflected in Condition of Approval #6. A final utility plan will be required at the time of the building permit prior to any development of the site.

Good Cause

Staff finds good cause for this Plat Amendment as the interior block line running through the property will be removed and existing encroachments will be resolved. Public snow storage easements will be provided along Park Avenue, Heber Avenue, and Main Street. Additionally, sidewalk and utility easements will be provided along Park and Heber Avenues as well as Main Street. More importantly, no rehabilitation of the historic house can occur without this plat amendment; the City could not issue a building permit if the property was not a legal lot of record. If the plat amendment is not approved, the applicant cannot move forward with a Historic District Design Review (HDDR) to rehab the historic house.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

On April 9, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on April 13, 2016, according to requirements of the Land Management Code.

Public Input

Public input has been provided on this proposed plat amendment and is attached as Exhibit H. During the Planning Commission meeting, public comment was provided that there was not good cause for the plat amendment. The public also urged the Planning Commission to deny the plat amendment until there was a Master Plan for this parcel and the other BLM-owned parcel. The public was concerned about over-development of the site to create high density development, need for trailheads, impact to wildlife corridors, and additional traffic congestion in the neighborhood. The public comment is outlined in the draft Planning Commission minutes included as Exhibit I.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 15-1-18.

Alternatives

- The City Council may approve the Lilac Hill Subdivision at 632 Deer Valley Loop; or
- The City Council may deny T the Lilac Hill Subdivision at 632 Deer Valley Loop and direct staff to make Findings for this decision; or
- The City Council may continue the discussion to a date certain and provide staff with direction to provide additional information necessary in order to make a final decision on the record of survey plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

Consequences of not taking the Planning Department's recommendation are that the Site would remain as is and Deer Valley Loop and Rossie Hill Drive would continue to encroach on to the property. No snow storage or public utilities easements would be granted to the City. No building permit could be issued for the rehab of the historic house.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the Lilac Hill Subdivision at 632 Deer Valley Loop, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
- Exhibit B – Survey
- Exhibit C – County Tax Map
- Exhibit D – Aerial Photographs with 500' Radius
- Exhibit E– Site Photographs
- Exhibit F– Applicant's Opposition to Condition of Approval #4
- Exhibit G– BLM Land Patent 5.2.13
- Exhibit H– Public Comment
- Exhibit I– Draft Planning Commission minutes, 6.22.16

Ordinance No. 2016-32

AN ORDINANCE APPROVING THE LILAC HILL SUBDIVISION LOCATED AT 632 DEER VALLEY LOOP, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 632 Deer Valley Loop have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on June 8, 2016, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 4, 2016, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on June 22, 2016, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 22, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 14, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lilac Hill Subdivision located at 632 Deer Valley Loop.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Lilac Hill Subdivision located at 632 Deer Valley Loop, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 632 Deer Valley Loop.
2. The property is in the Residential Medium (RM) zoning district.
3. The subject property consists of all of Government Lot 26 in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 11th House on the south side of Deer Valley, Park City. The proposed plat amendment creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.

5. The Plat Amendment creates a legal lot of record from the government lot.
6. The proposed Plat Amendment combines the property into one (1) lot measuring 14,319 square feet.
7. A single-family dwelling is an allowed use in the District.
8. The minimum lot area for a single-family dwelling is 2,812 square feet. The proposed lot meets the minimum lot area for single-family dwellings.
9. The proposed lot width is width is 116.38 feet along the north property line (facing Deer Valley Drive) and 129.41 feet along the south property line (Rossie Hill).
10. The minimum lot width required is 37.50 feet. The proposed lot meets the minimum lot width requirement.
11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
12. The minimum front yard setbacks are fifteen feet (15') and rear yard setbacks are 10 feet. The historic house has a front yard setback of 35 feet and rear yard setback of 52 feet.
13. The minimum side yard setbacks are five feet (5'). The historic house has a side yard setback of 17 feet on the west and 65 feet on the east.
14. Deer Valley Loop consumes 64.27 square feet of the northwest corner of the lot and Rossie Hill Drive consumes 62.72 square feet of the southeast corner of the lot.
15. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Subdivision.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant shall dedicate a portion of the property that consists of Deer Valley Loop Road and Rossie Hill Drive to the City as part of this plat amendment.
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. The Planning Department shall review the proposed plans for compliance with the purpose of the RM District, which specifically

encourages development that is compatible with historic structures in the surrounding area.

5. Two (2)- ten foot (10') wide public snow storage easement will be required along the Deer Valley Loop Road and Rossie Hill Road frontages of the property.
6. A public utilities easement is required along Deer Valley Loop for the existing water line and shall be indicated on the final plat.
7. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
8. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
9. New construction shall comply with Land Management Code Section 15-2.15-3 regarding setbacks, building height, building envelope, building footprint, etc.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 14th day of July, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

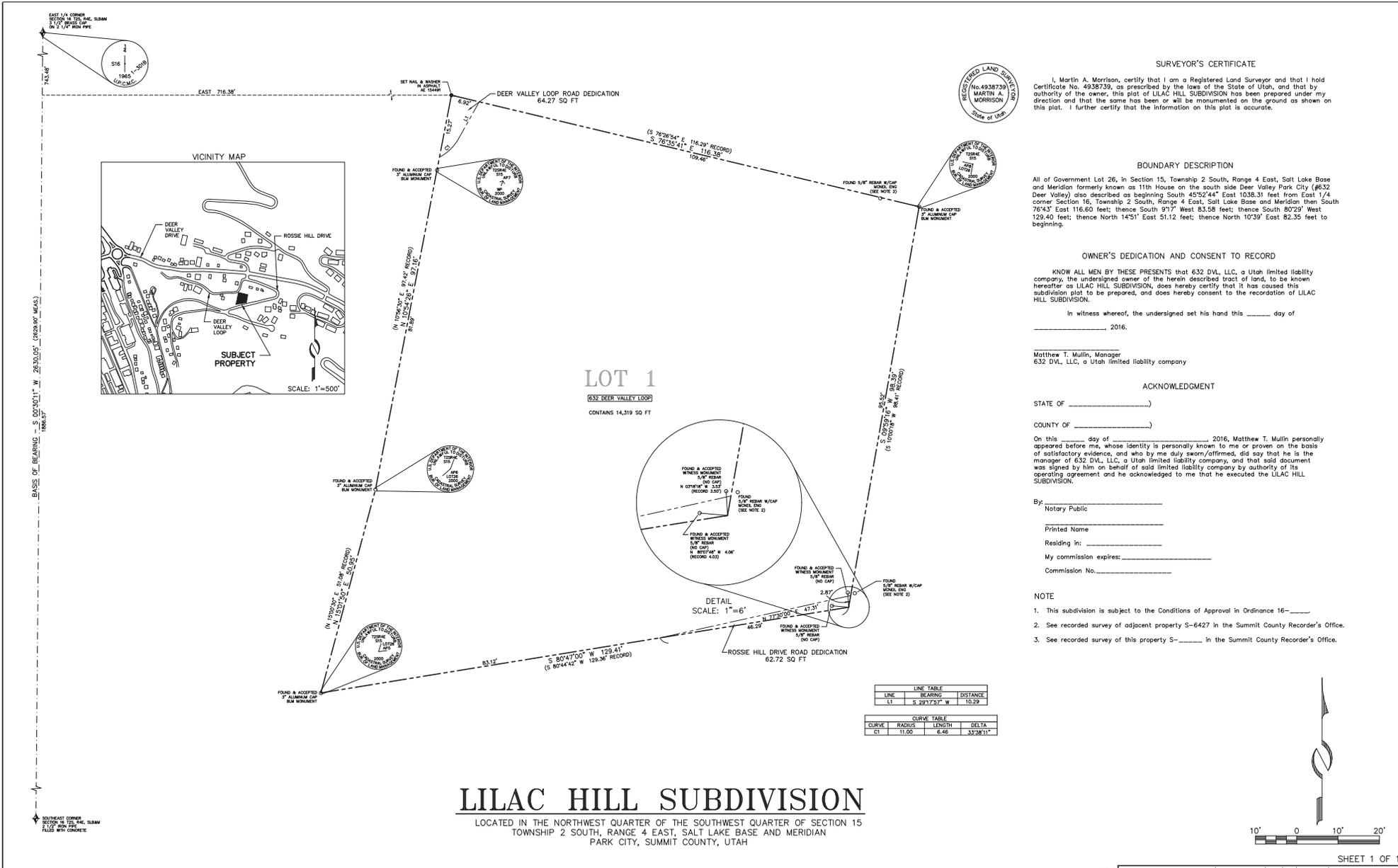
ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



LILAC HILL SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owner, this plat of LILAC HILL SUBDIVISION has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

All of Government Lot 26, in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian formerly known as 11th House on the south side Deer Valley Park City (#632 Deer Valley) also described as beginning South 45°52'44" East 1038.31 feet from East 1/4 corner Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian then South 78°43' East 116.60 feet; thence South 91°7' West 83.58 feet; thence South 80°29' West 129.40 feet; thence North 14°51' East 51.12 feet; thence North 10°39' East 82.35 feet to beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that 632 DVL, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as LILAC HILL SUBDIVISION, does hereby certify that it has caused this subdivision plat to be prepared, and does hereby consent to the recordation of LILAC HILL SUBDIVISION.

In witness whereof, the undersigned set his hand this _____ day of _____, 2016.

Matthew T. Mullin, Manager
632 DVL, LLC, a Utah limited liability company

ACKNOWLEDGMENT

STATE OF _____

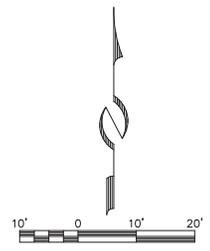
COUNTY OF _____

On this _____ day of _____, 2016, Matthew T. Mullin personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the manager of 632 DVL, LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its operating agreement and he acknowledged to me that he executed the LILAC HILL SUBDIVISION.

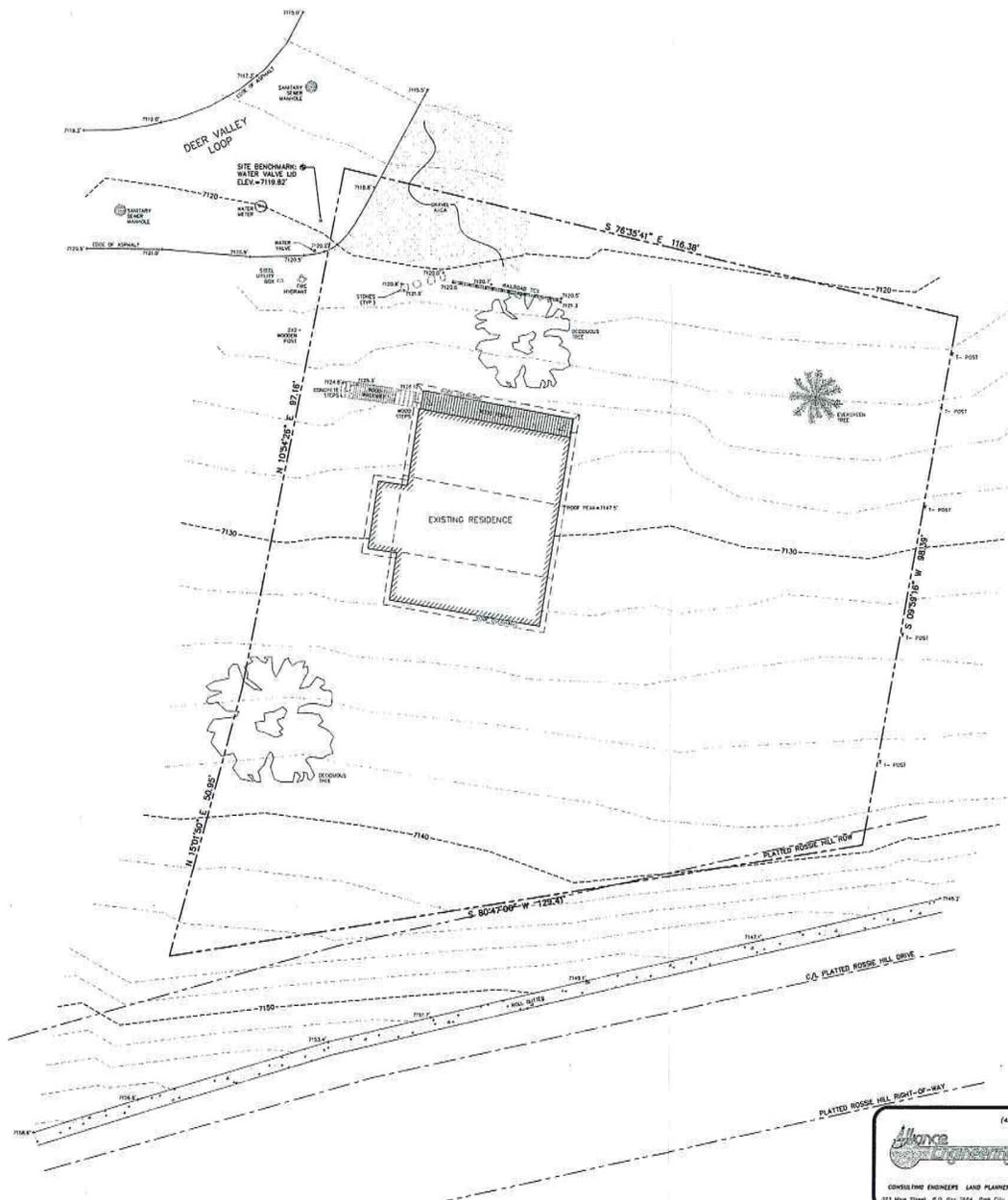
By: _____
Notary Public
Printed Name _____
Residing in: _____
My commission expires: _____
Commission No. _____

NOTE

1. This subdivision is subject to the Conditions of Approval in Ordinance 16-_____
2. See recorded survey of adjacent property S-6427 in the Summit County Recorder's Office.
3. See recorded survey of this property S-_____ in the Summit County Recorder's Office.



