



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
October 6, 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, October 6, 2016.

CLOSED SESSION

2:15 p.m. To Discuss Property

WORK SESSION

4:00 p.m. Council Questions and Comments

4:15 p.m. Discuss Public Utilities Facility-Programmatic Goals **PAGE 3**

4:45 p.m. Fourth of July Event Debrief **PAGE 22**

5:30 p.m. Discuss Main Street Tenant Mix - Store Front Vacancies **PAGE 57**

REGULAR MEETING

6:00 p.m.

- I. **ROLL CALL**
- II. **COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**
- III. **PUBLIC INPUT (*ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA*)**
- IV. **CONSIDERATION OF MINUTES**

Consideration to Approve the City Council Meeting Minutes from September 15, 2016
PAGE 75

V. CONSENT AGENDA

1. Request to Authorize the City Manager, in a Form Approved by the City Attorney, to Enter into a Construction Contract with North Ridge Construction, Inc., to Rehabilitate Two Historic Homes and Build Six New Detached Houses Entitled the 1450-1460 Park Avenue Affordable Housing Project, in an Amount Not to Exceed Two Million Two Hundred Thousand Eight Hundred Dollars (\$2,200,800) **PAGE 89**
2. Request to Authorize the City Manager to Execute the First Amendment to the Professional Services Agreement, in a Form Approved by the City Attorney, with Bowen Collins & Associates for Engineering Services for the Upper Swede Alley and Heber Avenue Utility Replacement Project for an Increase to the Agreement in an Amount Not to Exceed \$80,550 for a Total Contract Amount Not to Exceed \$118,450 **PAGE 95**

VI. NEW BUSINESS

1. Consideration of a Voter Information Pamphlet Related to the Bonanza Flats \$25,000,000 Open Space Bond Ballot Initiative to be Mailed to Park City Residents in Compliance with the Utah Local Government Bond Act **PAGE 102**
(A) Public Input (B) Action
2. Consideration to Approve Resolution 24-2016, a Resolution Adopting the Transportation Demand Management Plan for Park City, Utah **PAGE 112**
(A) Public Input (B) Action
3. Request to Approve I AM PRO SNOW 100% Committed Partnership Letter, in Conjunction with the Climate Reality Project, a District of Columbia, USA, Nonprofit Corporation **PAGE 118**
4. Consideration of Ordinance No. 2016-47, an Ordinance Approving the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 Condominium Plat, Located at 7379 Silver Bird Drive, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **PAGE 139**
(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: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

On August 11, 2016 City Council authorized an architectural services contract with RNL for the Phase 1 design of Public Utilities and Streets Facility. These services will address programmatic and concept design efforts to facilitate a master planned development (MPD) submittal to the City. During the programmatic efforts staff and RNL have identified key design considerations and developed sustainability goals for the project. Recommended goals, objectives and strategies are contained in the staff report and accompanying report. Staff needs input on these goals and other goals related to Council's critical priorities. It is anticipated that these considerations and goals will be promoted throughout the design development and construction of the project.

During this work session, staff will be presenting recommended approaches and goals for the project.

Respectfully:

Roger McClain, Water Engineer



City Council Staff Report

Subject: Public Utilities Facility – Programmatic Goals
Author: Roger McClain, Public Utilities Engineering Manager
Bina Skordas, Public Utilities Sustainability Program Manager
Department: Public Utilities
Date: October 6, 2016
Type of Item: Administrative

Summary Recommendation

Staff is seeking direction from City Council with regards to programmatic goals for the proposed Public Utilities Facility as they relate to City Council’s critical priorities.

Executive Summary

On August 11, 2016 City Council authorized an architectural services contract with RNL for the Phase 1 design of Public Utilities and Streets Facility. These services will address programmatic and concept design efforts to facilitate a master planned development (MPD) submittal to the City. During the programmatic efforts staff and RNL have identified key design considerations and developed sustainability goals for the project. Recommended goals, objectives and strategies are contained in the staff report and accompanying report. Staff needs input on these goals and other goals related to Council’s critical priorities. It is anticipated that these considerations and goals will be promoted throughout the design development and construction of the project.

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Acronyms

The following acronyms and abbreviations have been used in this report:

| | |
|-------|---|
| City | Park City Municipal Corporation |
| LEED | Leadership in Energy and Environmental Design |
| LMC | Park City Land Management Code |
| MPD | Master Planned Development |
| PVs | Photovoltaic Solar systems |
| USGBC | United States Green Building Council |

The Issues

1. Energy

a. New Building Sustainability Requirements.

Current City policy, per Resolution No. 12-07 adopted in 2007, addresses sustainable design requirements for new City buildings larger than 3,000 square feet. A copy of the resolution is provided as **Exhibit A** to the staff report. Staff is

proposing a *Project Sustainability Approach*; see **Exhibit B**, to address these requirements.

b. Solar Energy Design

City Council has recently supported energy offsets through programs such as Subscriber Solar. The integration of photovoltaic solar systems on a building may preclude enrollment of the building or site from energy programs.

2. Housing

City Council has identified Affordable Housing as a Critical Priority. Staff is concerned that proposed facility and its associated uses may not be compatible with on-site housing. As the site plan for the Facility is developed, staff will look for opportunities to integrate housing onsite. If Council directs staff to include housing, direction on the type of housing is needed to integrate into the design.

3. Transportation

Staff has not identified any issues related to transportation at this facility or site.

Analysis

1. Energy

a. New Building Sustainable Design Requirements.

As identified in Resolution No. 12, the following requirements would apply to the new facility:

SECTION 1. REQUIRE FACILITIES BE DESIGNED TO MEET ENERGY STAR.

This requirement, to meet Energy Star certification to a score of 75 or higher, will be integrated into the facility design and long-term energy monitoring programs by staff.

SECTIONS 2 & 4. REQUIRE FACILITIES BE DESIGNED TO LEED “CERTIFIED” LEVEL OR COMPARABLE INDUSTRY STANDARD and EXEMPT PROJECTS FROM THIS POLICY WITH CITY COUNCIL APPROVAL.

Section 2 of the resolution requires buildings to be designed to LEED “Certified” Level or comparable industry standard. LEED ensures that sustainable strategies are considered in the development of building projects however, the LEED standard does not fully address the human health and well-being component of a building. Buildings that keep people comfortable, efficient, healthy, and safe, as they set about their daily tasks is a basic consideration in the City’s Vision, Core Values, and Customer Service Principles as well as the Department of Public Utilities Strategic Plan.

Recently other agencies have enacted various approaches and standards for sustainable buildings in an attempt to address this short-coming in the LEED standard. Staff has examined these approaches and, in conjunction with the project architect and its sustainability specialist, developed a proposed sustainability approach for this project.

The proposed sustainability approach incorporates LEED concepts as a tool and companion to the Public Utilities' sustainability design process, but more specifically addresses City values such as those related to personnel and energy. The design process will be guided by the following concepts: carbon neutral, zero energy, water balance, resilience, materials balance, waste, land balance, health and safety, beauty, happiness, prosperity, and visionary. The proposed approach is intended to achieve the "comparable industry standard" statement included in Resolution No. 12-07, Section 2. The proposed *Project Sustainability Approach* is provided in **Exhibit B** to the Staff Report.

SECTION 3. APPLY THIS RESOLUTION TO THE FOLLOWING PROJECTS.

The proposed facility may contain buildings of varying square footages. The *Project Sustainability Approach* proposes the buildings be considered, with respect to Resolution No. 12-07 sustainable goals and design requirements, collectively as a "campus" rather than on an individual building basis.

SECTION 5. ADDITIONAL FUNDING FOR PROJECTS TO ACHIEVE INNOVATIVE ENERGY AND ENVIRONMENTAL PERFORMANCE.

Green elements and associated costs for the proposed facility will be identified and presented to City Council at key stages of the design process as appropriate.

Pros of proposed Project Sustainability Approach

- Meets current City requirements
- Maintains project design schedule
- Supports Council's critical priority

Cons of proposed Project Sustainability Approach

- Will add cost to the project

b. Solar Energy Design.

One of the objectives for the new facility is that the campus will be net zero; renewables will be an important strategy to achieve this objective. Programs such as Rocky Mountain Power's Subscriber Solar may be an option; however, the facility will have no incentive to install on-site PV's due to the terms and conditions of the Subscriber Solar Program. Design elements of the building such as roof type and site orientation will vary greatly depending on Council's preference.

Pros of Including PV onsite

- Visibility of renewables at a key City facility
- Not reliant on third party policy decisions

Cons of Including PV onsite

- Will add cost to the project

Pros of subscriber solar or equivalent

- Reliant on third party policy decisions

- Potential to lock utility rates in favorably

Cons of subscriber solar or equivalent

- Visibility of renewables at a key City facility
- Reliant on third party policy decisions

Questions for Council:

1.a. Does Council support the proposed Project Sustainability Approach for the new Public Utilities and Streets Facility?

2.a. Does Council prioritize solar energy offsets, such as Subscriber Solar or equivalent, over incorporating PV solar on the site?

2. Housing

Three key considerations that will be addressed in the facility design are; 1) operational impacts to adjacent areas, 2) site security, and 3) site flexibility and expandability.

The proposed facility operations are anticipated to occur 24 hours a day, 365 days a year. Typical operations result in truck traffic; noise, lighting; minor fleet work, metal fabrication; equipment testing and training; construction and major operational staging; and similar activities. Remoteness of the proposed site was a key consideration in the site selection due to the proposed activities listed above. The nearest neighbors are 0.6 miles to the northwest (Fairway Hills); 0.35 miles to the north (Quinns recreation fields); 0.4 miles to the east (Park City Heights); and 0.6 miles to the south (Solamere) The site and facilities will be designed to mitigate these impacts to areas adjacent to the site, however, these impacts could be experienced within the immediate proximity of the facility.

Site security is a key consideration, especially with respect to the planned water treatment and raw water operation storage basin improvements. Any on-site housing would need to be completed isolated from access to these areas and their operations.

Preserving the expandability of the site is critical to Water, Streets, and Storm Water functions. Each of these essential functions has the potential to require expansion. Triggers for expansion will include increasing regulations, needed expansion area for future Mining Influenced Water treatment expansion, annexation and expansion of services, or a general request for a level of service increase. Staff recommends preserving the site for these future uses and their associated security and space needs.

Housing has not been addressed in the departmental strategic plan and would require additional study to determine if and what type of housing would be beneficial.

However, based on the considerations discussed above, Public Utilities staff does not recommend integrating housing into the site.

Public Utilities staff has consulted with the Park City Community Development Department. Their recommendation is not to take housing off the table all together at this early juncture of the project, but rather limit the expectations of the type, scale, and use of potential housing. There is likely good opportunity to consider employee units that would not impact expandability or security of the water operations in the future. How many units exactly, the cost, and whether recreation or public safety staff (or others) have the need for studio type employee housing will require the design to develop further..

Pros of onsite housing

- Supports Council critical priority
- Adds housing units to the City's inventory

Cons of onsite housing

- Could impact expandability of site
- Increased risk of security breaches
- High impact on residents from Municipal activities onsite
- Site is not connected to a broader neighborhood or community, high likely of reliance on single occupancy vehicles even with bus stop at site

Question for Council:

2. Does Council support exempting the site from Affordable Housing requirements in favor of adding housing inventory in other, more suitable areas? If not, what type of housing, and how many units, is desired at this site, e.g. employee, family, etc.

3. Transportation

Staff has not identified any issues related to transportation at this facility or on this site. However, the general function of Streets provides essential support to the overall transportation network and special event support. Streets needs will be integrated into this facility.

Transportation's comments are as follows:

- Access for the PUB parcel currently matches the alignment for Richardson Flat Drive to the South. When SR 248 improvements are constructed this will also include intersection improvements to that intersection.
- Related to the potential for additional vehicle miles traveled given Public Utility crews would need to drive back into town. It may be a wash given they don't need to drive out to Quinn's anymore and could even be a net reduction of most employees are traveling from Kamas/Oakley/Francis and/or Heber. Identify where most of the employees live.

- Attract as little general public to this site as possible. Would suggest that any public interaction still be conducted at the PW building.

Question for Council:

3. ***Does Council want to see additional transportation improvements at this site?***

Background

Staff has presented to City Council recommendations for architectural services on August 11, 2016 and May 19, 2016 respectively. City Council authorized these services during the “New Business” portion of the regular meeting. The project related material previously presented at City Council meetings may be found at:

Architectural Services Professional Services Agreement – RNL, Inc. – August 11, 2016:
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2179&Inline=True>

Engineering Services Professional Services Agreement – Bowen Collins & Associates, Inc. – May 19, 2016:
<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2140&Inline=True>

Next Steps:

- a. Staff intends to continue with programmatic and concept design efforts in preparation of a master planned development (MPD) submittal to the City.
- b. Staff intends to return to City Council with a site concept that integrates the findings of the needs assessment, sustainability goals, and building concept design elements.
- c. Staff intends to return to City Council with a site pre-Master Planned Development plan prior to submittal to Planning.

Department Review

This report has been reviewed by representatives of Public Utilities, Community Development, Sustainability, Budget and Finance, City Attorney’s Office, and the City Manager’s Office. Comments have been integrated into this report.

Funding Source

The funding for the project is from water and storm water service fees and impact fees; transportation fund; and general funds. This funding is part of the approved 5-year CIP.

Exhibits:

EXHIBIT A: Resolution No. 12-07

EXHIBIT B: Project Sustainability Approach

EXHIBIT A: Resolution No. 12-07

Resolution No. 12-07

A RESOLUTION ADOPTING GREEN HIGH PERFORMANCE BUILDING REQUIREMENTS FOR ALL NEW OR RENOVATED PUBLIC BUILDINGS, OWNED AND CONTROLLED BY PARK CITY, UTAH AND ALLOCATION OF 4% MAXIMUM ADDITIONAL BUDGET TO ACHIEVE HIGHER LEVELS OF CERTIFICATION AND PROMOTE ENERGY EFFICIENCY AND SUSTAINABLE DESIGN.

WHEREAS, the City desires to promote sound environmental practices in new construction and renovation of facilities that are funded by the City; and

WHEREAS, high performance building standards promote a healthy environment, provide long-term cost benefits through the efficient use of energy, optimize building performance, and create healthier workplaces for employees and visitors; and

WHEREAS, a strategic approach to sustainable buildings and energy management can produce twice the savings for the bottom line and the environment as typical approaches; and

WHEREAS, the Environmental Protection Agency (EPA) and Department of Energy (DOE) Energy Star Program is designed to help reduce energy costs and protect the environment through efficient products, homes, industrial plants, and buildings; and

WHEREAS, the Energy Star program includes free online benchmarking and monitoring tools for simple implementation of the program; and

WHEREAS, it is accepted by the professional engineering community that an Energy Star rating of a minimum of 75 can be achieved with no net impact on the first costs of a project; and

WHEREAS, the Leadership in Energy and Environmental Design (LEED) rating system, which is a system created by the United States Green Building Council (USGBC) to provide a national standard for healthy environmental and energy efficient design; and

WHEREAS, many professionals in our region are familiar with the LEED process, which is considered to be a consensus-based national standard for developing high-performance, sustainable buildings; and

WHEREAS, the foregoing alternative standards provide for various certifications designated as "Certified," "Silver," "Gold," or "Platinum," based on the number of specified environmental practices incorporated into a project, with "Certified" being the lowest level of certification; and

WHEREAS, there is consensus in the professional community that LEED Certification can be achieved with no net effect on initial budgets; and

WHEREAS, Park City understands that additional energy efficiencies, further reductions in environmental impact, and increased benefits to health and safety of employees and visitors can be achieved by achieving higher levels of Energy Star rating and LEED certification; and

WHEREAS, the purpose of this Policy is to adhere to high performance building practices, and provide additional funding to ensure Park City facilities are the most energy efficient, cost effective, environmentally responsible, and safe and healthy buildings in the State of Utah; and

WHEREAS, the City has determined to require the use of Energy Star and LEED standards on all new construction and major renovations in order to obtain the benefits promoted by those standards.

NOW THEREFORE, be it resolved by the City Council of Park City as follows:

SECTION 1. REQUIRE FACILITIES BE DESIGNED TO MEET ENERGY STAR.

It is the intent of the City Council of Park City that all new buildings and major renovations be designed to meet Energy Star certification to a score of 75 or higher. The City Council understands that Energy Star certification cannot be awarded until an entire year of building operations have past. After one year, energy use will be reviewed, buildings will be benchmarked using the Energy Star inventory, and Energy Star certification will be achieved. Energy Star knowledge and implementation experience shall be required, but not individually controlling, selection criteria for service providers and contractors for all Park City building projects.

SECTION 2. REQUIRE FACILITIES BE DESIGNED TO LEED "CERTIFIED" LEVEL OR COMPARABLE INDUSTRY STANDARD.

It is the intent of this Policy that, in order to obtain the benefit of reduced operating and maintenance costs and other building efficiencies, as well as cost-saving healthy environmental practices, all new construction and major renovation projects meet the LEED Certified level or comparable industry standard such as . This policy does not require the City go through the process of receiving LEED certification from the United States Green Building Council, instead, certification can be reviewed on a case by case basis.

SECTION 3. APPLY THIS RESOLUTION TO THE FOLLOWING PROJECTS.

Park City will apply this policy to the following construction projects when the project's design contract is first solicited after the date of this Resolution, except as exempted or waived under this Resolution: All new construction to construct buildings owned and controlled by the City that are larger than 3,000 square feet, all affordable housing projects developed by the City, and all major renovations of buildings owned and controlled by the City that are larger than 3,000 square feet when the building has a remaining useful life in excess of fifteen years. The term "major renovation" means a construction project affecting more than 25% of the building's square footage.

SECTION 4. EXEMPT PROJECTS FROM THIS POLICY WITH CITY COUNCIL APPROVAL.

Park City will not apply this resolution to the following, and City departments are required to document the reason for the exemption:

- Any improvement that is not a building.
- Buildings that will not be occupied, or that serve specialized functions (including pump stations, garages, storage buildings, equipment areas, etc.)
- Projects where the useful life of an improvement or other factors do not justify whatever additional expense would be incurred to increase a building's long-term efficiency.
- Projects where the application of LEED factors will increase construction costs beyond the City's funding capacity for the project.
- Projects where the use of LEED factors will create an impediment to construction due to conflicts of laws, building code requirements, federal or state grant funding requirements, or other similar requirements.
- Projects where LEED factors are not attainable due to the nature of the facilities or the schedule for construction.

In addition to the exemptions stated above, particular LEED factors shall not prevail over any prohibition in the City Code. The documentation for any of the above exemptions shall be maintained in the project file of the Department with a copy to the City Council.

SECTION 5. ADDITIONAL FUNDING FOR PROJECTS TO ACHIEVE INNOVATIVE ENERGY AND ENVIRONMENTAL PERFORMANCE.

At completion of the schematic design process, a professional cost estimate will be done and a list of green elements, with differential pricing, will be provided to the City Council. The City Council will approve green design elements and allocate any additional funding, not to exceed 4% of total building costs, including approved change orders, to be utilized to design and construct a high performance building above levels previously described in this resolution. If the City Council is unable to allocate the full 4% of the total building costs the remaining amount may at the Council's discretion be placed into a CIP budget for energy and environmental improvements to other City facilities.

SECTION 6. EFFECTIVE DATE. This resolution shall become effective upon adoption.

PASSED AND ADOPTED this 24th day of May, 2007.

PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



EXHIBIT B: Public Utilities Facility – Project Sustainability Approach

Sustainable Approach for the Proposed Public Utilities and Streets Facility

The Public Utilities and Streets Department (Department) is in the process of a concept design for a new Public Utilities and Streets Facility (Facility). The Facility will replace several of the Department's existing storage areas that are being displaced through redevelopment or reprioritization of spaces and will address Departmental staff needs where they are operating beyond functional capacity and/or are undersized based on existing standards. Current deficiencies include office and meeting space, break/lunch accommodations, ADA access, storage space including equipment and vehicle storage, and vehicle parking/security for equipment and fleet vehicles. The Facility will house multiple divisions and functions of the Department including the four main divisions, the Water Division, Streets Division, and Stormwater Division, as well as the administrative offices and customer service for the Department. First and foremost the new Facility will be designed considering the people and equipment that provide essential services to the City. The buildings are anticipated to include space for administration, meeting and training rooms, locker and shower rooms, as well as an employee break and lunchroom, storage space for materials, equipment, and vehicles.

The new facility will be designed to meet the City's Land Management Code and to support the City's critical priorities and core values. The approach to sustainability, as proposed by the Department Design Team, is intended to focus on the core City values while addressing underlying sustainability goals and objectives.

Park City has established itself as a world leader in pushing past conventional notions of environmental stewardship. The citywide goal of net zero carbon emissions by 2022 in City facilities will have a hugely beneficial impact on the health, quality of life, environmental footprint and economic prosperity of the community as a whole. The seventeen Sustainable Development Goals developed by the United Nations for the Paris Climate talks, 2015, cover topics ranging from clean energy and sustainable communities to hunger, poverty, health and well-being, and in so doing shine a spotlight on the fact sustainability is about more than just energy efficiency.

Resolution No. 12, Section 2, of the current City policy, adopted in 2007, requires facilities to be designed to a minimum level of certification under the USGBC LEED rating system, or comparable industry standard. LEED for New Construction version 4 (the version current at the time of this project) is significantly weighted towards rewarding projects located on previously developed sites that are within walking distance of mass transit (bus, light rail, rail), high-density neighborhoods and diverse commercial uses. The facility will not meet these criteria and therefore already at a disadvantage before even starting to look at the other criteria in the rating system. While LEED was the industry standard for many years, and was instrumental in raising the bar for sustainable design as we know it, many other rating systems have come into use in recent years each addressing a different aspect of sustainability. Table 1 presents sustainability approaches currently being used by various State and local agencies.

TABLE 1

| Building Standards/Rating Systems | Elements of Building Standard | | | | | Human Element | Performance Assurances | | | | Applied Standards | | | | |
|--|-------------------------------|------------|-------------------|-------------------|-----------------------------|-------------------------|------------------------|-------------------------|------------------------------|------------------------------------|--------------------|----------------------|---------------|---------------|---------------|
| | Energy Effic'y | Water Cons | Renewa-ble Energy | Site Orienta-tion | Passive Solar, Day lighting | Enrichment of Employees | Base Commis-sioning | Envelope Commis-sioning | Measure-ment & Verifica-tion | Ongoing Perfor-mance Verifica-tion | PCMC Resol. No. 12 | Salt Lake City Corp. | Univ. of Utah | State of Utah | Summit County |
| LEED Silver | x | x | x | x | x | | x | x | x | | x | | x | | |
| High Performance Building Standards | x | | | | | | | | | | | x | x | x | |
| Net Zero Goal | x | x | x | x | x | | x | x | x | X | | x | | | x |
| Energy Star | x | | x | | | | | | x | X | x | x | | | x |
| DFCM Design Manual | x | x | x | | | | x | x | x | | | | x | x | |
| Proposed Project Design | x | x | x | x | x | x | x | x | x | X | x | x | x | x | x |

The Project Architect for the Public Utilities Facility, RNL Design, Inc. (RNL) has developed twelve “Design2Thrive” principles that serve as a framework for a holistic approach to projects at any scale and equally values environmental, social and economic factors. Of particular importance is how Design2Thrive adds criteria of health and well-being to design strategies and decision making. Any agency is only as strong as its workers. The nation is facing a crisis of workplace stress, physical inactivity, sleep disorders, and numerous studies have shown a connection between the design of a workplace and a person’s overall ‘well-being’ which covers both physical and mental health. Staff will spend hours each day in these buildings and members of the community may visit this campus. A part of the City’s carbon emission goal is driven by the desire to improve the public health of the Park City community. The design of the space, and places, that staff and the community spend time in will impact public health. RNL’s project design will take that responsibility seriously. Table 1 presents commonalities in the proposed sustainability project approach with various State and local agencies current sustainability approaches.

RNL’s Design2Thrive framework takes the twelve main principles and applies project specific metrics, based on these current rating systems, to develop a customized approach that more closely reflects the unique strengths and challenges of our Project. Staff feels this approach is a more responsible use of the City’s budget and resources than a one-size-fits all rating system and will not distract from the overriding performance goal of net zero carbon campus and the social goal of merging two divisions efficiently and equitably into one campus. This Design 2Thrive comprises the proposed Public Utilities Facility-Project Sustainability Approach. Table 2 describes the twelve Design2Thrive principles and the specific goals and measures of success that RNL, working with the Park City Utilities Design Team, have defined for the Facility. For each principle a brief example of one design strategy, out of the many that will be used, is given to highlight how the goal may be met.

TABLE 2

PARK CITY UTILITIES AND STREETS FACILITY DESIGN2THRIVE GOALS

| | |
|---|--|
| | <p>CARBON NEUTRAL Become a leader in the social, environmental and public health benefits associated with a clean energy economy. Support City’s goal of achieving net zero carbon emissions by 2022 in all city facilities.</p> |
| <p><i>Measure of Success:</i> Net zero carbon emissions on an annual basis, when measured at the campus level.</p> | <p><i>Example Strategy:</i> Minimize building energy use, operational fossil fuel use, carbon emissions from fleet vehicles. Offset remaining carbon with on- or off-site renewables or carbon credits (e.g. Solar Subscriber Program)</p> |
| | <p>ZERO ENERGY Maximize efficiency in building energy use and agency operations first, to reduce dependence on purchasing renewable energy, carbon offsets.</p> |
| <p><i>Measure of Success:</i> Achieve an Energy Star rating of 75 or higher (PARK CITY)</p> | <p><i>Example Strategy:</i> Prioritize passive energy design solutions (thermal mass, daylight, natural ventilation) and occupant education</p> |
| | <p>WATER BALANCE Maximize efficiency in water use and reuse both indoors and outdoors; prioritize non-potable water use wherever possible without compromising water quality.</p> |
| <p><i>Measure of Success:</i> 20% savings in indoor potable water use versus current code 100% non-potable water use for irrigation</p> | <p><i>Example Strategy:</i> Specify Water Sense fixtures Non-potable water use for irrigation</p> |



RESILIENCE

Design to adapt to changing conditions, withstand and recover rapidly from short term shocks and long terms stresses

Measure of Success:

Achieve 'safe and operational' status in the event of a natural or man-made disaster– the facilities incur minor damage and continue to function without interruption.

Example Strategy:

Follow the guidelines of the LEEDv4 Pilot Credits for the assessment, planning and design for passive survivability and functionality during emergencies



MATERIALS BALANCE

Design for durability, health, the natural context of the site and Park City values

Measure of Success:

Low-VOC materials for 90% of all adhesives, sealants, paints, carpet, furnishings.

Example Strategy:

Material specifications per LEED v4
Prioritize healthy materials and ingredient transparency (Declare label / Cradle-to-cradle)



WASTE

Minimize burden on municipal waste facilities through material reuse, recycling and composting

Measure of Success:

Divert 75% of construction and demolition waste from the municipal waste stream, increase current operational recycling and compost rate.

Example Strategy:

Provide adequately sized facilities for :
-On-site recyclables collection and sorting facilities.
-Compost collection



LAND BALANCE

Respect entry corridor protection zone; allow for future uses through efficient site planning and circulation.

Measure of Success:

Meet City requirements for percentage of open space as a ratio of total site area, accommodate on-site renewables and future flexibility.

Example Strategy:

Analyze building geometry re view shed
Optimize on-site circulation



HEALTH & SAFETY

Embody Park City values by accommodating active lifestyles, addressing on-site safety, providing clean air and daylight for all employees on the site.

Measure of Success:

Daylight factor of 2% in min 75% of all regularly occupied spaces
Site lighting and circulation designed for 24/7 personal safety
Personal lockers for all employees sized for ski/bike gear

Example Strategy:

Windows that provide access to fresh air and daylight in every regularly occupied space
Provide lockers, showers, and secure, weather-protected bike storage and repair tools, accessible by all employees



BEAUTY

Respect the context, natural setting of the site; the culture and core values of the Park City General Plan

Measure of Success:

Clean, simple design - create an iconic yet contextual building in Park City

Example Strategy:

Prioritize warm, natural materials chosen for their durability and cleanliness and biophilic connections



HAPPINESS

Become a publicly visible leader of health and wellbeing in the workplace

Measure of Success:

Efficiently and equitably combine two divisions on one campus

Example Strategy:

Provide spaces adaptable to different work styles
Design for visibility and interaction between departments



PROSPERITY

Meet the City's 30-year needs with a highly-functioning facility on a site that has potential to accommodate future unknown uses

Measure of Success:

Achieve net positive energy (105%) on the current facility to allow a buffer for future increase in program and energy uses

Example Strategy:

Carry out life-cycle cost analyses to enable decision-making based on long term benefits and adaptability to carbon-neutral technologies, changes in PCUSF operations and program



VISIONARY

Serve as a model for future Park City buildings in the lead up to 2022 goals

Measure of Success:

Increase the public's understanding of the role of PCUSF in the community and its contribution to the City's environmental stewardship

Example Strategy:

Encourage creativity and innovation in all aspects of the project. Integrate education, outreach and 'walking the talk' into the design strategies.

Sources

1. USGBC LEED for New Construction v4
2. WELL Building Standard v1.0
3. Living Building Challenge
4. Envision Rating System for Sustainable Infrastructure
5. NIST Community Resilience Planning Guide for Buildings and Infrastructure

INSTEAD OF A WORLD THAT IS MERELY A LESS BAD VERSION OF THE ONE WE CURRENTLY HAVE, WE ASK A SIMPLE AND PROFOUND QUESTION - WHAT DOES GOOD LOOK LIKE?



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

Review the changes that were implemented to the 2016 Park City Fourth of July Celebration and provide direction to staff to move forward on the recommended changes for the Park City Fourth of July Celebration in 2017, including the City's role in planning, programming, and financial considerations for the future of the event.

Respectfully:

Jennifer Diersen,



City Council Staff Report

Subject: Fourth of July Celebration Event Update
Authors: Jenny Diersen, Special Events Coordinator
Jason Glidden, Economic Development Project Manager
Department: Special Events
Date: Thursday, October 6, 2016
Type of Item: Administrative

Summary Recommendation

Review the changes that were implemented to the 2016 Park City Fourth of July Celebration and provide direction to staff to move forward on the recommended changes for the Park City Fourth of July Celebration in 2017, including the city's role in planning, programming, and financial considerations for the future of the event.

Acronyms

| | |
|-----------|---------------------------------------|
| Chamber | Park City Chamber and Visitors Bureau |
| JV | Joint Venture |
| PCMC/City | Park City Municipal Corporation |
| SEAC | Special Event Advisory Committee |
| UDOT | Utah Department of Transportation |
| VMS | Variable Message Signs |

Executive Summary

The Fourth of July Celebration is one of the top five largest attended events on the Park City event calendar. Staff believes that this is an important event to our community culture and provides economic incentive for our local business community. Staff believes it is the community spirit, uniqueness and diversity of the event's offerings that drive visitors to the event.

Historically, this event has been planned by the Park City Ambassadors, which was a volunteer group of the Chamber. In 2015, staff received notice that the Park City Ambassadors were dissolving and would no longer be able to plan, staff or act as the applicant of the event, leaving staff to look to hire an event organizer for the event in 2016. Unable to find an event organizer for the 2016 event, the Park City Chamber took on the role as the applicant and the Special Events Department took on a greater role of planning and implementing programming for the event.

At the April 20, 2016, Special Event Advisory Committee (SEAC) meeting, staff helped to facilitate a conversation around Fourth of July regarding the prioritization and event threshold, level of City services, and a general debrief focusing on the balance of the positive community and economic incentives, as well as some of the concerns regarding adverse impacts. SEAC recommended that we focus on improving the community feel of the event by bringing back the "fun and funk" and work to mitigate adverse impacts associated with overcrowding, traffic, parking, and ensure the highest level of public safety for the 2016 event.