<p>(435) 649-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____</p> <p>DAY OF _____, 2016</p> <p>BY _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____</p> <p>DAY OF _____, 2016</p> <p>BY _____ CHAIR</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____</p> <p>DAY OF _____, 2016</p> <p>BY _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____</p> <p>DAY OF _____, 2016</p> <p>BY _____ PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016</p> <p>BY _____ MAYOR</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016</p> <p>BY _____ PARK CITY RECORDER</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____ ENTRY NO. _____</p> <p>FEE _____ RECORDER _____</p>
	<p>4/15/16 JOB NO.: 18-9-15 FILE: X:\EastOfOldTown.dwg, ar\plat1015\180915.dwg</p>						

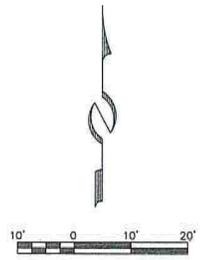


SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described herein. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

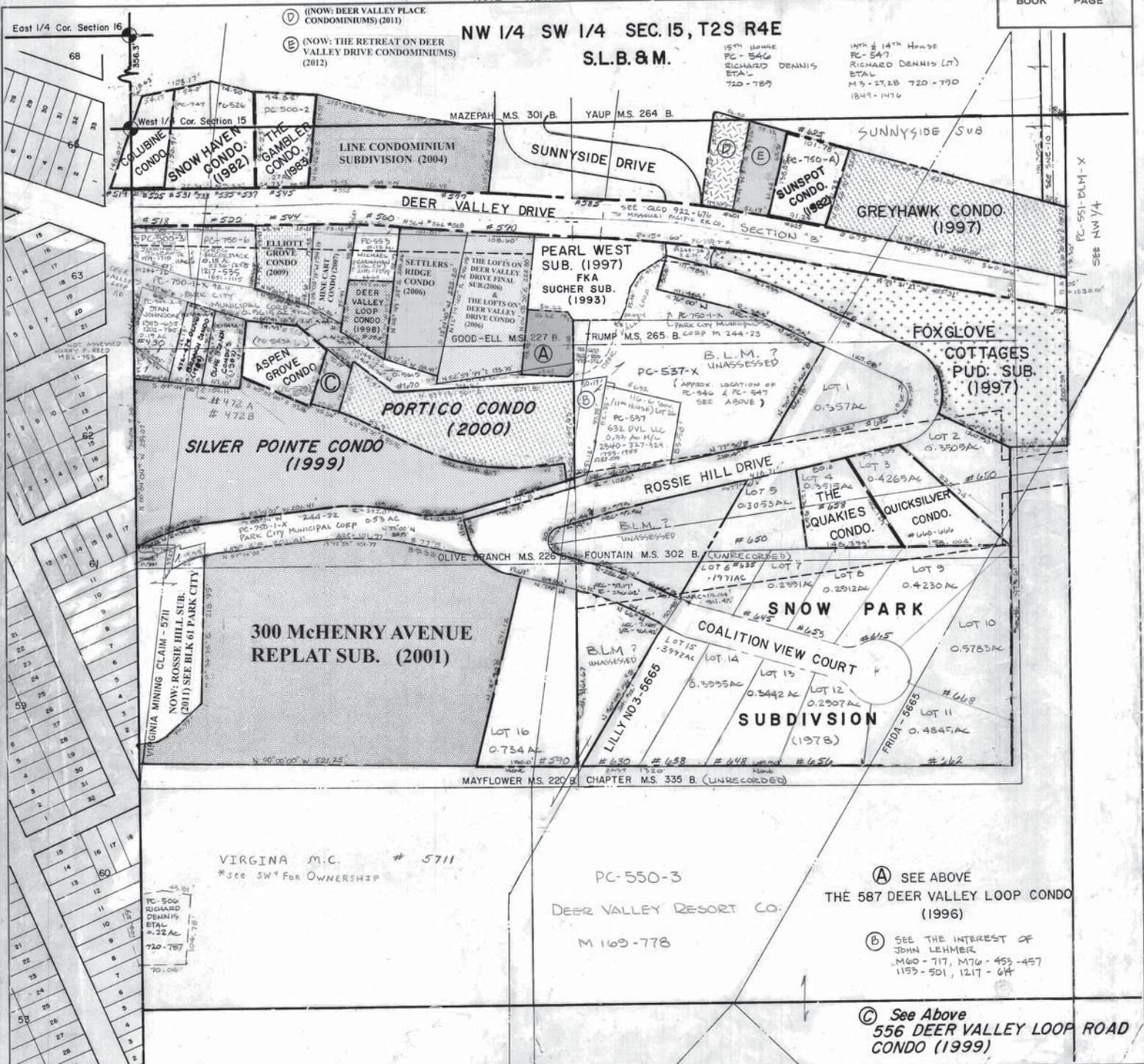
1. Site Benchmark: Water valve lid
Elevation=7119.82'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on October 6, 2015.
4. Property corners were found or set.



	(435) 642-8487 STAFF: MARSHALL KING STEVE CONANT JESSE MORENO	EXISTING CONDITIONS & TOPOGRAPHIC MAP PARCEL PC-537 632 DEER VALLEY LOOP FOR: MATT MULLIN JOB NO.: 18-9-15 FILE: X:\EstateOldTown\dwg\ar\lano2015\180815.dwg	SHEET 1 OF 1

Note: # Refers to Street Address

BOOK PAGE



SUMMIT COUNTY, UTAH

SCALE
ONE INCH 100 FEET
BOOK PAGE

NW 1/4 SW 1/4 SEC 15 T2S R4E



SUBJECT PROPERTY

APR 26 2016

0 60 120

 <p>(435) 649-8427 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 622 Main Street, P.O. Box 2084 Park City, Utah 84060-2084</p>	<p>STAFF: MARSHALL KING JESSE MORENO</p>	<p>AERIAL PHOTOGRAPH PARCEL PC-537 632 DEER VALLEY LOOP</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 4/26/16</p>	<p>FOR: 632 DVL, LLC JOB NO.: 18-9-15 FILE: X:\EastofOldTown\dwg\Exhibits\632 Deer Valley Loop-ortho.dwg</p>	



632 Deer Valley Loop – looking north





632 Deer Valley Loop – looking south





632 Deer Valley Loop – looking east





632 Deer Valley Loop – looking west



Wednesday, June 15, 2016

Anya Grahn
Park City Planning Department
RE: Plat Amendment PL-15-03010 632 Deer Valley Drive

Anya,

We understand you would like to place a Condition of Approval on Lilac Hill Plat requiring any and all future development be subject to the HDDR Design Guidelines, due to the property being located within "within a two (2) Block radius of the HR-1 District" (from the RC Zone Code - 15-2.16-7 Architectural Review).

We are Opposed to this Condition of Approval for the following reasons:

1. This seems premature as the current application does not contemplate development of the site: a) any construction which attempts to attach to the historic structure would be subject to HDDR Approval because of the home being a designated Historic Site. b) Any construction attempted that does not attached to the Historic home would need be built upon a new lot, necessitating a Subdivision application, which would be the proper time to deal with this issue; though the points below show that HDDR Approval is being improperly applied to the RM Zone.
2. If the City would like the language from the RC Zone to apply to the RM Zone, why isn't it included within the RM Zone code language? Which other Zones in Park City are Subject to RC Zone Code - 15-2.16-7 Architectural Review?
2. The code referenced in this Condition Of Approval (15-2.16-7 Architectural Review) that creates the "2 Block" standard is for the RC Zone, not the RM Zone, which the property is within. Applying Code from other Zones would create a precedent that would require property owners in one Zone to potentially adhere to randomly chosen sections from another Zone, which may or may not even be contiguous to their Zone.
3. The Land Management Code 15-15-1.31 defines a block as "BLOCK. A tract of land bounded by Streets, or by a combination of Streets and public parks, cemeteries, railroad Rights-of-Way, shore lines of water ways, or City boundary lines, as shown on an official plat." Therefore a "BLOCK" could be multiple sizes and the nearest and largest BLOCK wouldn't project 2X towards Lilac Hill. See Attached image.
4. The Property is visually, geographically, and topographically separated from the nearest portion of the HR-1. There are numerous modern/contemporary or newly built homes and condominiums separating this parcel from any portion of HR-1 and a person leaving the the

HR-1 district headed toward Lilac Hill cannot get there without passing by 10-15 non-historic properties that are also not in a HR Zone.

Matt Mullin
632 DV Loop, LLC



Serial No. UTU-52468

00969304 B: 2183 P: 1779

Page 1 of 2

Alan Spriggs, Summit County Utah Recorder

05/02/2013 03:09:29 PM Fee \$12.00

By High Country Title

Electronically Recorded

The United States of America

To all to whom these presents shall come, Greetings:

WHEREAS,

**William T. Bertagnole and Juli M. Bertagnole,
As Trustees of the Juli M. Bertagnole Family Trust dated September 7, 2005**

are entitled to a land patent pursuant to the Act of December 22, 1928, as amended (43 U.S.C. 1068-1068b), for the following described land:

Salt Lake Meridian, Utah

T. 2 S., R. 4 E.,

Sec. 15, lot 26.

PC-537

Containing .33 acre, more or less.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto William T. Bertagnole and Juli M. Bertagnole, Trustees, the lands described above; **TO HAVE AND TO HOLD** the land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto William T. Bertagnole and Juli M. Bertagnole, Trustees, and to their successors and assigns, forever.

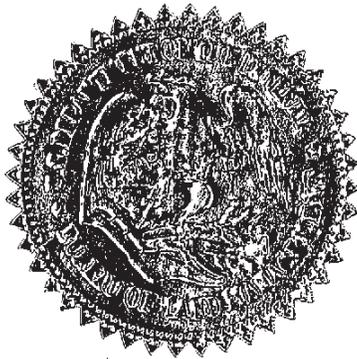
EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).
2. All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine and remove such deposits from the same under applicable law.

SUBJECT TO:

1. Those rights for a road granted to Park City Municipal Corporation, its successors or assigns, by Right-of-Way No. UTU-45920, pursuant to the Act of October 21, 1976 (43 U.S.C. 1761).

By accepting this patent, patentees agree to indemnify, defend, and hold the grantor harmless from any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the patentees, their employees, agents, contractors, lessees, or any third party arising out of or in connection with patentees' use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentees, their employees, agents, contractors, lessees, or any third party, arising out of or in connection with the use and/or occupancy on the patented real property which has already resulted or does hereafter result in: (1) Violations of federal, state, and local laws and regulations which are now, or may in the future become, applicable to the patented real property; (2) Judgments, claims, or demands assessed against the grantor; (3) Costs, expenses, or damages incurred by the United States; (4) Releases or threatened releases on or into land, property and other interests of the grantor by solid waste and/or hazardous substances(s) as defined by federal or state environmental laws; (5) Other activities by which solid or hazardous substances or wastes, as defined by federal and state environmental laws were generated, released, stored, used or otherwise disposed on the patented real property, and any clean-up response, natural resource damage, or other actions related in any manner to said solid or hazardous substances or wastes. This covenant shall be construed as running with the patented real property, and may be enforced by the United States in a court of competent jurisdiction.



IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Salt Lake City, Utah, the 30th day of April in the year of our Lord two thousand and thirteen and the Independence of the United States the two hundred and thirty-seventh.

By *Kent Hoffman*
Kent Hoffman
Deputy State Director,
Division of Lands and Minerals
Bureau of Land Management

00969304 Page 2 of 2 Summit County

Anya Grahm

From: Sydney Reed <sydreed@msn.com>
Sent: Saturday, June 11, 2016 10:41 AM
To: Jennifer Strauss Gurs; Matey Erdos; Diane Bernhardt; Jeff Camp;
jennifer@jeffcamp.com; Matt Shier; Christina Shiebler; John and Linda Mason; Mary
Wintzer; Morgan Hole; Howard Klein; Dennis Wong; Bob Gurs; Anya Grahm
Subject: Re: Rossie Hill Update
Attachments: Mullin property.pdf

Thanks for the update Jennifer.

My main concern is that that home built in 1916 is preserved to reflect our heritage.

It has been poorly maintained in the hopes it would not have to be saved.

I feel it is imperative that home maintain it's integrity.

I remember the family that owned that home. They were meticulous about their lilac bushes, peony plants and yard. Their home always was kept well, they raised their children there and had a good life in Park City. That is the neighborhood we moved into and I feel strongly we need to maintain vestiges of that life forever.

Sydney Reed

668 Coalition View Ct.

From: Jennifer Strauss Gurs <straussgurss@gmail.com>

Sent: Friday, June 10, 2016 7:40 PM

To: Sydney Reed; Matey Erdos; Diane Bernhardt; Jeff Camp; jennifer@jeffcamp.com; Matt Shier; Christina Shiebler; John and Linda Mason; Mary Wintzer; Morgan Hole; Howard Klein; Dennis Wong; Bob Gurs

Subject: Rossie Hill Update

I'm 90% sure you each got a copy of the attached letter, indicating upcoming Planning Commission and City Council meetings (June 22 and July 14, respectively) regarding a plat amendment for the property on the north side of Rossie Hill. However, since ours was addressed to the condo association, I thought I'd make sure everyone is in the (deer valley) loop....

Not quite sure what the next step is, or even what constitutes Government Lot 26....

TESCH
LAW OFFICES
A Professional Law Corporation

Joseph E. Tesch
Stephanie K. Matsumura
Jared W. Moss

314 Main Street - Suite 200
PO Box 3390
Park City, Utah 84060-3390
Tel: (435) 649-0077
Fax: (435) 649-2561

June 22, 2016

VIA EMAIL

Park City Planning Commission

Re: 632 Deer Valley Loop—Lilac Hill Subdivision- Request for Subdivision Approval

Dear Planning Commission:

This letter introduces myself and Tesch Law Offices, P.C. as attorneys representing the Snow Park Subdivision Homeowners Association, a sixteen lot development adjacent to the requested subdivision and directly affected by it.

As you know, if this property and the BLM parcel, of which this lot is currently a part of, were not owned by the Federal Government, this one lot subdivision would not be permitted. Our ordinances will require the entire parcel to be comprehensively planned to make sure there is adequate open space and a protected wildlife corridor and other protections for the adjoining properties. The BLM process of slicing and dicing this property piecemeal avoids all of those protections. To stop that practice, Park City Municipal should forewarn the BLM that it will not be approving any additional single lot subdivisions without its review and without comprehensive planning of the entire parcel.

As you know, this is an extremely important hillside embodying not only historical structures, but also Park City's colorful mining history. Therefore, the obligations of the Planning Commission to insure that there is adequate "Good Cause" is doubly important. The requirement of the Applicant to demonstrate Good Cause is mandatory as set forth in Section 15-7.1-6.C. of the Park City Land Management Code and Section 10-9a-609 of the Utah Statutes. The fact that the new private party owner is now subject to these claws was determined in the case of *Mount Olive Cemetery Association v. Salt Lake City*, 164 F.3d 480 a 1998 case decided by the 10th Circuit Court of Appeals.

The good cause portion of the Planning Packet is set forth on page 33. It reads as follows:

“Good Cause

Staff finds good cause for this Plat Amendment as the plat amendment will create a legal lot of record from a government parcel and a portion of the Deer Valley Loop and Rossie Hill

Drive rights-of-way will be dedicated to the City. Public snow storage and utility easements will also be provided on the lot.”

In our opinion, this finding by Staff is inadequate to show Good Cause in that it is an illusion and, in fact, no good cause has been shown at all. Just analyzing that paragraph:

1. Creating a legal lot of record. How does this provide good cause for the community? It allows a single lot development without planning the entire hillside. It creates a lot of record which only benefits the Applicant. It creates no benefit whatsoever for the community.
2. Dedicating a portion of Deer Valley Loop and Rossie Hill Drive rights-of-way to the City. Frankly, the City already has ownership of those roads and the additional dedication really provides nothing. See §72-5-104(2)(a) of the Utah Statutes and the just decided case of *Clearwater Farmers, LLC v. Giles*, 2016 UT App 126 (decided June 16, 2016). Under State law, a road becomes a state road when it has been used by the general public for 10 consecutive years. These roads have been used much, much longer than that and, under case law decisions, the community already has vested rights in those roads. So the City is getting nothing.
3. Public Snow Storage and Utility Easements. No one will be able to get a building permit without dedicating the 10' snow storage and public utility easement. So, there is no benefit and, therefore, no Good Cause.

Typically, a showing of good cause requires a donation of some new significant valuable item. Sometimes good cause is shown by the Applicant agreeing to a smaller footprint than he is otherwise permitted. Sometimes a smaller square footage, sometimes a lowering of height, sometimes dedication of a new road or spending money improving a current road. Sometimes by dedicating open space for trails or a wildlife corridor. Whatever good cause is proposed, it has to show that the citizens of Park City end up with more than they originally had, not just the same thing.

As a result, I would encourage the Planning Commission to find that the Applicant hasn't shown Good Cause and that the Applicant needs to come back with a plan that at least preserves the character of the current hillside and its historic structures. Ordinarily, if the BLM was in the situation of a private owner, this subdivision would never be permitted. The Planning Commission should require any application for this parcel contain actual and not just illusory Good Cause. In my opinion, I think the Planning Commission would be on thin ice to approve this subdivision on the current statement of Good Cause.

Also, the conversation with the Planning Commission, shouldn't necessarily be “what does the code permit and what does that zone permit?” The question should be, “what significant items

*Park City Planning Commission
June 22, 2016
Page 3 of 3*

are you giving to the community that the citizens don't already have? I hope this is helpful. If I can provide additional information, please let me know.

Sincerely,
TESCH LAW OFFICES, P.C.



Joseph E. Tesch

JET/tw

cc: Anya Grahn

K CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 22, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Pro Tem Melissa Band, Preston Campbell, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO:

Bruce Erickson, Planning Director, Kirsten Whetstone, Planner; Anya Grahn, Planner; Makena Hawley, Planning Tech; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

Director Erickson noted that two Commissioners were absent this evening and other Commissioners would be recusing themselves from different matters on the agenda. The Planning Commission would have a quorum throughout the evening; however, the Commissioners needed to nominate a Chair Pro Tem to conduct the meeting.

MOTION: Commission Phillips nominated Melissa Band as the Chair Pro Tem. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Director Erickson noted that Commissioner Band would be recused from one agenda item and the Commissioners needed to nominate a Vice-Chair Pro Tem.

MOTION: Commissioner Campbell nominated John Phillips as the Vice-Chair Pro Tem. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

ROLL CALL

Chair Pro Tem Band called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioners Joyce and Strachan who were excused.

ADOPTION OF MINUTES

June 8, 2016

find the right compromises. He has great respect for Mr. Murphy and appreciates the fact that he was willing to join their team.

Chair Pro Tem Band closed the public hearing.

MOTION: Commissioner Suesser moved to CONTINUE 1401 & 1415 Kearns Blvd., the northeast MPD pre-application to a date uncertain. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 632 Deer Valley Loop – Plat Amendment for the Lilac Hill Subdivision located at 632 Deer Valley Loop (Application PL-16-03153)

Planner Anya Grahn presented an aerial showing the project location.

Planner Grahn noted that this property has had a long and complicated history. The house is listed on the Historic Sites Inventory and is commonly known as the “burnt out house” on Rossi Hill Drive. The fire damaged occurred in 1999. The house was originally constructed around 1900 and renovated between 1912 and 1918. The property was purchased by William and Julie Bertagnole in 1981. At that time they purchased the house but the land itself was still owned by the BLM. The Bertagnole’s were in a legal battle with the BLM for almost 30 years before they retained a land patent for the ownership in 2013. At that time the Bertagnole’s were considering developing the property and they wanted to tear down the house. However, the Historic Preservation Board did a determination of significance and found that the house was historic could not be demolished. Following that determination the Bertagnole’s sold the property to 632 Deer Valley Loop LLC in February of 2016.

Planner Grahn introduced Matt Mullin, the applicant representative for 632 Deer Valley Loop LLC.

Planner Grahn reviewed the proposal for a plat amendment to create one legal lot of record which would contain 14,446 square feet. A small portion of Deer Valley Loop cuts across the parcel. A portion of Rossi Hill also cuts across the property. Planner Grahn stated that the property where the roads are actually build is owned by the BLM. However, the BLM has granted the City a right-of-way easement for these streets.

The City has also requested that the applicant dedicate the portion of the land they own to the City for these street dedications, as well as an easement for a water line that runs across Deer Valley Loop. The property is located in the RDM zone. Planner Grahn understood that the three houses on Lower Deer Valley Driver are still owned by the BLM.

Planner Grahn stated that due to the historic nature of this site the Staff wanted to ensure that new development would not detract from the historic character of the site. Therefore a condition of approval was drafted as dictated by the General Plan. The General Plan outlines the Old Town neighborhood and it includes the Deer Valley Loop area. The General Plan also talks about preserving the historic character of the neighborhoods. It discusses compatible infill and neighborhood context, and making sure infill is subordinate to historic structures. The General Plan also calls for preventing the loss of historic structures and preserving the aesthetic of the Old Town character.

Planner Grahn noted that the RM District purpose statements also encourage new development that is compatible infill and rehab of existing structures; and it encourages developments that provide a transition of use and scale between the historic district and resort development.

Planner Grahn reported that the applicant believes the condition of approval is premature since any new development would likely require a second subdivision for single family housing or condominiums.

Matt Mullin, representing the applicant, explained that his concern with the HDDR review standard for this property is that it is premature and it can be applied later on when the house is rebuilt or development occurs. At this stage they were only trying to create a lot of record. Since no development was proposed at this time he could understand why they were addressing design issues.

Mr. Mullin also stated that the language Planner Grahn referenced for requesting the condition of approval comes from another zone which is two zones away. He was concerned about setting a precedent for property owners to have to check the Code across all zones in town and then determine which pieces of the Code would be applied to their piece of property.

Mr. Mullin stated that even in the RC zone it should be two blocks away from a historic Zones. He noted that a block is not easily defined in the LMC; however, even using the liberal definition, this property is more than two blocks away from a historic zone. Mr. Mullin commented on the geographic and topographic separation. He pointed out that this property cannot be accessed either walking or driving, without passing entire zones of new

construction or contemporary construction. He believed the standards that should only apply to the renovation of the house if that should occur were being applied to the entire property, and the Staff was supporting that argument by referencing Code language from other parts of town. Mr. Mullin stated that even if this were not premature, he had issues with taking language from other zones and putting it into the RM zone where it does not currently exist.

Director Erickson clarified that the RM Zone in which this project is located has requirements for preserving historic character. Those requirements were outlined in the Staff report. He explained that the difference is that this condition of approval was brought in from other applications where this condition of approval was used in order to support the current zone language. Director Erickson emphasized that it was a consistent application of the condition of approval. This property is in a zone that requires preservation and integration with the historic character of the neighborhood and the Staff wrote a consistent recommendation for a condition of approval.

Commissioner Suesser read language in the Staff report, "Staff has based this condition of approval on existing language in districts neighboring the H-Districts. Director Erickson replied that it was a condition of approval in support of the underlying zone. He clarified that the HDDR process was not on this particular application, and it would not take place until an application for a building is submitted.

Chair Pro Tem Band believed that everyone agrees that there is historic character and these gems are the last in that part of the neighborhood. She asked if those protections were sufficient without the condition of approval. Director Erickson stated that in the absence of a similar condition of approval they would need to rely on the zone requirements. If someone brings in an application it would be reviewed against the zone requirements for neighborhood compatibility. What the Staff was recommending would give the Planning Commission an additional condition of approval.

Commissioner Suesser asked if it would include the Design Guidelines for Historic Districts. Director Erickson replied that it would not. Planner Grahm remarked that the site is one lot of record with a historic house, and it falls under the Historic District Design Review process because it is a historic site designated on the Historic Sites Inventory. If the property was subdivided in the future, the lot with the historic house would still have to comply with the Design Guidelines because the house is on the HSI. However, other lots created by a subdivision would only have to meet the requirements outlined in LMC 15-2.15, which is the RM zoning District.

Chair Pro Tem Band thought it made more sense to wait until the applicant comes in with an application to re-subdivide the lot to add the condition of approval. She understood that

this application was only creating one lot of record. She was struggling to find a reason for doing it now. Assistant City Attorney McLean stated that Planning Commission had the purview to decide whether to require this condition of approval at all; and whether to do it now or later. Ms. McLean explained that doing it now would make subsequent owners or potential buyers aware of the Planning Commission's intention. Without the condition, the individual lot with the minimum lot size around that historic house would have the protection of the Design Guidelines, but future lots surrounding the existing lot would not be bound by the requirements of the Guidelines. The zone has purpose statements but not specific guidelines; and the purpose statements are difficult to enforce. Chair Pro Tem Band thought they were using the purpose statements to add the condition of approval. Assistant City Attorney answered no. In addition to the purpose statements they also have the fact that currently the house sits on the entire lot and it has been on that lot historically. The Staff was recommending the condition of approval because the historic sites encompasses the entire lot and future subdivisions would affect the context of the historic home.

Commissioner Campbell thought they could accomplish the same purpose if they added the condition of approval at the time of subdivision application. He agreed that the subdivision was a better time to address the issue.

Mr. Mullin stated that if it was the intent of the Planning Commission to make their views clear for future Planning Commissions or Staff, he suggested that they write it into the Code for the RM zone. Revising the Code would make everyone aware that language from other zones could randomly be applied.

Planner Grahn handed out public comment from the Tesch Law Office that was related to this application.

Chair Pro Tem Band opened the public hearing.

Diane Bernhardt, a Park City resident and homeowner at 630 Coalition View Court, stated that she was representing the Snow Park HOA, the Portico HOA, and a group of additional neighbors and homeowners a short distance from 632 Deer Valley Loop. Ms. Bernhardt read a letter expressing their concerns about the proposed plat amendment.

"As an overview, the subject property recently put into private ownership is part of a much larger parcel which has been owned for the BLM for over 100 years. This parcel is a one of a kind piece of heritage land with remarkable variety. It holds historic significance for the cluster of National Historic Register and Mining Boom houses with their notorious red light district past. It includes an established trailhead and well-loved recreational trails which were built by the Mountain and Trails Foundation, and are an integral part of the Park City

Trail Network. In addition, it is the last available passage for moose and wildlife to make their way to their only accessible source of drinking water. This BLM Hillside is an extremely important civic asset with a powerful potential to increase civic value. Our position is that a well-planned development of this property is the only way to preserve its historical, recreational and natural community heritage, and to improve its availability to the public. To improve the plat amendment the Planning Commission needs sufficient demonstration of good cause, particularly in light of the detriments that would occur. We believe that good cause, as documented in the Staff report, is inadequate. The good cause portion of tonight's planning packet is set forth on page 33 and it reads as follows: Staff finds good cause for this plat amendment as the plat amendment will create a legal lot of record from the government parcel, and a portion of Deer Valley Loop and Rossi Hill rights-of-way will be dedicated to the City. Public snow storage and utility easement will also be provided in the lot. Our view of this finding by Staff is that is an illusion and in fact no good cause has been shown. Let's address the good cause item by item. One, good cause by creating a legal lot of record. Creation of a single lot without planning the entire BLM hillside creates benefit only for the applicant, not for the City. Number two, good cause by dedicating rights-of-way to the City. The City already has ownership of those roads and the additional dedication really provides nothing. We understand that under Utah Law a road becomes a State Road when it has been used by the General Public for ten consecutive years. These road have been used much longer than that, and under case law decisions the City already has vested rights to these roads. Therefore, the City is getting nothing. Number three, good cause by providing snow storage and utilities easements. No building permit will be issued without dedicating ten foot snow storage and public utility easement. Since the City is already entitled to the snow, snow storage and easement there is no benefit. Good cause is not a simple reiteration of what the City of Park City already have, or something to which they are already entitled, as we find in this proposed plat amendment. A showing of good cause must illustrate that the citizens of Park City gain more than they originally had. It requires a donation of significant value to the City. For example, dedication of open space and safe passage for the protection and preservation of wildlife, restoration and preservation of historic structures, dedication of new recreation trails and trailheads, dedication of pedestrian sidewalks and stairways. Dedication of new roads or improvements to an existing road, or agreement to a smaller footprint, square footage or building height that is otherwise permitted. Due to the subject property's inclusion within this historic BLM parcel, the proposed plat amendment and its show of good cause must illustrate how its approval contributes to a big picture plan for the whole of this one of a kind property. First, applicants should be required to comply with open space plan providing for the accommodation of the existing BLM wildlife corridor, which is Rossi Hill's Wildlife last and only access to their source of drinking water. Applicant should be required to show good cause by documenting how the subject property contributes to the open space plane. Second, applicant should be required to comply with a historic preservation plan providing for the restoration and preservation of the collection

of four architecturally and historically significant homes. Applicant should be required to show good cause by documenting how the subject property contributes to the historic preservation plan. Additionally, approval of the plat amendment should be made conditional and the renovation and preservation of the existing single family home located at 630 Deer Valley Loop. Its renovation should approximate its current size, location and scale. Its historic attributes and significance should be restored. Its setting, landscape and surroundings, including potential new development there should reflect its historic era. This, applicant should be required to comply with the pedestrian pathway plan providing for the dedication and preservation of pedestrian walkways, stairways, recreational trails and trail heads. Applicant should be required to show good cause by documenting how the subject property contributes to the pathway plan. Fourth, applicant should be required to comply with a plan providing for sufficient infrastructure associated with the growth and development of the BLM parcel with respect to traffic, parking, water, sewer, utilities, snow management and transportation. documenting how the subject property contributes to the infrastructure plan. Finally, as residents of this neighborhood we would like the City to get out in front of the development of the BLM Land. We are asking for the Planning Commission to direct Staff to take a proactive leadership role by creating an intelligent, long sighted development plan which advocates for community considerations and respects the rights of the eventual land owners of the BLM Land. Once created, applicants should be required to comply with this master development plan and should be required to show good cause by documenting how the subject property contributes to the overall development plan. Without this show of good cause supporting an overarching plan for well-considered development, this application should be tabled pending BLM's transfer of the remainder of the parcel pursuant to federal law, so that the entirety of the parcel can be made part a master development plan. If the Planning Commission were to approve this plat amendment it would appear that this prize, BLM open space is being sliced, diced, and lots of record being approved simply because it was formerly subdivided by the federal government for its convenience rather than for the best interest of the municipality in which it is located. The City is not bound to honor the federal subdivision of the BLM parcel as if it were buildable lots. Had the BLM parcel been owned by a private owner the City would require that the entire parcel be planned. The members of this Planning Commission have illustrated in their previous decisions that the extent of benefits necessary for the finding of the good cause requires significantly more donated benefits than is offered in the proposed plat amendment. We encourage the Planning Commission to find that the applicant has not shown good cause and refuse to take action without establishing a master plan for the entire BLM parcel. Thank you for your time and attention."