The Problem and the Opportunity

The Fourth of July Celebration is a daylong community celebration that is important to our culture and brings economic benefit to local businesses and many nonprofit partners that depend on this event for fundraising opportunities. With the popularity of this event, there are also significant impacts to transportation and congestion. The size and popularity of the event require coordination between almost every department in the City and many community partners.

With the lack of an applicant for the event in 2017, and as planning for the 2017 calendar year begins, staff seeks further direction on what role the City should play in planning and facilitating the 2017 event.

As City Council considers the update regarding the event and recommendations for moving forward, it is important to consider how the decisions will impact the following:

- Traffic, Transportation, Parking & Congestion
- Public Safety
- Community Culture
- Businesses & Economic Vitality
- Park City Residents
- Multijurisdictional Coordination
- City Budget and Fee Reduction Threshold

Background

City Council Reports

| | |
|----------------|--|
| March 26, 2015 | Special Events Update (pages 8 – 29) |
| March 26, 2015 | Special Events Update Minutes (page 1 & 2) |
| August 6, 2016 | Fourth of July Managers Report (page 107) |
| May 5, 2016 | Fee Reduction Approval for Special Events July 1 to Dec 31, 2016 (pages 151 through 160) |
| May 5, 2016 | Fee Reduction Approval minutes (pages 9 – 10) |

For many years, the Fourth of July Celebration was organized by the Park City Ambassadors, which was a volunteer arm of the Park City Chamber. On March 26, 2015, Special Events staff presented an event update with recommended changes to the Fourth of July event to bring back the local, funky feel to the event, reduce the commercial feel and increasing the quality of the parade entries. Additionally staff reported on options to increase safety, and implement increased family offerings.

In 2015, the discontinuation of the Park City Ambassadors meant that a bulk of the planning fell to the Chamber (Bob Kollar - Joint Venture) and the PCMC Special Events Team. Members of the dissolved Park City Ambassadors group along with volunteers from the community have continued to help run the parade. A summary of the 2015 changes are attached as Exhibit A.

With the changes that were implemented in 2015 for the Fourth of July Celebration, staff received additional comment from the community, SEAC and City Departments that the event needed further mitigation for crowd and traffic congestion, and needed further implementation to bring back the local “fun and funk.”

Analysis

In April of 2016, staff implemented further changes to maintain the uniqueness and community appeal, while further mitigating the impacts of this event, including:

Crowd Management & Location Changes

Over the past 3 years, staff estimated attendance by working with the transportation planning team and Blyncsy to collect transportation data (Exhibit B). Staff believes attendance to the Fourth of July Celebration over the past 3 years was as follows:

- Friday, July 4, 2014 – about 37,000
- Saturday, July 4, 2015 –about 35,000
- Monday, July 4, 2016 – about 32,000
 - Through Blyncsy data, we believe that 15,000 people visited Main Street on Fourth of July in 2016.
 - Through Blyncsy data, we believe that 53,000 people were in the Park City area (224 Holiday Ranch Loop to 248 at High School) on the Fourth of July in 2016.

Though staff anticipates a slight decrease in attendance, as the holiday continues to move away from the weekend over the next 3 years, it is anticipated to remain in the top 5 highest attended events in Park City during the year. As the holiday separates from the weekend dates, staff is challenged to ensure that the holiday event remains economically beneficial for our local business community including lodging, restaurants and retail shops and nonprofit community while also providing social value to the overall community. Dates for the next 3 years of the holiday are as follows:

- Tuesday, July 4, 2017
- Wednesday, July 4, 2018
- Thursday, July 4, 2019

Furthermore, the definition of local may be shifting. Local has changed from meaning Park City residents, to Park City, Summit and Wasatch County residents, employees and business owners. It is important to be clear about this definition of local attendee as we continue to program the event, so that we can ensure the event stays authentic to our sense of community and place.

Due to overcrowding concerns at South City Park, staff explored moving activities to other locations including the Library Field, North City Park. The other idea explored was to decrease the scope of activities during the holiday celebration to further deter crowds. Another idea was to better utilize the infrastructure at the resorts, which might provide adequate facilities and an economic incentive for the owners.

After discussions with SEAC and other departments, Special Events staff worked with multiple partners to move activities to North End City Park, which is four times larger than South End City Park. A site plan of Fourth of July park activities is attached as Exhibit C. The changes created additional space for crowd movement, including:

- South City Park remained un-programmed, allowing attendees to have a quieter space.
- Library Field remained un-programmed as open space.
- North City Park allowed partners to:

- Consolidate all family activities to one area
- Consolidate rugby tournament near family games, live music, beer garden and food creating a more inclusive area for the community and visitors to gather and participate in all activities.
- The Rugby club agreed to be the sole provider of beverages, and the Park City Rotary agreed to be the sole provider of food – in previous years, they had both provided beer and food options. Staff believes consolidating the responsibility of beverage and food providers offered a more streamlined process. Additionally, consolidating food and beverage options helped to send business to local area restaurants as a goal of the funds received by Restaurant Tax Grant.
 - Park City Rotary reported they made \$7,000 from the event this year, which was about the same as they had made in years past.
 - Rugby reported that they made about \$5,000 from the event, which was up by almost 65% of what they had made in past years with food and beer sales. They also reported that the new set up this year required them to increase labor and security (volunteer) to properly set up the area.

Staff received various comments that the changes were positive. Though crowds were still large, the creation of un-programmed open spaces and moving activities to larger areas were well received from both the public and partner organizations. Comments staff did hear that we may need to consider next year are as follows:

- More shade may be needed at North End City Park during the event with tents or umbrellas;
- More signage needed for way finding;
- More seating areas needed for picnic/food areas
- Security is needed for the park entrances for parking and access control outside of the Park City Police.

Transportation & Parking Mitigations

One of the recommendations from SEAC was to further mitigate transportation impacts. In order to accomplish this, the Special Events Department worked with the transportation team including Transportation Planning, Police, Streets, Parking Services and Transit to enhance transportation options during the event in 2016. The 2016 Fourth of July Traffic Mitigation Plan is attached as Exhibit D. This included implementation of:

- Bus Only Lane & Traffic Mitigation
 - Implementing a bus only lane in the right lane headed into Park City on Deer Valley Drive early in the morning. Implementing the bus lane allowed for those who took the bus to ‘fly by’ those who drove into town. Additionally, “hands on” traffic control/management and police coordination was enhanced and required for egress after fireworks. These changes allowed for better traffic flow and a feeling of decreased traffic congestion from years past. Similar traffic control efforts were implemented during peak ski days last season and proved to be effective.
 - It is important to note the difference in permitted events over Fourth of July weekend in 2016, as a Deer Valley concert was not

programmed on July 4th evening as it was in 2015. The change in this scheduling opportunity along with increased traffic mitigation including a dedicated bus lane, traffic direction and officers at Park Avenue and Empire Avenue allowed for better traffic flow after the fireworks display.

- Increased Transit Operations
 - Transit worked to implement additional tripper busses on the High School route with expedited travel between the High School and Old Town Transit Center via the transit only lane. Transit further coordinated to ensure that though busses were full, all parade attendees were brought to Old Town Transit Center by 11:15, shortly after the start of the parade. Additionally, transit worked quickly to establish routes back on Park Avenue, opening Park Avenue for general public transportation shortly after 2:00 p.m.
- Satellite Parking Options
 - In 2016, the Park City High School continued to be the primary satellite parking lot for the Fourth of July Celebration. Various additional satellite parking options were brought on including the Richardson Flats Parking Lot (carpool or bike in only, no transit), Canyons Cabriolet Lot with normal transit service, and Vail kindly agreed to allow parking at Park City Mountain's Base area, as they hosted the evening fireworks.
- Public Notice & Information Map
 - In coordination with the Community Engagement Department and Transportation Planning Departments, additional marketing materials for the Community Celebration were created and distributed ahead of time. Special Events Department implemented door to door notification reminding Park Avenue residents of parking removal for the holiday celebration. Additionally, information regarding the weekend of events and impacts were pushed out through newsletter, social media, and local radio and newspaper notification channels to give further notification of transportation and event details. (Exhibit E)
 - It should be noted that constant coordination also occurred between Transportation Planning, Special Events, and Streets to provide advanced and real time information on the portable VMS. For 2017 events, permanent VMS will be jointly installed by UDOT and Park City. These VMS will be available to Park City for use during events, and we eagerly await their installation as we believe it will be a great improvement.
- Parking Counts
 - The Parking Services Department worked to implement additional ADA parking spaces and coordinated to give up to date parking availability in the China Bridge parking structure. Additionally, parade volunteers helped to direct traffic into the parking garage increasing accessibility in the garage.

Staff recommends building off the mitigation measures outlined above for the event in 2017, including adding a bike valet, further increasing transit, potentially charging for covered parking, and introducing alternate transportation incentives for locals and visitors alike to reduce traffic congestion. Transportation Planning and Special Events staff agrees that all of these mitigation measures should becoming Standard Operating

Procedures for large scale events. It should also be noted that these mitigation measures are implementation elements of the City's recently completed Transportation Demand Management Plan, scheduled for your review and consideration as part of October 6, 2016, Council Meeting.

County Coordination

Over the Fourth of July Weekend, various events are permitted to encourage multiple offerings through the weekend for locals and visitors alike as the promotional materials attached in Exhibit E indicate. The Special Events Department continues to work with the County to further mitigate impacts to the City as well as to our neighboring jurisdictions. By working with the Chamber and Summit County staff several improvements were made including:

- Increased marketing initiatives fulfilled the requirements to market the event outside of the Park City Area from the Restaurant Tax Grant.
- Allowed the City and the County to coordinate on the use of VMS and traffic and transportation plans throughout the weekend. Vail kindly allowed use of the Canyons Cabriolet Lot as a satellite lot, and the County helped to program and provide use of VMS to notify both residents and visitors of new parking and transit options.

Local Incentives & Quality of the Parade

The Fourth of July Celebration has long been a part of Park City's unique community and culture, from the Fourth of July 5K that supports our local and aspiring athletes to the parade, park activities which are organized by our local nonprofits and the fireworks display, the event is a weekend long celebration of our community. It is the uniqueness of the event and our community culture and diverse offerings that attract visitors.

In 2016, staff worked with the Chamber to increase the local feel of the parade by:

- Requiring parade entrants to be local, Summit County residents or organizations. This brought the total number of parade entries to 49 allowing the parade to last one hour. In the past the parade had lasted for close to an hour and a half and included some non-local floats.
- Additionally, staff worked to bring back allowing the use of using water guns and candy. Staff worked to educate parade entrants on how to safely use water guns and candy.
- Changes to the parade application allowed an increase in fees received to incentivize early applications, and penalize for late entries which cause staff to have to work on a quick schedule.

Staff will continue educating parade float participants to help them understand parade safety. The challenge is also getting those who are amongst the crowd to do so as well.

Staff will continue to work to incentivize locals to participate in the parade and has considered releasing the applications earlier during the Spring Locals season to encourage earlier interest in participation. Staff feels that moving this application earlier to locals will allow for more advanced planning & incentive for local participation ahead of time.

Security & Public Safety

Due to the sensitivity of security and public safety plans, staff has only included an update of security and public safety for the event and whether level of services increased, remained the same or decreased. City Council could ask for additional details in a closed session, should they so desire. In 2016, security for crowd and traffic control included the following:

- Increased Park City & Area Public Safety Personnel, costs increased
- Maintained requirement for Private Security for Fireworks, costs increased
- Required Parade Float volunteers & attendance at parade meeting.

Funding Analysis & Opportunities

A comparison between the cost of City Services between 2015 and 2016 event years are presented below.

In addition to having \$44,933 in City Services Waived in 2016 for the Fourth of July Celebration, further traffic mitigations included increasing transit, installing a bus lane on Deer Valley Drive to Bonanza Drive to further incentivize expedited transportation were also implemented.

In 2016, the Special Events Department wrote a request for Restaurant Tax funding to help support the costs of the Fourth of July and a grant was awarded to the City for \$50,000.00 (fifty thousand dollars) over two years (2016 & 2017). The support of grant funding has been important to help with increasing City costs and better programming for the event. As the City considers taking on a greater role with the event, it is important to consider the importance of grant funding for the event in years moving forward. The Restaurant Tax Grant is to be used for the following:

- Establish an organizing umbrella and hire an event organizer. Hiring an event organizer would not be considered staff salary as prohibited by the grant below.
- Develop programming that is unique to Park City to encourage visitors from outside of Summit County to extend their weekend day to include the Fourth of July holiday when it falls on a week day night.
- Develop and implement marketing and advertising strategies to attract visitors from outside of Summit County.
- Increase transit, transportation and security measures during the Fourth of July Celebration to ensure that the safety and ease of access remains intact.
- Develop survey to understand why people visit Park City for Fourth of July.

An outline of how grant funds are to be spent in 2016 and 2017 is below, as part of the Costs Analysis.

2. Recipient Responsibilities. Funding shall be used to make the 4th of July event even more appealing to destination visitors through spending on an event manager, advertising, enhanced programming and safety. All advertising funds must be spent on promotions reaching outside of Summit County as outlined in the application. No staff salaries can be paid with the grant money. No traffic management or police protection can be paid with the grant money.

Additionally, staff worked with Fourth of July stakeholders including the Rugby Club, and two separate Boy Scout groups to outline budget costs and asked them to help to pay for direct expenses including restrooms, trash and recycling.

As City Council considers the future of the event, it is important to consider costs and budgeting for of the event including the ability to apply for the Restaurant Tax Grant and consideration of budgeting for items paid for by the grant if the City were to not receive it. Staff intends to return to City Council in May of 2017 to request City Service Fee Reduction for the event in accordance with the Fee Reduction Policy.

| 2015 Costs - Fourth of July | | 2016 Costs – Fourth of July | | |
|--------------------------------|---------------------|--------------------------------|---------------------|---|
| DEPARTMENT/ITEM | COST | DEPARTMENT/ITEM | COST | NOTES |
| Special Events Application Fee | \$80.00 | Special Events Application Fee | \$160.00 | City Services Fee |
| Police | \$39,600.00 | Police | \$46,365.00 | City Service Fee & Transportation fund for increase in PD for traffic mitigations |
| Parking | \$3,000.00 | Parking | \$3,000 | City Services Fee |
| Streets | \$6,980.00 | Streets | \$6,980.00 | City Services Fee & Transportation Fund |
| Parks | \$3,087.00 | Parks Staffing & Contract Work | \$4,807.00 | City Services Fee |
| Building | \$1,809.00 | Building Permits | \$942.05 | City Services Fee |
| Transit | \$9,600.00 | Transit | \$12,000.00 | From Transportation Fund |
| Restrooms | \$3,093.00 | Restrooms | \$3,213.00 | Split between stakeholders |
| Trash | \$3,613.00 | Trash & Recycling | \$4,691.15 | Split between stakeholders |
| <i>Park City Chamber</i> | <i>\$37,575.00</i> | Park City Chamber | \$10,000.00 | Special Service Grant |
| Private Security | \$2,168.25 | Private Security | \$3,690.00 | Restaurant Tax Grant Funding |
| | | Face Painting | \$200.00 | Restaurant Tax Grant Program |
| | | Electrical Work | \$2,000.00 | Restaurant Tax Grant Funding |
| | | Advertising & Graphic Design | \$6,595.19 | Requirement of Restaurant Tax Grant |
| | | Park City Fire & EMS | \$725.00 | Chamber |
| Total 2015 | \$110,605.25 | Total Costs 2016 | \$105,368.39 | |

| Funds Received/Invoiced 2016 | | |
|-------------------------------------|--------------------|-----------------------------|
| Restaurant Tax Grant | \$25,000.00 | 2016 allocation \$25,000 |
| Rotary | \$1,676.50 | Uncharged |
| Rugby Club | \$1,676.50 | Invoiced |
| Boy Scouts - Breakfast | \$1,341.20 | Invoiced |
| Boy Scouts - Kids Games | \$335.30 | Invoiced |
| Funds Received/Invoiced | \$28,353.00 | |

| Event Summary 2016 | | |
|-------------------------------|---------------------|---------------------|
| Total Costs 2016 | \$105,368.39 | |
| Received/Invoiced | \$28,353.00 | Grants & Invoices |
| City Fee Reduction | \$44,933.00 | Approved 5/5/16 |
| Chamber City Service Contract | \$10,000.00 | |
| Transportation Fund | \$22,915.00 | Transportation Fund |
| Balance | (\$832.61) | |

| Possible Additional Estimated Costs for Event 2017 | | |
|---|-------------|-------------------------------|
| Event Organizer | \$10,000.00 | Restaurant Tax Grant Funding |
| Economic Impact Study | \$3,000.00 | Restaurant Tax Grant Funding |
| Chamber Costs | \$7,715 | Parade and Park Entertainment |

Analysis Summary

Staff believes the 2016 event was a success with regards to bringing back the local fun and funk, as well as increasing mitigations to offset adverse impacts including overcrowding, transportation and traffic with the event. As we look ahead to 2017, additional mitigations for the event may include requiring a bike valet to be provided, paid covered parking, sustainable guidelines, and additional increases in transportation mitigation. Staff will continue to monitor crowd management at the event as well. Typically modifications such as this take time for the public to respond. As such, it is anticipated that as this and many other mitigation measures become Standard Operating Procedures the utilization of public transit will increase year after year regardless of attendance levels. Again this supports the City's transportation planning approach that is intended to change behavior over time by obtaining more capacity out

of the transportation system during peak times through the utilization of alternative modes.

On July 12, 2016, staff worked with SEAC to facilitate a debrief. The group agreed that the bus only lane on Deer Valley Drive was very positively received and helped to expedite and incentivize use of public transportation. Additionally, SEAC stated that the parade was much more fun, specifically mentioning the wedding float, and that they believed the small town feel was back. SEAC further mentioned that the bus drivers were particularly helpful and specifically mentioned the bus drivers' fun and helpful attitudes during the event, but that the busses were very crowded and that increased transit may be needed in 2017. Other suggestions were also made including adding seating at North City Park.

Department Review

Special Events, Sustainability, Police & Emergency Management, Building, Building Maintenance, Public Works, Transit, Streets, Transportation Planning, Recreation, Parks, Executive, and Legal have reviewed the report and their comments have been incorporated.

Additionally SEAC's comments and debrief of the event have been included in the report.

Funding Source

- City Council approved \$44,933 in reduced City Services for the Fourth of July in 2016 through the fee reduction process on May 5, 2016. Reduced fees were covered within as part of the General Budget.
- Funds for increased transportation planning costs (including streets, transit and increased police) will be covered within the Transportation Fund.
- Additionally, staff applied for a Restaurant Tax Grant and received \$50,000 over two years (2016 & 2017) for the event.

Given the current scope of the event, and level of City Service Fee Reduction, grant funding and invoices paid by partner stakeholders, staff currently believes the event is financially sound. It is important to consider financial responsibility, as well as possible other mitigations of the event as the City considers taking on the role of serving as the applicant of the event

Alternatives for City Council to Consider

Staff has continued to work to ensure proper mitigations for the Fourth of July Celebration are implemented to reduce traffic and congestion and ensure the safety of our community and visitors. Many changes to the event in 2016 allowed the event to become more successful both as a community and economically viable event, as well as, a safe event with reduction in adverse impacts to the community. As staff begins planning for 2017 event calendar, staff seeks discussion and direction on how to move forward with planning the event.

Questions for Council:

1. Is City Council supportive with the city taking a larger role as the applicant and planning and facilitation of the Fourth of July Celebration for future years?

2. Is City Council comfortable using grant funds to hire an event organizer on behalf of the City to organize the event?
3. Is City Council willing to allocate ongoing and/or increased city resources in the future to help mitigate transportation impacts to this event?
4. Does City Council feel that additional mitigations are needed, such as paid covered parking, to further transportation and congestion mitigations?
5. Does City Council feel further incentives are needed to increase the local community feel of the event and ensure that the event remains an economically viable event?

1. Recommended Alternative:

Review the changes that were implemented to the 2016 Park City Fourth of July Celebration and provide direction to Staff to move forward on the recommended changes, including the city's role in planning, programing and further mitigation considerations for the future of the event.

Pros:

- a. Better management in mitigation, operation and quality of the event creates increased community, cultural and economic vitality to the event and our surrounding community.
- b. Additional transportation planning and mitigation encourages ease of access and alternate modes of transportation for the event.
- c. Continuing activities at North City Park will allow for more space at activities to address overcrowding issues at South City Park.
- d. Staff believes the event's current mitigations and programs align with City Council's goals of providing a complete community that values economic diversity and arts and culture, creating engaged and effective government, and a thriving mountain community in the following ways:
 - Vibrant arts and culture offering;
 - Protected and celebrated history, as well by creating a community gathering place;
 - Safe Community;
 - The event allows for increased coordination with other regional governments including Summit County;
 - Balance between tourism and local quality of life;
 - Varied and extensive event offerings;
 - Accessibility during peak times
 - Well utilized, fare-free, regional public transit, walk-able and bike-able community;
 - World-class, multi-seasonal resort destination

Cons:

- a. Staff's recommendations and the event plans add additional staff time and require that financial costs fall to the responsibility of the City.
- b. These changes may increase the attractiveness of the event and thus add to growth in attendance to the event. This could cause the need for greater mitigations in future years.
- c. Activities at North City Park could outgrow the area in future years and staff may need to further increase the footprint of the event.
- d. Grant funds may not be a reliable source of revenue.

2. Alternative B:

City Council could provide direction to negotiate a Special Service Contract between the City and another entity to serve as the applicant and facilitate, partner and support the event.

Pros:

- a. The responsibility of the event would fall to another entity that would serve as the applicant. The applicant would be responsible for facilitation, financials and operations of the event.

Cons:

- a. It is likely that the City would continue to be responsible for helping to implement operations of the event through multiple departments, as well as, transportation and traffic mitigations, maintaining security and safety of the event, as well as, fee reductions for City Services.
- b. Having another entity to serve as the applicant and facilitate, support and operate the event may make it more challenging to achieve the City's goals of the event.

3. Decrease Scope Alternative:

City Council could provide direction to further decrease the scope of the Fourth of July Celebration including decreasing approved events over the Fourth of July weekend, and/or decreasing day of activities and participation in order to further mitigate and decrease the attractiveness of the event.

Pros:

- a. Decreasing the scope of the event could decrease congestion and the need for further traffic mitigation for the Fourth of July event, however, it is difficult to determine if residents and regional visitor may be included to still visit Park City for other activities, attractions and amenities.

Cons:

- a. Decreasing the scope of the event could present multiple negative implications including decreasing an important community and cultural event and further decreasing an event that is economically important to multiple stakeholders.
- b. Staff believes further reducing the scope of this event does not align with City Council's goal of providing a complete community that values economic diversity and arts and culture, creating engaged and effective government, and a thriving mountain community.

4. Modify Alternative:

Council could modify the recommendations concerning the Fourth of July Celebration. Additional modifications can change event is planning, operations and programming.

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. Continue the Item Alternative:

Council can continue the item and direct staff to return at a later date for further discussion.

Pros:

- a. This would allow additional time for staff and City Council to consider further mitigations and changes for the future of the event.

Cons:

- a. This will further postpone planning for the 2017 event and may make it difficult and to further mitigate and implement additional changes. This would also postpone role clarity with staff and a possible applicant for the 2017 event.

6. Do Nothing Alternative:

Council could choose to provide no direction regarding the Fourth of July.

Cons:

- a. This would provide lack of proper direction on how to better mitigate impacts and create a community feel for the event.

Attachments

EXHIBIT A – 2015 Fourth of July Event Changes Summary

EXHIBIT B – 2016 Fourth of July Blynscy Data

EXHIBIT C – 2016 Fourth of July Site Plan for City Park

EXHIBIT D – 2016 Fourth of July Traffic Mitigation Plan

EXHIBIT E – 2016 Fourth of July Promotional Materials

Exhibit A - Fourth of July 2015 Change Summary

Event changes in 2015 were implemented to better mitigate impacts with regards to traffic management and crowd control, and increase the community feel. In 2015, areas of focus included:

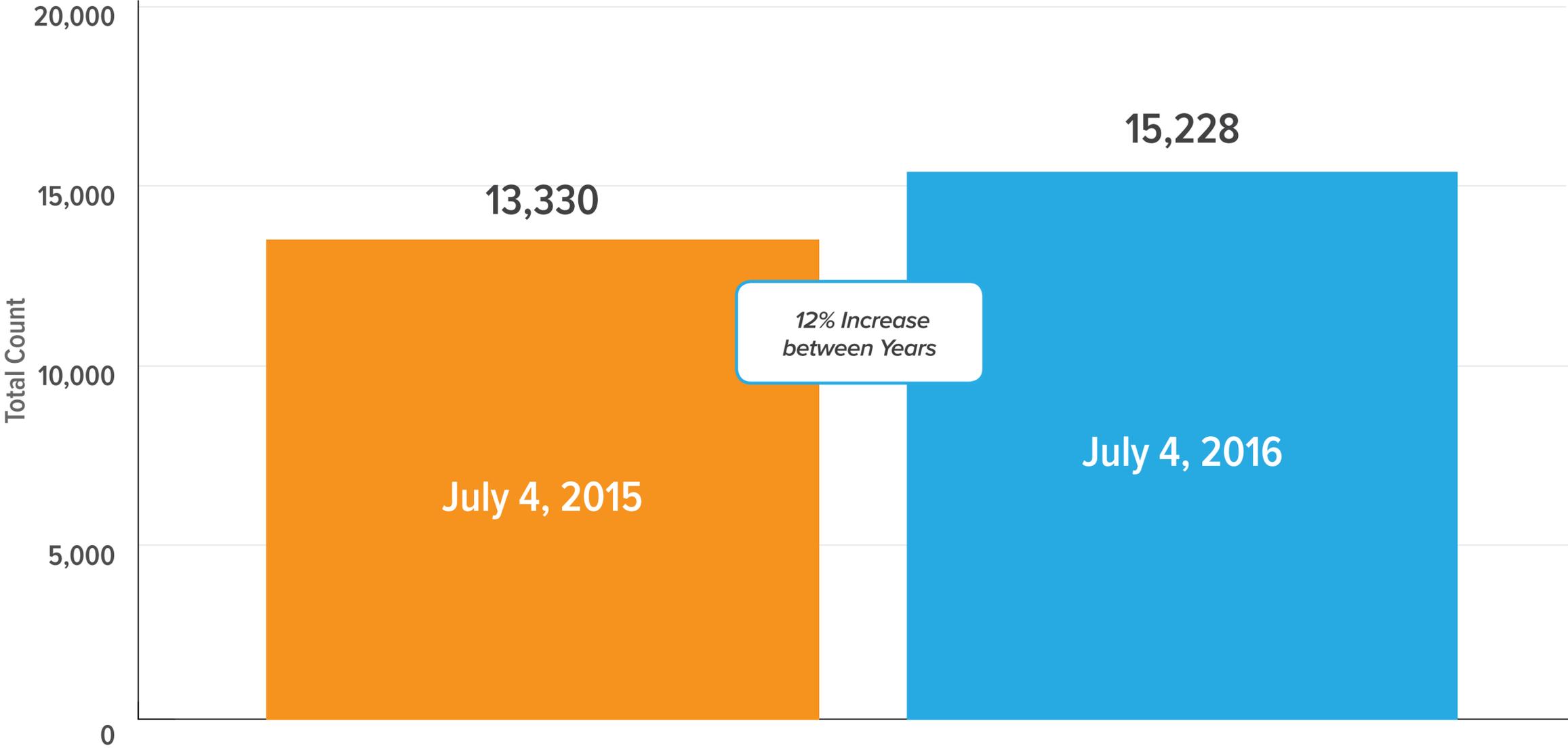
- Parade:
 - Decrease the number of floats – In 2014, the parade had 74 entries, and in 2015 the parade had 56 entries. It was encouraged that parade entries were kept to local, Summit County residents, businesses and employees, though this was not required.
 - Increase security measures along parade route including contracting with private security personnel for crowd control along the parade route. Additionally, the ambassadors required the each float to identify two volunteers to help with crowd management and maintain the gaps between their float in the parade route.
 - The Ambassadors were given the role of enforcing the parameters and regulations for floats found it difficult to do so as float volunteers did not necessarily understand their role throughout the parade route.
 - Though a parade meeting not all parade entrants sent a representative, representatives that did attend did not accurately pass on information, and the parade volunteers for each float blended in with the crowd and other floats. Often these volunteers did not understand their duties to maintain safety on the parade route and around their float.

- City Park:
 - In 2015, police presence and private security was increased in City Park to deter and better control congestion and overcrowding concerns activities. Increased security included adding more private security at South City Park to help with crowd control and, brought in Police Mobile Command Center at North City Park.
 - Additional family activities were added to by the Youth Sports Alliance to supplement other family activities organized by the Boy Scout Troup including sack and three-legged races.