Ms. Bernhardt stated that a number of neighbors would have attended this evening but they had conflicts. If necessary, she could provide a list of the neighbors she was representing.

Robert Gurss, a resident at 654 Rossi Hill Drive, echoed support for the comments read by Ms. Bernhardt. Mr. Gurss stated that the other owners of his condominium agree with this statement, as do many of the other neighbors. It is important that this piece of property is carefully looked at and that they do not make mistakes today that could be regretted five or ten years from now. It is one of the rare historic properties that has certain environmental benefits, and over-development of this area could have devastating impacts overall.

Alison Kitching stated that she lives directly across from this property in the Portico units. She is also on the Board of the Portico HOA. Ms. Kitching remarked that she was personally looking forward to having the historic home renovated, but her concern is that the property would be over-developed. Ms. Kitching stated that Matt Mullin is her neighbor and he lives directly above. She understood that the temptation to over-develop the lot is financially beneficial and she was concerned that it might outweigh the concerns of the neighborhood in terms of density. Ms. Kitching asked the Planning Commission to consider whether there was a way to ensure that only the historic structure would be renovated or integrated into something that would fit into the neighborhood. She supported the comments read by Ms. Bernhardt. She sits on her patio every day and she sees deer come down off the hill going to the creek. She has heard comments on the radio several times that if something is not in the Code there is nothing the City can do to stop development that does not support what the City wants to see for a certain property. Ms. Kitching suggested that this was the time for the City to make extra assurances that this would be developed in alignment with the City's values.

Christina Shiebler, a resident at 638 Coalition View Court, stated that she backed the comments by Ms. Bernhardt as a representative of their neighborhood.

Chair Pro Tem Band closed the public hearing.

Commissioner Suesser asked Planner Grahn to respond to the good cause argument and whether or not the Staff has adequately looked at that issue. Planner Grahn replied that the Staff looked at it as they would any traditional plat amendment application. They always look at what the City would achieve. In this case they are getting dedications for the street. The City does not own the street and the BLM has granted right-of-way easements for the portions on their property. The City is also getting a utility easement and snow storage. Planner Grahn appreciated the neighbor's comments and concerns regarding the development; however, that would be the next step if this plat amendment is approved.

Mr. Mullin pointed out that renovation of the burned out historic house was another benefit to the City for good cause. He noted that during public input everyone wanted a proper, well thought out, well contemplated development, and that could only occur if the lot is platted.

Commissioner Thimm recalled a previous comment by Director Erickson about using language from other zone ordinances for structuring conditions of approval. He asked if there was a specific precedent for using language with regard to historic preservation. Director Erickson replied that when the Staff writes conditions of approval, they try to use standardized conditions from all other applications in an effort to consistently apply the rules. He explained that the distinction is taking a relatively standard condition of approval from a number of past approvals and using it to substantiate the requirements of the zone and the General Plan for neighborhood character and preservation of historic sites. He emphasized that it was a standard condition of approval from projects already approved in the zone. They were not taking language from one zone and applying it to another.

Commissioner Campbell pointed out that the historic house is already protected without the condition of approval. He understood that the intent is to protect the area beside it that could one day become another one or more lots. He pointed out that if this owner or a future owner came back to further subdivide, the Planning Commission would have the opportunity to add appropriate conditions at that time. Director Erickson stated that if their discussion focuses on the recommendation for approval and public comment, the Planning Commission could craft a condition of approval stating that any further subdivision would be required to demonstrate compliance with the Historic District Guidelines and Universal Standards.

Chair Pro Tem Band stated that in the meantime they could amend the LMC and add language to this particular zone before another subdivision application came forth. Director Erickson agreed. He clarified that the Staff was only trying to make it clear that in terms of how the RM zone is structured, they would be reviewing any development on this parcel consistent with maintaining the historic character.

Commissioner Campbell stated that he was not trying to do away with the controls. He was only looking for a way to be consistent. He preferred to have language in the LMC for that zone.

Assistant City Attorney McLean stated that there are only a handful of historic houses in that zone in the old red light district. Therefore, the zone itself is not designated as a historic zone. However, because the historic house sits on the larger site, in order to preserve the context of the house the Staff decided to add a condition of approval to say that the entire site should be treated under the guidelines. Ms. McLean clarified that the idea was to preserve that small area and give people notice.

Commissioner Campbell suggested that they do a zone change and make that area part of HR-1. Assistant City Attorney McLean noted that the lot sizes are different and the

restrictions are different in the HR-1. Director Erickson thought they would achieve more density rezoning to a standard HR-1 lot than what is allowed in the RM zone. He remarked that the Planning Commission has the obligation in reviewing the zone requirements to make sure it would not degrade the context of the BLM homes as well. That is the second part of the argument for saying that at some point they need to make sure that neighborhood compatibility, mass, materials and scale consistent with the RM zone are maintained on this parcel and the next one as well, due to the proximity to the listed homes. It is important not to degrade the integrity of the homes.

Commissioner Thimm agreed with the Staff regarding good cause. Defining right-of-way and defining land, shape and form has importance. Establishing utility easements and establishing this as a true lot is appropriate. Commissioner Thimm felt that keeping this property in a waiting posture for actions on other BLM property is out of their control in terms of when it might happen. In looking at this property and the preservation elements he preferred the idea of defining the property. With regard to the preservation of the historic aspect of the site, Commissioner Thimm wanted to see that happen but he was not convince this was the appropriate time. As he read through the zone it appeared that protections are in place as actual development decisions are brought forth to the Planning Commission.

Commissioner Suesser concurred with Commissioner Thimm. She thought the good cause arguments made by the Staff were appropriate; but she believed the strongest argument for good cause was the need for a plat amendment to preserve the historic structure. Commissioner Suesser preferred to amend the condition of approval proposed by Staff to change the last sentence to read, "The purpose of the RM District is to encourage development that is compatible with historic structures in the surrounding area." She thought it was better to state that in the condition of approval as opposed to saying that the proposed plans will be in compliance with the design guidelines for historic districts. Director Erickson suggested revising the last sentence of the condition of approval to read, "The Staff will review for consistency with the purposes of the RM zone." Commissioner Suesser added, "Specifically to encourage development that is compatible with historic structures in the surrounding area."

Commissioner Campbell agreed with amending the last sentence of the condition. He also believed that the best reason for good cause is to preserve a historic structure that would not survive many more winters. He thought all the neighbors would be happy to see the historic house rebuilt in accordance with the guidelines.

Commissioner Phillips agreed with his fellow Commissioners. He understood the perspective of the neighbors because it is a very sensitive property and an important part of Park City. Commissioner Phillips thought it was important to make sure no mistakes are

made. He pointed out that Park City does more plat amendments than most places. Commissioner Phillips agreed with the Staff on the reasons for good cause. He also realized that the plat amendment needs to occur in order to rehab the historic house. Commissioner Phillips understood that Mr. Mullins believed the Staff's approach was premature, but it was inevitable and they would have to go through the process either now or later. He asked Mr. Mullin what impact it would have on the applicant moving forward. Commissioner Phillips favored the idea of adding the condition now so the intent is clear to future owners of the property.

Mr. Mullins stated that he is in the real estate industry in Park City and he feels strongly about the consistency and predictability of the Code. He lives to see regulations applied at the right time so landowners and future landowners know what to expect when they make a decision to buy or sell property. For this particular property, Mr. Mullin thought the more accurate time to address the issue is when a proposal comes in. It may not be necessary at that time or the Staff may want to move forward from the development relative to specific issues of renovating the house. In his opinion, adding the condition now would be making a decision without definitive information regarding potential development. Mr. Mullin summarized that his issues were consistency of Code and the fact that this application was to plat a lot without any kind of construction.

Director Erickson clarified that the purpose of recommending the condition of approval is to make sure that when someone does their due diligence in advance of making a purchase, the property is readily identified early in the process before the purchase has been completed and the owner submits for development. He explained that the subdivision plat would be approved with conditions of approval. A potential buyer doing their due diligence would review the subdivision plat and the conditions, which would reflect Condition of Approval #4. Director Erickson stated that the Staff was trying to be proactive given the sensitive nature of the site.

Commissioner Phillips understood both perspectives. Mr. Mullin noted that he and Planner Grahm have talked about this at length and they have a difference of opinion. Commissioner Phillips stated that his biggest concern is when someone purchases the property without knowing all the facts it puts the Planning Commission in a difficult position when development is proposed. Commissioner Phillips agreed with the proposed amendment to Condition #4.

Chair Pro Tem Band understood there was consensus among the Planning Commission that there is good cause to approve the plat amendment; and that they all have concerns regarding the future of this parcel because of the significance of the historic home and wanting to protect that particular area. Chair Pro Tem Band believed there was consensus to amend Condition #4 as suggested by Commissioner Suesser and Director Erickson.

Mr. Mulling requested that the Planning Commission read the revision being proposed. Commissioner Suesser stated that the last sentence of Condition #4 would be revised to read, "The Planning Department shall review the proposed plans for compliance with the purpose of the RM District, which specifically is to encourage development that is compatible with historic structures in the surrounding area."

Assistant City Attorney McLean stated that the Planning Commission could add that language and it was consistent with the zone. However, it would not require that the Historic District Guidelines be applied to the remainder of the lot. Commissioner Campbell pointed out that the property is not in the Historic District. Ms. McLean replied that it is currently a historic site. If the property is not subdivided and developed on one lot it would be subject to the Design Guidelines. Planner Grahn agreed that it would be subject to the Guidelines because the house and the site are considered a historic site. If the property is subdivided, the new lots would only be required to meet the LMC and not the design guidelines. Ms. McLean stated that legally purpose statements are helpful in reviewing applications, but they are not mandatory. If the intent of the Planning Commission is to make sure that if the property is subdivided a potential developer would have notice that development must be compatible with the area around it, she recommended that they add that condition now so a future owner would be aware of that. They could also leave it for the next Planning Commission to address if development comes forward. She pointed out that protection currently exists on the lot because it is a historic site.

Chair Pro Tem Band asked if Ms. McLean was suggesting that the proposed language to amend the condition was not strong enough to protect a future subdivided lot. Ms. Mclean did not believe the language would be very effective in terms of a condition of approval.

Commissioner Campbell asked about Condition #9. Planner Grahn replied that it was the standard language of what would be required by the zone. Mr. Mullin clarified that Condition #9 related to the RM zone and Condition #4 had the added language of the design guidelines from the neighboring district.

Chair Pro Tem Band preferred to err on the side of caution. She agreed with the applicant on the issue of consistency and Code. She believed this property was a special circumstance and it should be protected. Chair Pro Tem noted that the Planning Commission has added conditions of approval in the past on that were out of the ordinary for historic sites.

Commissioner Campbell was concerned that if they want this level of detail and try to think of what every applicant might ever do, nothing would ever get accomplished. He thought

the Planning Commission should agree to modify Condition #4 and move forward because they will have the opportunity to review this again if the property is ever subdivided.

MOTION: Commissioner Suesser moved to forward a POSITIVE recommendation to the City Council for the Lilac Hills Subdivision at 632 Deer Valley Loop based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended to replace the last sentence of Condition #4 in the draft ordinance to read, "The Planning Department shall review the proposed plans for compliance with the purpose of the RM District, which specifically encourages development that is compatible with historic structures in the surrounding area." Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 632 Deer valley Loop – Plat Amendment for the Lilac Hill Subdivision located at 532 Deer Valley Loop (Application PL-16-03153)

1. The property is located at 632 Deer Valley Loop.
2. The property is in the Residential Medium (RM) zoning district.
3. The subject property consists of all of Government Lot 26 in Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 11th House on the south side of Deer Valley, Park City. The proposed plat amendment creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.
5. The Plat Amendment creates a legal lot of record from the government lot.
6. The proposed Plat Amendment combines the property into one (1) lot measuring 14,319 square feet.
7. A single-family dwelling is an allowed use in the District.
8. The minimum lot area for a single-family dwelling is 2,812 square feet. The proposed lot meets the minimum lot area for single-family dwellings.
9. The proposed lot width is width is 116.38 feet along the north property line (facing Deer Valley Drive) and 129.41 feet along the south property line (Rossie Hill).

10. The minimum lot width required is 37.50 feet. The proposed lot meets the minimum lot width requirement.

11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.

12. The minimum front yard setbacks are fifteen feet (15') and rear yard setbacks are 10 feet. The historic house has a front yard setback of 35 feet and rear yard setback of 52 feet.

13. The minimum side yard setbacks are five feet (5'). The historic house has a side yard setback of 17 feet on the west and 65 feet on the east.

14. Deer Valley Loop consumes 64.27 square feet of the northwest corner of the lot and Rossie Hill Drive consumes 62.72 square feet of the southeast corner of the lot.

15. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 632 Deer Valley Loop

1. There is good cause for this Subdivision.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 632 Deer Valley Loop

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant shall dedicate a portion of the property that consists of Deer Valley

Loop and Rossie Hill Drive to the City as part of this plat amendment.

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. The Planning Department shall review the proposed plans for compliance with the purpose of the RM District, which specifically encourages development that is compatible with historic structures in the surrounding area.

2. 215 Park Avenue – Steep Slope Conditional Use Permit for construction of a new single-family home on a vacant lot (Application PL-16-03141)

Commissioner Band recused herself and left the room. Commissioner Phillips assumed the Chair.

Planner Grahn reviewed the application for a Steep Slope CUP at 215 Park Avenue. The applicant, David Houston, and his architect, Jonathan DeGray were present.

Planner Grahn noted that the application had gone through plat amendment process and it was approved by the City Council on December 3, 2015. The plat was still going through the redlined process and had not yet been recorded with Summit County. The applicant was still working on encroachment agreements and other issues.

Planner Grahn stated that the Steep Slope CUP and the HDDR applications are conditioned to the recording of the plat amendment. No building permit can be issued until the plat amendment has been recorded at the County.

Planner Grahn corrected a misprint in the Staff report regarding the total house size. It was correct in the Findings of Fact, but in the narrative it should read 2,758 square feet. The total lot size is actually 2044.5 square feet.

The Staff had reviewed the Steep Slope CUP criteria of the LMC and the Design Guidelines and found no unmitigated issues. Planner Grahn thought the elevation drawings of the house were misleading because it looked at the house straight on, which makes it appear very tall. However, in looking at the side elevations, she believed the applicant had done a good job burying most of the mass into the hillside. Planner Grahn indicated how the building mass was broken up by stepping up the grade. She presented renderings showing how the house steps up the hill, as well as showing the gable pitch, the shed dormer and other elements that contribute to the Historic District.

Planner Grahn reported that the applicant has met the parking requirement. Single family homes in this District are required to provide two parking spaces. One will be in the garage



DATE: July 14, 2016

TO HONORABLE MAYOR AND COUNCIL

The applicant is requesting a Condominium Plat Amendment for the purpose of enclosing an open stairway that is Common Area and converting it to Private Area. Additionally, the current recorded Condominium Plat inconsistently shows the plan view of the garage as Limited Common yet on the section view it shows the same area as Private Area. This amendment will change this area to limited common to be in accordance with the plan view on the current plat.

Respectfully:

Makena Hawley, Planning Technician

City Council Staff Report



PLANNING DEPARTMENT

Subject: Sterlingwood Condominiums
Second Amended – Amending Unit
16

Author: Makena Hawley, City Planner

Project Number: PL-16-03110

Date: July 14, 2016

Type of Item: Legislative – Condominium Plat Amendment

Summary Recommendations

Staff recommends that the City Council hold a public hearing and consider approving the Sterlingwood Condominiums Second Amended – Amending Unit 16, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Description

Applicant: Juan I. Casanueva and Carmen Gill, owners
C/O Marshall King, owner's representative

Location: 7800 Royal Street East, #16

Zoning: Residential Development (RD), Master Planned
Development

Adjacent Land Uses: Single-family and duplex residential

Reason for Review: Condominium Plat amendments require Planning
Commission review and City Council action

Executive Summary / Proposal

The applicant is requesting a Condominium Plat Amendment for the purpose of enclosing an open stairway that is Common Area and converting it to Private Area. Additionally, the current recorded Condominium Plat inconsistently shows the plan view of the garage as Limited Common yet on the section view it shows the same area as Private Area. This amendment will change this area to limited common to be in accordance with the plan view on the current plat.

Purpose

The purpose of the Residential Development (RD) District is to:

- a) Allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities;
- b) Encourage the clustering of residential to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services;
- c) Allow commercial and recreational activities that are in harmony with residential neighborhoods;
- d) Minimize impacts of the automobile on architectural design;

- e) Promote pedestrian connections within Developments and between adjacent areas; and
- f) Provide opportunities for variation in architectural design and housing types.

Background

On May 18, 2016 the applicant submitted a complete application for the Sterlingwood Condominiums Second Amended – Amending Unit 16. The property is located at the 7800 Royal Street East, Building ‘E’ Unit #16 in the Residential Development (RD) District. This development is adjacent to the Silver Lake Village, The Chateaux at Silver Lake, and Deer Valley Resort.

The Sterlingwood Development was originally approved by City Council on December 17, 1984 and the condominium plat was recorded on December 27, 1984. The total area of the approved Development is approximately 2.48 acres. Construction of the eighteen (18) units began in early 1985 and was completed later that same year.

The original recorded plat for Sterlingwood condos incorrectly reflects the ownership for the garage areas for all the units. The inconsistency lies between the plan view, which shows the garage areas as Limited Common, and the section view, which shows the garage areas as Private ownership. The CC&Rs specify the garage as limited common space so the intention of the area is understood by the HOA and owners.

On June 27, 2002 the City Council approved the First Amended Sterlingwood Condominium Plat which was then recorded on October 25, 2002. This amendment only referenced 6 of the 18 units, Buildings ‘F’, ‘G’, and ‘H’. The inconsistencies were corrected with the garage areas, clarifying that they were not private and were limited common ownership, furthermore, the plat amendment changed the deck areas in those three buildings, changing them from limited common to private ownership.

The stairway that is proposed as private area within this plat is currently Common Area. This Common Area staircase was originally intended as a walkway to the Deer Valley ski trails, but is not used by other owners of Sterlingwood. The Sterling HOA has voted to allow this area to be converted to private area for the sole use of Unit 16 (Please see Exhibit E).

The Planning Commission held a public notice and reviewed this Plat Amendment request during their June 22, 2016 meeting. The Planning Commission forwarded a positive recommendation with a 5-0 vote.

Analysis

The proposed condominium plat amendment will effectively memorialize the Limited Common garage to be in accordance with the original intention of the plan view. In addition the proposal will enclose the outdoor staircase (east corner of the home before the garage) and convert it to Private Area of Building ‘E’ Unit 16.

The staircase is currently included in the building footprint on the original plat therefore the footprint will stay the same. The square footage of Unit 16 will be changed from

roughly 2,566 square feet to 3,103 square feet total, a total of 537 square feet. The Sterlingwood condos are included within the Deer Valley MPD which does not have a square footage cap, only a unit cap. The parking requirements are not affected by the increase in square footage. The proposed plat amendment will not affect any of the lot requirements for the RD zone.

The proposed plat amendment does not create any new non-conforming situations. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Memorializing the intended conditions from the previous plat will eliminate any issues with the acquisition of building permits and will allow for streamlined processing of future planning applications. Additionally, the plat will help clear up the original discrepancy from the Sterlingwood condo plat and properly show the private garage area as limited common, consistent with an earlier plat amendment.

Department Review

This project has gone through an interdepartmental review. The only item that was raised by the Fire District was that this portion of enclosed area will also include sprinklers, as the rest of the building currently has them. Other than this there were no issues raised by any other departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

On March 29, 2016, the property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. On March 26, 2016, legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC. At the April 13, 2016, Planning Commission meeting the item was continued to a date uncertain.

On June 8, 2016, the property was posted and notice was mailed to property owners within 300 feet in accordance with the requirement in the LMC. On June 4, 2016, legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled Planning Commission and City Council public hearings.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Alternatives

- The City Council may approve the Sterlingwood Condominiums Second Amended – Amending Unit 16 as conditioned or amended; or
- The City Council may deny the plat amendment and direct staff to make findings for this decision; or
- The City Council may continue the discussion on the Sterlingwood Condominiums Second Amended – Amending Unit 16 plat.
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the existing plat would remain as is. The Sterlingwood condo unit owners would not be able to enclose the Common Area and the outdoor staircase would remain as is. The discrepancy of ownership designation for the garages would remain.

Recommendation

Staff recommends that the City Council hold a public hearing for the Sterlingwood Condominiums Second Amended – Amending Unit 16 and consider approving it based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat
- Exhibit B – Proposed Plat
- Exhibit C – Aerial Photograph
- Exhibit D – Project Intent Letter
- Exhibit E – Sterlingwood HOA letter
- Exhibit F – Photos
- Exhibit G – June 22, 2016 Planning Commission Draft Minutes

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 2016-33

AN ORDINANCE APPROVING THE STERLINGWOOD CONDOMINIUMS SECOND AMENDED – AMENDING UNIT 16 LOCATED AT 7800 ROYAL STREET EAST, IN SECTION 27 TOWNSHIP 2 SOUTH, RANGE 4 EAST, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 7800 Royal Street East #16, have petitioned the City Council for approval of the Sterlingwood Condominiums Second Amended – Amending Unit 16; and

WHEREAS, on March 26, 2016 proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, on March 29, 2016 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 13, 2016 the plat amendment was continued at the Planning Commission meeting to a date uncertain; and

WHEREAS, on June 4, 2016 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 8, 2016 proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on June 22, 2016 to receive input on the proposed plat amendment; and

WHEREAS, on June 22, 2016 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 14, 2016 the City Council held a public hearing on the proposed Sterlingwood Condominiums Second Amended – Amending Unit 16; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Sterlingwood Condominium Plat –Amending Unit 16.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Sterlingwood Condominiums Second Amended – Amending Unit

16, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7800 Royal Street East #16 within the Residential Development (RD) District.
2. The Sterlingwood Condominium Plat was originally approved by City Council on December 12, 1979 and recorded on December 17, 1984.
3. The Sterlingwood First Amended Condominium Plat was approved by City Council on June 27, 2002 and recorded on October 25, 2002.
4. The total area of the Sterlingwood condos is 2.48 acres.
5. There are eighteen (18) units in the Sterlingwood Condominium Plat consistent with the density allowed by the Deer Valley Master Planned Development.
6. On March 8, 2016, the applicant submitted an application to amend the existing Sterlingwood Condo Condominium Plat.
7. The Sterlingwood Homeowners Association have met and consented with a two thirds (2/3rds) vote to allow the transfer of limited common to private area ownership to Unit 16.
8. The application was deemed complete on May 18, 2016.
9. The proposed plat amendment would memorialize the proper ownership of the existing garage to limited Common Area for Unit 16 as well as change a Common Area stairwell to private area for Unit 16 of the Sterlingwood Condos.
10. Enclosing the stairwell area within the existing building does not change the existing building setbacks, height, or building footprint.
11. The square footage of Unit 16 will change from 2,861 to 3,103.
12. On June 27, 2002 the City Council approved the First Amended Sterlingwood Condominium Plat which was then recorded on October 25, 2002. This amendment only referenced 6 of the 18 units, Buildings 'F', 'G', and 'H' which clarified these unit's Limit common garage areas.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions and condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
4. Approval of the condominium plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time,

this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. The Sterlingwood Condominium Plat and First Amended Sterlingwood Condominium Plat shall otherwise continue to apply.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this ____day of _____, 2016

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

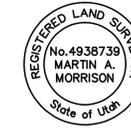
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A - Proposed Plat



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, this Second Amended Record of Survey Map of STERLINGWOOD CONDOMINIUMS, a Utah Condominium Project, has been prepared under my direction in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act.

BOUNDARY DESCRIPTION

Unit No. 16, contained within Sterlingwood Condominiums, a Utah condominium project, as the same is identified in the record of survey map recorded in the office of the Summit County Recorder, on December 27, 1984, as Entry No. 228724, and as further defined and described in the Declaration of Covenants, Conditions and Restrictions and Bylaws of the Sterlingwood Condominiums, a Utah condominium project recorded in the Office of the Summit County Recorder on December 27, 1984, as Entry No. 228723, in Book 325, at Page 387, (as said map and declaration may be amended and/or supplemented).

Together with appurtenant undivided ownership interest in said condominium project's common areas and facilities in accordance with the aforesaid declaration and survey map and the Utah Condominium Ownership Act

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Juan I. Casanueva and Carmen Gil, husband and wife as joint tenants, hereby certify that they have caused a survey to be made and this Second Amended Plat of Sterlingwood to be prepared and hereby consent to the recordation of this Second Amended Plat.

In witness whereof, the undersigned set his hand this ____ day of _____, 2016.

By: _____
Juan I. Casanueva

By: _____
Carmen Gil

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2016, Juan I. Casanueva personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Juan I. Casanueva acknowledged to me that he is the person whose name is subscribed to this instrument, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No. _____

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2016, Carmen Gil personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Carmen Gil acknowledged to me that she is the person whose name is subscribed to this instrument, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No. _____

NOTE

This plat is subject to the Conditions of Approval in Ordinance 16-_____.

ASSOCIATION DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, on behalf of the Sterlingwood Home Owners Association, having complied with the requirements of both Statutes and the Recorded Declaration hereby consent to the recording of this Second Amended Record of Survey Map.