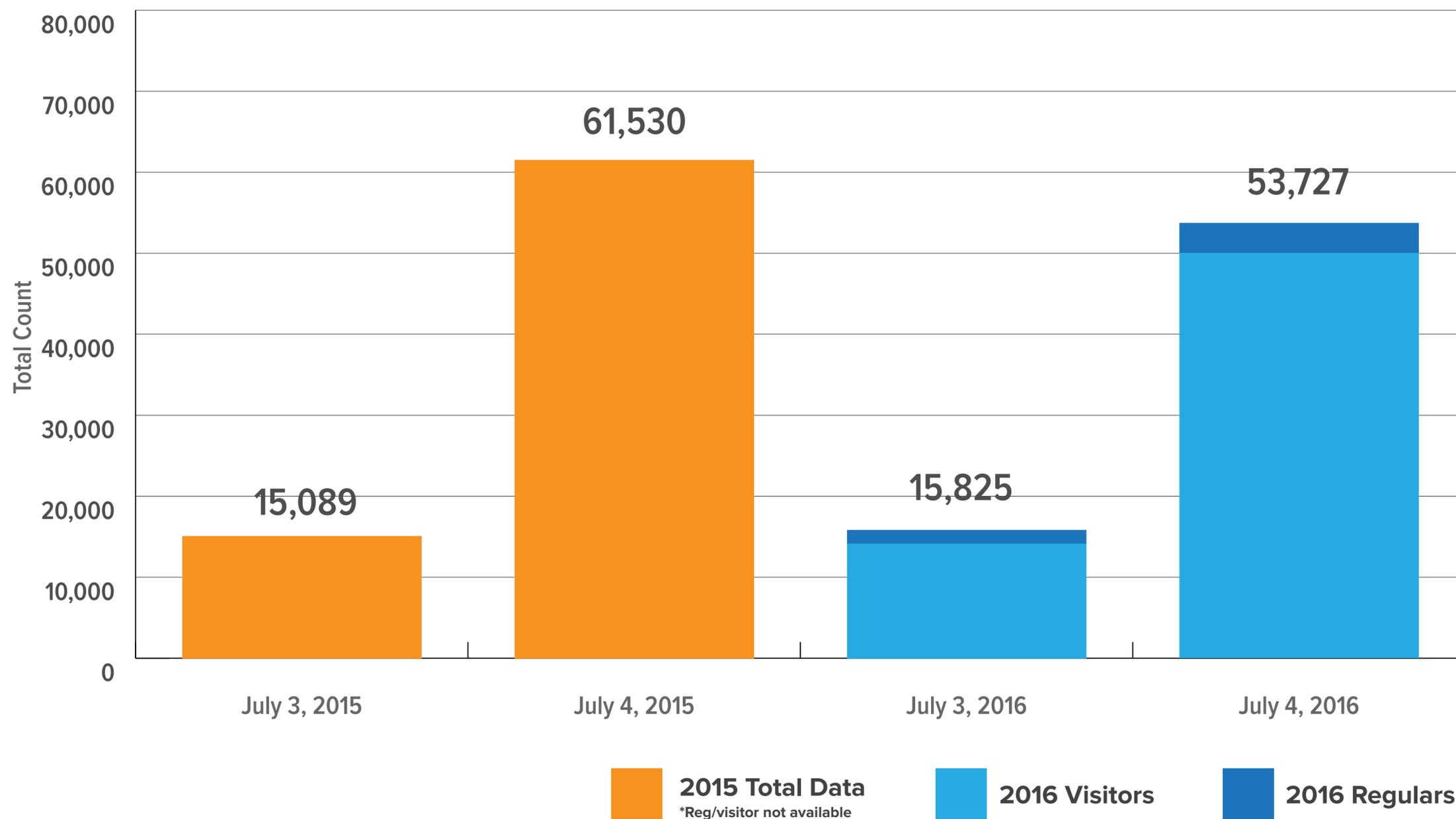
blyncsy  TM
MOVING FORWARD FASTER

July 4th Total Counts: Main St. 2015 vs 2016

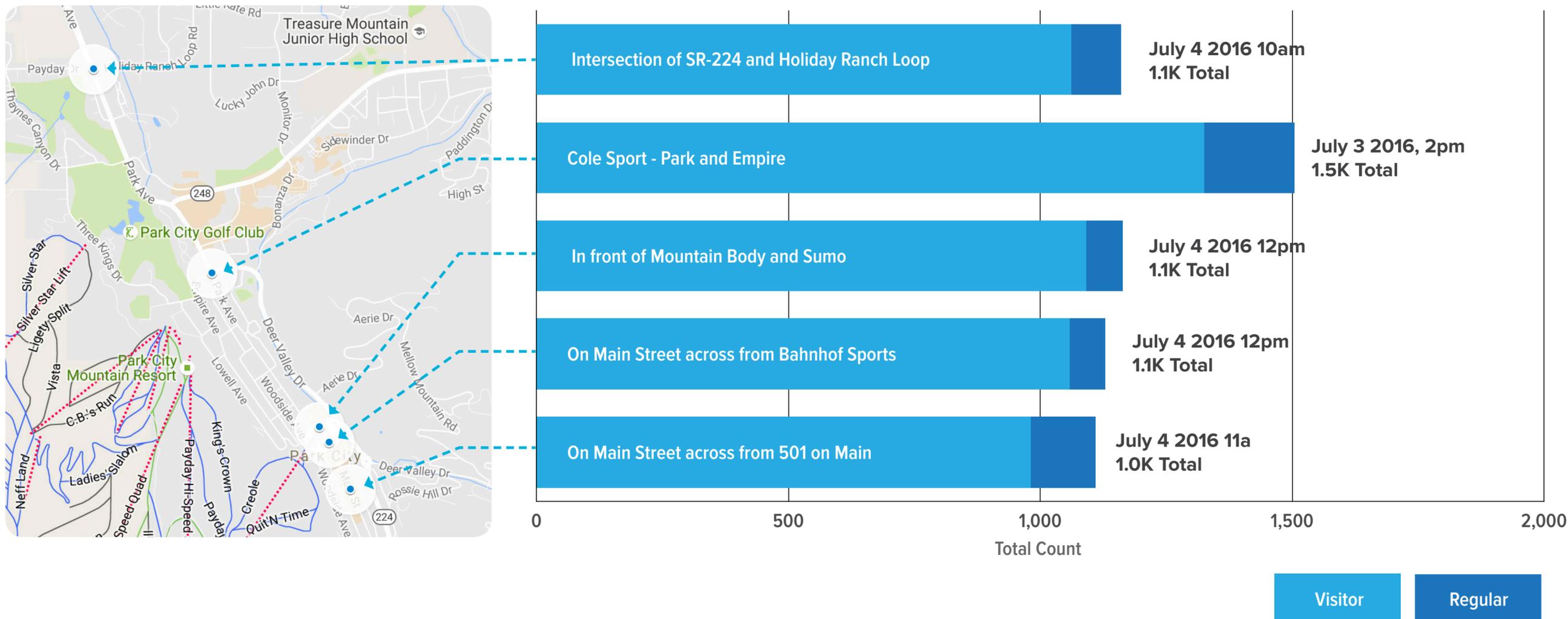


*There were less active sensors in 2015 vs 2016, so the values throughout this presentation are not a direct comparison.

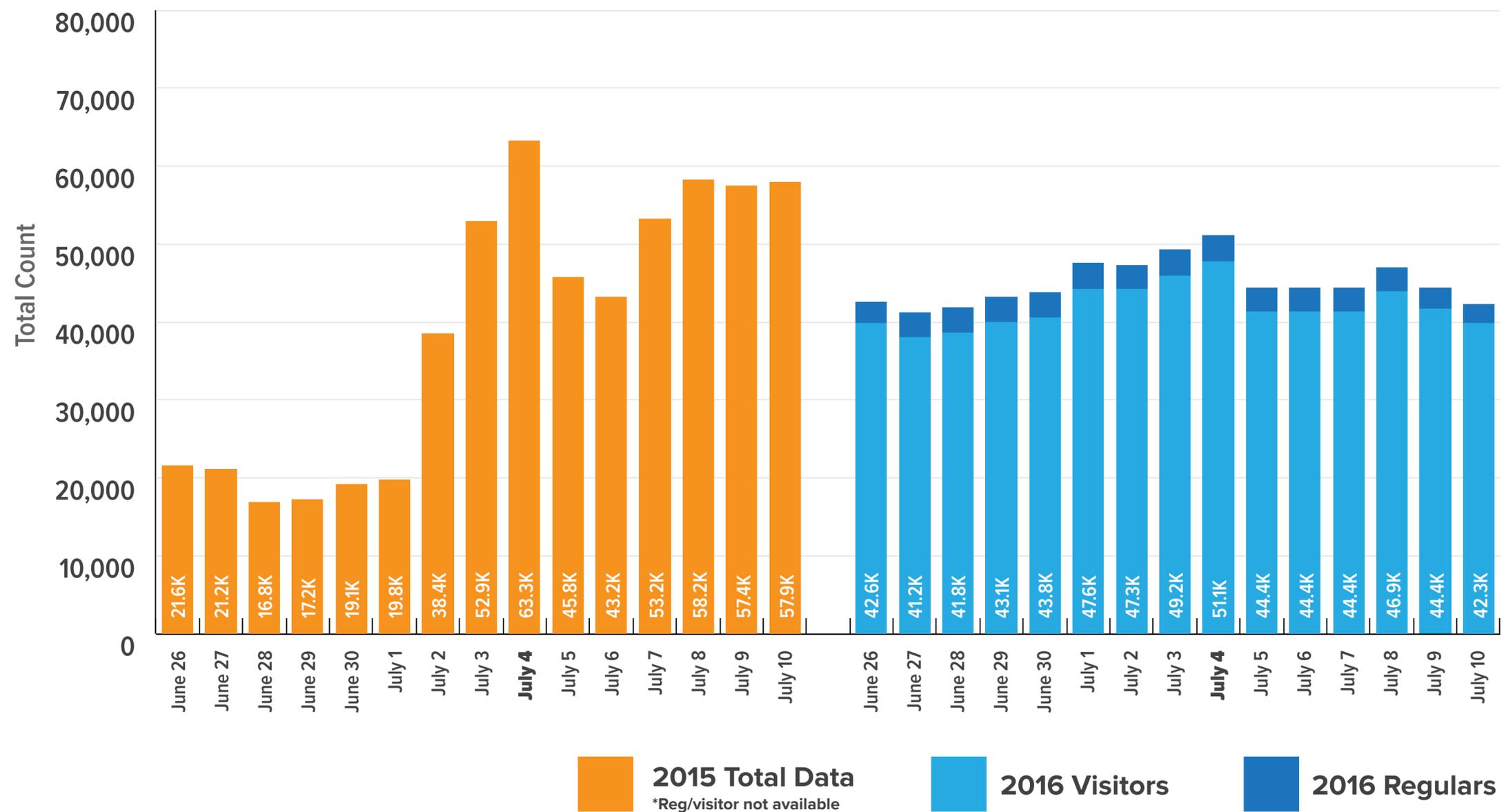
Event Counts by Day: Regular vs. Visitor



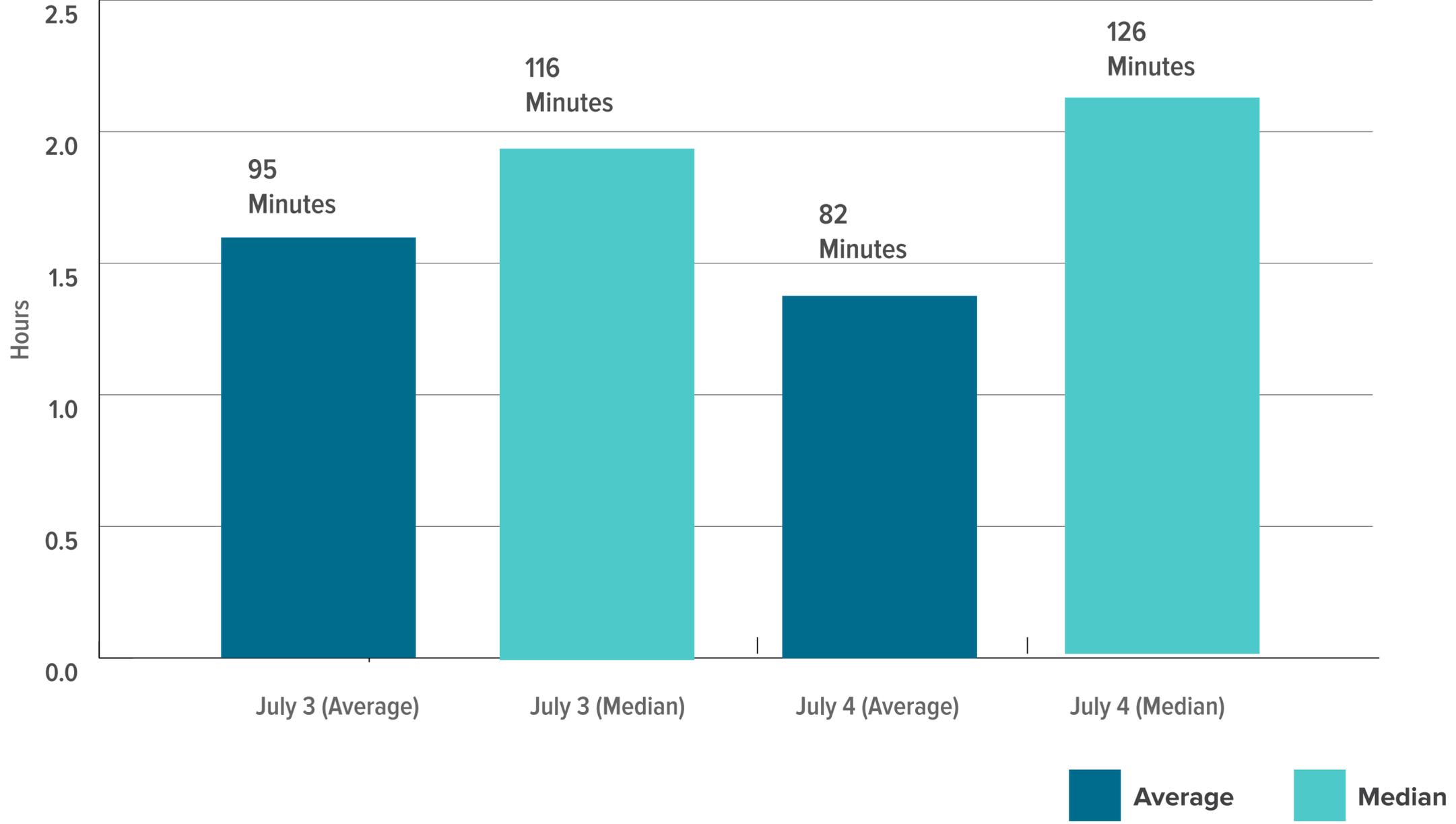
Highest Volume Hours by Location: 2016 Only



Totals: Daily Full Counts Before/After



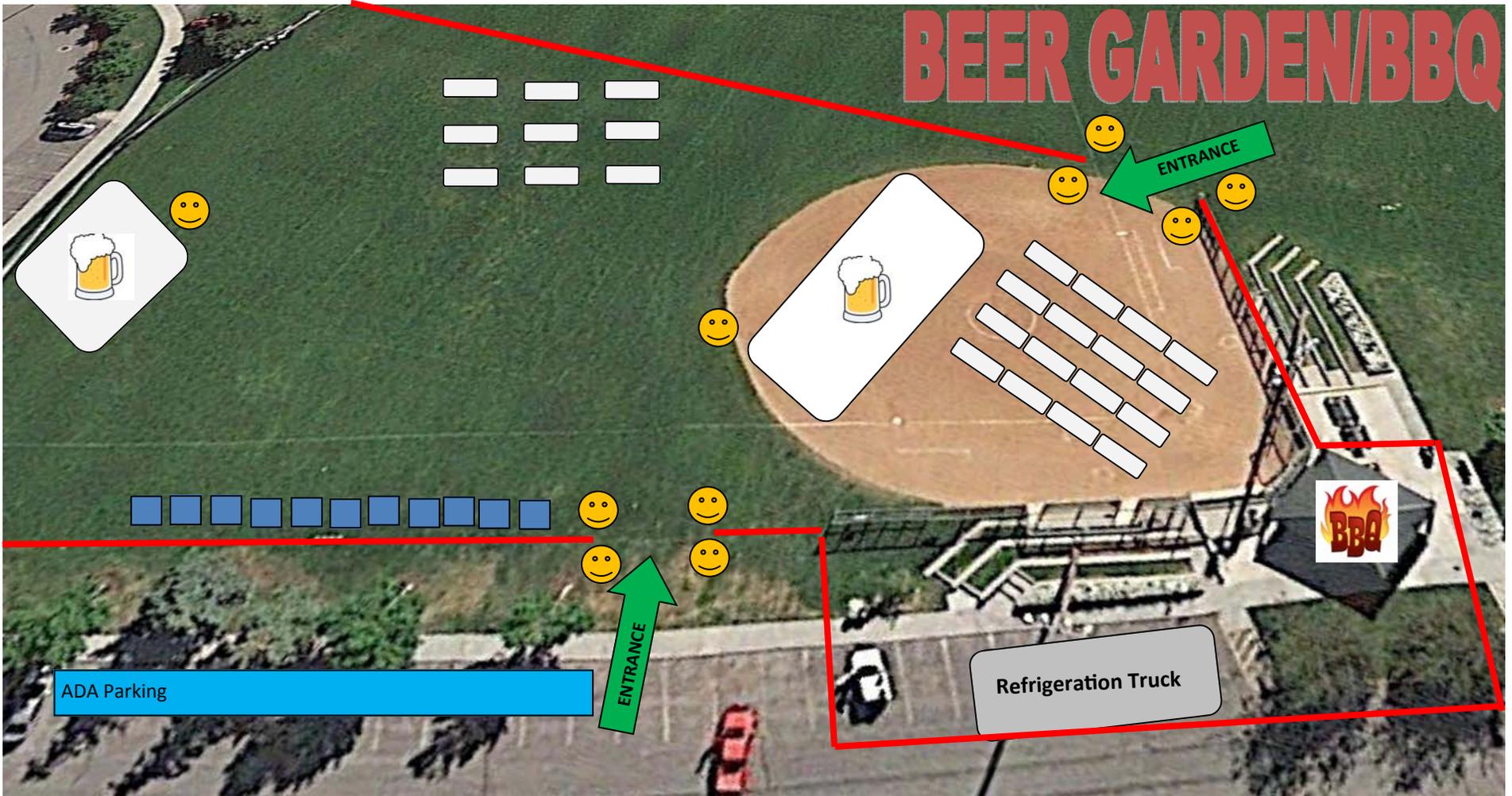
Duration of Stay: Median vs. Average of 2015 & 2016 Totals



NORTH CITY PARK SITE MAP



BEER GARDEN/BBQ



Restrooms



Beverage Service



Security—10 + 4 Police Officers

KID ZONE



Restroom

Face painting

Rotary Parking

Bounce House

Carnival Game

City Park - Parking Plan



Volleyball /Cheer—4



Rotary Parking—10



Music Parking—4



ADA Parking—10



Rugby Parking—10



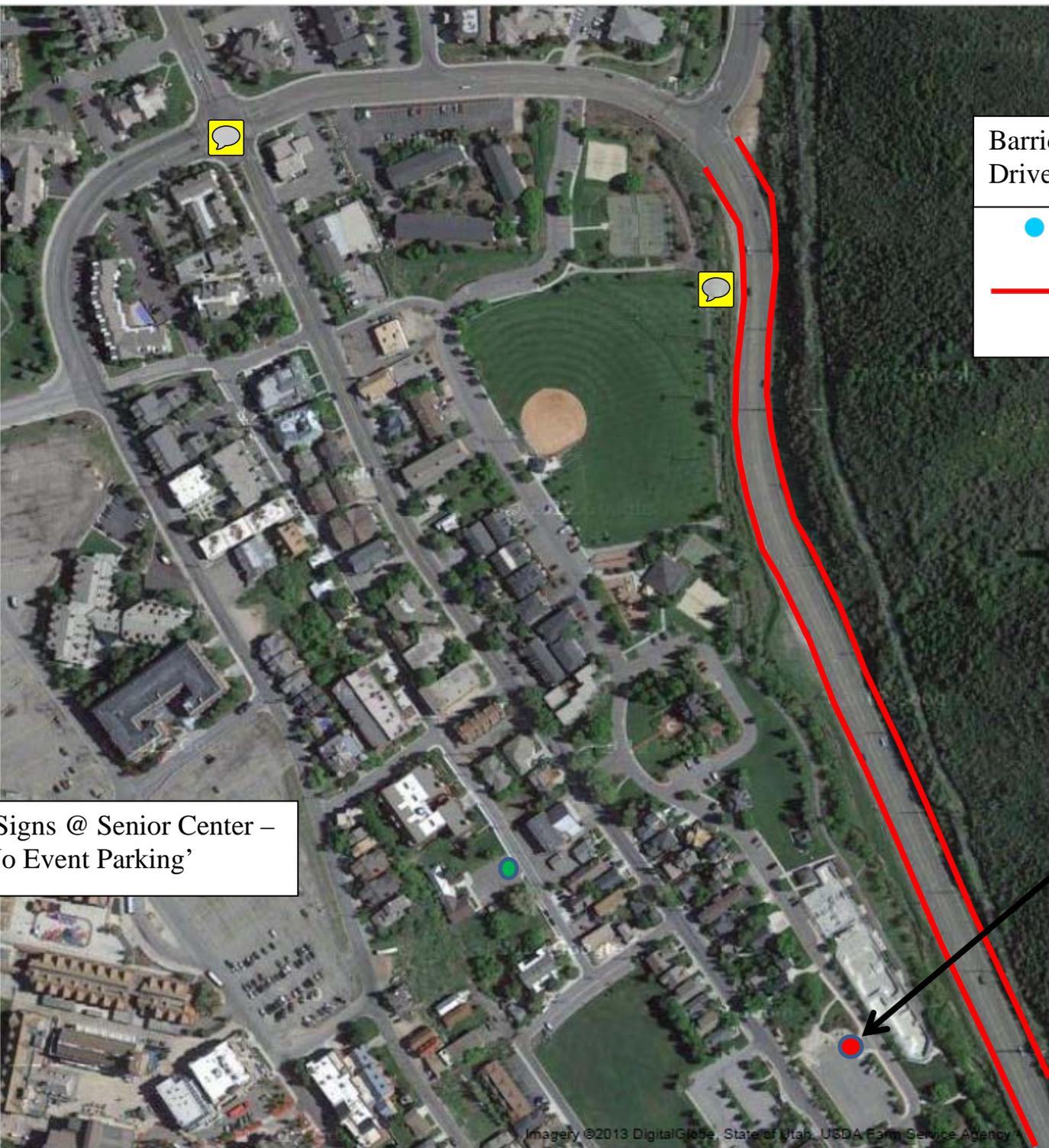
Boy Scouts Parking—8



4th Of July – Streets Dept.
Barricade and Sign Placement

Barricades – North Deer Valley Drive

- Sign Resident Only Parking
- A – Frame Barricades- every 75 yards



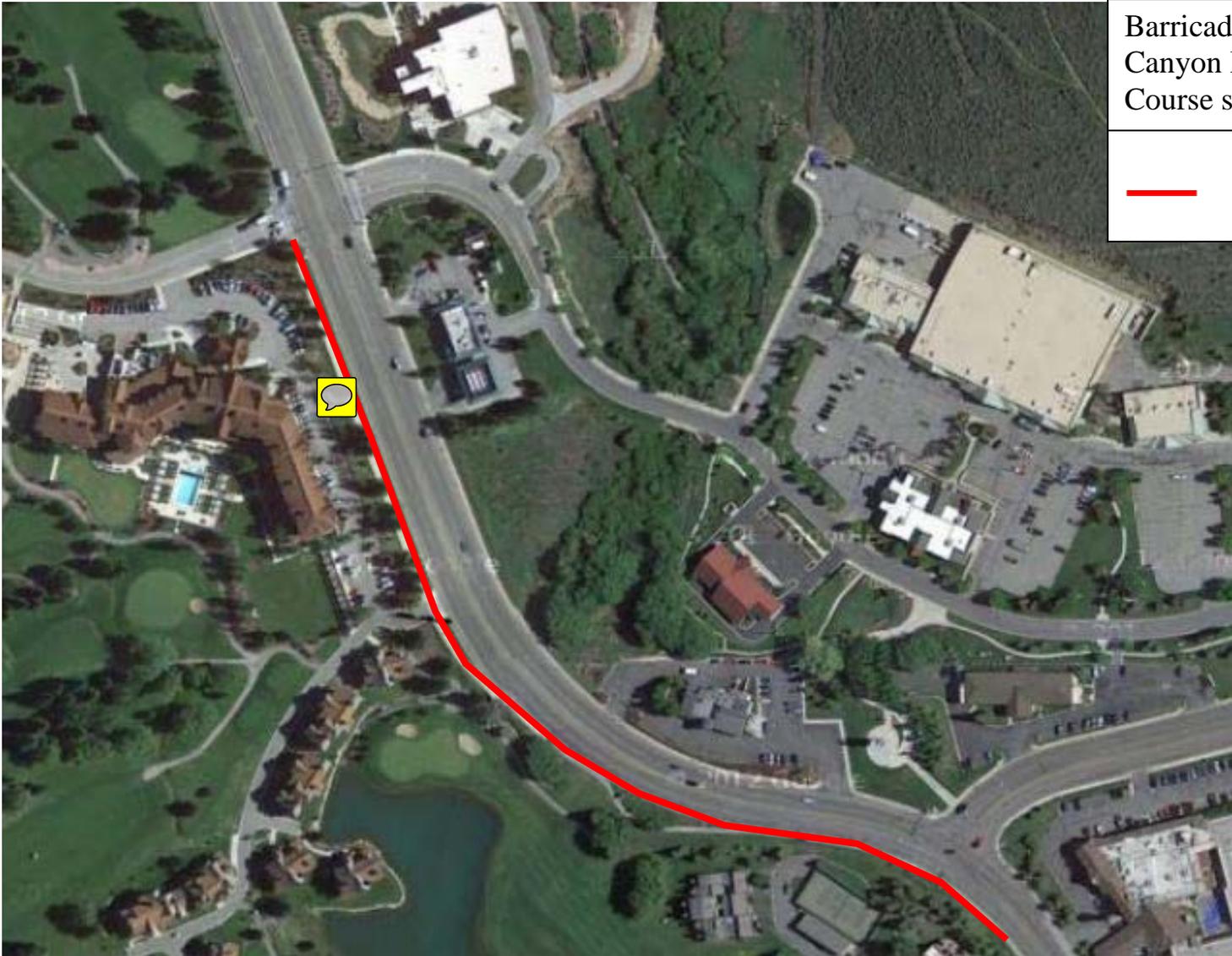
6 Signs @ Senior Center –
'No Event Parking'

6 Signs @ Senior Center –
'No Event Parking'

Imagery ©2013 DigitalGlobe, State of Utah, USDA Farm Service Agency

Barricades – Hwy 224 – Thaynes
Canyon Drive to SR 248 (Golf
Course side only)

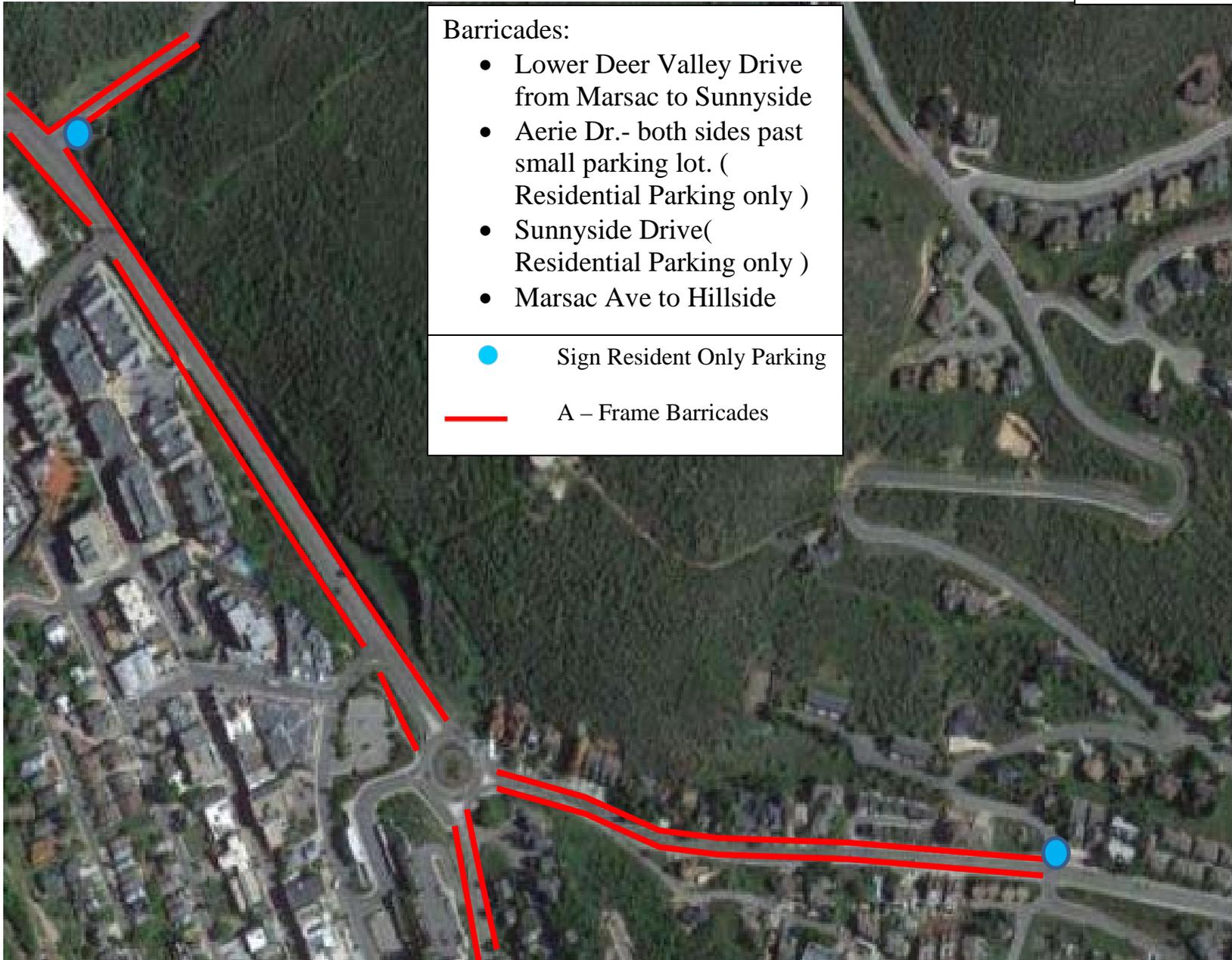
— A – Frame Barricades





- Barricades:
- Empire Ave – both sides from Park Ave to Manor Way
 - Manor Way – both sides from Lowell to Empire
 - Silver King Dr. – both sides from Empire to 3 Kings Dr.
 - 14th Street – both sides Park Ave to Empire

— A – Frame Barricades



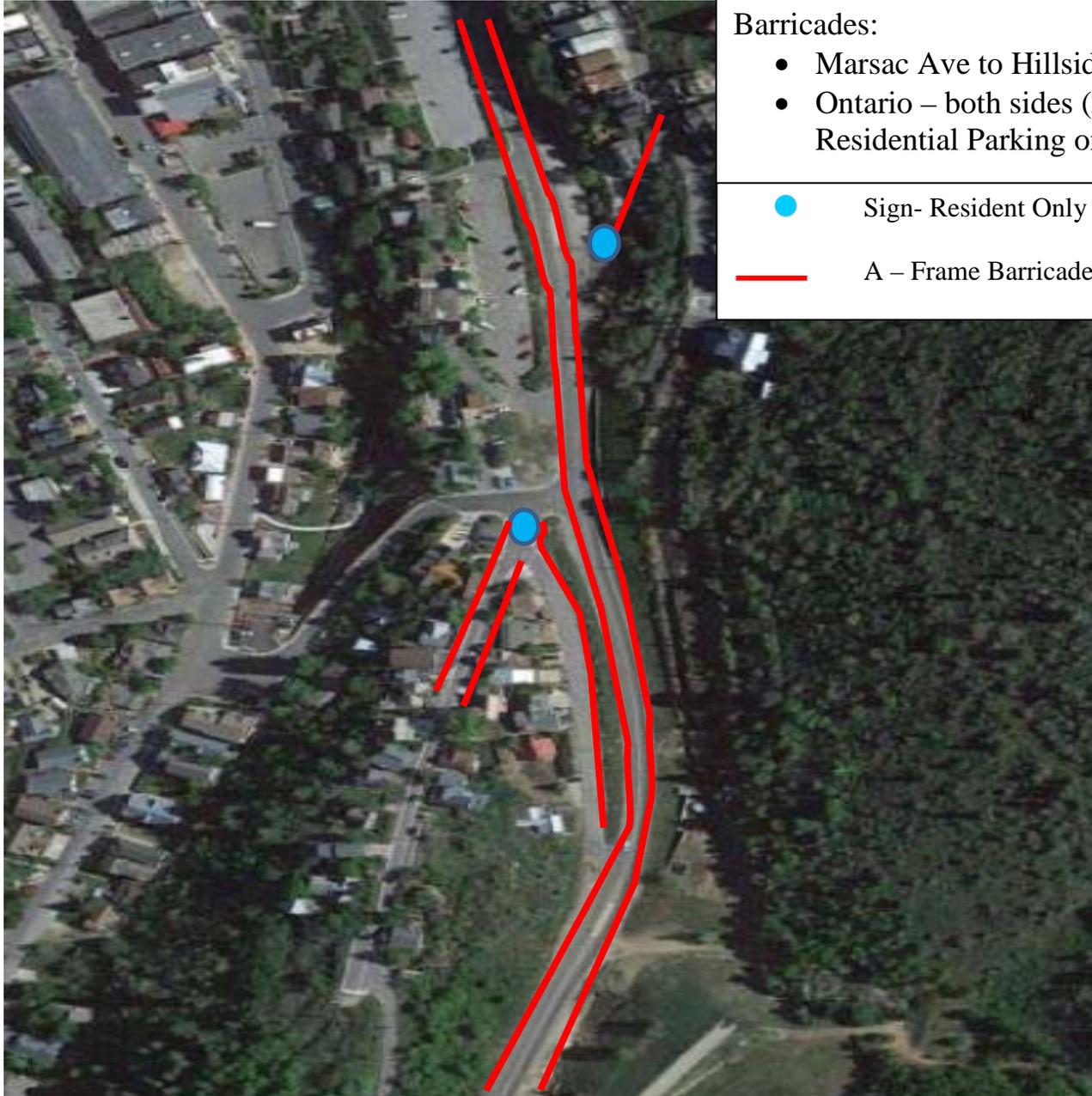


Barricades:

- Marsac Ave to Hillside
- Ontario – both sides (Residential Parking only)

● Sign Resident Only Parking

— A – Frame Barricades



Barricades:

- Marsac Ave to Hillside
- Ontario – both sides (Residential Parking only)

● Sign- Resident Only Parking

— A – Frame Barricades



A-frames barricades: July 4th by 5:30 am

- Placement of barricades down the middle of Park Ave every 75 yards starting at 14th street to 9th Street
- Special Events will place “ No Street Parking Parade Route “ on the A-Frame at 6am



A-frames barricades:

- Ironhorse Dr. – South side of road from end to end. North side of road 50ft across from Shortline Rd
- Shortline Road – Both sides from end to end



COMMUNITY CELEBRATION

Events, activities, restaurants & lodging at visitparkcity.com

June 30th through July 4th ★ 81st Annual Oakley Rodeo ★ Oakley Rodeo Grounds
8 pm each day *excluding Sunday ★ purchase tickets in advance

July 1st through July 4th ★ Firecracker Baseball Tournament
Fields throughout Park City and Summit County *excluding Sunday

July 2nd ★ Deer Valley Music Festival ★ Patriotic Celebration with Broadway's
Doug La Brecque, 7:30 pm ★ purchase tickets in advance

Park City Summer Concert Series ★ Analog Son ★ Park City Resort, Canyons Village
6:00 pm ★ open to the public

July 3rd ★ Park Silly Sunday Market ★ Historic Main Street
10:00 am to 5:00 pm ★ open to the public

Big Stars Bright Nights Concert Series ★ Squirrel Nut Zippers
Deer Valley Snow Park Amphitheater ★ 7:00 pm ★ purchase tickets in advance

July 4th Celebration ★ City Park & Historic Main Street
Pancake Breakfast ★ supporting the Boy Scouts ★ 7:00 am
Cole Sport 5K Fun Run ★ supporting our local Olympic Athletes ★ 8:00 am

*pre-register, Park City Mountain Base

Parade on Historic Main Street & Park Avenue ★ 11:00 am
Kids Activities, Rugby Games, Volleyball Tournament, Live Music &
Refreshments ★ 12:00 to 4:00 pm
Family Fun, Live Music & Fireworks ★ Park City Mountain Base ★ 3:00 to 10:00 pm

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PARK CITY
1884





DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

The tremendous success of our historic preservation efforts and support-related infrastructure in and around the Main Street area, combined with private redevelopment and free market leasing, has created some unintended consequences to the existing commercial mix on Main Street. One specific symptom is exceptionally high rents and market value for properties on Main Street. This consequence of success has created a perception of several high profile properties staying vacant for longer periods of time, despite a strong economy and competitive rental market. These vacancies on Main Street are often characterized as voluntary and disruptive to the vibrancy, feel, and unique character.