By: _____
Sterlingwood Home Owners Association

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2016, personally appeared before me, the undersigned Notary Public, in and for said County and State, (association president), being duly sworn, acknowledged to me that he is the president of the Sterlingwood Home Owners Association, and that he signed the above Dedication and Consent to Record for, on, and in behalf of all of the unit owners at the Sterlingwood Home Owners Association acting as a group (under the name of the Sterlingwood Home Owners Association) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Sterlingwood Home Owners Association

By: _____

A Notary Public Commissioned in _____

Printed Name _____

Residing in: _____

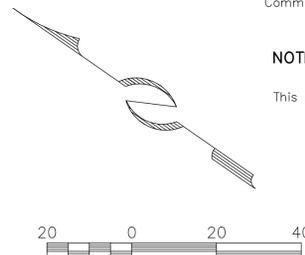
My commission expires: _____

Commission No. _____

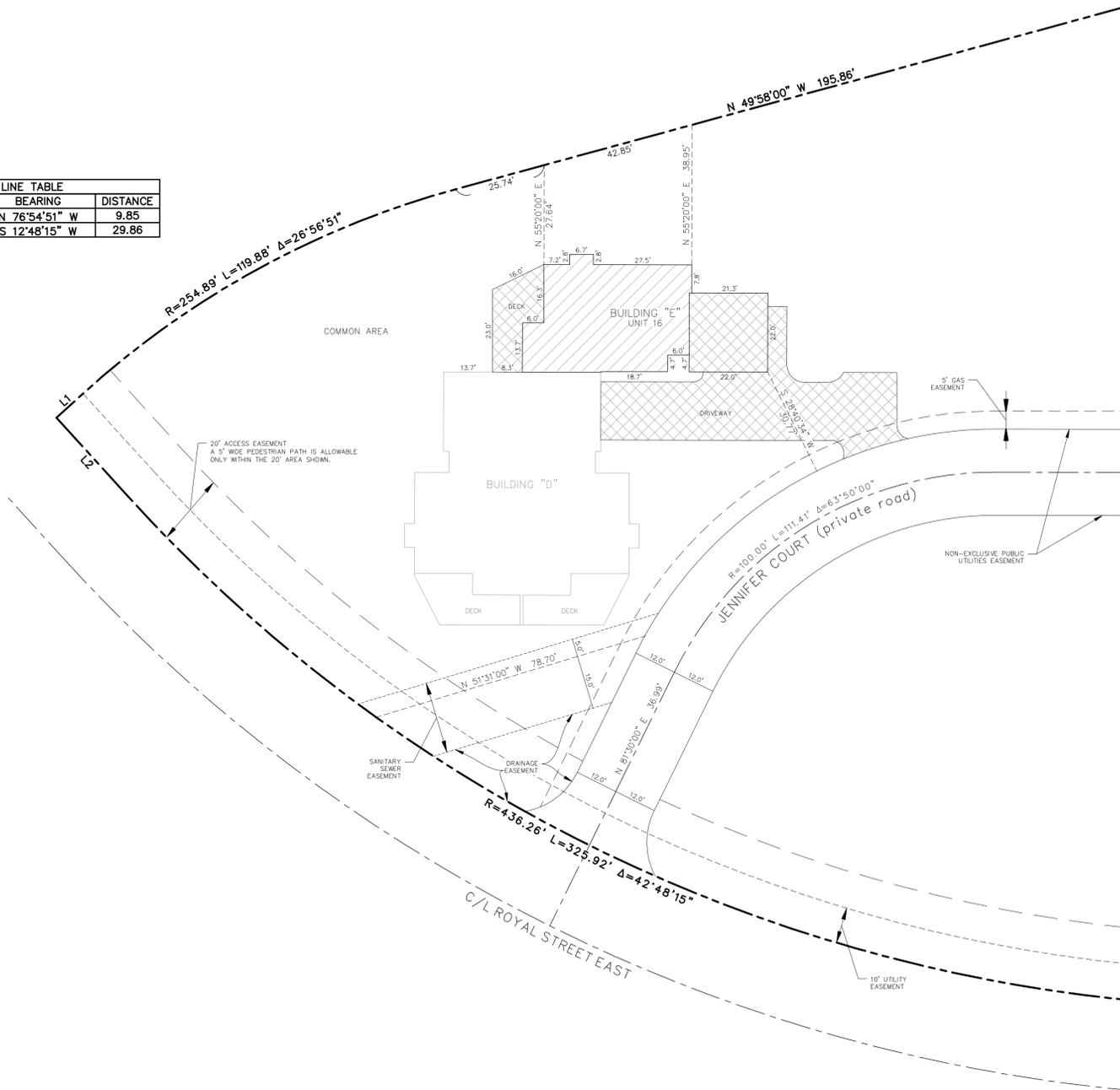
LEGEND

- COMMON
- PRIVATE
- LIMITED COMMON

SECOND AMENDED
RECORD OF SURVEY MAP
STERLINGWOOD
A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 27
TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

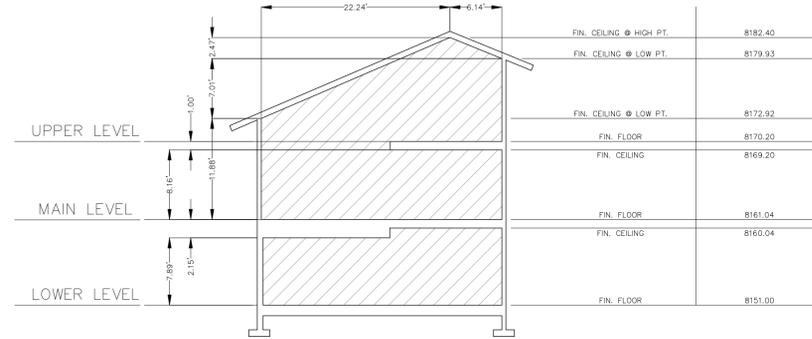


LINE	BEARING	DISTANCE
L1	N 76°54'51" W	9.85
L2	S 12°48'15" W	29.86

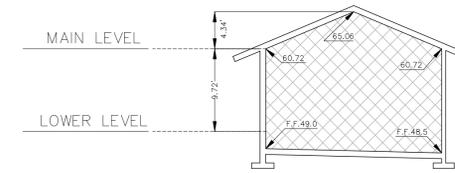


 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664 (435) 649-9467	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
	Packet Pg. 131						

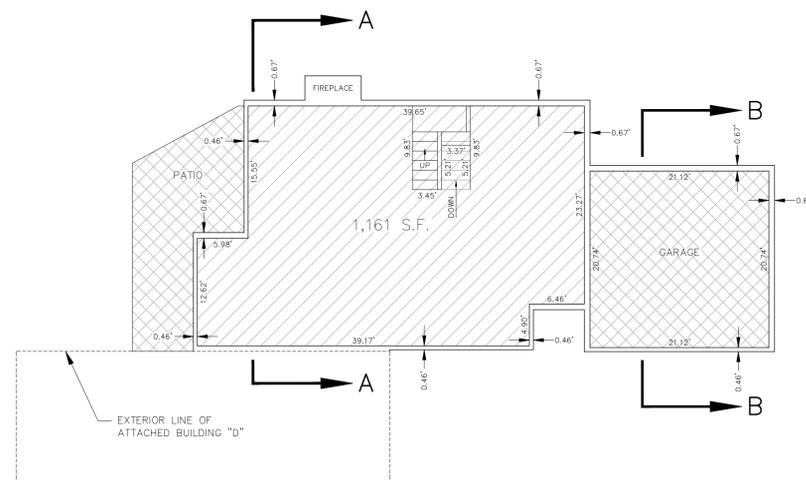
EXHIBIT A - Proposed Plat



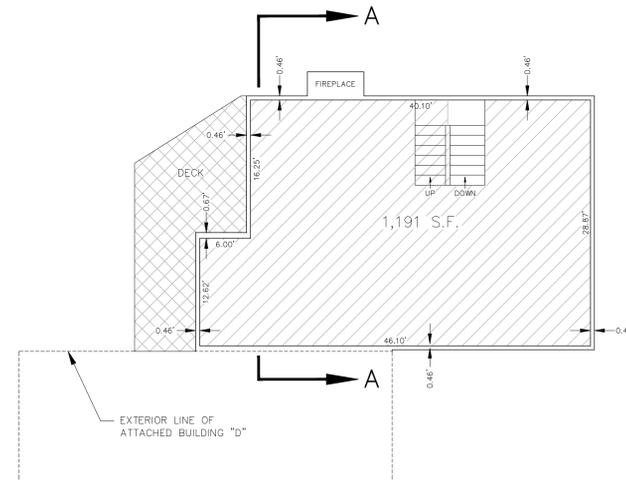
SECTION A
SCALE: 1"=10'



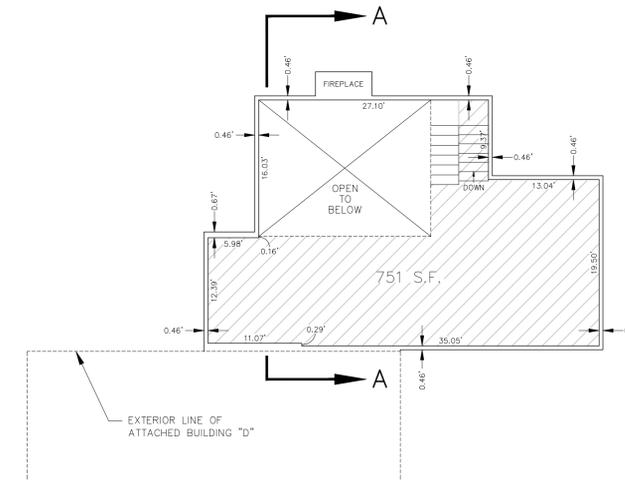
SECTION B AND ELEVATIONS
SCALE: 1"=10'



LOWER LEVEL
SCALE: 1"=10'



MAIN LEVEL
SCALE: 1"=10'



UPPER LEVEL
SCALE: 1"=10'

LEGEND

-  COMMON
-  PRIVATE
-  LIMITED COMMON

SECOND AMENDED
RECORD OF SURVEY MAP
STERLINGWOOD

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 27
TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO. _____
FEE _____ RECORDER _____

CERTIFICATE OF SURVEY

I, James G. West, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 3082 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land as described and shown on this plat and have subdivided said tract of land into units, common areas, and private streets, and that same has been correctly surveyed and staked on the ground as shown on this plat and said survey complies with Section 57-8-13 Utah Code Annotated. I further certify building locations are substantially as shown.

November 16, 1984
Date

James G. West, Registered
Land Surveyor No. 3082, Utah



NOTE: REBAR RODS SET AT ALL CORNERS

EXHIBIT B - Current Plat

BOUNDARY DESCRIPTION

A tract of land situated in part of Section 27, Township 2 South, Range 4 East, Salt Lake Base and Meridian, in Park City, Summit County, Utah, and being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of Royal Street East, said point being distant South 491.24 feet and East 1312.18 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and being on a 304.25 foot radius curve concave westerly from which the radius point bears South 74° 38' 00" West; the following three calls being along said right-of-way line: 1) thence northerly along said curve, through a central angle of 14° 38' 00", an arc distance of 77.71 feet to the point of reverse curvature of a 436.26 foot radius curve concave easterly from which the radius point bears North 60° 00' 00" East; 2) thence northerly along said curve, through a central angle of 42° 48' 15", an arc distance of 325.92 feet to a point on a 254.89 foot radius curve concave southwesterly from which the radius point bears South 13° 05' 09" West; thence southeasterly along said curve, through a central angle of 26° 56' 51", an arc distance of 119.88 feet; thence South 49° 58' 00" East 195.86 feet to a point on a 357.46 foot radius curve concave southwesterly from which the radius point bears South 40° 00' 00" West; thence southeasterly along said curve through a central angle of 27° 18' 15", an arc distance of 170.35 feet; thence South 10° 00' 00" West 139.74 feet; thence South 78° 00' 00" West 72.23 feet; thence North 34° 40' 00" West 49.02 feet to a point on a 32.50 foot radius curve concave northerly from which the radius point bears North 17° 40' 14" West; thence westerly along said curve, through a central angle of 73° 00' 14", an arc distance of 41.41 feet; thence North 34° 40' 00" West 81.30 feet to the point of beginning; containing 2.4838 acres, more or less. Together with a 6 foot wide pedestrian easement described as follows: Beginning at a point being distant South 617.78 feet and East 1,567.43 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence North 34° 40' 00" West a distance of 88.52 feet; thence North 78° 00' 00" East a distance of 6.50 feet; thence South 34° 40' 00" East a distance of 79.94 feet; thence South 10° 00' 00" West a distance of 8.54 feet to the point of beginning. Together with a 15 foot wide public utility easement described as follows: Beginning at a point on the easterly right-of-way line of Royal Street East, said point being distant South 673.21 feet and East 1,307.66 feet from the southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence North 13° 00' 00" East long said easterly right-of-way, a distance of 15.39 feet; thence North 90° 00' 00" East, a distance of 249.18 feet; thence South 10° 00' 00" West, a distance of 15.23 feet; thence South 90° 00' 00" West a distance of 250.00 feet to the point of beginning.

OWNER'S CERTIFICATE AND CONSENT TO RECORD

Sterlingwood Associates, a Utah General Partnership, does hereby certify that it is the fee owner of the tract of land herein described and shown hereon and that it has caused this Record of Survey map to be prepared for a project to be known as Sterlingwood, a Utah Expandable Condominium Project. We hereby submit the property to the provisions of the Utah Condominium Ownership Act and give consent to its recordation for the same.

In witness whereof, we have set our signature the 16th day of November, 1984.

STERLINGWOOD ASSOCIATES, A UTAH GENERAL PARTNERSHIP.

By: Harry F. Reed, Partner

Stephen Schirtz, Partner

Cosmo Iacavazzi, Partner

Attest:

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

On the 16th day of November, 1984, personally appeared before me Harry F. Reed, Stephen Schirtz, Cosmo Iacavazzi, who, being by duly sworn, did say that they are general partners of Sterlingwood Associates, a Utah General Partnership, and that the within and foregoing Owners Declaration and Consent to Record was signed on behalf of Sterlingwood Associates as such general partners and said partners duly acknowledged to me that Sterlingwood Associates duly executed the same.