Though staff cannot be certain, our research indicates that some of the vacancies are the result of intentional business decisions, whereby a building owner will allow the building to remain vacant the majority of the year, only to take advantage of high dollar, shorter-term hospitality rentals during special events. Other vacancies are more commonly due to normal remodels, as well as extended construction and development projects that experience a myriad of delays due to a variety of factors, much outside of our control or knowledge.

While staff does not believe vacancies on Main Street are a widespread problem (we believe it is limited to a few, very recognizable properties), there are potential changes to the business license code that would prevent conversion of a year round business license to a convention sales (hospitality) license, without proof of year round occupancy. Though possible to implement immediately, if Council was so inclined to support such a change, staff recommends deferring implementation of the new ordinance until February 1, 2017.

There has been significant, recent movement to correct this (intentional vacancy) issue. In one case, 573 Main Street (Claim Jumper), the owner's representative let us know they are finalizing a year round tenant (an art gallery), and while they will still convert to a hospitality use during the Film Festival, they secured a year round tenant in order to respond to our concerns.

Staff also recommends continued deployment of various regulatory tools to help manage and ensure that the extended construction projects are not intentional by nature. Some potential examples include: improving our existing construction mitigation plans, limitations of partial certificates of occupancy, and being more stringent when issuing rights-of-way permits that are often necessary to facilitate construction projects in commercial areas.

Respectfully:

Jonathan Weidenhamer, Economic Development Manager



City Council Staff Report

Subject: Main Street Tenant Mix - Store Front Vacancies
Author: Jonathan Weidenhamer, Beth Bynan, Michelle Downard, Matt Cassell, Bruce Erickson
Department: Sustainability, Finance, Community Development
Date: October 6, 2016
Type of Item: Work Session

Summary Recommendation

Direct staff to implement changes to Section four of the Municipal Code that would prevent conversion of a year round business license to a convention sales (hospitality) license, without proof of year round occupancy. Defer implementation until February 1, 2017.

Staff will return in less than 45 days to discuss formula businesses. We are not recommending additional discussion on subsidization of local business, hot beds or office uses on Main Street at this time.

Executive Summary

The tremendous success of our historic preservation efforts and support-related infrastructure in and around the Main Street area, combined with private redevelopment and free market leasing, has created some unintended consequences to the existing commercial mix on Main Street. One specific symptom is exceptionally high rents and market value for properties on Main Street. This consequence of success has created a perception of several high profile properties staying vacant for longer periods of time, despite a strong economy and competitive rental market. These vacancies on Main Street are often characterized as voluntary and disruptive to the vibrancy, feel, and unique character.

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Acronyms

CO – Certificate of Occupancy
CMP – Construction Mitigation Plan
CSL's - Convention Sales License
HPCA – Historic Park City Alliance
ROW – Right of Way

The Problem

Rising property and commercial lease values have caused unintended consequences on the commercial mix on Main Street. Increased rent costs are pricing long standing proprietors out of the market. Anecdotally, staff is hearing that even profitable small businesses, successful by almost any industry standards, are challenged to afford the high rents that Main Street property owners now demand. One of the primary elements of the success of Park City's Historic District and Main Street is the "authentic" experience supported in part by its lack of formula stores and year round, local business.

Expressly, both the HPCA and City Council have been concerned about losing these types of stores and their replacement with stores that one might find in any other resort town and other national retailers/restaurants. The question of what determines "local" in our business mix is still open for debate, with the lines blurred between locally owned businesses, locally owned franchises, and companies that franchise with local management, formula retailers, and formula food service operations.

The General Plan is basically silent on the issues of Main Street tenant mix and commercial vacancies, preferring to focus on architectural character and directing "local" business activities in the discussion of the Prospector and Bonanza areas. The General Plan does recognize the value of a strong tourism component for business.

In terms of timing, concern has been expressed that tools should be in place prior to the 2017 Film Festival, where acute issues related to conversion of vacant storefronts to temporary convention sales uses takes place. However, as detailed below, current data does not reflect an immediate concern for the 2017 Film Festival.

Background

- October 22, 2015, City Council discussed this issue in a work session ([link](#)) and asked staff to, in priority order, address:
 1. Vacancies
 - a. Those resulting from Construction Duration:
 - b. Use of Construction Mitigation plans as a tool to mitigate;
 - c. Identify possible tool(s) to prevent:
 - i. Zoning;
 - ii. Biz license.
 2. Chain/formula stores:
 - a. Best tool(s) to address.
 3. Support or Subsidize local business:
 - a. Plan to address/id City's role in swede alley:
 - i. Review General Plan;
 - ii. Review Zone Purpose statements;
 - iii. Build out tenant space on City land (influence supply?);
 - iv. Build infrastructure (curb, gutter, underground utilities).
 - b. Brew Pub – possible consideration of creating tenant space.
 - c. Extension of RDA to subsidize local business through grants.
 4. Hot Beds (parking regulations).
 5. Office uses (parking regulations).

A summary of the 2015 Main Street storefront inventory is below

| % Linear Feet Street Frontage by Business Type - Year over Year Comparison | | | | | | |
|--|-------------|-------------|-------------|-----------|-----------|-----------|
| | 2002 Total | 2006 Total | 2015 Total | 2002/2006 | 2002/2015 | 2006/2015 |
| Office | 11.2% | 8.4% | 3.6% | -2.9% | -7.7% | -4.8% |
| Vacant | 6.8% | 0.6% | 8.9% | -6.1% | 2.1% | 8.2% |
| Restaurant/Bar | 35.1% | 34.9% | 28.2% | -0.1% | -6.8% | -6.7% |
| Retail | 47.0% | 56.1% | 52.2% | 9.1% | 5.3% | -3.9% |
| Other | 0.0% | 0.0% | 7.1% | 0.0% | 7.1% | 7.1% |
| Total | 100% | 100% | 100% | 0% | 0% | 0% |

- 3/8/16 staff met internally, next steps included:
 - a. Focused research on tools to address vacancies;
 - b. Prepare options of tools for Council to consider.
- 3/23/16 staff met with the business and real estate sub-committee (Ex B).
- 5/19/16 - Council directed staff to remove all potential, leasable space from the brewpub project.
- 9/1/16 - Staff communication to City Council. Council expressed concern that timing would be tight to get potential ordinance on books to address vacancies prior to Sundance.

- 9/30/16 - Staff met with the business and real estate sub-committee to update and discuss progress. The group has been consistent in their recommendations and have broad consensus on most topics, including:
 - City should prioritize not allowing owners to have a vacant storefront and then use only for hospitality during festivals.
 - City should “sharpen” any administrative tools we have to cure or shorten construction vacancies; including tools to “cure blight through beautification i.e., lights on and flower pots”;
 - City has limited role or ability to influence the free market or subsidize local business;
 - Significant changes are imminent to the retail mix on the street due to rent costs, likely a proliferation of national retailers;
 - City has limited role or ability to pursue anti-formula store regulations;
 - City missing an opportunity to control or influence retail mix at the Brew Pub project;
 - City should look to Swede Alley as an opportunity to either:
 - Cultivate private sector’s offering of cheaper spaces through building infrastructure (i.e. curb, gutter, underground power lines, etc.); or
 - Develop City property into local retail opportunities.
 - Hot beds came up as an ongoing issue, but there wasn’t a strong consensus on it as a priority or not.
 - Lastly, the group agreed to meet with staff on a quarterly basis to help keep them informed on market trends and be a sounding board.

Alternatives for City Council to Consider Reducing Vacancies

1. **Recommended Alternative:** Change the business license and/or liquor license codes to preclude conversion of a year round business license to convention sales (hospitality) license without year round occupancy. Return with ordinance, but defer implementation until February 1, 2017.

Pros

- a. Will reduce buildings using convention sales to remain vacant.
- b. Current building and business owners will have time to react to the new ordinance.
- c. We believe most non-market vacancies are corrected at this time. Implementing in early 2017 should minimize any unintended consequences, while still being effective moving forward.

Cons

- a. May push some unpermitted special event parties and hospitality functions back into residential neighborhoods.
- b. No guarantee that property owners will find year round tenants immediately.

2. Make the same changes identified in the recommended alternative, but make it effective immediately.

Pros

- a. Would send a message Council is responsive, however current information does not indicate any storefronts held vacant intentionally.

Cons

- a. Current building and business owners may not have time to react.
- b. May push some private parties and hospitality functions back into residential neighborhoods.
- c. May have unintended consequences on master festival holder.

3. Null Alternative:

Make no changes to the business licensing statute.

Pros

- a. Would reinforce desire to keep hospitality conversions in commercial areas.

Cons

- a. City could seem unresponsive to perceptions of local business community.

Additional Recommendations

For extended construction projects, staff recommends continued deployment of regulatory tools to manage the duration of typical projects, including: construction mitigation plans, limit partial certificates of occupancy, and adding more teeth to right-of-way permits. This will also include outlining a “beautification” alternative to “cure blight” related to vacancy i.e. flower pots and pictures in windows.

For Traditional Construction or Market Related (For Lease) Vacancies - Staff is not recommending pursuit of any remedy at this time. However, we recommend working with the HPCA to develop an administrative monitoring process.

Update

There are a number of issues that threaten the character of the downtown, such as increasing rents, chain stores, and vacant storefronts. Though these issues are not unique to Park City, they are a challenge when balancing property owner rights and the free market economy with regulation. A Summary of Issues Discussed on October 22, 2015 and recommendations:

Key

Green = Priority, focus in this report

Yellow = Return in 30 days or less

Red = Staff recommends no further action

| Council Priority | HPCA priority | Issue | Possible Tool | Mechanism | Comment |
|---|---------------|--------------------------------|--|-----------------------------------|--|
| 1 | 1 | Vacant Buildings | Short term - contact building owners via letter | Direct Contact | Mayor and Econ Dev. reached out to owners/agents of individual businesses. Current vacancies are at 5% ?? of street frontage. If Claimjumper & Silver Queen were filled the # would be reduced even further and is within what is considered "healthy" by our 2012 Market Analysis. |
| | | | short term - require b. owners to place lighting & photos and/or displays in windows | tbd | Public Art staff pursuing program to require some aspect of "lights on & flowers in the windows". |
| | | | Minimize or shorten duration of construction related vacancies | Construction Mit. Plan | Building Department has been continually amending Construction Mitigation Plans. Currently prohibiting parking or deliveries on Main as reasonable and pursuing enforcement action (with fines) to enforce against violations. |
| | | | longer term - id minimum # of weeks operating or generating sales tax | biz lic. | consider tying temporary business licenses (increased occupancy or restrooms) directly to % of year building is occupied. |
| 2 | 7 | Formula Biz. (chain) | create a max % of formula stores | LMC Changes | Planning & HPCA have done significant research on this and have some good models. In Utah this would require significant research from the legal staff. Based on this being the lowest HPCA priority, we recommend not pursuing this at this time. |
| | 5 | | Set Max size of retail space | LMC Changes | Planning & Legal would have to take lead on additional research & analysis on tools, their other priorities are significant and this would compete for their resources and is not recommended at this time, but maybe later this winter/spring |
| Staff Recommends not pursuing further at this time | | | | | |
| 3 | 3 | Support local biz | no specific ask, request to continue exploration of options | incent local biz | Despite much informal research, strong majority of the group doesn't believe we can meaningfully influence the free market through incentivizing local business. A better role for the city would be to influence supply through: facilitating redevelopment of Swede Alley; or adding supply at either the Brew Pub or on City Property in Swede. |
| future | 2 | Additional Hot Beds | prohibit Residential lot combinations | LMC Changes | We've seen combinations of multi-use condo/hotel into second homes. Planning & Legal would have to take lead on additional research & analysis on tools, while willing to explore a bit, their other priorities are significant and this would compete for their resources. |
| | | | make nightly rentals more enticing | LMC Changes | |
| future | 4 | Addition of Office uses | no ask. Just support for more | Expand Biz Recruit/Retention Pgm. | We'd have to evaluate if we want more office uses beyond current program. More office = need for more parking. Knee jerk is that we won't likely be aggressive in pursuit of additional office. |
| | | | | LMC Changes | Council/Planning Commission could also consider if they want to continue to allow the Planning Director to have administrative authority as opposed to having PC make initial call. |

Vacant Storefronts

There may be more of a perception of a problem due to a number of large store front's extended vacancies that are proximate to each other. However, staff does recognize that any vacancy impacts the street's economic performance, vitality and overall feel, even if just one storefront. Staff recently updated an inventory of "vacant" Main Street storefronts, and researched current status of business licensing and active building permits to understand the severity of the issue. Our findings indicate the majority of the vacant storefronts are actively seeking tenants and meaningfully progressing towards certificates of occupancy.

For consistency in data across years, we've focused on Main Street and not the overall Business Improvement District. Not included are buildings on Heber (Kimball Garage and Barclay Building), and non-storefronts, which include second stories and majority of the Summit Watch Plaza. However, there appear to be very low vacancies in these non-store front spaces.

The following is an excerpt from the City's 2011 Retail Market Analysis conducted by Design Work Shop: *The district reports fairly healthy and sustainable levels of vacancy A store by store analysis along Main Street indicates that overall vacancy in the Main Street district remains under five percent (in line with industry averages).* Research done in early September 2016 indicates 4.3% vacancy, based on the number of active business licenses.

Defining Vacant

Defining vacant, is also not straightforward, different scenarios exist:

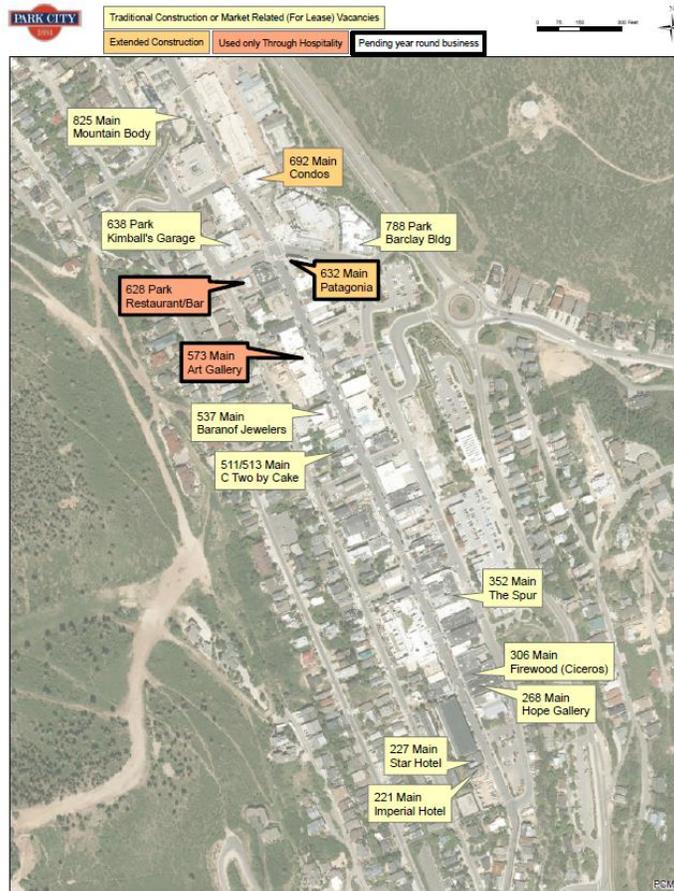
1. Those under construction or with short term vacancies that are actively seeking tenants and meaningfully progressing towards certificate of occupancy and use (8).
2. Those intentionally vacant, and using convention and sales (temporary) occupancy options typically only during our biggest events (there appear to be 2 of these, both of which have recently applied for year round tenants) see below;

3. Those who seemingly are stringing out the construction process under state building code allowances only requiring inspections every 180 days to maintain a valid permit (2), one of which announced a year round tenant recently.
4. Other.

Inventory

Our recent inventory indicates the following are vacant; some or all, aside from traditional construction or market related vacancies are in process of being remedied:

| Traditional Construction or Market Related Vacancies | | | | | | | | |
|---|--|--|--|---|--|---|---|--|
| Address | Store Name | Overview | Duration of Vacancy | Year round biz lic? | Flexible or temp. occupancy through CSL or other | Use Special Event Liq Permit (w local consent) | Building Permit Status | Ratio of full-time lic./CSL & liq. permits (last 3 yrs.) |
| 221 | Imperial Hotel - Riverhorse at the | construction | unsure | no | 3 CSL's for SD 2016 | 1 Temp liquor (no local consent needed- private party) | actively pursuing occupancy under a current permit | *1/3 |
| 227 | Star Hotel | | 2/16 | no | no | no | 2/4/14, Historic District Design Review, applied 6/2/15 Historic District Design Review, applied 10/13/15, Notice and Order- Dangerous Bldg 12/15/15, Historic District Design Review, applied 5/6/15, Interior non-structural exploratory demo, issued | *0/0 |
| 268 | Hope Gallery/OP Rockwell | Hope under construction; OP occupied | Hope - seasonal; OP - full time | yes; & liquor | yes-multiple Sundance CSLs | no- used OP Rockwell Liquor lic. | 6/24/16, remodel (converting to restaurant space) | *14/14 |
| 306 | Firewood on Main (formerly Ciseros) | construction | 9/16 | yes; & liquor | yes- multiple Sundance CSLs | no-used Ciseros liquor lic. | 3/17/16, Historic District Design Review, applied 9/2/16, Interior non-structural exploratory demo, issued | *3/29 |
| 352 | Spur Bar and Grill | construction | 4/16 | yes; & liquor | no Sundance activity | no Sundance activity | 4/26/16, Interior non-structural demo, issued 5/27/16, addition/remodel, issued | *0/0 |
| 511/513 | C Two by Cake | construction | 7/16 | yes | no Sundance activity | no Sundance activity | 7/28/16, interior remodel | *4/0 |
| 537 | Baranof Jewelers | temp closure, const. | 6/16 | yes | no Sundance activity | no Sundance activity | 6/6/16, fire incident | *3/0 |
| 825 | Mtn Body | closed | summer 16 | yes | yes-multiple Sundance CSLs over last 5 years | yes-multiple liquor permits/local consents issued over last 5 years | Turned over during Sundance, but the current vacancy is recent | *4/49 (for the entire town lift) |
| Extended Construction | | | | | | | | |
| 632** | Silver queen | no active licenses. Vail announced Patagonia taking over | 7 years | Year round applied for on 9/9/16 | 1 CSL for Sundance 2012 | no | 5/2/12, remodel, closed 12/9/13, remodel, closed 8/18/15, remodel, closed, 4/19/16, remodel, issued | *1/0 |
| 692 | Marriott Time share / Condos? | construction | 7 years | no | no | no | BD-16-22613, 5/12/16, remodel, issued | *1/5 |
| Used only Through Hospitality (Convention Sales/ Temporary Uses) | | | | | | | | |
| 573** | Claimjumper-closed; | pending permanent art gallery | 9+ years (Claimjum per closed in 2007) | "yes" Top Mark, which is a bartending biz | almost exclusively Sundance | yes- multiple liquor permits issued over last 6 years | 3/18/16, interior finish (convert top 2 floors to residential), pending 6/30/16, Historic District Design Review (replace rear stairs with a storage room) applied | *1/31 |
| 628 Park Ave** | Photage/Church Public House Rest. & Bar*pending* | pending permanent restaurant/bar | 3.5 years | yes- since 7/2016 | yes-multiple CSLs over the last 5 years | yes-multiple liquor permits issued over last 5 years | no active construction activity | *2/15 |
| ** Since the inception of this report, these have applied for year round business licenses and are in the inspection process to finalize | | | | | | | | |



Mayor Thomas attempted unsuccessfully to contact a number of building owners or their representatives on April 20, 2016. We reached out again on September 29, 2016 for properties that we have telephone contact information for including 573, 632 and 692 Main Street. We've exchanged conversations with the representative for 573 (former Claim jumper) who was happy to report the recent landing of a year round art gallery in the storefront space. They mentioned they did so specifically to respond to concerns raised by the City. We also prepared a letter for the owner of 562 Park Avenue, but there are now pending applications for a restaurant/bar with both the City and DABC.

Regional Trends

As rents have skyrocketed it seems local businesses have a harder time staying in the market. Within City limits, according to local, commercial agents, commercial space is essentially unavailable. Commercial areas located at Kimball Junction are filled (Redstone) or nearly filled (NewPark) or seemingly just starting to populate after years of uncertainty (Tech Park).

In speaking with Jeff Jones, the Economic Development Director for Summit County, he notes, "There is a direct relationship between primary job and/or population growth and retail development—the tourism impact (imported dollars) is the gravy. An expanding retail sector is the result of a growing economy, not the cause of it. If primary job growth and/or population growth are slowed or become stagnant, your community becomes more dependent upon tourism to find imported money. The seasonality of the import also makes things challenging. And, as other markets develop around us (Heber, Midway, etc.), the competition for local customers will become even more intense."

On July 20, 2016 Utah Business held their annual Summit/ Wasatch County [state of business] Roundtable meeting. It was facilitated by Myles Rademan. On the whole, the panel felt the economy and business and real estate climate was healthy and robust, including specific statements from the HPCA's Executive Director and Board of Realtors Representative, Tim Anker. Hans Fuegi pointed out that the increased rents are having an impact on the tenant mix and will likely affect the ability of a local business to survive, which will have long term impacts on vibrancy and authenticity:

Alison, what have you seen on Main Street in Park City?

KUHLOW: There is a high demand for tenant space on Main Street. Turnover has been quick when businesses leave and new businesses want to come in. We're seeing spaces that have never been rented before for retail down into the Marriott Summit Watch Plaza. We've got a number of new businesses that have located there with the expectation that the increased visitation to Main Street has really solidified and strengthened the pedestrian traffic throughout the entire district.



We are, as we define ourselves, really the heart of Park City. We are part of what brings people to town. So for us it's trying to maintain that uniqueness, that character and really trying to meet people's expectations, whether it's the quality of the environment that they are feeling walking down on Main Street as well as the quality of the services.

ANKER: We are, for the first time seeing, lower Main Street finally fill up. For many years it's really housed only vacancies on lower Main Street, but I think the clientele don't really notice the difference anymore between upper and lower Main. So vacancy is down on lower Main, lease rates are up, and it's all becoming one thoroughfare.

But overall the commercial real estate market is quite healthy. The only challenge we have is a lack of product. Lease rates are up in nearly every sector. For office space throughout the basin, we're averaging around \$20 a foot triple net. Obviously it's much different if you get on Main Street. Some deals have actually approached \$100 a foot. First time we've ever seen anything near three digits on Main Street for retail.

FUEGI: I think you'll start seeing some of the restaurants being converted to retail spaces, especially on Main Street. At \$50, \$60 a foot, it's almost impossible to make money in the food business. It's a very expense intensive industry. There are only so many high end restaurants any street can afford, and we're certainly getting there. The medium or lower-price restaurants on Main Street are becoming a rarity.

The mix of Main Street is extremely important, and whether we are going to be able to maintain some local merchants and food businesses, along with the T shirt business and the galleries—that is going to be an interesting dilemma. I certainly wouldn't like to see Main Street go by way of some other resorts, where you see nothing but chain stores and high end luxury goods stores, because that would take away from the vitality and the viability and the uniqueness and character that we have on Main Street right now.

Vacancy versus Formula Business

While some longer term vacancies are being filled, <http://www.utahbusiness.com/patagonia-retail-store-to-open-on-park-citys-main-street/>, the broader question begins to be raised, “are vacancies are worse than formula stores?” Staff believes there is consensus that if the store promotes the outdoor recreation economy or are considered a “lifestyle” brand, then, yes, vacancies are far worse.

Analysis

An overview of existing business and liquor license standards is attached as Exhibit A. This is the basis on which conversion of year round business license to a hospitality use occurs. The following are Possible Tools to address the different types of vacancies:

➤ Traditional Construction or Market Related (For Lease) Vacancies

Staff is not recommending pursuit of any remedy at this time. However we should consider additional tracking and administrative monitoring to assess “when” a vacant storefront is considered to be a concern. Staff recommends working with the HPCA to develop this concept.

➤ Vacancies for Hospitality or other Temporary Occupancy Uses

1. Business & Liquor License Tools

- a. The current system doesn’t require a minimum “days open”. Consider not allowing a convention sales conversion unless the primary business is occupied a certain percentage of year. This tool is currently being recommended for implementation.
- b. Options to tie local consent for liquor licenses to occupancy. This tool is currently being recommended for implementation.
- c. Add additional requirements to be considered a year round business;
- d. Add additional thresholds for a CSL license;
- e. Options to revoke a year round business license if not actively in a building permit or process to find tenants.

Relevant to this conversation is remembering that we’ve intentionally established a user friendly process to allow conversion of year round business licenses to hospitality uses. This reinforces our goals of keeping larger private parties out of residential neighborhoods. A possible unintended consequence could be the spilling back of some of these uses into residential districts.

There may be unintended consequences in that there may be no way to distinguish the needs of the master festival holder from ancillary activity.

Lastly the Business and Real Estate sub-committee felt there should be some appeal process that could account for the building owner who in “good faith” had been trying to land tenants, unsuccessfully.

2. Mitigation Remedy – Use the Main Street RDA operational budget or public art tools to beautify or enliven a vacant storefront (carrot versus stick).

➤ Vacancies related to Extended Construction (Although PCMC uses a relatively strict regulatory process, we are working towards implementing the following more proactively):

Per Utah State Code, a building permit is considered active unless it fails to make substantial progress every 180 days.

1. Contact Owners – Staff recommends making contact to better understand specific situations and encourage remedy.
2. Construction Mitigation Plans (CMP) – Staff believes we've had good success minimizing immediate impacts of construction on Main Street; however, staff intends to pursue identifying mutually cooperate terms with contractors to shorten extended construction. Current successes and future intentions include the following:
 - 205 Main was issued 2 citations within the past 60 days for CMP concerns, including parking and lack of controls around cement washout areas.
 - 221 Main Street has been prohibited from parking on the Main Street and has made accommodations for parking off site.
 - 352 Main has been denied multiple road closure applications and notified that future parking violations will result in citations.
 - 825 Main (previously Mountain Body Spa) is starting demolition and interior remodel work. The CMP prohibits construction parking on Main Street. The contractor has made arrangements to park in the underground parking garage.
 - Amend the application of the CMP tool to ensure that any impacts to city or public property are justified and in the public and City's best interest. For example, prohibiting any parking, delivery trucks or road closures on Main Street unless contractors identify and commit to a construction timeline, demonstrate that any approved construction impacts will result in a shorter timeline of construction.
3. Limit Issuance of CO's - We could prohibit temporary or partial CO for structures that are not completely finished throughout. This has the potential of accomplishing several things, a higher standard of safety during the events, incentivizing property owners to completely finish their structures to be available for rent during Sundance and decreasing the probability of leaving the structures vacant year round due to unfinished construction.
4. Right of Way Permits - We can tighten up Right of way (ROW) permit so that it better supports the CMP. Ideas would be to put time limits on the permit so the work gets done quicker (at the time limit expiration, they would be required to re-apply and pay the fees). The ROW permit can also be used for the tight construction on Main Street to specify better and control the time the contractor spreads out into the ROW to do their work. This might incentivize them to program the work in a tighter time frame.

5. Mitigation Remedy – Legislate “cure of blight” to beautify or enliven a vacant storefront.

➤ Other Tools

1. Land Use Tool– A “Private Event Facility” is a Conditional Use in the Historic Commercial Business Zone and is further governed by the Vertical Zoning regulations which prohibit the use in HCB Zoned Storefront Property adjacent to Main Street, Heber Avenue, Grant Avenue, and Swede Alley. Currently there are no permits issued for this use on Main Street. Therefore, during master festivals, this type of use would only be allowed outside of a storefront (first 50’ of a building). We could further clarify the restrictions to condition the use to year round occupancy as defined by percentage of actual use.
2. Zoning Tool - Planning has reviewed existing LMC for regulatory authority and has preliminarily concluded that existing and potential regulatory powers are limited. The current vertical zoning ordinance requires precludes office uses, as is a Private Event Facility. Special Events are an administrative conditional use permit and an Entertainment Facility is an Allowed Use.

Timing Implications

The existing updates regarding pending permits demonstrate any ordinance change is unlikely to affect or deter vacancies between now and the end of the year. Therefore, staff is recommending implementation at the start of a new calendar year, post Sundance, so approximately, February 2017.

Next Steps

Return to City Council with an ordinance to amend the business license code in the next 30 days.

- Discussions to have at another time

Formula Stores

Staff recommends separating this complex issue and returning within 30 days for additional discussion.

City’s Role in Subsidizing Local Business, Hot Beds, and Office Uses

These topics staff is recommending discussion is suspended, at least for the immediate future.

The most commonly identified threat by the sub-groups is the ever-increasing rents displacing local business. While there was extensive discussion about subsidization of “local” retail, in general the groups had general agreement that the free market and laws of economics are too strong to ever maintain long-term leases for “local” tenants. In terms of the City’s role in supporting local business, there was agreement by Council that chasing the free market through attempting to subsidize rent for “local” business would be impossible.

Possible roles or programs discussed in this area included:

1. City's role in Swede Alley, i.e. put in infrastructure to enable a second tier of business that could be filled by locals at cheaper rents;
2. Build out tenant spaces on city land reserved for local business. Examples include the Brew Pub Plaza, Swede Alley and the Flag Pole parking lot.
3. A new idea would be for the City to purchase or lease space on Main Street and provide a storefront for local retail, i.e. Soul Poles, POC, Avatech, Ritual and Tandem Chocolates, etc.

The HPCA identified the addition of hot beds and office uses as ways to increase the vibrancy of the area. Recently Main Street has seen a reduction of hot beds due to the combination of several small nightly rental units into larger condominium units that will function as second homes.

Issues for Discussion

1. Does City Council want to direct staff to return with changes to address vacancies?
2. Is Council supportive of deferring until February 2017 to implement?

Department Review

Economic Development, Budget, Finance, Building, Planning, Engineering, Executive, and Legal Departments have reviewed this report.

Summary Recommendation

Direct staff to implement changes to Section four of the Municipal Code that would prevent conversion of a year round business license to a convention sales (hospitality) license, without proof of year round occupancy. Defer implementation until February 1, 2017.

Staff will return in less than 45 days to discuss formula businesses. We are not recommending additional discussion on subsidization of local business, hot beds or office uses on Main Street at this time.

Attachments

- Exhibit A – Business License and Liquor License Overview
- Exhibit B – Subcommittee recommendations

Exhibit A

Existing Business and Liquor License Overview

Any unit or space that is converted into hospitality use or any other temporary use must have a current, year-round Park City business license in place. The City will accept Convention Sales License applications (CSLs) only after:

1. Verification has been made that the specific address/unit# listed on the CSL application has a current, year-round Park City business license; and
2. The applicant has provided:
 - PIPA (Pre-Inspection Prior to Application from the building department-good for 180 days);
 - Designed Occupant Load (DOL) stamped by a third party professional engineer;
 - Floor plan/site plan of the space including detailed information about furniture arrangements, temporary wall structures, and location of exits;
 - Payment (\$372 per entity, identified by tax ID number).

The CSL application generally takes 5-10 days to be approved, and if it is a Type 2 CSL (dates during Sundance) it will also require City Council approval and a final walk-through inspection from the building department before the license can be issued.

Liquor Permitting

There are two types of liquor related business licenses:

Any event *open to the public*, wishing to *sell* liquor must first obtain a Park City Temporary Liquor permit and a stamped letter of local consent from the City. The letter of local consent is a critical part of the applicants' DABC application packet as the DABC will not issue any liquor permits, temporary or full-time, without the letter of local consent from the City.

For private, guest-listed events serving *not selling* liquor, a City issued Special Event Temporary Alcoholic Beverage License is still required if *Engaging In Business* at an event (concurrent with CSL), even if a State Department of Alcoholic Beverage Control (DABC) license is not required. (4-4A-1). If a private party has a guest list, and is not considered to be engaging in business, then no permits or licenses are required.

Exhibit B – Subcommittee Recommendations

The task forces helped frame concerns and inform the possible tools that staff and the HPCA discussed to move this item forward

HPCA Subcommittee

1. The City “must” take action;
2. Consensus areas:
 - a. City needs to do something about vacancies related to holding back properties for Sundance rentals;
 - b. City needs to do something about duration of construction related vacancies;
 - c. The trending increase in rental cost/ sf will drive a number of local business out over the next 3-5 years;
 - d. The City will not be able to incent or subsidize local business by pursuing a rent control approach;
 - e. The City could incent or subsidize local business through developing and leasing City property (i.e. Swede Alley or Brewpub). Whether the City should or not is included in the “lack of consensus areas” below;
 - f. It is hard for the HPCA to gain consensus on tools & priorities because they are unsure of the possibilities – they would really like some help identifying alternatives and fence posts for this discussion.
3. Lack of consensus areas:
 - a. Formula/Chain stores – The majority of the group thought we should further consider this area, understanding that chains currently exist, and that some chains are consistent with our resort based economy. Staff reminded the group that the formal position of the HPCA Board was that there was lack of consensus that this was a priority item.
 - b. Whether or not it would be appropriate for the City to further enter into the Market (beyond liquor store) as an owner – i.e. Is it appropriate to use public dollars to undercut building owner’s ability to generate rent?

Recap of Main Street Business and Real Estate sub-committee (8/10/15)

Date: August 14, 2015

1. Meeting Date – August 10, 2015
2. Attendance – Alison Butz, Hans Fuegi, Jan Wilking, Eric Nelson, Myles Rademan, Michael Kaplan
3. Topics Discussed & General Trends
 - a. Tenant mix
 - i. Quality of shopping experience in aspen is terrible. No authenticity
 - ii. Not sure the City has/ can take a role
 - iii. Sales at Lululemon are approaching \$1000/sf (= \$2.5M sales annually = \$50k to city); ave on rest of street is about \$275/sf
 - iv. This type of anchor is a good thing in terms of bringing people & dollars to the street
 - v. Define Chains/formula biz
 - vi. Economy will push \$/sf. Rents. Nothing can change that
 - b. Vacancies
 - i. City should focus here
 - ii. = economic blight (sales tax, vibrancy, experience) &/or
 - iii. National historic district & Health, safety welfare
 - iv. Building owners can make more \$ with less hassle renting only during SD
 - v. Increase temp. b. lisc fees for this type of use?
 - c. Residential Units
 - i. Need hot beds. Stop trend to second homes
 1. Prohibit kitchens?
 2. Lot combo or size limits?
 - d. City Role
 - i. Can't be in the free market – hard to subsize or incent “local” biz
 - ii. Could consider a program to tax abate or underwrite CAM for locals
 - iii. Rather than “get” local biz \$, reduce their nut
 - iv. Control rents may = trouble with State
 - v. Purchase buildings or condo spaces (commercial)
 - vi. Legislation on : vacancies, VZ; lot combos & sizes
 - vii. Control supply (i.e. brewpub, or city owned prop in swede)
 - viii. City build out infrastructure in Swede Alley (curb, sidewalk, utilities)
 1. May allow for incubation of local biz and entry level rents
4. Recommended Next steps
 - a. Work with Legal/Budget/Planning to vet possible tools, including
 - i. Define chains
 - ii. Expansion of VZ ordinance
 - iii. Limitations on lot combos (residential, commercial)
 - iv. Ordinance or tools to address vacancy
 - v. B permit
 - vi. Sundance rentals
 - b. City meet with building owners or their reps – encourage them to do something different, city may step in, other interim steps
 - i. Claim jumper (Jeff records)
 - ii. Silver queen (Paul Benson)
 - iii. War Memorial Bldg.



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

Attached for your approval, please find the minutes for the September 15, 2016, City Council Meeting. 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, SUMMIT COUNTY, UTAH 84060

September 15, 2016

The Council of Park City, Summit County, Utah, met in open meeting on September 15, 2016, at 2:40 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property and litigation at 2:40 p.m. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

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

WORK SESSION

Council Questions and Comments:

Mayor Thomas stated he spoke to the State Senate Presidents from all over the country at the Senate Presidents Forum. He attended the Public Art Advisory Board (PAAB) meeting, where they were trained on the Open Public Meeting Act. He attended the Legislative Policy Committee (LPC) meeting at Zions Bank as well as the Rocky Mountain Power (RMP) meeting with Council Member Beerman. He also attended the Utah League of Cities and Towns (ULCT) events this week in Salt Lake City.

Council Member Worel indicated she attended the Board of Health meeting, where an EPA report was given on soil remediation. She went with the Park Silly Sunday Market group to a pig farm to see how compost was recycled on the farm. She attended the Peace House Board meeting and updated the Council that putting purple lights on the McPolin Barn was not going to happen. She noted that on October 4th, there would be a Peace House vigil for domestic violence. She attended the PC Tots meeting and indicated that Aspen Villas was under new management and had reported there were several unlicensed and unsafe home daycares within that complex. The illegal daycares were put on notice that they would be evicted or their leases wouldn't be renewed if they continued to operate. The families with children in the illegal daycares were used to paying \$200 per month and couldn't afford to pay more. She felt this would not only impact the children, but the workforce would diminish if parents could not find affordable

1 daycare for their children. PC Advocates met to talk about affordable childcare and what
2 some options might be to resolve this problem. Council Member Worel attended the
3 Arts and Culture retreat, noting the Arts Council was reinventing itself with new goals
4 and priorities. She requested having a work session this fall with the Arts and Culture
5 community – the Arts Council, PAAB, Summit County Public Art Board, and the Arts
6 Initiative to see where everyone is. Jenny Diersen suggested involving the other
7 nonprofits as well. Council Member Worel also expressed her desire to brainstorm in a
8 work meeting to bring the community together in good times instead of only coming
9 together in times of crisis. It was indicated that Council Member Worel and Council
10 Member Henney would work together to bring ideas to a future meeting for discussion.

11
12 Council Member Henney commented on the illegal daycares and stated it would be
13 tragic for parents if the daycares were shutdown. He thought these families could feel
14 included as part of the community if a resolution was found for this problem. He
15 indicated he went to the Summit Land Conservancy meeting and the Blue Sky event
16 went well. He attended the Mountainlands Community Housing Board meeting, where
17 they were still working on housing groups in Francis and the Discovery property at the
18 base of Parleys. He attended the Outdoor Recreation group meeting where he listened
19 to people from the Governor's Office on the importance of outdoor recreation. He also
20 noted his surprise that many residents didn't realize that the Council has very little to do
21 with the Treasure Mountain process. He stated he had great confidence in the Planning
22 Commission as the appellate group for this issue.

23
24 Council Member Matsumoto stated she supported Council Members Worel and Henney
25 with regard to the struggle with affordable daycare. She stated the goal was to have
26 safe and secure daycares in the community. She thanked staff and the Leadership
27 class for City Tour. She noted that in visiting Aspen, she learned they had dedicated
28 funding for affordable daycare, and she felt it would be good to reach out to other
29 communities to see what they do with regard to affordable childcare for more ideas. She
30 also attended the Special Events Advisory Committee (SEAC), where they discussed
31 prioritizing events in the City.

32
33 Council Member Gerber thanked Myles Rademan, staff, and Karen Anderson for
34 organizing City Tour. There was a lot that could be learned from Aspen and the
35 surrounding towns. She attended the ULCT breakout sessions. She attended the
36 Planning Commission meeting and learned about the projects that were proposed for
37 the City. She attended Green Drinks, Park City's new lodging with employee housing
38 above the lodge. She noted there were camps of people living on the hills and that's a
39 concern for the City. She also expressed love and consolation for the loss of the two
40 boys in the community.

41
42 Council Member Beerman reiterated that if the daycares were shutdown, the people
43 would be in crisis and solutions needed to be found, even within the City for the short-
44 term if necessary. He stated he enjoyed the City float in the Miner's Day parade. He

1 attended GOED meeting and EDC Utah meeting with Council Member Henney, where
2 they discussed economic development. He indicated City Tour was fantastic. He felt the
3 past few years were timely in learning about these other cities. He attended the ULCT
4 meetings. He also noted that the RMP meeting was good. He also echoed it was a
5 difficult week for the community and he thanked those City staff that helped with that
6 situation.

7
8 Mayor Thomas stated losing the two young residents of the community was felt by all
9 and it was staggering. He wanted the families to know our hearts are with them. He
10 thanked the Police Department, School District, the counselors and all who have helped
11 ease the tragedy.

12
13 **Review Business Friendly Initiative:**
14 John Rock, Executive and Budget Intern, gave an overview of his report. He thanked
15 the Business Friendly Task Force members who helped him in compiling his report. In
16 analyzing different surveys, he noted that consumers appreciated the ability to talk to
17 staff one-on-one. There were two areas of improvement for the City, although he noted
18 the results were from a very small survey sample. One suggestion from the survey was
19 for the City to limit its knee jerk reaction when there was a complaint by a resident
20 because customers wanted stability instead of constant change.

21
22 Council Member Matsumoto asked if there were specific examples to the complaints.
23 Rock did not have specifics from the surveys. Council Member Beerman stated there
24 was pushback on the RV code enforcement, so that could be an example. Council
25 Member Matsumoto thought Aspen had a substantial code enforcement staff. Council
26 Member Gerber stated Aspen had a branch of its police department, community safety
27 officers, who did similar things as our code enforcement staff.

28
29 Rock noted that ULCT would be awarding four Business Friendly Community Awards,
30 of which Park City would be one recipient.

31
32 **Recap of 2016 City Tour of Aspen, Roaring Fork Valley and Vernal:**
33 Myles Rademan, Director of Leadership, and Linda Jager, Community Engagement
34 Manager, presented this item. Rademan reviewed that the Leadership group toured
35 Aspen, Breckenridge, Basalt, Carbondale and Vernal, noting that it was dangerous to
36 visit other cities because there were several factors that contributed to the services
37 offered, which makes it hard to compare with Park City. He thought the benefits of City
38 Tour included learning from other cities and to be inspired, getting to know others within
39 the group and also to have fun, which was one of the City's priorities.
40 Foster stated that from staff perspective, it was important not to overload the tour with a
41 packed itinerary. Rademan stated he tried to pick places that had pertinence to current
42 concerns within the City. He reviewed the information gleaned from the different cities
43 that were visited.

44

1 Council Member Henney stated Park City was doing the right things with regard to
2 energy, housing and transportation, which were the focus of all the cities that were
3 visited. Council Member Beerman noted that the new Moab council members were
4 coming here to learn from us so it would be good to pay it forward.

5
6 **Senior Citizen Programs Update:**

7 Rhoda Stauffer, Affordable Housing Specialist, Paul Wisniewski, Board of Directors,
8 Park City Senior Center, and Heather Nalette, Summit County Senior Programs
9 Coordinator, presented this item. Nalette stated the results from the survey were very
10 good. Seniors indicated they knew where to go to receive services, which was a big
11 improvement from prior years, and they knew how to find transportation for their needs.
12 She reviewed the goals for the working group: keeping the senior webpage updated,
13 having better recreation and exercise programs, and finding solutions to help seniors
14 with yard work and home maintenance.

15
16 Wisniewski hoped that more independent assisted living could be made available to
17 seniors, and expressed appreciation to the Council for all they did for seniors.

18
19 Council Member Worel asked if housing types were included in the survey. Nalette
20 indicated that most seniors were concerned about bringing someone into their home.
21 She noted that snow was a concern for the seniors - how to navigate it and remove it.

22
23 Council Member Matsumoto asked if exercise programs were available for the seniors
24 currently. Nalette stated there was a need for more of these programs at the Senior
25 Center since walking into a gym was intimidating for them.

26
27 Council Member Beerman asked if the 1450/1460 Park Avenue housing project could
28 accommodate seniors. Stauffer stated there were some single story units and stated
29 single story units could be expanded to the fire station lot if the Park Avenue housing
30 was successful.

31
32 **Discuss COSAC Recommendation- Library Field Preservation:**

33 Heinrich Deters, Sustainability, and Jim Doilney, Citizens Open Space Advisory
34 Committee (COSAC) Chairman, presented this item. Deters stated COSAC was present
35 tonight to receive initial direction with regard to the recommendation for a third party
36 preservation easement on the library field. He reviewed the options listed in his staff
37 report, including rezoning the library field as protected open space. Doilney stated he
38 spoke for the consensus of COSAC and not for himself. He noted that Cheryl Fox and
39 Steve Joyce, COSAC members, were here tonight. He read the motion as follows: "We
40 are recommending a third party preservation easement which would restrict
41 development on the property." He didn't know if there were other options besides a land
42 trust, but stated COSAC would like to protect the space to the uses that were currently
43 in place for that property. He indicated COSAC opposed rezoning because people
44 (future Councils) could always change their minds.

1 Steve Joyce stated zoning was no protection in this case because the legislative body
2 could change it at any time, and thought a preservation easement would be more
3 binding. He gave examples of proposed projects for this space that were presented to
4 an open space friendly Council, and he hoped to take advantage of this opportunity to
5 protect this parcel of land.
6

7 Council Member Henney asked if Joyce wanted COSAC to have a bigger role in
8 defining an urban park overlay or what an easement would look like. Joyce stated
9 COSAC had the conversation and as a whole wanted to craft the uses, constraints,
10 and/or what the prohibitions would be with this urban conservation easement if Council
11 determined this was the direction it wanted to proceed. Council Member Henney asked
12 if COSAC got into the third party role there would be a tradeoff of not having a
13 community role. He knew the group wanted to protect the property against development
14 and the political process. Joyce reviewed the COSAC discussions regarding protecting
15 this property. He realized the many needs and demands on the Council, but stated the
16 same pressure existed to protect park space. Council Member Henney asked if COSAC
17 was interested in looking at an urban park overlay easement for this parcel as well as
18 the other parks in town. Doilney stated all these things need to be addressed but he
19 hoped to finish the library field project first.
20

21 Council Member Worel thanked COSAC for all their work. She felt this park needed to
22 be preserved but she was not willing to give up community input on future uses for this
23 parcel, giving the example that there may be demand in the future to put a swing set on
24 the field. She hoped to see a comprehensive approach for all the parks. Council
25 Member Gerber agreed and noted she liked the part of the entry corridor resolution that
26 required Council approval and 60% approval by voters before it could be changed, and
27 she thought this would be a good solution for this situation as well. She indicated she
28 was happy to work with COSAC with regard to the field because she wanted the
29 community to be open to new people and new ideas in the future.
30

31 Council Member Beerman stated the Council had always been supportive of keeping
32 the field as open space. He indicated he sat through the COSAC process and
33 commended the group for a job well done. He was concerned that most of the
34 alternatives listed in the staff report had not been fully discussed by COSAC, including
35 Option Three-having a public referendum, which he favored, and he suggested that
36 COSAC continue their discussions on all the options. He also hoped that the Recreation
37 Advisory Board (RAB) should be included in the discussion since they were responsible
38 for the City parks. Also, there were other parks that fell into this similar category and
39 they might also be considered for this protection. Other parks mentioned included
40 Creekside, Old Town, City Park, Coalition, Prospector, Miners, etc. He hoped this topic
41 would go back to COSAC for further refinement. He also indicated he would like to see
42 the group come back to Council with something customized and covering more of the
43 City's open spaces.
44

1 Council Member Matsumoto thanked those that gave public input. She indicated she
 2 didn't object to an easement that would restrict permanent development and hoped
 3 COSAC would continue to develop this idea further. She stated she would like to
 4 continue allowing the activities on the field and maybe expand the uses for other
 5 activities. But she supported no permanent development. Mayor Thomas stated the City
 6 needed to protect itself from the future and agreed with Council Member Matsumoto
 7 that permanent development should be prohibited.

8
 9 Council Member Beerman wanted to clarify that it should be defined that no permanent
 10 habitable structures should be written into the easement. Council Member Henney
 11 stressed the need to define uses for the field, and quoted the entry corridor report from
 12 1995 which specified uses for the field which may not be applicable to current uses.
 13

14 **REGULAR MEETING**

15 **I. ROLL CALL**

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

16
 17 **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

18
 19 Council Member Henney disclosed that 25 years ago he owned 41 Sampson, the
 20 property identified in the Consent Agenda, but he held no interest in the property today.
 21

22 **Staff Communications Reports:**

- 23
- 24 • **McPolin Barn Aspen Trees Removal**
- 25
- 26 • **Officer Art Boxall - Officer of the Year Award**

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

29 Mayor Thomas opened the meeting for public comments.

1 Ed Parigian stated it was a year since the library field was brought to the Council and
2 the Council stated building would not take place on this property. Parigian submitted a
3 petition for the record with signatures from many in the community who wanted to
4 preserve the library field as open space. He noted that he lived adjacent to the field and
5 felt it was a special place. He spoke with people all over the City and they voiced their
6 support for preserving the space with a third party preservation trust. Parigian stated
7 that in 30, 50 or 100 years from now, the elected officials might be in a different position
8 and could choose to sell the land for development if the trust was not put into place. He
9 opposed walkways, fountains, gazebos, etc. for this field because it was not big enough.
10 He felt a third party trust would protect the field from structures and varying opinions. He
11 thanked Council and staff for their patience while COSAC went through this process. He
12 asked "What is wrong with nothing?"
13

14 John Stafsholt stated his family members had been daily users of the library field for the
15 past 25 years. He explained the library field used to be the baseball field next to the
16 high school. He reviewed the history of the property from 1925 to the present. He stated
17 Council would want to be known for what it preserved rather than what it built.
18

19 Jim Doilney asked what the Council wanted to do with the field as well as the rest of the
20 open space.
21

22 Mayor Thomas closed the public input portion of the meeting.
23

24 Council Member Beerman suggested at the next COSAC meeting Deters bring back a
25 map of the City parks and the group could decide which parks should receive protection
26 consideration. Council Member Matsumoto stated these were unique parks. The
27 citizens had supported the preservation of this field and they shouldn't have to wait until
28 all the parks were analyzed, since each park was in a different situation. She asserted
29 that she also supported the idea that the RAB be involved in this process.
30

31 Council Member Henney expressed surprise at the sense of urgency with regard to
32 formal action for the library field because there was no proposal for development. The
33 field was going to be a field, so COSAC could continue to study and refine this proposal.
34 All entities wanted to preserve the parcel, so now the process was to find the
35 appropriate tool to preserve it.
36

37 Council Member Gerber stated this was a good time for the library field to be discussed
38 but there was time to find the right tool for preserving it.
39

40 Mayor Thomas indicated he was in favor of COSAC bringing back a solution for the
41 Council to approve within six months. The Council members agreed to a six month
42 period for further discussion and planning, and returning to the Council with a proposal.
43
44

1 IV. CONSIDERATION OF MINUTES

2
3 **Consideration to Approve the City Council Meeting Minutes from August 25, 2016,**
4 **and September 1, 2016:**

5 Council Member Beerman moved to approve the City Council Meeting minutes from
6 August 25, 2016, and September 1, 2016. Council Member Gerber seconded the
7 motion.

8 **RESULT: APPROVED**

9 **AYES:** Council Members Beerman, Gerber, Henney, Matsumoto (September 1, 2016
10 minutes) and Worel

11 **ABSTAINED:** Council Member Matsumoto (August 25, 2016 minutes)

12
13 V. CONSENT AGENDA

14
15 **1. Request to Approve the Request by 41 Sampson, LLC to Release the Funds**
16 **Designated to Re-Construct the Sampson Avenue Retaining Wall in the Amount**
17 **of \$55,000:**

18
19 **2. Request to Approve the New Interlocal Agreement for the Central Wasatch**
20 **Commission (Formerly Known as Mountain Accord):**

21 Council Member Beerman moved to remove Item Two from the Consent Agenda.
22 Council Member Gerber seconded the motion.

23 **RESULT: APPROVED**

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

25
26 Council Member Beerman moved to approve Item One on the Consent Agenda. Council
27 Member Gerber seconded the motion.

28 **RESULT: APPROVED**

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

30
31 VI. NEW BUSINESS

32
33 **1. Public Hearing for the Purpose of Receiving Public Input on the \$25 Million**
34 **Bonanza Flats General Obligation Open Space Bond Initiative that Will Appear on**
35 **the November 8, 2016, Ballot and the Economic Impact that the Facilities and**
36 **Property Financed with the Bonds Will Have on the Private Sector:**

37 Mayor Thomas read the following prepared script: "We will now hold a public hearing to
38 receive input from the public with respect to the issuance by the City of its general

1 obligation bonds if approved at the bond election on November 8. Any person wishing
2 to express his or her views on the issuance of the Bonds or the facilities to be financed
3 with the Bonds can come forward now. Please state your name and address before
4 you address the Board.” No comments were given. Mayor Thomas closed the public
5 hearing portion of the meeting.
6

7 **2. Request to Authorize the City Manager, in a Form Approved by the City**
8 **Attorney, to Enter into a Construction Contract with Entelen Design-Build LLC for**
9 **the Stoneridge Trail and Trailhead Project in the Amount of \$267,797.40:**

10 Council Member Matsumoto moved to approve the City Manager, in a form approved by
11 the City Attorney, to enter into a construction contract with Entelen Design-Build LLC for
12 the Stoneridge Trail and Trailhead Project in the amount of \$267,797.40. Council
13 Member Henney seconded the motion.

14 **RESULT: APPROVED**

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

16
17 **3. Consideration to Approve Resolution 22-2016, a Resolution to Amend**
18 **Special Event Advisory Committee (SEAC) Adding Members to Advise Council on**
19 **Hosting Events that Will Create a Diverse and Well Balanced Offering to the Local**
20 **Community:**

21 Jenny Diersen, Special Events Coordinator, requested adding two stakeholders to the
22 eligible voters on SEAC, namely, the School District and Summit County.
23

24 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
25 closed the public hearing portion of the meeting.
26

27 Council Member Gerber stated she was concerned that the stakeholders had reason to
28 benefit from the decisions made within the committee. It was indicated that there were
29 only four community members in the group and they felt outnumbered. Council Member
30 Beerman agreed and felt the businesses should consolidate and pick a representative,
31 and more at-large members should be selected.
32

33 Council Member Matsumoto stated she was on the board and didn't feel that there were
34 any decisions made that were self-interested. She also asserted the School District and
35 County were not self-interested and should be voting members on this board. She
36 suggested the group meet monthly instead of quarterly. Mayor Thomas stated the
37 reason the committee was formed was to evaluate the events and restrain them in
38 some cases. He agreed with Council Member Beerman's suggestion.
39

40 Council Member Beerman indicated the proposed resolution did not accomplish what
41 was in the best interest for the community members since the business representatives
42 far outnumbered the community members. The power of the committee was in the

1 citizen's agenda. Council Member Matsumoto explained some of the scoring
2 discussions for special events in the meetings, and noted there was still a lot of
3 education going on within the committee.

4
5 Council Member Gerber thought there was a good argument for having more
6 community members since different members of the community were drawn to different
7 events. Council Members Worel and Henney agreed with having more community
8 members on the board as well.

9
10 Diersen said that the board was set up to meet quarterly but she recommended that it
11 be changed to a monthly meeting. She further asked that Deer Valley, Vail and
12 Mountain Trails Foundation stay on the committee since they were essential for making
13 the events work. Further discussion ensued with regard to the committee makeup.

14
15 Harrington noted that there was an expectation and prior commitment given to the
16 School District and Summit County. He suggested the Council consider following
17 through by approving this resolution tonight, but give direction for the group to meet
18 more often and expand its representation from community members. The Council
19 decided to discuss it further next week. Council Member Gerber stated she was fine
20 with including the School Board and the County as voting members as long as more
21 community members were added as well.

22
23 Council Member Beerman noted he was in favor of including the School District and
24 County but wanted to restructure the committee.

25
26 Council Member Beerman moved to continue Resolution 22-2016, a resolution to
27 amend Special Event Advisory Committee adding members to advise council on hosting
28 events that will create a diverse and well balanced offering to the local community.
29 Council Member Gerber seconded the motion.

30 **RESULT: CONTINUED**

Next: 10/06/2016

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

32
33 **4. Review the Level Three Special Event Permit, Conduct a Public Hearing,**
34 **and Approve the Permit for Park City Shot Ski and Approve a Fee Reduction Not**
35 **to Exceed \$2,800.00 in the Related City Service Fees, as Conditioned, on the**
36 **Following Date: Saturday, October 22, 2016:**

37 Tommy Youngblood, Special Events, and Lauren Boyack from Park City Brewery
38 presented this item. Youngblood indicated this was the 30th anniversary of Wasatch
39 Brewery and they wanted to break a record for holding the longest shot ski event. This
40 event would be on Main Street from Heber Avenue to Swede Alley. He recommended
41 that Council approve half of the requested fee waiver. Boyack stated she requested the
42 full waiver, noting the proceeds would go to Sunrise Rotary.

1 Council Member Worel stated since the City fully waived the fees for Miner's Day for the
2 Noon Rotary, it should waive the fees for all Rotary Clubs. Diersen stated \$11,400 was
3 waived for the Sunrise Rotary for the July 4th event.
4

5 Council Member Gerber stated it was a tricky position for many events to request fee
6 waivers because they were tied to nonprofits, but those fees supported police, staff, etc.
7 She did not support this request. Council Member Beerman agreed. Boyack stated the
8 brewery would not make a profit.
9

10 Bill Jacobson stated he was a member of the Sunrise Rotary. The applicant was
11 donating the fee waiver to the rotary. Those funds would help the rotary members buy
12 presents for the less fortunate children in the community. That was just one example of
13 what the money would be used for.
14

15 Council Member Henney moved to approve the Level Three Special Event Permit, and
16 approve the permit for Park City Shot Ski and approve a full fee reduction except for
17 Police fees in the amount of \$2,250 as conditioned, on Saturday, October 22, 2016.
18 Council Member Gerber seconded the motion.

19 **RESULT: APPROVED**

20 **AYES:** Council Members Beerman, Gerber, Henney, and Matsumoto

21 **NAY:** Council Member Worel

22
23 **5. Consideration of Ordinance 2016-44, an Ordinance Approving Amendments**
24 **to the Land Management Code of Park City, Utah Regarding the Following**
25 **Chapters: Chapter 1-General Provisions and Procedures; Chapter 2- Zoning**
26 **Designations (2.1 HRL, 2.2 HR-1, 2.3 HR-2, 2.4 HRM, 2.5 HRC, 2.6 HCB, 2.7 ROS,**
27 **2.8 POS, 2.9 E-40, 2.10 E, 2.11 SF, 2.12 R-1, 2.13 RD, 2.14 RDM, 2.15 RM, 2.16 RC,**
28 **2.17 RCO, 2.18 GC, 2.19 LI, 2.22 PUT, 2.23 CT); Chapter 6- Master Planned**
29 **Development Requiring Inventory and Report on Mine Sites for MPD Applications,**
30 **Chapter 7-Effect of Vacation, Alteration, or Amendment of Plats; Procedures,**
31 **Requirements and Review of Plat Amendments, Chapter 7.1-Modifications to**
32 **Public Improvements Required for a Subdivision, Chapter 11-Historic**
33 **Preservation Criteria for Designating Sites and Chapter 15-Definitions:**

34 Kirsten Whetstone, Senior Planner, presented this item. She indicated she would be
35 happy to answer any questions and noted the Planning Commission forwarded a
36 positive recommendation. Council Member Gerber explained the process of getting
37 these amendments approved by the Planning Commissioners.
38

39 Council Member Worel asked if there was an advantage to being a valid complying
40 structure and a legal noncomplying structure with regard to historic structures.
41 Whetstone stated if that was the way it was built and it was legal under the code at the
42 time then it would cut out some of the process time.

1 Council Member Beerman asked if it was always possible to require that goods needed
2 to be loaded/unloaded entirely onsite as stated on Page 207 of the packet. Whetstone
3 stated that language was not included for all zones
4

5 Harrington noted the language on Page 141 of the packet, in Section 15.6.6 and
6 suggested using the word mitigates instead of preserves. Harrington recommended
7 putting the obligation onto the applicant. Bruce Erickson stated the City may want to
8 excise just that section because some reports prepared for the sites recommend the
9 site not be put on the listing. He indicated the paragraph could also be changed to say
10 that the historic sites are managed according to the approved historic preservation plan.
11 After some discussion the Section was amended to say,
12

13 *(O) The MPD, as conditioned, addresses Historic Structures and Sites on the Property,*
14 *according to accepted City regulations and policies, and any applicable Historic*
15 *Preservation Plan.*
16

17 Council Member Worel asked what a City Council call up meant. Whetstone explained if
18 an appeal was requested, the City would give seven days' notice.
19

20 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas
21 closed the public hearing portion of the meeting.
22

23 Council Member Henney moved to approve Ordinance 2016-44, an ordinance
24 approving amendments to the Land Management Code of Park City, Utah regarding the
25 following chapters: Chapter 1-General Provisions and Procedures; Chapter 2- Zoning
26 Designations (2.1 HRL, 2.2 HR-1, 2.3 HR-2, 2.4 HRM, 2.5 HRC, 2.6 HCB, 2.7 ROS, 2.8
27 POS, 2.9 E-40, 2.10 E, 2.11 SF, 2.12 R-1, 2.13 RD, 2.14 RDM, 2.15 RM, 2.16 RC, 2.17
28 RCO, 2.18 GC, 2.19 LI, 2.22 PUT, 2.23 CT); Chapter 6- Master Planned Development
29 Requiring Inventory and Report on Mine Sites for MPD Applications, Chapter 7-Effect of
30 Vacation, Alteration, or Amendment of Plats; Procedures, Requirements and Review of
31 Plat Amendments, Chapter 7.1-Modifications to Public Improvements Required for a
32 Subdivision, Chapter 11-Historic Preservation Criteria for Designating Sites and Chapter
33 15-Definitions with the above described amendment and approved by the City Attorney.
34 Council Member Worel seconded the motion.