Notary Public
My Commission Expires: MARCH 26, 1988
Residing At: Park City, Utah

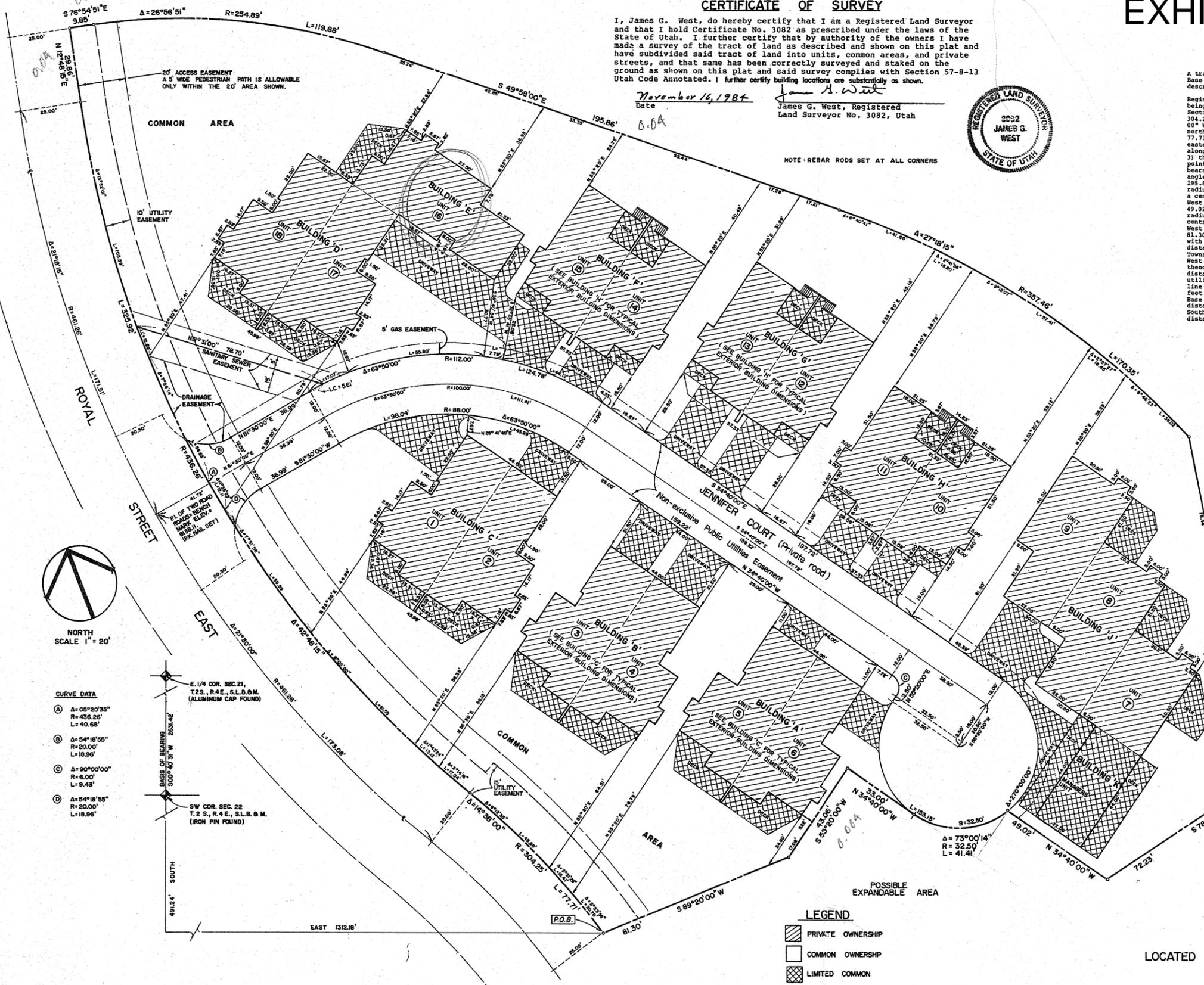
NOTE:

The owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, and Park City Fire Protection District non-exclusive public utility easements, sanitary sewer easements (S.S.I.D. only), and private roads shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement and does further dedicate for the perpetual use by emergency and utility vehicles an ingress and egress easement over the common areas and private roads.

**RECORD OF SURVEY MAP OF
STERLINGWOOD**

A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B.&M.
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 of 2



NORTH
SCALE 1" = 20'

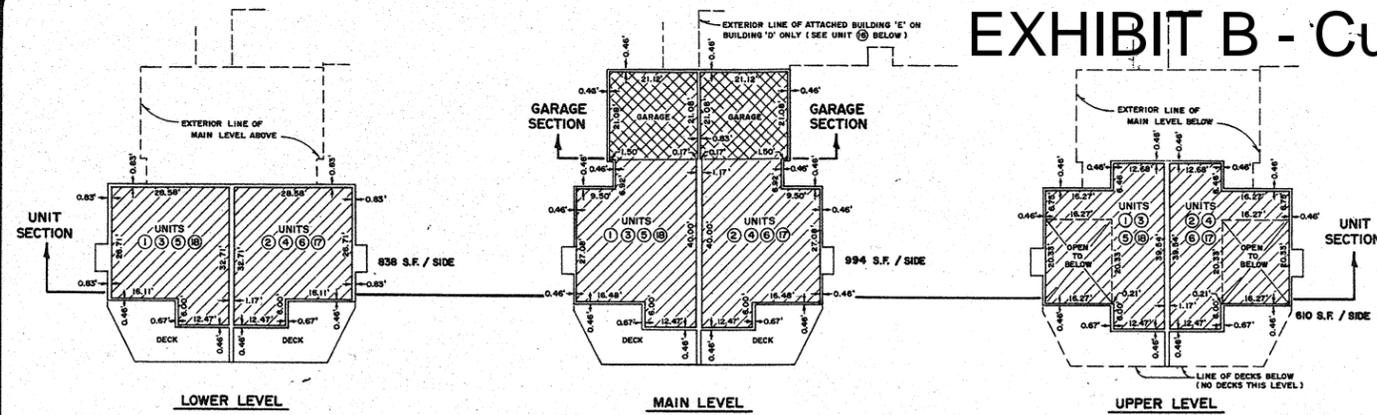
CURVE DATA

A	Δ = 05°20'35"	R = 436.26'	L = 40.68'
B	Δ = 54°18'55"	R = 20.00'	L = 18.96'
C	Δ = 90°00'00"	R = 6.00'	L = 9.43'
D	Δ = 54°18'55"	R = 20.00'	L = 18.96'

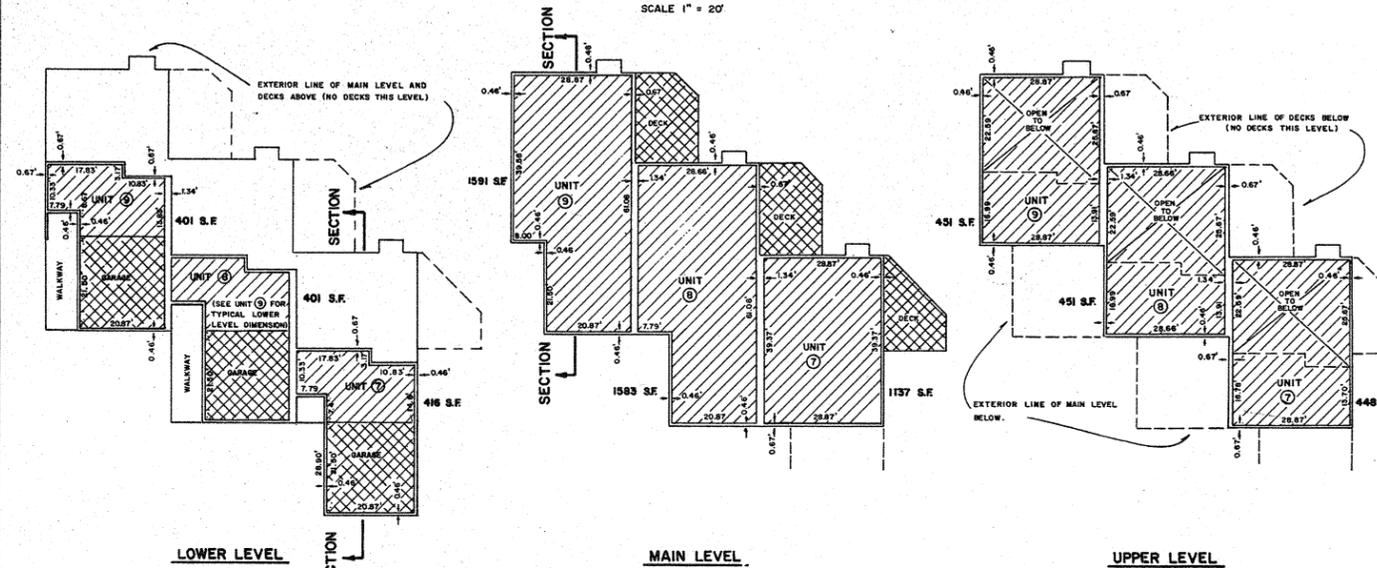
- LEGEND**
- PRIVATE OWNERSHIP
 - COMMON OWNERSHIP
 - LIMITED COMMON

<p>CITY COUNCIL APPROVAL</p> <p>PRESENTED TO THE PARK CITY COUNCIL THIS 17th DAY OF December A.D. 1984 AT 7:00 P.M. TIME THIS RECORD OF SURVEY WAS APPROVED</p> <p><u>[Signature]</u> MAYOR</p>	<p>CITY ENGINEER</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 16th DAY OF DECEMBER A.D. 1984.</p> <p><u>[Signature]</u> CITY ENGINEER</p>	<p>CITY PLANNING COMMISSION</p> <p>APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 16th DAY OF DECEMBER A.D. 1984.</p> <p><u>[Signature]</u> CHAIRMAN</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM ON THIS 20 DAY OF December A.D. 1984.</p> <p><u>[Signature]</u> CITY ATTORNEY</p>	<p>RECORDED</p> <p>No 228724 recorded: 12-27-84 STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF: STERLINGWOOD ASSOCIATES, A UTAH PARTNERSHIP</p> <p>\$ 39.00 FEES</p> <p><u>[Signature]</u> COUNTY RECORDER</p>	<p>J.J. Johnson & Associates</p> <p>Park Meadows Plaza, Highway 248 Park City, Utah 84080</p> <p>(801) 649-9811</p> <p>JJ</p>
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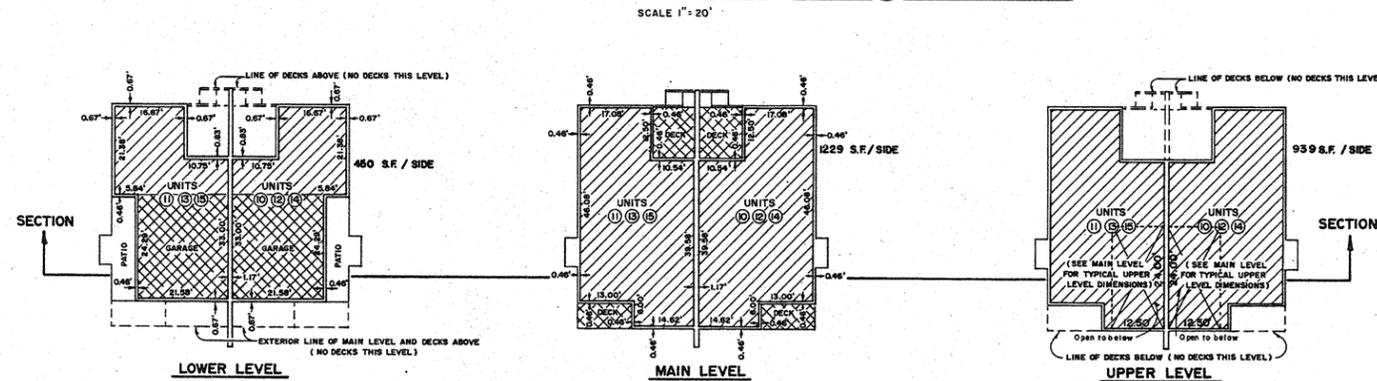
EXHIBIT B - Current Plat



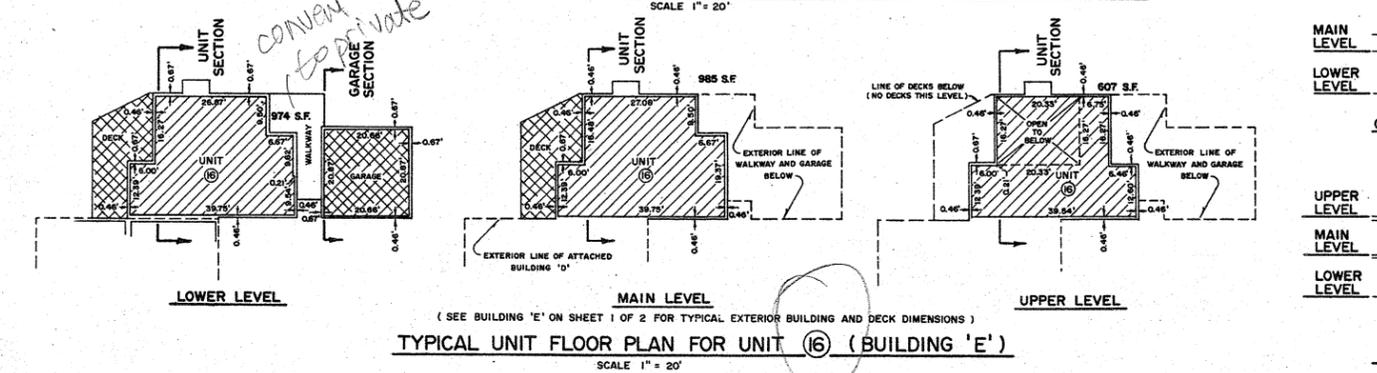
TYPICAL UNIT FLOOR PLAN FOR UNITS ① THRU ⑥, ⑰ & ⑱ (BUILDINGS 'C', 'B', 'A', & 'D')



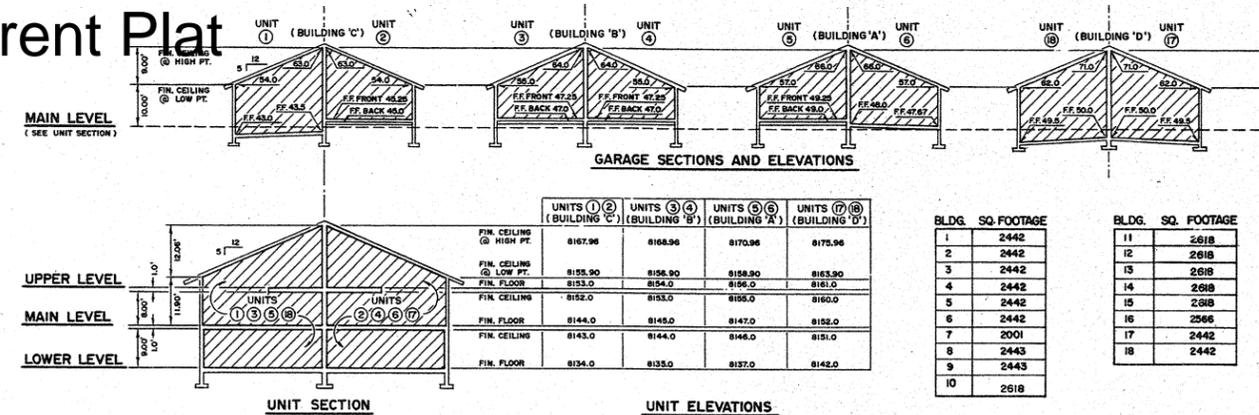
TYPICAL UNIT FLOOR PLAN FOR UNITS ⑦ THRU ⑨ (BUILDING 'J')