35 **RESULT: APPROVED**

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

37
38 **The following item was removed from the Consent Agenda and was discussed**
39 **during the Regular Business portion of the meeting:**
40

41 **Request to Approve the New Interlocal Agreement for the Central Wasatch**
42 **Commission (Formerly Known as Mountain Accord):**

1 Council Member Beerman showed a PowerPoint and reviewed that in July, 2015, the
2 Mountain Accord was signed. In order to move the principles forward, a board needed
3 to be formed. A commission was formed with four organizing members, comprised of
4 Salt Lake City, Salt Lake County, Cottonwood Heights and Sandy. There were also two
5 appointed members – a Wasatch Back member and a UDOT member. Council Member
6 Beerman was appointed as the Wasatch Back member. Council Member Beerman
7 indicated the Commission would meet bimonthly.

8
9 Council Member Beerman indicated the Commission leased a building at the base of
10 Big Cottonwood Canyon, an audit had been performed to close out the Accord, they
11 would be working on an environmental dashboard, they approved a Parleys/I-80
12 Transportation study, approved a Cottonwood Transportation study, as well as
13 connecting trails and shifts in bus routes.

14
15 Council Member Worel asked if the funds would be transferred over to the Commission.
16 Council Member Beerman stated those funds would be transferred from different
17 entities to the Commission.

18
19 Council Member Beerman also discussed the Central Wasatch National Conservation
20 and Recreation Area Act, sponsored by Rep. Chaffetz. This act would prohibit new
21 roads, chair lifts, or anything allowed in the wilderness areas. He noted the monitor
22 bowls in Summit County had been pulled out of the act by Rep. Bishop. This land was in
23 the County and the City supported it.

24
25 Council Member Worel moved to approve the new Interlocal Agreement for the Central
26 Wasatch Commission (formerly known as Mountain Accord). Council Member
27 Matsumoto seconded the motion.

28 **RESULT: APPROVED**

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

30
31 In other business, Linda Jager showed a slide show of City Tour to the Council.

32
33 **VII. ADJOURNMENT**

34
35 With no further business, the meeting was adjourned.

36
37
38 _____
Michelle Kellogg, City Recorder



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

Following a Request for Qualifications (RFQ) process, which resulted in five qualified firms accepted to bid on the construction of 1450-1460 Park Avenue Affordable Housing, North Ridge Construction, Inc. submitted the lowest responsive and responsible bid.

Respectfully:

Rhoda Stauffer, Housing Specialist



City Council Staff Report

Subject: Award of Construction Contract
1450-1460 Park Avenue Affordable Housing Project
Author: Rhoda Stauffer, Housing Program Manager
Department: Community Development
Date: October 6, 2016
Type of Item: Administrative – Award of Contract

Summary Recommendation

Authorize the City Manager, in a form approved by the City Attorney, to enter into a Construction Contract to rehabilitate two historic homes and build six new detached houses entitled the 1450-1460 Park Avenue Affordable Housing Project (Project), in an amount not to exceed two million two hundred thousand eight hundred dollars (\$2,200,800).

Executive Summary

Following an RFQ process, which resulted in five qualified firms accepted to bid on the construction of 1450-1460 Park Avenue Affordable Housing, North Ridge Construction, Inc. submitted the lowest responsive and responsible bid.

Acronyms

| | |
|------|--|
| CUP | Conditional Use Permit |
| HVAC | Heating Ventilation and Air Conditioning |
| RDA | Redevelopment Agency |
| RFQ | Request for Qualifications |

The Problem

As an international resort community with world class recreational, hotel and leisure service amenities, Park City's job market is dominated by the hospitality and leisure sector. More than 40 percent of all jobs within the City limits are in this sector. In 2014, the average annual income earned in all employment sectors was \$44,052. Wages earned in the leisure and hospitality sector averaged \$27,456 – 38 percent below all jobs.

According to the Park City Board of Realtors, the average of median closed sales for single family homes in 2016 since January in Park City is \$1,703,071. For Midway and Heber City, the average of median sales for the same time period is \$494,989 and \$342,736 respectively. For homes in Park City to be affordable to the majority of those employed within City limits, prices would need to range between \$200,000 and \$500,000 (this range covers both affordable and attainable). Today, approximately 80% of Park City's workforce lives outside City limits. High home prices in Park City not only result in the need to import a high percentage of our community's workforce, it causes

problems that range from increased traffic to the risk that Park City could lose vibrancy and a sense of community due to a lack of full time residents.

Background

- In December 2014, City Council identified Affordable, Attainable and Middle Income Housing as a critical priority.
- On February 5, 2015, the City’s Community Affairs Manager and Housing Specialist presented a report on the current state of housing in Park City, 2014 year in review accomplishments, a one-year action plan, and five year housing inventory targets.
- On March 5, 2015, Council provided direction to proceed with a City-sponsored housing development at 1450/60 Park Avenue.
- In August and October of 2015, Council was provided a number of site plan options and a plan was selected that converts the two historic homes into one-bedroom houses and new construction of five, two-bedroom homes and one, three-bedroom home. The net new addition to housing inventory is eight.
- In January of 2016, the historic preservation plan for the two historic houses was reviewed by the Historic Preservation Board. Additional information was requested and follow-up occurred at the February 2016 meeting of the Historic Preservation Board, at which time the plan was approved.
- In July of 2016, a Conditional Use Permit (CUP) application for the parking access on Sullivan Avenue was reviewed and approved by the Planning Commission.

On July 6, 2016, an RFQ was published to review candidates and narrow the field for construction bids. Five firms submitted statements of qualifications and all five were determined qualified to bid. Bid documents were provided to all qualified firms on Wednesday, August 17 and bids were due by 4pm on Monday, September 12. The bid-opening occurred at 4:05 on September 12, 2016.

Bids were received from three firms as follows:

| Bidder | Base Bid Amount | Total with Alternates 1-5 |
|--------------------------------|------------------------|----------------------------------|
| ENTELEN Design-Build LLC | \$1,705,000 | \$1,861,000 |
| North Ridge Construction, Inc. | \$2,167,000 | \$2,270,500 |
| New Star General Contractors | \$2,292,705 | \$2,375,973 |

ENTELEN withdrew their bid within 24 hours due to a “significant error in their bid spreadsheet which caused them to underestimate their costs.”

In addition to the base bid, bids for five Alternates (potential changes to the construction specifications) were requested as follows:

1. Elimination of cost for crawl space wall and footing and 1st floor framing and add in of cost of slab-on-grade foundation system (project team was analyzing the cost differences of the two systems and has determined that crawl space and footings will be both a cost effective and better alternative).
2. Inclusion of Solar Photovoltaic Systems on all new units (the project team wanted to understand the specific cost of installing Solar Photovoltaic Systems and therefore requested it as an Alternate to separate out the cost).
3. Inclusion of the cost of HVAC min-split systems and elimination of AHU and forced air systems (the project team wanted to determine the most cost effective air circulation and heating system and therefore requested this Alternate to separate out the cost).
4. Inclusion of the cost of a framed-in-place system for the roofs of the two historic units (currently the measurements of the historic roofs allows for manufactured roof trusses, however moving historic structures can cause changes in the framing and the project team wanted an "on the record" estimate in case the roof trusses have to be framed in place or hand-built).
5. Elimination of the cost to install passive radon systems (rather than a passive radon system, the project team is including floor to roof piping to allow – if needed after testing - for a radon elimination system to be added once the homes are built).

The project team determined that only Alternates two and five would be incorporated in the construction contract.

The lowest 'responsible' and responsive bidder was **North Ridge Construction, Inc.**, with a total bid of **TWO MILLION TWO HUNDRED THOUSAND EIGHT HUNDRED DOLLARS (\$2,200,800)** (Base Bid and Alternates #2 & #5)

- The base bid is \$2,167,000,
- Alternate #2 is \$44,000, and
- Alternate #5 is (\$10,400).

Project Budget

The overall project budget is \$3,023,520. The budget for construction is \$2,755,000. To date, \$208,197 has been spent on:

- Structural engineering, soils testing, hazard remediation
- Project design and construction drawings
- Project management

Construction is scheduled to begin as soon as the Construction Agreement is executed and all bonds and insurance requirements are submitted to the City. The substantial completion date for the project is August 31, 2017.

Pricing for the sales of these units is being projected for 60-100% of AMI or household incomes of \$53,000 to \$75,000 annually depending on household size. However,

specific pricing will be set after October of this year. At that time, City Council will have had a chance to review the findings of James Wood of the University of Utah and his updated market assessment. The market assessment will reveal the number and profile of households in need in each income category.

Alternatives for City Council to Consider

Recommended Alternative: Staff recommends approving a Construction Contract for the 1450-1460 Park Avenue Affordable Housing Project but not bid alternates #1, #3, & #4 as provided.

Pros

- Provides ability to move forward with construction of net new units of affordable housing
- Construction costs are lower than anticipated
- Site Plan is in accordance with Council's Critical Priorities

Cons

- None

Modify the Contract: Council could choose to direct staff to modify the recommended contract to include or not include the alternative bid items.

Pros

- Council's discretion

Cons

- Due to construction timing and budget, staff is not recommending changing the current contract

Null Alternative: Council may choose to deny the Construction Contract.

Pros

- Council would not spend the recommended contract amount
- Staff could rebid the item, but this is not recommended

Cons

- Should Council not approve the Contract as provided, the affordable housing project will not move forward

How this work furthers the goals of the General Plan

Goal seven of the General Plan states "Create a diversity of primary housing opportunities to address the changing needs of residents" and goal eight states: "increase affordable housing opportunities and associated services for the workforce of Park City" ([Link to pages 70-77 of the General Plan](#)). All efforts and issues identified here are to increase the number of units affordable to members of Park City's workforce. General Plan objectives that are addressed by this work include:

- 7A - Increase diversity of housing stock to fill void within housing inventory.
- 7E - Create housing opportunities for the city's aging population.
- 8A - Provide increased housing opportunities that are affordable to a wide range of income levels.

- 8C - Increase housing ownership opportunities for workforce within primary residential neighborhoods.

Department Review

The following Departments have reviewed this Staff Report: Community Development, Budget, City Attorney and Executive.

Funding Source

Funding has been reserved for this project as part of Council's critical Housing priority. A combination of Resort Sales Tax and RDA funding – both Capital budgets – will be utilized.



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

The original agreement with Bowen Collins & Associates consisted of design services for the replacement and upgrade of waterlines and sanitary sewer mains within the Upper Swede Alley corridor. Given the recent history of water main breaks, coupled with ongoing capital improvement projects within the Old Town District, the Public Utilities Department has determined that it is necessary to replace and upgrade the waterline and storm drain on Heber Avenue between Park Avenue and Main Street in conjunction with the Upper Swede Alley work.

The PSA amendment adds to the original project scope, engineering design services for the Heber Avenue work. The PSA amendment also adds construction management services to the project. Public Utilities staff capacity has been allocated to other projects and priorities, making it necessary to bring in a full time on-site construction inspector from the consultant to ensure successful project delivery. Construction management services account for \$59,000 or roughly half of the total PSA amount.

Respectfully:

Nicholas Graue, Water Project Engineer



City Council Staff Report

Subject: Upper Swede Alley Utility Replacement
Author: Professional Services Agreement – First Addendum
 Bowen Collins & Associates, Inc.
Department: Nick Graue, Public Utilities Engineer
Date: October 6, 2016
Type of Item: Administrative

Summary Recommendation

Staff recommends Council authorize the City Manager to execute the First Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates for engineering services for the Upper Swede Alley and Heber Avenue Utility Replacement Project for an increase to the agreement in an amount not to exceed **\$80,550** for a total contract amount not to exceed **\$118,450**.

Executive Summary

The original agreement with Bowen Collins & Associates consisted of design services for the replacement and upgrade of waterlines and sanitary sewer mains within the Upper Swede Alley corridor. Given the recent history of water main breaks, coupled with ongoing capital improvement projects within the Old Town District, the Public Utilities Department has determined that it is necessary replace and upgrade the waterline and storm drain on Heber Avenue between Park Avenue and Main Street in conjunction with the Upper Swede Alley work. The PSA amendment adds to the original project scope, engineering design services for the Heber Avenue work. The PSA amendment also adds construction management services to the project. Public Utilities staff capacity has been allocated to other projects and priorities, making it necessary to bring in a full time on-site construction inspector from the consultant to ensure successful project delivery. Construction management services account for \$59,000 or roughly half of the total PSA amount.

Acronyms

The following acronyms and abbreviations have been used in this report:

| | |
|-------|--|
| City | Park City Municipal Corporation |
| RFQ | Request for Qualifications |
| SOQ | Statement of Qualifications |
| SBWRD | Snyderville Basin Water Reclamation District |

The Problem

Much of our drinking water infrastructure is nearing the end of its useful life. It is important for the City to be vigilant about replacing its aging infrastructure to continue to meet its level of service obligations to its customers.

Background

As part of the Public Utilities Department's ongoing asset management program, the Upper Swede Alley Utility Replacement Project addresses prioritized water main replacements and deficient fire flows to critical areas of Old Town. The project consists of replacement and upgrade of waterlines and sanitary sewer mains within the Upper Swede Alley corridor and replacement and upgrade of waterlines and storm drains in Heber Avenue between Park Avenue and Main Street. The project has been planned in conjunction with the redevelopment of the brew pub parking lot, the Kimball Arts Center, and the Main Street sidewalks project.

The design and construction administration for the sanitary sewer will be contracted directly with Snyderville Basin Water Reclamation District (SBWRD).

For more background on the project, please refer to the original agreement staff report on page 134 of the December 3rd, 2015 Council meeting packet, (link):

<http://parkcityut.ig2.com/Citizens/FileOpen.aspx?Type=1&ID=2080&Inline=True>

Tentative Project Schedule:

The following tentative project schedule has been established for the project period. The project schedule is subject to change based on contract negotiations and City Council review of the project.

Project Period

| | |
|---|------------------------|
| City Council Contract Amendment Authorization | October 6, 2016 |
| Notice to Proceed | October 21, 2016 |
| Design Complete | February, 2017 |
| Bidding for Construction | February - March, 2017 |
| Construction Period | May – October, 2017 |

In order to mitigate construction impacts, the construction schedule will need to be closely coordinated with the City Engineer, Public Engagement, Transit Operations, Special Events and Emergency Dispatch. Given the nature of the project it is anticipated that full width road closures will be required for both Swede Alley and Heber Avenue during construction activities, these closures however will occur at different times during the construction period and with an eye toward minimizing impacts on residents, businesses, and special events.

It is important to note that although construction is anticipated to take place in late summer of 2017; bidding for construction will take place during the early spring season to take advantage of the favorable bidding climate when contractors are bidding for summer work.

Alternatives for City Council to Consider

1. Recommended Alternative:

Pros

- a. Address prioritized water main replacement within Old Town

- b. Enhance fire flows within the Old Town area
- c. Prepare Public Utilities within Old Town for increased demands from development and public projects

Cons

- a. Temporary impacts to traffic and pedestrian movement through the project area during construction activities
- b. Mitigated Impacts to major summer events

2. Null Alternative:

Pros

- a. No impacts to traffic and pedestrian movement
- b. No near term capital cost

Cons

- a. Delaying this project could mean either increasing rates of pipe breakage and deteriorating water service, or suboptimal use of utility funds, such as paying more to repair broken pipes than the long-term cost of replacing them.

Analysis

The Request for Qualifications (RFQ) for the Upper Swede Alley Utility Replacement Project was advertised in the Park Record on 10/03, 10/07, 10/10, 10/14, 10/17 and 10/21, 2015, and on the Park City Website beginning October 3, 2015. Four Statements of Qualifications (SOQ) were received and opened on October 23, 2015. Request for Qualifications were chosen versus proposals to verify the engineer's experience with drainage, waterline and sanitary sewer design.

SOQs were evaluated on specific factors listed in the RFQ. Bowen Collins & Associates is the highest ranking responsive proposer. Nick Graue will be coordinating the work, and will be working under the guidance of the Public Utilities Engineering Manager and the Public Utilities Director.

Furthering the Goals of the General Plan

Utilities are essential services that play a vital role in economic and social development. A resilient water system is a critical prerequisite to all of the goals and objectives identified within Park City's General Plan.

This particular project most closely aligns with the General Plan Objective 5B: "Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity."

Department Review

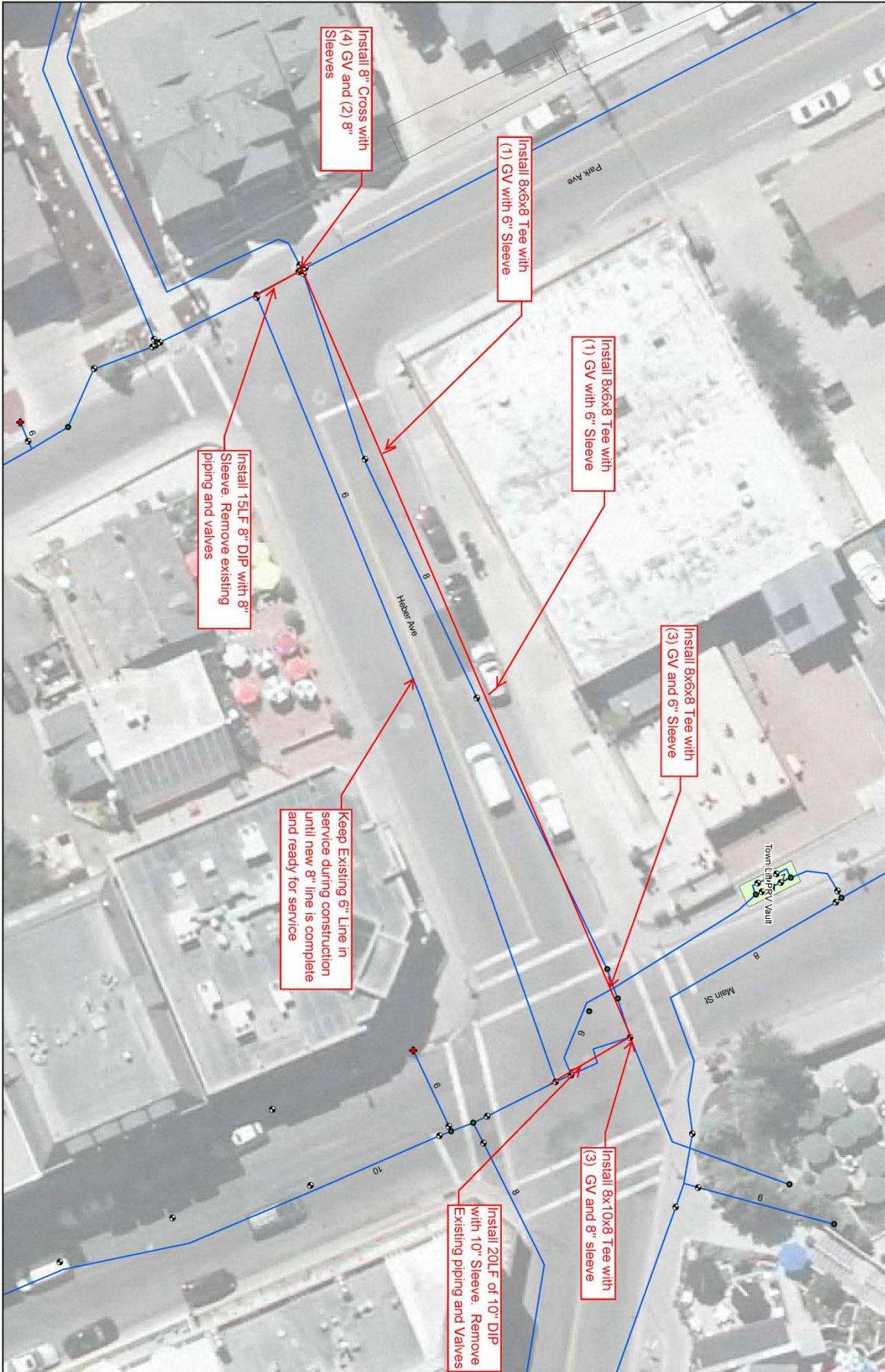
This report has been reviewed by representatives of Public Utilities, Legal, City Engineering, Special Events and Executive Departments and their comments have been integrated into this report.

Funding Source

The project will be funded with water service fees and is included in the approved 5-year Water CIP.

Attachments

- **Project Overview**



Install 8" Cross with (4) GV and (2) 8" Sleeves

Install 8x6x8 Tee with (1) GV with 6" Sleeve

Install 8x6x8 Tee with (1) GV with 6" Sleeve

Install 15LF 8" DIP with 8" Sleeve. Remove existing piping and valves

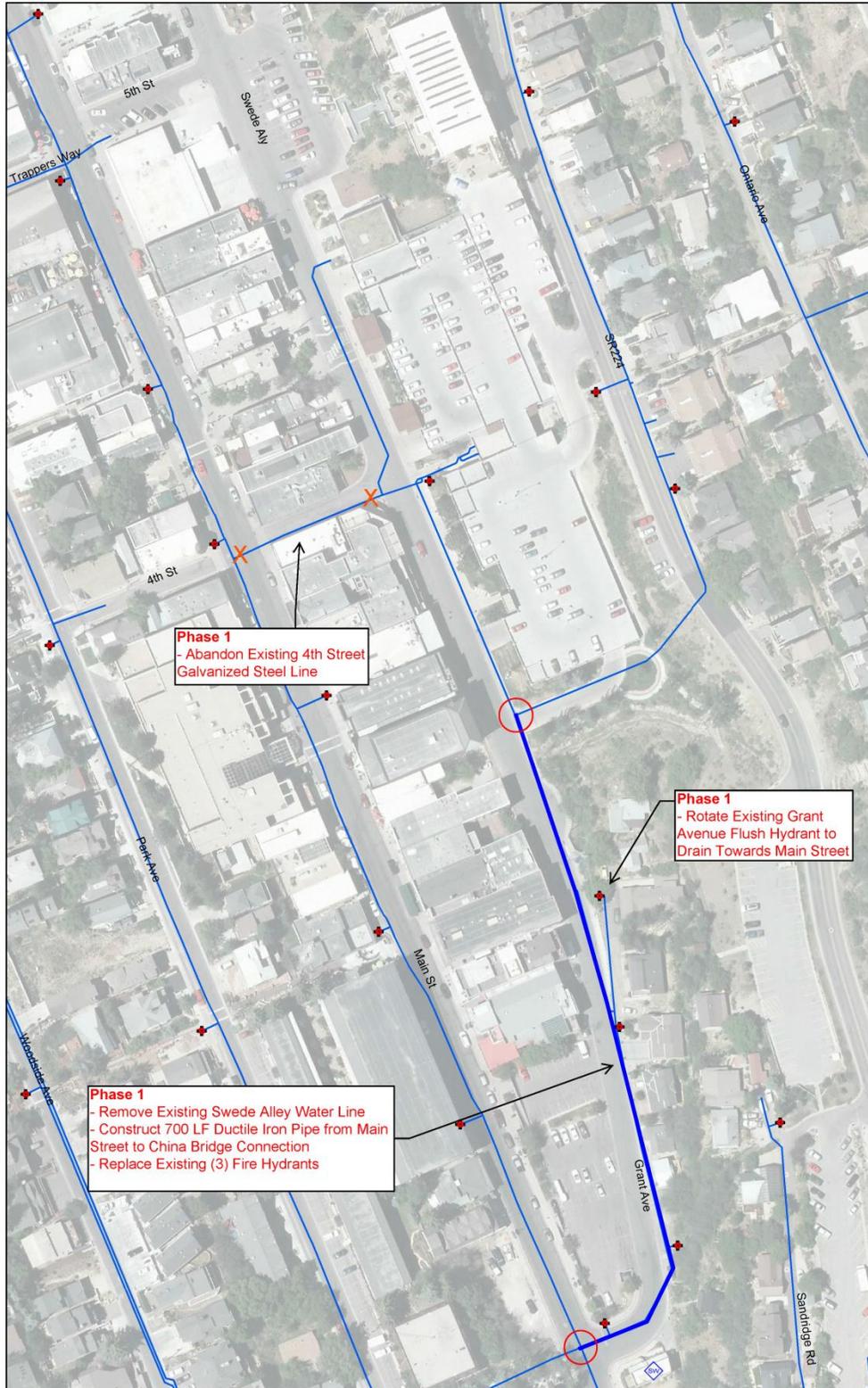
Keep Existing 6" Line in service during construction until new 8" line is complete and ready for service

Install 8x6x8 Tee with (3) GV and 6" Sleeve

Install 20LF of 10" DIP with 10" Sleeve. Remove Existing piping and Valves

Install 8x10x8 Tee with (3) GV and 8" sleeve

Upper Swede Alley Utility Project





DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

Because the debt service on the bond to be issued may increase the property tax imposed upon the average value of a residence by an amount that is greater than or equal to \$15 per year, the Utah Local Government Bond Act requires Park City Municipal Corporation (PCMC) to prepare a “voter information pamphlet” to be distributed to Park City voters. PCMC could also meet this statutory requirement by sending a post card notifying voters that they can request a voter information pamphlet to be mailed to them. Staff recommends the former course of action.

The main purpose of the pamphlet is to provide the community with information about the election generally.

Respectfully:

Michelle Kellogg, City Recorder



City Council Staff Report

Subject: Bonanza Flats Open Space Bond
Author: Tom Daley, Deputy City Attorney
Department: City Attorney's Office
Date: October 6, 2016
Type of Item: Administrative

Summary Recommendation

City Council should review, propose edits and approve the content of the voter information pamphlet related to the Bonanza Flats open space bond which is attached to this report as Attachment A. Upon Council approval, the voter information set out in this report will be formatted into a pamphlet and mailed to Park City voters.

Executive Summary

Because the debt service on the bond to be issued may increase the property tax imposed upon the average value of a residence by an amount that is greater than or equal to \$15 per year, the Utah Local Government Bond Act requires Park City Municipal Corporation (PCMC) to prepare a "voter information pamphlet" to be distributed to Park City voters. PCMC could also meet this statutory requirement by sending a post card notifying voters that they can request a voter information pamphlet to be mailed to them. Staff recommends the former course of action.

The main purpose of the pamphlet is to provide the community with information about the election generally.

Acronyms

PCMC Park City Municipal Corporation

Background

The state statute requires the voter information pamphlet to be mailed between September 24 and October 24, 2016. The open space bond ballot initiative will appear on the November 8, 2016, general election ballot.

Please view the following staff reports for background on the Bonanza Flats Open Space Bond.

www.parkcity.org/Files/Staff_Report_8_4_16.pdf

www.parkcity.org/Files/Staff_Report_8_11_16_only.pdf

www.parkcity.org/Files/Staff_Report_8_11_16_Resolution.pdf

http://www.parkcity.org/Files/Staff_Report_9_15_16.pdf

Alternatives for City Council to Consider

1. **Recommended Alternative:** Review, propose edits, and approve the content of the voter information pamphlet.

Pros

- a. Mailing the voter information pamphlet by October 12, 2016, complies with the deadline set out by the Utah Local Government Bonding Act.
- b. This timeline would provide voters with sufficient time to review the information prior to the October 20 and November 3, 2016, public hearings on the open space bond ballot initiative.

Cons

- a. None.

2. **Null Alternative:** This would result in a violation of the Utah Local Government Bonding Act and would deprive voters of the opportunity to receive information related to the open space bond.

3. **Other Alternatives:** Council could direct staff to return at the October 20, 2016, City Council meeting with revised voter information.

Pros

- a. PCMC could still comply with the deadline set out by the Local Government Bond Act, as the deadline for mailing the pamphlet is October 24, 2016.

Cons

- a. Voters would not have as much time to review the information in the pamphlet prior to the election.
- b. Voters would not receive the pamphlet prior to the October 20, 2016, regular City Council meeting where a public hearing on the open space bond will be on the agenda.

Analysis

Approving the content of the voter information pamphlet allows staff to format and mail the pamphlet in compliance with the Utah Local Government Bond Act and provides voters with sufficient time to review information related to Bonanza Flats prior to the election. Any suggested edits to the pamphlet should be made in the context of providing election information to the public as opposed to any specific promotion of the merits of the bond. The state statute provides for the voter information pamphlet to include PCMC's "Supportive Viewpoint" of the bond and council's comments to that effect should be limited to that space.

Department Review

This report has been reviewed by the Executive Department, Budget and Finance Department, and the Sustainability Department.

Funding Source

Funding for printing and mailing will come from the Community Engagement departmental budget.

Attachments

Attachment A: Content of Voter Information Pamphlet

Attachment A

Bonanza Flats General Obligation Bond Facts

Voter Information



Bond Election
Tuesday, November 8, 2016



www.parkcity.org
435.615.5001

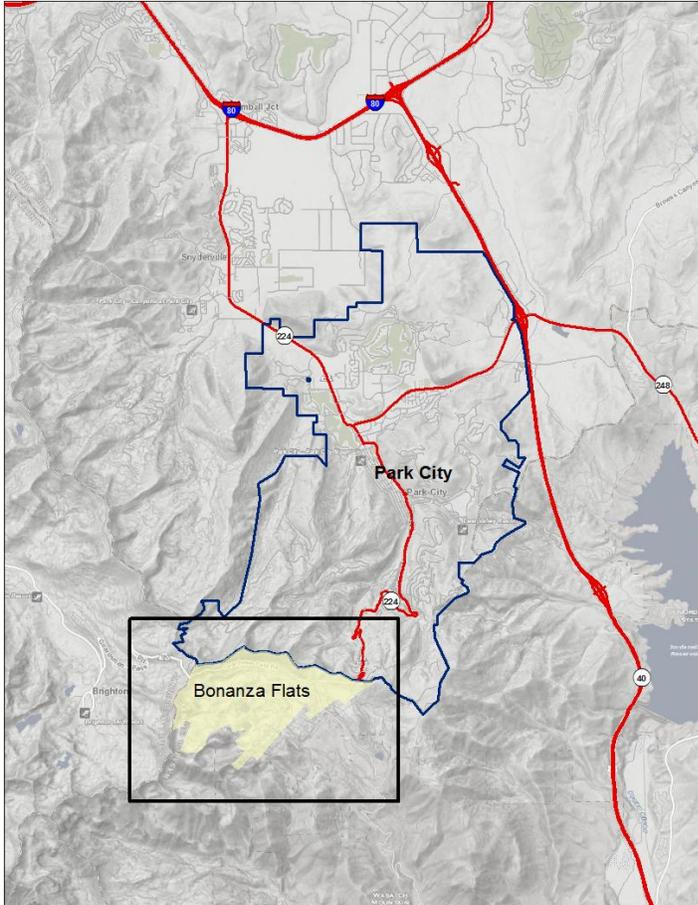
Background Information on Bonanza Flats Open Space

Bonanza Flats is comprised of approximately 1,400 acres of undeveloped and pristine ground situated along Guardsman Pass Road in unincorporated Wasatch County at the upper elevations of the Wasatch Mountains. It is contiguous to Park City's southern boundary, which is also the Summit and Wasatch County boundary. Bonanza Flats is bordered to the west generally by the ridge lines of Clayton's Peak and 10420', which is

also the Wasatch and Salt Lake County boundary. Bonanza Flats is a scenic mountain land parcel with alpine terrain of dramatic stands of conifers, large aspen groves, steep cliff areas, alpine lakes, and open meadows.

Park City's long-held legacy of successful open space purchases has been the result of voter approved open space bond measures. If approved by voters, this authorization would enable the City to potentially partner in the protection of Bonanza Flats if the opportunity arises.

MAP:



How much open space has Park City already protected?The City has directly purchased and protected over 3,000 acres of land from development over the past 25 years, and succeeded in safeguarding several thousand additional acres through private development agreements.

How much does acquiring open space cost?

The cost of undeveloped land in Park City and the Snyderville Basin can be well in excess of \$100,000 per acre. The average cost of large open space properties that Park City has acquired and protected with general obligation bond funds is approximately \$30,000 per acre. All open space properties that Park City considers acquiring are appraised to help determine their fair market value. The City Council will ultimately decide if Park City should acquire and preserve Bonanza Flats if the property becomes available and the authorization is approved by the voters.

Do we need a bond at this time, and what will it cost the voter?

Park City's approach to open space preservation has always included a willing seller and a willing buyer. The same would need to occur to make the purchase and preservation of Bonanza Flats possible. Park City would need funds from a general obligation bond in order to fund the purchase of Bonanza Flats should it become available. In other words, the proceeds from this general obligation bond may be the only means by which Park City could achieve the preservation and protection of Bonanza Flats. The next opportunity to place a general obligation bond on the ballot would not arise until November, 2017, and therefore the availability of funds would be delayed twelve months, at a minimum.

Park City Municipal Corporation is asking voters to authorize funding only if it is able to reach an agreement to purchase a specific piece of property – namely Bonanza Flats. Similar to past open space bonds, this bond would be different with respect to specifically naming the parcel of ground to be protected. While voters will have the opportunity to vote to preserve a specific piece of property, they will be voting without certainty that the City can reach an agreement to buy and preserve that property or that the bond will be issued.

In addition to forever preserving conservation and recreation uses, a purchase of Bonanza Flats as open space would diminish many impacts related to its development, including increased construction, commercial, and residential traffic through Park City's core. If the City issued and sold the full amount of the authorization, or \$25,000,000, it is estimated that at current assessed values:

- Full-time residents with primary resident tax status would pay, annually, \$15.15 for every \$100,000 of the home's assessed market value.
- Second homeowners/part time residents would pay, annually, \$27.54 for every \$100,000 of the home's assessed market value.
- A business would pay, annually, \$27.54 for every \$100,000 of assessed market value.

Debt payments would occur for 15 years from the time the bonds are issued.

If Bonanza Flats does not become available and the City does not reach an agreement to buy the property, no general obligation bonds will be issued and no additional property tax will be collected.

A brief history of recent open space and recreation bonds:

Since 1998, Park City voters have passed three open space bonds totaling \$40 million. These bonds passed with an average 81% voter approval - 1998 (by 78%), 2002 (by 83%) and 2006 (82.2%). In 2012, voters also approved a half-cent sales tax increase of which, \$15 million has been allocated and bonded against for open space as part of the ten-year sales tax plan.

Previous open space purchases:

Much of the City's previous efforts to purchase open space has been within the Round Valley/Quinn's Junction area. In fact, over 2,400 acres have been protected from future development, at a cost of almost \$40M. Additionally, the City has acquired approximately 400 acres along the SR-224 entry corridor and another 200 acres within the Old Town area. All said, the City has spent almost \$55M through general obligation and sales tax bonds to preserve these open spaces.

How are open spaces preserved and protected?

Land purchased by Park City as open space is typically purchased subject to conservation easements and held by entities such as Summit Land Conservancy and Utah Open Lands. City-acquired open space is often protected even further by the bond language itself which guarantees that the land will remain forever undeveloped and used only for those purposes described on the ballot that voter's consider on Election Day.

Who maintains the open space?

Open space maintenance, such as weed mitigation, trail construction, and maintenance is either directly maintained by the City through its Parks & Recreation Department, and/or through City contracts with private entities or other non-profit organizations, such as the Mountain Trails Foundation.

Official Ballot Language

The formal language on the November 8, 2016, Bonanza Flats General Obligation bond ballot reads as:

PARK CITY OPEN SPACE BOND BALLOT INITIATIVE

Shall Park City, Utah be authorized to issue general obligation bonds in an amount not to exceed \$25,000,000 and to mature in no more than 16 years from the date or dates of such bonds to acquire, improve and forever preserve open space, park and recreational land located in Bonanza Flats, if such land is available for purchase by the City, in order to protect the conservation values thereof, to remove existing unneeded man-made improvements, and to make limited improvements for public access, parking and use?

PROPERTY TAX COST OF BONDS

If the bonds are issued as planned, an annual property tax to pay debt service on the bonds will be required over a period of 16 years in the estimated amount of \$122.67 on an \$810,000 primary residence, and in the estimated amount of \$223.05 on a business property having the same value.

The foregoing is only an estimate and is not a limit on the amount of taxes that the governing body may be required to levy in order to pay debt service on the bonds. The governing body is obligated to levy taxes to the extent provided by law in order to pay the bonds.

FOR THE ISSUANCE OF BONDS

AGAINST THE ISSUANCE OF BONDS

Supportive Viewpoint

This bond is specific to the approximate 1400 acres known as Bonanza Flats. Should Bonanza Flats become available for purchase, its permanent preservation and protection are dependent upon voter approval of this \$25 million bond. By placing this specific bond on the ballot, Park City Municipal Corporation (PCMC) is making voters aware that if Bonanza Flats becomes available for purchase, the property is in jeopardy of being sold for development, and that the City desires to be in a financial position to acquire it, when or if the landowner is willing to sell it for open space. The land sits in the heart of the backcountry of Park City. From backcountry skiing to summer hikes to the high alpine lake, this landscape is a winter and summer playground for many. Beyond recreational uses, the wildlife, scenic and ecological value of this land provides tremendous conservation value at a landscape scale. The significance of protecting this large swath of land on the edge of Park City is a true cornerstone of open space preservation efforts which began in 1990. The Park City community has continued to show support of open space initiatives by approving two General Obligation bonds and a sales tax initiative over the last 15 years. Beyond impacts from potential development and the loss of conservation values, there are real consequences of development. The impacts to Park City residents from traffic alone would be significant. If Bonanza Flats is developed, access to the entire area would be altered and privatized and the loss of this recreational landscape would be replaced with new growth that could adversely affect the quality of life in the Park City community.

Approval means PCMC would be authorized to issue and sell bonds for up to \$25 million. If the landowner is unwilling to sell the property to the City for open space, PCMC will not issue and sell a bond and there will be no tax imposed on Park City homeowners. If voters approve the initiative, PCMC will have up to 10 years to issue and sell a bond.

Say yes to the Bonanza Flats bond and place the City in the position to acquire this open space jewel should the opportunity arise.

How can citizens get more information?

Call or e-mail Linda Jager, Community Engagement Manager, at (435) 615-5189, linda.jager@parkcity.org. There will be a public hearing on the open space bond at the City Council meeting on October 20, 2016.

What are voter registration qualifications?

To register to vote in Utah, you must be a citizen of the United States, have resided in Utah at least 30 days immediately before the next election, be at least 18 years old on or before the next election, have your principal place of residence in a specific voting precinct in Utah, and not be a convicted felon currently incarcerated for commission of a felony.

How do I register to vote?

Election Day is November 8, 2016, and voting is by mail only this year. The Summit County Clerk will mail ballots to residences on October 18, 2016. Voters can verify their registration and register online at www.vote.utah.gov until 7 days before Election Day. Voters can also register in person at the Summit County Clerk's office until Friday, November 4, 2016. Summit County Clerk, 60 N. Main St., P.O. Box 128, Coalville, UT 84017; Phone: (435) 336-3204.

Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060
(435) 615-5001
www.parkcity.org

Postage

Park City Postal Patron
Voter Information



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

City Council has expressed a strong desire to develop a robust Transportation Demand Management plan as part of a comprehensive transportation planning strategy that facilitates the implementation of the City's overall General Plan, Traffic and Transportation Master Plan, Corridor Plans, and other long range planning documents.

In May of 2015, the City hired the consultant team led by Fehr and Peers to prepare a Transportation Demand Management plan.

Since then, Fehr and Peers has conducted research and analysis, conducted surveys, reviewed peer communities, created strategies and an interactive performance tool, and created implementation and marketing plans. The intent of the new plan is to implement various TDM strategies that target travel markets specific to Park City, such as visitors/tourist, employees, residents, and/or commuters. Should the Council vote to approve the plan, staff will take steps toward accelerated implementation in order to utilize several strategies as early as this winter season.

Respectfully:

Brooks Robinson, Senior Transportation Planner



City Council Staff Report

Subject: Resolution Adopting Park City's Transportation Demand Management Plan
Author: Alfred Knotts, Transportation Planning Manager
Brooks Robinson, Senior Transportation Planner
Department: Transportation Planning
Date: October 6, 2016
Type of Item: Administrative

Summary Recommendation

Staff recommends the City Council review and adopt the Transportation Demand Management Plan through the attached Resolution.

Executive Summary

For the past two years, the City Council has expressed a strong desire to develop a transportation demand management plan as part of a comprehensive transportation planning strategy that facilitates the implementation of the City's overall General Plan, Traffic and Transportation Master Plan, Corridor Plans, and other long range planning documents that work to reducing the use of single occupancy vehicle trips. As a result, in May of 2015, the City hired Fehr and Peers to prepare a Transportation Demand Management Plan.

In the intervening months, Fehr and Peers conducted research and analysis, surveys, reviewed peer communities, created strategies and an interactive performance tool, and created implementation and marketing plans for the City to utilize. The intent of the TDM plan is to implement strategies that target travel markets specific to Park City, such as visitors/tourist, employees, residents, and/or commuters. Should the Council vote to approve the TDM plan, staff will begin immediate implementation through various mechanism, such as internal and external employee and customer incentive programs, regulatory tools such as demand based and smart parking, and via development and project conditions of approval using the Land Management Code.

Given its size, the complete TDM Plan can be found here:
<http://www.parkcity.org/government/document-central/-folder-7475>

Acronyms

| | |
|------|-----------------------------------|
| SOV | Single Occupancy Vehicle |
| TDM | Transportation Demand Management |
| UDOT | Utah Department of Transportation |
| VMT | Vehicle Miles Travelled |

The Problem

Park City is constrained geographically by two primary corridors which experience high levels of congestion several times during the day (normal commuter hours). The vast majority of the congestion is due to overwhelming use of the single occupancy vehicle traveling inbound and outbound on SR 224 and SR 248. For example, single occupant vehicles make up 65% of peak hour traffic on SR-224, which although down from the 2011 baseline of 72% established by the 2011 TTMP, is still very high considering we offer a free public transit alternative. In regards to the SR-248 corridor, 79% of peak traffic on SR-248 is single occupant vehicles (no 2011 baseline was established for the SR-248 corridor as part of the 2011 TTMP). As a result, additional actions are necessary to achieve the 50% target outlined on the 2011 TTMP by 2040.

Staff believes the new TDM plan, which specifically targets a reduction in vehicle miles travelled (VMT) and the related traffic and environmental impacts of single occupancy vehicles (SOV), will greatly reduce use of the single occupant vehicle and associated VMTs. The TDM plan targets the five primary traffic audiences (residents, part-time residents, commuters, visitors, and employees) with specific strategies and performance measures tailored to each category. When adopted, the TDM and Parking Management plans should help guide behavior to reach the ambitious 2040 goal referenced above. It should be noted that other strategic capital and service improvements will also be necessary to also achieve this goal, such as smart parking improvements in our downtown corridor, and collaboration with the business community, schools, and Summit County.

Background

- Council has expressed a strong desire to develop a transportation demand management plan as part of a comprehensive transportation planning strategy to reduce congestion and use of the single occupant vehicle.
- On October 9, 2014, Transportation Planning staff presented Council an update on the City's Transportation Master Plan. At that time, Council reaffirmed goals set forth in the plan but expressed a strong desire to accelerate achievement of those goals and directed staff to return with an updated plan including additional costs to accomplish an accelerated schedule.
- On January 8, 2015, Transportation Planning staff returned to Council with an accelerated Transportation Master Plan goal achievement schedule. An integral component of the accelerated plan was hiring consulting services to assist with several studies (including the TDM plan).
- On May 28, 2015, Council authorized the City Manager to sign the Service Provider/Professional Services Agreement with Fehr and Peers for professional services related to the preparation of a TDM Plan.
- In the intervening months, Fehr and Peers has conducted research and analysis, conducted surveys, created strategies and a performance tool, and created

implementation and marketing plans consistent with the contract and associated scope approved by Council in May 2015

Consistency with the 2011 Traffic Transportation Master Plan (TTMP) and 2014 General Plan:

2011 TTMP:

The 2011 TTMP recommended a robust TDM Plan be developed and recommended the following TDM strategies be further evaluated and subsequently implemented.

Examples included:

- Employer partnerships
- Traveler Information System
- Guaranteed Ride Program
- Van Pool
- Telecommuter Satellite locations
- Flex Time work schedule
- Congestion pricing
- Bike, Car Sharing
- Ski area incentives

The TDM Plan being recommended for adoption by council as part of this report further evaluated these strategies based on 2015 market analysis and travel patterns and recommended concrete and targeted implementation strategies. As such, the TDM Plan is consistent with, and serves to implement, the adopted 2011 TTMP.

2014 General Plan:

Goal 3 within the “Small Town” element of the 2014 General Plan states “Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small town character.” “City Implementation Strategies” within that section further states that City should “Adopt travel demand management (TDM) programs to encourage commuter trip reduction programs, including: prioritized employment hub routes, commuter incentives, and recognition of local businesses that incentivized employee use of alternative modes of transportation.” As such, the TDM Plan is consistent with, and serves to implement, the adopted 2014 General Plan.

Alternatives for City Council to Consider

1. Recommended Alternative: Adopt the TDM Plan

Pros

- a. The proposed Plan meets the Council Goal and Critical Priority of a comprehensive transportation planning strategy as well as the 2011 TTMP and 2014 General Plan.
- b. The proposed plan will help alleviate congestion during peak hours as soon as this winter season.

Cons

- a. There will be some impacts to residents, visitors, employees, and commuters over time in implementing this plan that may create concerns and complaints. However, although some of the changes may be difficult and occasionally inconvenient, better management of our constrained resources and infrastructure is a best practice in terms of TDM planning and management.
- b. There are potential financial impacts to the City as we work with employers to provide incentive programs for their employees and our own. This may require an initial financial subsidy by the City to establish the program. Currently, staff budgeted \$50,000 in the FY 2016/2017 Transportation Planning operating budget for such programs. However, it is anticipated that future years will be funded through parking fees once smart and paid parking programs are fully implemented.

2. **Null Alternative:** If the TDM Plan is not adopted, staff will not pursue the TDM Plan.

Analysis

Transportation Planning staff in 2015 laid out the following chart for Council. A number of studies have been completed within the associated timeline, and the City is embarking on an aggressive next phase of implementation.

| Transportation Planning Areas of Focus | Transit Plans | Transportation Demand Management | Managed Parking | Congestion Management | Primary Corridor Plans |
|--|---|--|--|---|--|
| | <ul style="list-style-type: none"> ✚ Transit Development Plan ✚ Environmental Assessments ✚ Revenue Initiative | <ul style="list-style-type: none"> ✚ Transportation Demand Management Study ✚ Implementation Plan ✚ Transportation Management Association | <ul style="list-style-type: none"> ✚ Peak Hour ✚ Peak Day ✚ Long Range Parking Strategic Plan | <ul style="list-style-type: none"> ✚ Data & Analysis ✚ Active Traffic Operations ✚ Intelligent Transportation System | <ul style="list-style-type: none"> ✚ Interagency Coordination ✚ Update Study & Plans ✚ Revenue Initiative |

Department Review

This report has been reviewed by the City Attorney’s office and the City Manager.

Resolution No. 24-2016

**RESOLUTION ADOPTING THE TRANSPORTATION DEMAND MANAGEMENT PLAN FOR
PARK CITY, UTAH**

WHEREAS, it is in the public interest to plan for the development and operation of transportation demand management systems within Park City and its surrounding area; and

WHEREAS, the City seeks an effective and efficient use of the limited transportation systems serving Park City's residents, businesses and visitors; and

WHEREAS, transportation demand management strategies and programs have proven to cost effective solutions in peer resort communities; and

WHEREAS, transportation is a critical priority for the City Council; and

WHEREAS, a well-developed plan will benefit the public by providing for the efficient and effective movement of auto's, trucks, transit, bicycles, pedestrians; and

WHEREAS, the development and implementation of a transportation demand management plan is consistent with the adopted 2011 Traffic and Transportation Master Plan and the 2014 General Plan; and

WHEREAS, the Park City Traffic Demand Management Plan is the result of a significant planning and analysis effort that has involved key stakeholders and the general public; and

WHEREAS, Park City Council supports the recommendations included in the plan.

NOW, THEREFORE BE IT RESOLVED, that the Park City Municipal Corporation of Summit County, Utah hereby adopts the Park City Traffic Demand Management Plan dated _September 2016 and viewed via the following link <http://www.parkcity.org/government/document-central/-folder-7475>

.

PASSED AND ADOPTED this 6th day of October, 2016.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

With Council's recently amended goal of sourcing our entire community's electricity from renewable sources by 2032, this change has aligned us with the Climate Reality Project and I Am Pro Snow campaign. This agreement makes a public statement aligning our joint goals and allows PCMC to sign the I Am Pro Snow Intent letter.

Respectfully:

Luke Cartin, Environmental Sustainability Manager



City Council Staff Report

Subject: Climate Reality Project Agreement
Author: Luke Cartin, Environmental Sustainability Manager
Department: Sustainability
Date: October 6, 2016
Type of Item: Administrative

Summary Recommendation

Authorize an agreement to join the Climate Reality Project ([link](#)) and authorize the Mayor to execute the “I Am Pro Snow” Intent Letter.

Executive Summary

With Council’s goal of sourcing the community’s entire electricity consumption from renewable sources by 2032, this change has aligned us with the Climate Reality Project and the I Am Pro Snow campaign. This agreement makes a public statement regarding our joint goals and allows the Mayor to sign the I Am Pro Snow Intent letter.

The Problem

- Park City is trying to achieve an ambitious goal for reducing its Carbon Footprint. The City needs partners to achieve that goal, including raising awareness and engagement.

Background

- On September 24, 2015, City Council elevated Energy to a Critical Priority and set a goal of net zero carbon emissions for municipal operations by 2022 and citywide by 2032.
- On February 25, 2016, City Council requested that a resolution be drafted and presented to Council specific to our Energy Critical Priority, inviting other communities to join us in our goal.
- On March 24, 2016, City Council passed the aforementioned resolution.
- On September 22, 2016, City Council passed a resolution that stated electricity should come from renewable resources for the 2022 and 2032 net zero goals.

How this could further the goals expressed in the General Plan

This program aligns with three goals expressed in the General Plan:

5A Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal.

5B Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity.

5C Park City Municipal Corporation will be a strong partner in efforts to reduce

community GHG emissions, leading by example and providing policy guidance while promoting personal accountability and community responsibility.

Recommendations for City Council to Consider

Staff Recommended Policy 1: Sign onto the "I Am Pro Snow" campaign

Pros

- Climate Reality Project includes your organization's name and logo across I AM PRO SNOW's 100% Committed digital platforms including (if available) the website, press kit, and social media toolkit.
- Park City would be viewed as an early adopter, joining Aspen in this campaign.
- They provide graphics for your use in promoting the Campaign on your social media and digital platforms.
- They create a blog post promoting the Campaign and highlighting the progress of the Campaign.
- They promote the Campaign to the subscribers to our I AM PRO SNOW email communications list.
- They release, to any staff member of your organization, the short form application for any upcoming Climate Reality Leadership Corps training with former U.S. Vice President and Climate Reality Chairman, Al Gore.
- In the event of any news release regarding the Partnership, all Partners involved in the Campaign, including Park City, would be included in the announcement.

Cons

- An external party adds a degree of expectation for achieving the goal.
- There could be pressure to change or amend the goals to meet the organizations desires, outside of Park City.
- Unfavorable state political focus due to our public statement for renewable energy rather than supporting coal.
- Climate Reality Project's founder is Al Gore. This could cause perceived tensions with Republican representatives.
- Use of the Park City logo by a 3rd party.

Summary Recommendation

Authorize an agreement to join the Climate Reality Project ([link](#)) and authorize the Mayor to execute the "I Am Pro Snow" Intent Letter.

Department Review

Sustainability, Legal and Executive

Funding Source

No funding is required at this time.

Attachments

I Am Pro Snow Sign-On Letter

Attached is a **DRAFT** of the I AM PRO SNOW 100% Committed Partner Letter Agreement. This is the version of the Agreement that will be sent to you for signature through our electronic signature software. The terms in this Agreement may be subject to change by Climate Reality.



September 19, 2016

Mayor Jack Thomas
Park City Municipal Corporation
445 Marsac Ave.
Park City, UT 84060

Re: I AM PRO SNOW 100% Committed Partnership Letter Agreement

Dear Mayor Thomas,

On behalf of The Climate Reality Project, a District of Columbia, USA, nonprofit corporation (“Climate Reality,” “we” or “us”), I am delighted to welcome Park City Municipal Corporation as an official partner (“Partner” or “you”) for the I AM PRO SNOW 100% Committed Campaign as defined below (the “Partnership”) under the terms of this letter agreement (“Agreement”).

Climate change threatens the lives and livelihoods of our winter sports and mountain communities and our snow is disappearing in many places around the world. Many winter industries are taking a heavy hit from the impacts of climate change, with bare peaks, shrinking winter seasons, and warmer winters fast becoming a reality for mountain communities everywhere. For these reasons, you and we wish to rally ski resorts, towns, businesses, and other institutions to commit to be powered by 100% renewable electricity (the “Campaign”). Here is how the Partnership works:

- You join a global movement of committed ski resorts, towns, cities, businesses, governments, and organizations by pledging to be powered by 100% renewable electricity and working with us to to build support for real climate solutions in the winter industry community.
- You gather commitments from individuals by sharing the 100% Committed sign-up pledge (the “Individual Pledge”) with your members and supporters found at <https://www.climate reality project.org/content/road-100-individual-pledge>.
- You give us your draft strategic plan to reach your goal of being powered by 100% renewable electricity by 2032 or as soon as possible within six (6) months of signing this Agreement as set forth in the Renewable Electricity Roadmap attached hereto as **Exhibit A** and incorporated herein by reference.
- You promote the Campaign no less than two (2) times per month on your social media and digital platforms referencing the fact that you and we are working together on the Campaign.
- You promote the Partnership with at least one (1) press release referencing that you and we are working together on the Campaign.
- You commit to assist additional ski resorts, towns, businesses, or other institutions to commit to be powered by 100% renewable electricity.

- You display, on your webpage, our name and logo, option as shown in **Exhibit B**, in connection with the Campaign.
- We include your organization's name and logo across I AM PRO SNOW's 100% Committed digital platforms including (if available) the website, press kit, and social media toolkit.
- We provide graphics for your use in promoting the Campaign on your social media and digital platforms.
- We create a blog post promoting the Campaign and highlighting the progress of the Campaign.
- We promote the Campaign to the subscribers to our I AM PRO SNOW email communications list.
- We release, to any staff member of your organization, the short form application for any upcoming Climate Reality Leadership Corps training with former U.S. Vice President and Climate Reality Chairman Al Gore.
- In the event of any news release regarding the Partnership, all Partners involved in the Campaign, including you, would be included in the announcement.

There are multiple additional opportunities for deeper partnership promotion, and we look forward to discussing the unique ways your organization can be involved.

To facilitate each of our work to achieve the goals of the Partnership, you and we agree to grant a mutual, nonexclusive license to use and display those names, trademarks and logos owned and provided by each other ("Marks") solely as necessary to perform the work in the Partnership and only for non-commercial purposes. You and we further agree to comply with any trademark usage guidelines that either you or we may communicate to each other from time to time. Each use of the Marks will be accompanied by the appropriate trademark symbol (either "TM" or "®") and a legend specifying that such Marks are trademarks of either you or us, as applicable, and will be in accordance with the then-current trademark usage policies as communicated from time to time. You and we agree to provide each other with copies of any materials bearing any of the Marks as requested by you or us from time to time. If use of any of the Marks, or if any material bearing such Marks, is deficient in quality, you and we agree to promptly remedy such deficiencies upon receipt of written notice of such deficiencies. Nothing herein will grant to you or us any right, title or interest in each other's Marks. All goodwill resulting from the use of the Marks will inure solely to the owner and licensee of the Marks. You and we agree to not, at any time during or after this Agreement, register, attempt to register, claim any interest in, contest the use of, or otherwise adversely affect the validity of any of the Marks (including, without limitation, any act or assistance to any act, which may infringe or lead to the infringement of any such Marks).

The Term of this Agreement shall be from the date first written above (the "Effective Date") through May 31, 2017 (the "Expiration Date"). At the Expiration Date and on each anniversary of the Expiration Date thereafter, the Term will automatically renew for successive one-year Terms unless otherwise indicated in writing by either party. Either you or we may terminate this Agreement at any time without penalties or liabilities.

You and we are independent contractors and will have no power or authority to assume or create any obligation or responsibility on behalf of each other. This Agreement will not be construed to create or imply any joint venture or other mutual agency relationship between the parties. This Agreement may not be assigned without the prior written consent of you and us. No provision of this Agreement may be modified, amended, supplemented or waived, except in a writing signed by you and us. This Agreement may be executed in counterparts, including by facsimile, pdf technology, or electronic signature each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

In the unlikely event of any dispute arising out of or in connection with the Agreement, the Parties agree to submit the matter to settlement proceedings under the International Chamber of Commerce (ICC) Mediation Rules. If the dispute has not been settled pursuant to the said Mediation Rules within forty-five (45) days following the filing of a Request for ADR Mediation or within such other period as the Parties may agree in writing, such dispute shall be finally settled under the Rules of Arbitration of the ICC by a single arbitrator appointed in accordance with the said Rules of Arbitration. The venue of such arbitration shall be London, England, and the language of the arbitration shall be English.

We're looking forward to working with you to rally ski resorts, towns, businesses, and other institutions to commit to be powered by 100% renewable electricity. If the above is acceptable to you and consistent with your understanding, please indicate your acceptance by returning a signed copy of this letter to us via PDF or electronic signature.

Sincerely,



Kenneth Berlin,
President & CEO
The Climate Reality Project

Acknowledged and accepted this _____ day of _____, 2016, by:

Park City Municipal Corporation,

Jack Thomas
Mayor

Exhibit A

[See attached Renewable Electricity Roadmap]

Exhibit B

**I AM
PRO
SNOW**



100%
COMMITTED

RENEWABLE ELECTRICITY ROADMAP



**I AM
PRO
SNOW**

100%
COMMITTED

 **The Climate
Reality Project**

JOIN US IN MAKING YOUR COMMUNITY OR BUSINESS *100% COMMITTED*

With climate change threatening our planet and our way of life, mountain communities and winter sports businesses worldwide are taking action and becoming *100% Committed* to renewable electricity. Join us and join the movement that's saving the season and snow we love.



CLIMATE CHANGE: THE NEW REALITY

If you dream of powder turns, work in the winter-sports industry, or live in a mountain town, you don't need to watch the news to see the reality of climate change. Many days, you just need a quick look at the snow report or the company balance sheet. Sometimes all it takes is a glance out the window.

With 15 of the 16 hottest years on record coming this century and snow becoming scarcer and less predictable in many places around the world, it's clear our climate is changing. And with low-snowfall years costing ski resorts and companies an estimated \$1 billion in potential revenue and at least 13,000 American jobs from 1999—2010 alone, as well as costing farms precious water, it's clear what climate change could mean for the snow that fuels our dreams and feeds our families.

**We used to ask what's happening to our climate.
Today, it's time to ask what we can do about it.**



THE FUTURE IS RENEWABLE: **100% COMMITTED**

Today, the good news is that businesses, governments, and communities of all sizes that love the cold are taking their future into their own hands. They're moving away from the dirty fossil fuels driving climate change and committing to shift to 100-percent clean, renewable electricity. They're committing to working for a safe, sustainable, and prosperous future for our planet – and they're committing to doing their part.

You can too. Join Climate Reality's I AM PRO SNOW program and *100% Committed* campaign and pledge to helping your business, resort, or community shift to 100-percent clean electricity.

Making the shift to 100-percent renewable electricity is easier than you think, and we're here to help show you how. Plus, along with cutting dangerous greenhouse gas emissions and protecting the places and seasons we love, switching to clean electricity from sources like wind and solar has a host of other benefits.

100% Committed Businesses

- Stand apart with a reputation for innovation, values-driven operations, and forward-looking leadership.
- Align themselves with the core values and personal principles of growing numbers of consumers, fostering strong brand loyalty, expanding revenue opportunities, and turning customers into passionate advocates.
- Save money on energy costs by hedging against volatile fuel prices.

100% Committed Communities

- Create rewarding, high-paying jobs and increase local economic growth.
- Build a reputation for protecting a way of life and the businesses that depend on it.
- Become known as exciting, forward-looking places to live and work in the twenty-first century, attracting sought-after businesses and citizens and building thriving twenty-first century economies.
- Create healthier and happier places to live and work, with a decreased chance of bad air days and a reduced impact on our climate.



WHO'S ALREADY MADE THE TRANSITION?



City of Aspen:

For years, Aspen, Colorado has been known for the cultural events, food, music and more that call the city home. Now, add renewable energy to that list.

In 2015, Aspen made a complete transition to 100-percent renewable electricity. The city of over 6,600 accomplished this feat through a combination of a bond-funded hydropower project, power purchase agreements for wind and hydropower, and smaller amounts of energy from solar and landfill gas. Aspen officials [reported](#) that they've already seen the benefits in the form of "reductions in [greenhouse gas] emissions, low and stable electricity rates for our customers, and setting an example for other communities to follow suit and do right by the environment."

READY TO START?

It's easy to join *100% Committed* and start your shift to clean, renewable electricity. The path begins with the three steps below.



STEP ONE: COMMIT 100%

- **Step up to the plate:** Contact The Climate Reality Project and sign a commitment to transitioning your business or community's total annual electricity use to renewable sources like wind or solar by 2030 or as soon as possible.
- **Create a plan:** Making the shift to 100-percent clean electricity is easier than ever, but it will still take some planning. Talk to us and we can help you create an action plan for how to do it by referring you to available resources like the EPA Green Power Partnership and then monitor and report on your progress. In order to be a *100% Committed* partner, we'll need to approve the plan to make sure it connects with our commitment to clean, renewable electricity.
- **Speak up:** Commit to making your action plan and progress reports public and available to The Climate Reality Project and others.¹ After all, you're doing great work – and we want the world to know.



STEP TWO: FINALIZE YOUR PLAN

It's important to create a plan that works for you. There are many ways for *100% Committed* partner businesses and communities to meet their commitments, but knowing what exactly counts as clean, renewable electricity and the best way to move forward can be a little confusing at first. So we've provided guidelines on standard definitions and best practices below to help.



What Counts as Renewable Electricity?

- **Make smart decisions:** *100% Committed* partners can meet their 100-percent renewable electricity commitment with any of the following options, either on their own or in combination:
 1. Generating power on-site with renewable sources including – but not limited to – wind, solar, and geothermal.
 2. Utility green-marketing products, like power purchase agreements with renewable energy suppliers.
 3. Utility green-pricing products, like renewable power options administered by utilities.
 4. Renewable energy certificates
- **Choose the right sources:** In accordance with the US Environmental Protection Agency (EPA) Green Power Partnership guidelines, partners must source their electricity from new renewable facilities brought on line within the last 15 years (subject to a few exceptions). (See Appendix for further details.)
- **Think big-picture:** Whatever option(s) work for you, make sure your renewable electricity project(s) don't have negative impacts on the local environment or community. We encourage *100% Committed* partners to get in touch with their local communities to discuss electricity transitions and what would work best for everyone involved.
- **Think global and act (very) local:** We strongly encourage *100% Committed* partners to incorporate on-site power generation as part of their action plans, whenever possible. Generating your own power gives you long-term control over costs, while sending a strong visual statement to your customers or community about your values and commitment to addressing climate change.