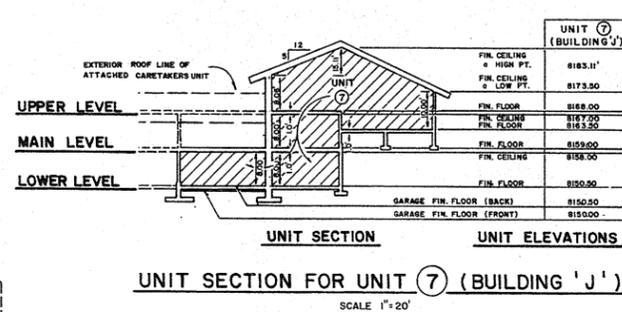
TYPICAL UNIT FLOOR PLAN FOR UNITS ⑩ THRU ⑮ (BUILDINGS 'F', 'G', & 'H')



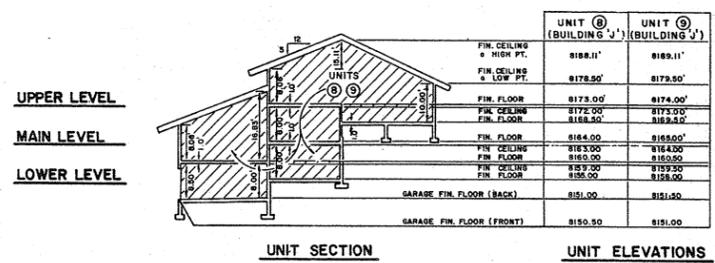
TYPICAL UNIT FLOOR PLAN FOR UNIT ⑯ (BUILDING 'E')



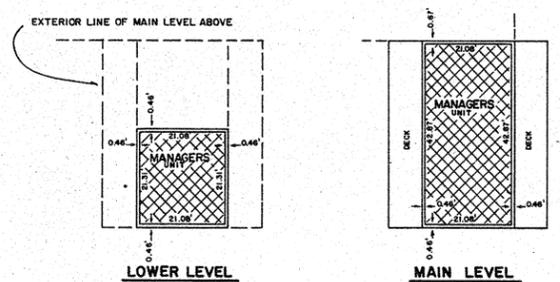
TYPICAL UNIT SECTION FOR UNITS ① THRU ⑥, ⑰ & ⑱ (BUILDINGS 'C', 'B', 'A', & 'D')



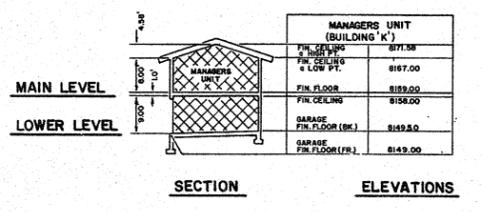
TYPICAL UNIT SECTION FOR UNIT ⑦ (BUILDING 'J')



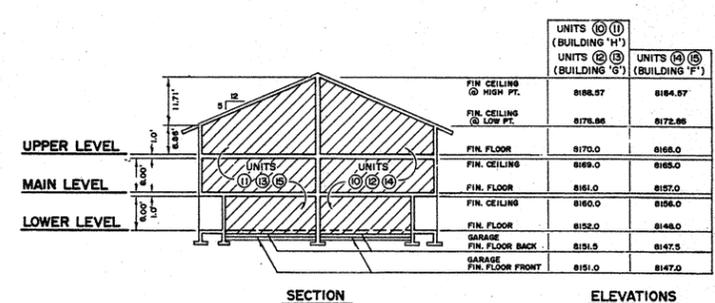
TYPICAL UNIT SECTION FOR UNITS ⑧ & ⑨ (BUILDING 'J')



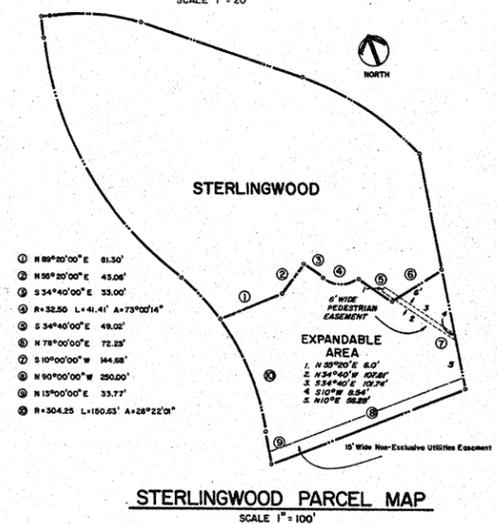
FLOOR PLAN FOR MANAGERS UNIT (BUILDING 'K')



SECTION FOR MANAGERS UNIT (BUILDING 'K')



TYPICAL UNIT SECTION FOR UNITS ⑯ THRU ⑲ (BUILDINGS 'F', 'G', & 'H')



COMMON
 PRIVATE
 LIMITED COMMON

RECORD OF SURVEY MAP OF STERLINGWOOD CONDOMINIUMS SHEET 2 of 2

RECORDED
 No. 228724 recorded: 12-27-84
 STATE OF Utah at: 3:46
 COUNTY OF Summit
 RECORDED AND FILED AT THE REQUEST OF:
Sterlingwood Associates, a Utah Partnership
 \$39.00 FEES
Susan Johnson
 COUNTY RECORDER
Clarity

J.J. Johnson & Associates
 Park Meadows Plaza,
 Highway 248
 P.O. Box 1661
 Park City, Utah 84060
 (801) 649-9811
 JOB No. 1-12-84





UNIT 16
SUBJECT
PROPERTY



 <small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small> <small>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small>	<small>(435) 649-9467</small> STAFF: MARSHALL KING MARTY MORRISON JESSE MORENO	AERIAL PHOTOGRAPH STERLINGWOOD CONDOMINIUMS, UNIT 16 7800 ROYAL STREET EAST	SHEET 1 OF 1
	DATE: 2/3/16	FOR: T&T MOUNTAIN BUILDERS JOB NO.: 4-12-15 FILE: X:\SilverLakeVillage\dwg\Exhibits\Sterlingwood-ortho.dwg	

EXHIBIT D - Project Intent Letter

STERLINGWOOD

7800 ROYAL STREET, UNIT 16

PROJECT INTENT

The owners of Unit 16, Sterlingwood Condominiums are in the process of preparing to remodel the unit. As part of the remodeling process, the owner would like to **enclose an open stairway that is currently shown as Common Area in the lower left corner** on Sheet 2 of 2 of the existing plat, recorded December 27, 1984, as Entry No. 228724. This common area was originally intended as a walkway to Deer Valley ski trails, but is not used by other owners of Sterlingwood.

There is an inconsistency on the currently recorded plat as to how the garage ownership is designated. **In the plan view, the garage is shown as limited common and is shown as private in the section view of the garage.** This ownership would be changed to limited common to be in accordance with the plan view of the garage.

On the Main Level, the east corner would be squared off to reflect the change to private ownership.



EXHIBIT E - Sterlingwood HOA Letter

**STERLINGWOOD HOMEOWNERS ASSOCIATION
P. O. BOX 682066
PARK CITY, UT 84068-2066**

To Whom It May Concern:

The Sterlingwood Condominium Owners Association conducted a vote amongst the 18 unit owners, specifically requesting approval or denial of the proposed transfer of limited common to private space, as detailed in the current plat amendment application, for unit #16. As of May 16, 2016; 13 positive votes have been received, which confirms the 2/3 necessary majority that is required by the Utah state code. We ask the city planning commission to grant this a favorable recommendation.

Thank you,



Rick Dentt, Board Member

RECEIVED
MAY 18 2016
PARK CITY
PLANNING DEPT.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Diego)

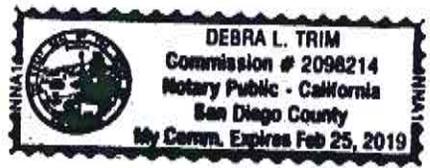
On May 17, 2016 before me, Debra L Trim, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Richard c Dentt
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Debra L Trim
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: sterlingwood Document Date: _____
Number of Pages: 1 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____





Sterlingwood, Unit 16 – Looking easterly



Sterlingwood, Unit 16 – Looking westerly



Sterlingwood, Unit 16 – Looking southerly

EXHIBIT F - Photos



Sterlingwood, Unit 16 – Westerly entrance

EXHIBIT G - June 22, 2016 PC Draft Min.s

Planning Commission Meeting
June 22, 2016
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1. The application complies with all requirements of the Land Management Code.
2. The use will be compatible with surrounding structures in use, scale, mass, and circulation.
3. The use is consistent with the Park City General, as amended.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – Office General

1. The requested use shall be conducted within the specified space at 1385 Lowell Avenue, Unit COM7 as approved by the Planning Commission, which is within a fully enclosed building per Park City Municipal Code § 4-3-3.
2. The requested use shall not be conducted outside the enclosed building on private or public property per Park City Municipal Code § 4-3-8.
3. The requested use shall be in full compliance with Park City Municipal Code § 4-3-15 which states the following: It shall be unlawful for any person, business, corporation, partnership or other entity to attract or attempt to attract people to that person or that licensee's place of business by calling, shouting, hawking, ringing any bells, horn, sounding any siren or other noise making device, or by displaying any light or lantern, or by waving, hailing or otherwise signaling to passersby or by touching or physically detaining them. It shall be unlawful to pass handbills, flyers, or other advertising material by handing such material to passersby, or placing them on porches or vehicles, or attaching them to light or sign posts, or poles.
4. **7800 Royal Street East #16 – Condominium Amendment for Building E Unit 16 of Sterlingwood Condos. This Amendment will change a common staircase to private area in order to enclose it. (Application PL-16-03140)**

Planning Tech Hawley reviewed the proposal to enclose an open stairway that is common area and convert it to private area. Planner Hawley stated that there is a discrepancy in the first original plat where a section view shows the garage as private area and a plan view shows it as limited common. In the CC&Rs it is clear that the area was intended as limited common. That would also be changed to reflect the correct limited common area.

Chair Pro Tem Band opened the public hearing.

Catherine Blanken stated that she and her husband are the property managers for the Schwartz's who lives next door. They were here as their representatives to make sure there was no other structural changes. Ms. Blanken understood what was being proposed she only wanted to confirm it so they could report back to the homeowner that nothing was different.

Planner Hawley clarified that in one area the exterior staircase was being enclosed. Nothing else was being proposed. She recalled that slightly less than 300 square feet was being added.

Chair Pro Tem Band closed the public hearing.

Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the Sterlingwood Condominiums second amended, amending Unit 16, based upon the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7800 Royal Street East #16

1. The property is located at 7800 Royal Street East #16 within the Residential Development (RD) District.
2. The Sterlingwood Condominium Plat was originally approved by City Council on December 12, 1979 and recorded on December 17, 1984.
3. The Sterlingwood First Amended Condominium Plat was approved by City Council on June 27, 2002 and recorded on October 25, 2002.
4. The total area of the Sterlingwood condos is 2.48 acres.
5. There are eighteen (18) units in the Sterlingwood Condominium Plat consistent with the density allowed by the Deer Valley Master Planned Development.
6. On March 8, 2016, the applicant submitted an application to amend the existing Sterlingwood Condo Condominium Plat.
7. The Sterlingwood Homeowners Association have met and consented with a two thirds (2/3rds) vote to allow the transfer of limited common to private area ownership

to Unit 16.

8. The application was deemed complete on May 18, 2016.

9. The proposed plat amendment would memorialize the proper ownership of the existing garage to limited Common Area for Unit 16 as well as change a Common Area stairwell to private area for Unit 16 of the Sterlingwood Condos.

10. Enclosing the stairwell area within the existing building does not change the existing building setbacks, height, or building footprint.

11. The square footage of Unit 16 will change from 2,861 to 3,103.

12. On June 27, 2002 the City Council approved the First Amended Sterlingwood Condominium Plat which was then recorded on October 25, 2002. This amendment only referenced 6 of the 18 units, Buildings 'F', 'G', and 'H' which clarified these unit's limited common garage areas.

Conclusions of Law – 7800 Royal Street East #16

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions and condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
4. Approval of the condominium plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 7800 Royal Street East #16

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, Planning Commission Packet June 22, 2016 Page 112 of 228

this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. The Sterlingwood Condominium Plat and First Amended Sterlingwood Condominium Plat shall otherwise continue to apply.

5. **1000 Ability Way – National Ability Center Subdivision plat – to create one lot of record from a metes and bounds parcel** (Application PL-16-03140)

Commissioner Thimm recused himself and left the room.

Planner Kirsten Whetstone reviewed the application for a proposed subdivision for the National Ability Center creating one platted lot of record for the entire property of 26.2 acres located in the Quinn's Junction neighborhood at 1,000 Ability Way. The proposed one lot plat is consistent in size and location with the metes and bounds described property. The applicant is not adding anything to it or making changes to any of the existing road. The property is accessed by a public road and a private drive.

Planner Whetstone noted that the application is consistent with the Chapter 15.7 – Subdivision, as well as the Community Transition Zone (CT). It is also consistent with the National Ability Center SPA, which was approved by the Summit County Commission. The plat does not create any remnant parcels.

The Staff found good cause and recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council pursuant to the findings of fact, conclusions of law and conditions of approval in the draft ordinance.

Michael Barille, representing the applicant, had not seen the draft ordinance with the recommended conditions. However, he responded to three references in the Staff report. The first was public trails, which he had no issue with. The second talked about setback from any wetlands on the site for development. Mr. Barille suggested that it read "new development" to avoid confusion over the existing roadway that crosses the wetland corridor or any existing improvements on the site. The last reference talks about dry utility boxes and that in any future development the dry utility boxes are screened appropriately. Mr. Barille stated that without knowing exactly what the utility plan will look like, he suggested that it be held until the conditional use permit review. At that time they would have a better plan to look at and the applicant would have a better idea of what to propose.