What Does Your Commitment Cover?

- **You define where:** As a *100% Committed* partner, your commitment covers the town, community, building structure(s), or operational or property limits as you define them.
- **Multiple-choice options:** If you have multiple properties or entities, we can only list those powered by 100-percent clean electricity as *100% Committed* partners. (For example, if a national retailer called Slope Sports joins *100% Committed*, but is only able to power its Denver store with clean energy, we can list Slope Sports—Denver as a partner, but not Slope Sports.)

Pick a Target Date

- **Choose what works for you:** Set a date for reaching 100-percent renewable electricity by 2030 or as soon as possible. Not sure how? Talk to us here at Climate Reality or a renewable energy expert and learn more about the steps in your plan and the timeframes involved for each. That way, when you set a date, you'll be sure to get there.

Form a Committee and Hire an Expert

- **There are many ways to get there:** Every *100% Committed* partner is different and there's no one-size-fits-all plan for achieving 100 percent renewable electricity.
- **Work together:** Forming a committee of people inside your organization or within your local community to lead the process can bring diverse perspectives together to help see the challenges ahead and ensure everyone's on board.
- **Partner with a pro:** Hiring an expert consultant to advise you throughout the planning and implementation processes can help you make smart decisions at every turn and set yourself up for long-term success.

Resources

- **No need to go it alone:** There are many great resources out there to help you shift to clean electricity.
- **Check the map:** The [EPA's Green Power Locator](#) can help you find REC providers, utility green-pricing product providers, utility green-marketing product providers, and on-site renewable energy generation providers in your state.
- **Ski resorts unite:** For ski areas, the National Ski Areas Association's [Sustainable Slopes grant program](#) provides cash and in-kind funding to support sustainability projects — such as renewable electricity installations — to members.



STEP THREE: FOLLOW THROUGH

When you join *100% Committed*, you're not just standing up for the snow we depend on for our way of life. You're standing up for the values you believe in and the planet we share. You're setting a model for communities, businesses, and organizations around the world to follow. And it's time for the world to know.

Spread the Word.

- **Get loud:** Once you've signed up with *100% Committed* and created an action plan, let your community of customers, citizens, members, or colleagues know. Celebrate your commitment to clean electricity and climate action in your social media and marketing. Because when word gets out, more and more people will want to be part of your success.
- **We can help:** Talk to us at Climate Reality about how we can help spread the word about your great work as a *100% Committed* partner to millions of climate-conscious individuals worldwide. A list of opportunities will be detailed in your signed agreement.
- **Keep the conversation going:** Share reports on your progress with Climate Reality and share details in social media updates to your community. When the world sees and hears about the real, verifiable progress you're making, others will want to follow your lead.

Contact Us

Ready to join *100% Committed* and begin creating your own roadmap to 100-percent renewable electricity? Get in touch and let's start the conversation.

IAmProSnowInfo@climatereality.com

1. Certain parts of the action plans and progress reports can be redacted or withheld if the documents contain trade secrets or any other confidential information.

APPENDIX – ACCEPTABLE RENEWABLE POWER RESOURCES AND PROCUREMENT OPTIONS

100% Committed partners have broad discretion in choosing how to meet their renewable electricity commitments. We know that it's important to find solutions that work for you and to choose solutions that follow established guidelines and best practices recognized by the business and environmental community.

To help you through this process and ensure all *100% Committed* partners choose clean energy solutions that meet these standards, we've provided some requirements and considerations in this document to assist in understanding and selecting the resources and procurement options available.

The requirements outlined below draw on the [US EPA's Green Power Partnership Program](#) and we generally (though not in all cases) defer to its guidelines for questions that are not covered in this document. However, please note that our requirements differ in some key respects (particularly with regards to biomass).

Key Considerations for All Renewable Electricity Projects

Whatever forms of renewable electricity are chosen, *100% Committed* partners must take care to ensure that:

1. The renewable electricity projects selected result in zero greenhouse gas emissions (or very close thereto);¹
2. The selected projects should not have serious negative impacts on the local environment or community. We encourage partners to review local environmental impact statements of the projects chosen and/or to consult the local communities to ensure that the projects would be acceptable for everyone involved or affected.

The Climate Reality Project reserves the right to end the partnership if it is established (or if a partner fails to prove) that the electricity sources chosen in the partner's final action plan would violate these guidelines or contain projects from any of the excluded sources listed below.

What Sources Are Acceptable?

With the above key considerations in mind, below is a list of acceptable renewable resources.

1. Solar photovoltaics and concentrated solar power;
2. Wind;



3. Geothermal;
4. Hydropower from new generation capacity on a non-impoundment location facility or new generation capacity on an existing impoundment that meets one or more of the following conditions:
 - Run-of-the-river hydropower facilities equal to or less than 5 megawatts nameplate capacity;
 - Hydropower facilities that consist of a turbine in a pipeline or a turbine in an irrigation canal;
 - Incremental capacity on an existing dam, where the new output is equal to or less than 5 megawatts.

All hydropower projects chosen are strongly encouraged to get certified as “low impact” by a credible certification body, such as the [Low Impact Hydropower Institute](#).

5. Biomass from solid, liquid, and gaseous forms, provided that they meet all of the following conditions:
 - CO₂ emissions from the biomass projects selected and their supply chains are certified as net-zero (or as close to net-zero as possible)² from a credible certification body, such as the Sustainable Biomass Partnership or the Roundtable on Sustainable Biomaterials.
 - The feed stocks used are certified as sustainably sourced from a credible certification body.
 - The feed stocks used are not contaminated or would not result in emissions of hazardous compounds or harmful local air pollutants when burned. An example would be wood coated with paints, plastics, or formica.
 - In the case of co-firing or mixing bioenergy forms with nonrenewable energy forms, only the amount of electricity generated from the resources that satisfy all of the previous three conditions will be acceptable.
 - Any other form of renewable electricity not listed here is acceptable, so long as it can verifiably satisfy the key considerations for all projects above.

What Sources are NOT Acceptable?

In order to accelerate the movement towards a clean energy economy, The Climate Reality Project explicitly will not accept projects from the following sources:

1. Coal, oil, or natural gas, even if fitted with carbon capture and storage capabilities.⁴
2. Nuclear energy.³
3. Any other form of electricity generation that would not satisfy the key considerations for all projects above.

How Can Partners Meet Their Renewable Energy Procurement Requirements?

Per our *100% Committed* Renewable Electricity Roadmap, partners can meet their renewable electricity commitments with any of the following tools, either on their own or in combination:

4. Generating power on-site with renewable sources;
5. Utility green-marketing products, like power purchase agreements with renewable energy suppliers;
6. Utility green-pricing products, like renewable power options administered by utilities;
7. Certified Renewable energy certificates (RECs);
8. Any other credible renewable power procurement option not covered here.

Reminders and Other Things to Keep in Mind

Per our *100% Committed* Renewable Electricity Roadmap, below are a few additional things to keep in mind when devising action plans:

1. In accordance with the [US EPA's Green Power Partnership](#) guidelines, partners must source their electricity from new renewable facilities brought on line within the last 15 years. The reason for this is to encourage new development of renewable energy projects. The Climate Reality Project believes that a facility can be exempt from this requirement in some conditions, including if:
 - The facility has been re-powered on or after the 15-year new date such that 80 percent of the fair market value of the project stems from new generation equipment installed as part of the re-powering.
 - A separable improvement to or a complete improvement of an existing operating facility provides incremental generation that is separately metered from the existing generation at the facility. In addition, if the incremental generation is sold as a green power market product, then it must be contractually available for sale.
 - A facility that is a separately metered landfill gas resource that was not used to generate electricity before the 15-year new date.
2. The Climate Reality Project strongly encourages partners to incorporate on-site power generation as part of their action plans, whenever possible. Generating power on site provides long-term control over costs, while sending a strong visual statement to a partner's customers or community about their values and commitment to addressing climate change.



Contact Us

We're here to help. Talk to us and we can help guide you in creating an action plan for how to reach 100-percent renewable electricity and then monitor and report on your progress.

1 In some instances, a small amount of greenhouse gas emissions would be acceptable. For example, if a partner concludes (after assessing all possible forms of procuring renewable electricity) that the most feasible source of cleaner electricity would be gas from a nearby landfill that would exist regardless of the partner's actions, and that using it would result in significantly fewer greenhouse gas emissions than getting electricity from the grid, then this would be an acceptable project for the partnership. However, we encourage partners to explore all zero-emitting sources first.

2 Ibid. Footnote 1.

3 The rationale being that such projects do not help to accelerate the movement towards a clean energy economy and present additional undesirable challenges related to waste fuel storage and nuclear proliferation.

4 The rationale being that such projects keep us locked into a fossil fuel-based infrastructure and do not counteract the additional negative externalities from fossil fuel use, such as emissions of soot and the environmental impacts associated with fossil fuel extraction.



DATE: October 6, 2016

TO HONORABLE MAYOR AND COUNCIL

Consideration of Ordinance No. 2016-47, an Ordinance Approving the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 Condominium Plat, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney (A) Public Hearing (B) Action

Respectfully:

Makena Hawley, Planning Technician

City Council Staff Report



Subject: Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 Condominium Plat
Author: Makena Hawley, Planner I
Project Number: PL-16-03207
Date: October 6, 2016
Type of Item: Legislative – Condominium Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat, and consider approving the requested application based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Description

Applicant: David & Phyllis Oxman represented by Mike Johnston, Summit Engineering Group
Location: 7379 Silver Bird Drive, Unit 29
Zoning: Residential Development (RD) as part of the Deer Valley MPD
Adjacent Land Uses: Condominium units, hotel, ski terrain of Deer Valley Resort, single family homes.
Reason for Review: Plat amendments require Planning Commission review and City Council action

Executive Summary/Proposal

The applicant is requesting to amend the existing Silver Bird Condominiums plat and Silver Bird Condominiums First Amended (Exhibit D & E). The purpose of this condo plat amendment is to convert existing common area into private area, so that they can enclose an area and convert it to living space for Unit 29. The area is located on Level 1 and Level 2 in the unit as shown in Exhibit A- Elevations.

Background

On June 28, 2016, the applicant submitted an application for the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat. The property is located at 7379 Silver Bird Drive in the Residential Development (RD) District. The applicant wishes to convert existing common space surrounding the current patio deck into private area (increase of approximately 274 square feet foot print and total of 548 square footage increase in floor area).

The Silver Bird Condominiums plat was approved by City Council on October 7, 1982 and recorded at Summit County on October 22, 1982. Silver Bird Condominiums is subject to the Deer Valley MPD as amended (DVMPD) that allows 6 units for Silver Bird Condominiums. There are 6 existing Silver Bird Condominium units and the proposed

amendment does not create additional units. Within the DVMPD, a developer can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per UE or develop the allowed number of units without a stipulated unit size. A total of 6 units were constructed with the allowed number of units per the Eleventh Amended Deer Valley MPD. The Silver Bird Condominiums parcels were developed using allowed number of units without a stipulated unit size. The proposed amendment does not change the number of residential units. No additional parking is required.

The Silver Bird Condominiums First Amended condominium plat was approved by City Council on September 4, 2015 and recorded at Summit County on April 24, 2015. The condominium plat amendment was to convert limited common deck space to private area for Units 25, 26, 27, 28, 29 & 30, so that they could enclose a covered patio and convert it to living space. Units 27, 28, 29, & 30 requested to convert common area deck space to private so that they could extend their deck. Units 25 & 29 requested to enclose existing hallways and convert them from common area into private space. This application is requesting an extension beyond the previous approvals.

On September 14, 2016, the Planning Commission reviewed the requested application and held a public hearing. The Commission forwarded a positive recommendation to the City Council; the vote was unanimous (5-0) and there was no public comment. See Exhibit G - September 14, 2016 Planning Commission Meeting Minutes.

Analysis

The zoning for the Silver Bird Condominiums within the Deer Valley MPD is Residential Development (RD). The area was part of the original Deer Valley MPD that was zoned RD-MPD during the approval of that Master Planned Development. There are 6 residential units. The square footage of the unit being converted change as shown in the table below:

| | Private Area | Change to |
|---------|---------------------|------------------|
| Unit 25 | 3,310.2 sq. ft. | - |
| Unit 26 | 3,320.38 sq. ft. | - |
| Unit 27 | 3,663.39 sq. ft. | - |
| Unit 28 | 3,356.93 sq. ft. | - |
| Unit 29 | 3,453.13 sq. ft. | 4,001.2 sq. ft. |
| Unit 30 | 3,475.87 sq. ft. | - |

The property is subject to the following criteria:

| | Permitted through MPD/CUP | Proposed |
|---------------|---|--------------------------|
| Height | 35' + an additional 5' for a pitched roof | No changes are proposed. |
| Setbacks | Per the record of survey plat. | No changes are proposed. |
| Allowed Units | 6 units | No changes are proposed. |
| Parking | 1.5 spaces/unit | No changes are proposed. |

Furthermore, per state code, on April 12, 2016 the Silver Bird HOA has recorded a unanimous vote of approval in support of this request (Exhibit C).

Good Cause

Planning Staff finds there is good cause for this condominium plat amendment to allow the owners to utilize the space as living area without increasing unit equivalents or parking requirements, or decreasing open space past 60%, consistent with provisions of the Deer Valley MPD. Staff finds that the plat will not cause undo harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet on August 15, 2016 in accordance with the requirements in the LMC. Legal notice was also published in the Park Record on August 10, 2016 and on the public notice website in accordance with the requirements of the LMC. At the August 24, 2016 Planning Commission meeting the item was continued to September 14, 2016.

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 public hearing and at the Council meeting scheduled for October 6, 2016.

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 Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat as conditioned or amended; or
- The City Council may deny the condominium plat amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the condominium plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item; or
- The City Council may remand the item back to the Planning Commission for specific discussion 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 condominium plat amendment would not be recorded and the unit will remain as is and they owner will not be able to enclose the common area into the unit.

Recommendation

Staff recommends the City Council hold a public hearing for the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat, and consider approving the requested application 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 – Applicant’s Project Intent Letter

Exhibit C – HOA approval supporting request to convert unit

Exhibit D – Silver Bird Condominiums Record of Survey Map

Exhibit E – Silver Bird Condominiums First Amended Condominium Plat

Exhibit F – Vicinity Map/Aerial Photograph/Streetscape Images

Exhibit G – September 14, 2016 Planning Commission Meeting Minutes

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 2016 - 47

AN ORDINANCE APPROVING THE SILVER BIRD CONDOMINIUMS AT DEER VALLEY SECOND AMENDED –AMENDING UNIT 29 CONDOMINIUM PLAT, LOCATED AT 7379 SILVER BIRD DRIVE, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Silver Bird Condominiums at Deer Valley – Unit 29, located at 7379 Silver Bird Drive and the Silver Bird Condominium HOA, have petitioned the City Council for approval of the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat to convert existing common area into private area, so that they can convert it to living space for Unit 29; and

WHEREAS, August 15, 2016 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, August 15, 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 August 24, 2016, to receive input on the proposed amended condominium plat and continued the item to September 14, 2016; and

WHEREAS, on September 14, 2016, the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 6, 2016, the City Council held a public hearing on the proposed amended condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat to allow the owners to convert existing common space to private space without increasing the unit equivalents or parking requirements, consistent with provisions of the Deer Valley MPD, as amended (11th Amended MPD).

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 Silver Bird Condominiums at Deer Valley First Amendment condominium plat, 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 7379 Silver Bird Drive Unit 29 within the Residential Development (RD) District and is subject to the Eleventh Amended Deer Valley MPD (DVMPD).
2. Within the DVMPD, a project can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per UE or develop the allowed number of units without a stipulated unit size so long as the project has %60 or more of open space.
3. A total of 6 units were constructed with allowed number of units per the Deer Valley MPD. The Silver Bird Condominiums parcels are all included in the 11th Amended Deer Valley Master plan and are developed using allowed number of units without a stipulated unit size with provision that at least 60% open space is maintained.
4. Silver Bird Condominiums record of survey plat was approved by City Council on October 7, 1982 and recorded at Summit County on October 22, 1982.
5. The Silver Bird Condominiums First Amended condominium plat was approved by City Council on September 4, 2015 and recorded at Summit County on April 24, 2015. The condominium plat amendment was to convert limited common deck space to private area for Units 25, 26, 27, 28, 29 & 30, so that they could enclose a covered patio and convert it to living space. Units 27, 28, 29, & 30 requested to convert common area deck space to private so that they could extend their deck. Units 25 & 29 request to enclose existing hallways and convert them from common area into private space.
6. On June 09, 2016, the applicants submitted an application for a condominium plat amendment to convert common space to private area for Unit 29, so that they can convert it to living space.
7. The application was deemed complete on June 28, 2016.
8. The square footage of the unit, including the area being converted is as follows: Unit 29 private area: 4001.2 sq. ft.;
9. The Silver Bird Condominiums parcels were developed using allowed number of units without a stipulated unit size. The amendment does not change the number of residential units and at least 60% open space is maintained.
10. The plat amendment does not increase the parking requirements for these units.
11. The HOA received 100% approval from the owners to convert this unit on April 12, 2016.
12. The findings in the analysis section are incorporated herein.
13. The applicants will be required to provide a survey at the building permit stage for the Planning Department's review.

Conclusions of Law:

1. There is good cause for this condominium plat amendment.
2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended condominium plat is consistent with the 11th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
5. 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 amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the condominium plat.
2. The applicant will record the amended condominium plat 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 condominium 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. Fire suppression must extend into the addition.
4. All conditions of approval of the Silver Bird Condominiums at Deer Valley condominium plat and the Deer Valley MPD as amended shall continue to apply.
5. This Plat is required to be recorded prior to any building permit issuance.

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

PASSED AND ADOPTED this 6th day of October, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

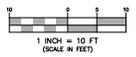
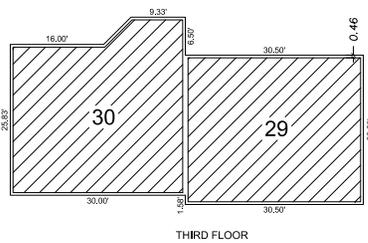
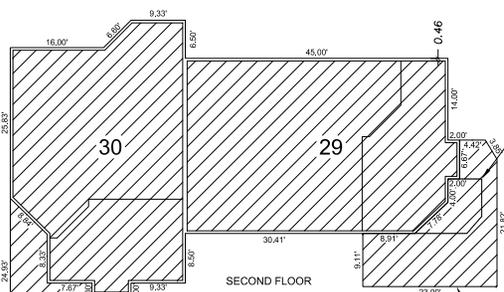
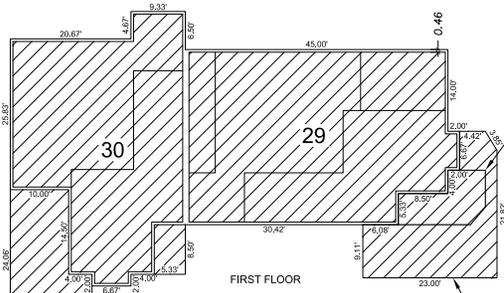
ATTEST:

Michelle Kellogg, City Recorder

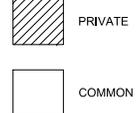
APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A - Proposed Plat



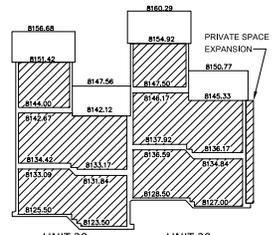
OWNERSHIP LEGEND



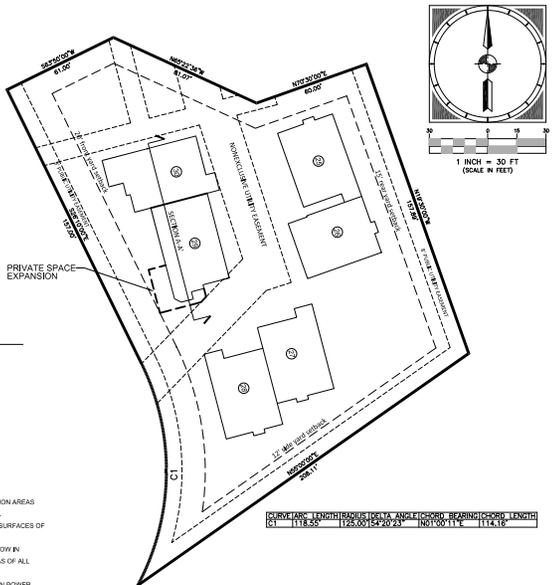
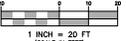
1. ALL AREAS DESCRIBED HEREIN ARE COMMON AREAS AND FACILITIES AND PRIVATE OWNERSHIP.
2. DIMENSIONS SHOWN ARE TO UNFINISHED SURFACES OF THE BOUNDING WALLS.
3. SQUARE FOOTAGES OF UNITS SHOWN BELOW IN TABULATIONS INCLUDE THE GARAGE AREAS OF ALL UNITS.
4. BENCHMARK ELEVATION 8124.06 - SPIKE ON POWER POLE NORTHEAST CORNER INTERIOR SILVER LAKE WINKEL ROAD AND LAKE PLAT "E" ROAD.
5. SEE WWW ENTRANCE ROAD DESIGN FOR LOCATION OF PRIVATE ROADS AND DRIVEWAYS.

TABULATIONS

UNIT 29 PRIVATE AREA 4001.2 SQ.FT.



ELEVATIONS



SILVER BIRD CONDOMINIUM SITE MAP

PLAT NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT 29 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 197341.) THIS AMENDMENT EXPANDS THE PRIVATE SPACE ON THE FIRST AND SECOND LEVELS OF UNIT 29.
2. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY, AND ARE NOT CHANGED WITH THIS DOCUMENT. FOR INFORMATION ON ANY UNIT OTHER THAN 29, REFER TO "SILVER BIRD CONDOMINIUMS" WITH RECORDATION NO. 197341 AND "SILVER BIRD CONDOMINIUMS AT DEER VALLEY FIRST AMENDMENT" WITH RECORDATION NO. 101227.0N FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
3. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT, ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
4. ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 1TH AMENDED AND RE-STATED LARGE SCALE MPD AND THE ORIGINAL SILVER BIRD CONDOMINIUMS AT DEER VALLEY APPROVAL SHALL CONTINUE TO APPLY.
5. THIS CONDOMINIUM PROJECT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN PARK CITY ORDINANCE 16-.
6. THE UNITS OF THE CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE SILVER BIRD CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.

RECORDING INFORMATION

STATE OF _____ COUNTY OF _____

ON THIS _____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME _____, NOTARY PUBLIC, _____

CONDOMINIUM PLAT
SILVER BIRD CONDOMINIUMS
AT DEER VALLEY
SECOND AMENDMENT
-A UTAH CONDOMINIUM PROJECT-

A PARCEL OF LAND LOCATED
IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION OF SILVER BIRD CONDOMINIUMS AT DEER VALLEY

BEGINNING AT A POINT WHICH LIES EAST 566.74 FEET AND SOUTH 365.26 FEET FROM THE SOUTHWEST CORNER OF SECTION 27 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 55°00'00" WEST 208.11 FEET TO A POINT ON A 125.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID 125.00 FOOT RADIUS CURVE TO THE LEFT 118.55 FEET LONG CHORD BEARS NORTH 1°00'10" EAST 114.16 FEET; THENCE NORTH 26°10'00" WEST 157.00 FEET; THENCE NORTH 83°50'00" EAST 61.00 FEET; THENCE SOUTH 69°22'36" EAST 81.07 FEET; THENCE NORTH 70°30'00" EAST 60.00 FEET; THENCE SOUTH 19°30'00" EAST 157.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.807 ACRES FOR SIX CONDO UNITS.

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 145796 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED ABOVE, AND HAVE AMENDED SAID CONDO UNITS AS SHOWN HEREON. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT AMENDMENT IS A CORRECT REPRESENTATION OF THE PROPERTY SURVEYED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8 OF THE CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57.

SURVEYOR'S SEAL

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE _____

OWNER'S CONSENT TO RECORD - H.O.A.

I, _____, DO HEREBY PRESENT THAT SILVER BIRD CONDOMINIUM OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

SILVER BIRD CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: _____
BRUCE S. MORRA, PRESIDENT

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

ON THIS _____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME BRUCE S. MORRA, WHO BEING DULY SWORN, DID SAY THAT HE IS PRESIDENT OF SILVER BIRD CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

OWNER'S CONSENT TO RECORD - UNIT 29

I, _____, DO HEREBY PRESENT THAT I, THE UNDERSIGNED OWNERS OF UNIT 29 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT WE CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: _____
DAVID C. OSMAN, TRUSTEE OF THE SILVER BIRD 29 TRUST

BY: _____
PHYLLIS S. OSMAN, TRUSTEE OF THE SILVER BIRD 29 TRUST

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME DAVID C. OSMAN & PHYLLIS S. OSMAN, WHO BEING DULY SWORN, DID SAY THAT THEY ARE THE TRUSTEES OF THE SILVER BIRD 29 TRUST AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT THEY EACH SIGNED THE FOREGOING INSTRUMENT.

NOTARY PUBLIC



PROJECT NO.: L16-052
DRAWN BY: JDE
REVIEWED BY: BC
DATE: JULY 6, 2016

PARK CITY PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2016.

PARK CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH THE INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPT. ON THIS DAY OF _____, 2016.

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____, 2016.

PARK CITY ATTORNEY
APPROVED AS TO FORM ON THIS _____ DAY OF _____, 2016.

CITY COUNCIL APPROVAL
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, 2016.

CERTIFICATE OF ATTEST
I CERTIFY THAT THIS PLAT AMENDMENT WAS APPROVED BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, 2016.

RECORDER
ENTRY NO. _____ BOOK _____ PAGE _____
DATE: _____
RECORDED AT THE REQUEST OF _____
SUMMIT COUNTY RECORDER

EXHIBIT B- Project Intent Letter

**CONDOMINIUM PLAT
SILVER BIRD CONDOMINIUMS AT DEER VALLEY
SECOND AMENDMENT
-A UTAH CONDOMINIUM PROJECT-**

THE PROJECT INTENT AND SCOPE OF WORK:

THIS PLAT REPRESENTS AN AMENDMENT OF COMMON SPACE TO PRIVATE SPACE FOR UNIT 29 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 197341.) THIS AMENDMENT EXTENDS EXISTING PRIVATE AREA OF UNIT 29.



EXHIBIT C - HOA Approval letter

April 12, 2016

To Park City Planning Dept.,

This letter is to certify that I, Bruce Morra, acting in my capacity as the President of the Management Committee of the Silver Bird Home Owner's Association, confirm that:

1. I have notified the owner(s) of each home within the Silver Bird development regarding the proposed conversion of some Common Area to Private Area for Unit 29;
2. and that the owners have all voted on the proposed change;
3. and that the vote was unanimous in the approval of supporting the request.
4. and that this vote meets the requirements of the Silver Bird Conditions, Covenants, and Restrictions.

BY: *Bruce Morra*
 Bruce, Morra, Silver Bird HOA President

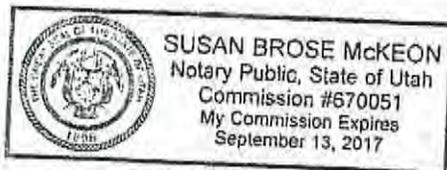
ACKNOWLEDGEMENT

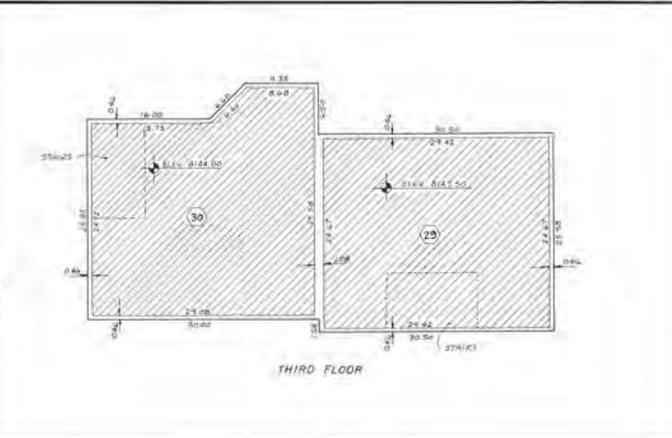
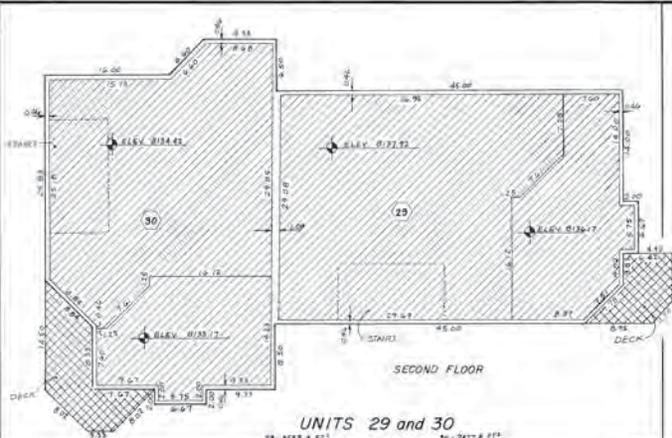
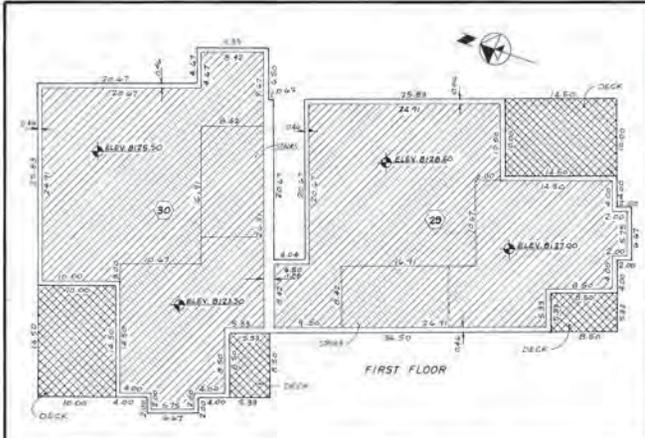
State of UTAH
County of Summit

On the 12 day of April, 2016 personally appeared before me Bruce Morra, who did say that he is the President of the Management Committee of the Silver Bird Home Owner's Association, and that the within and foregoing instrument was signed on behalf of said HOA, and he acknowledged to me that he executed the same.

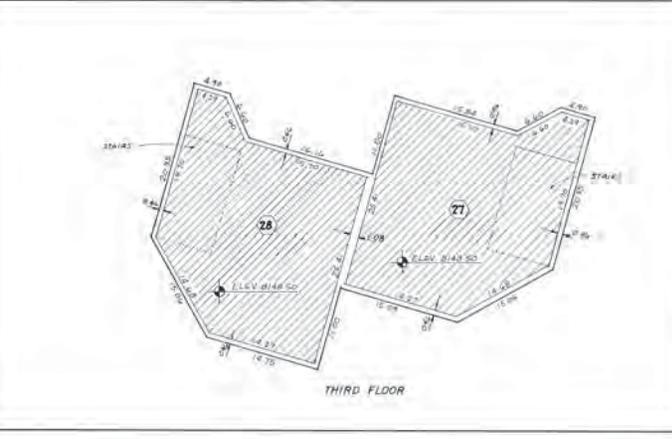
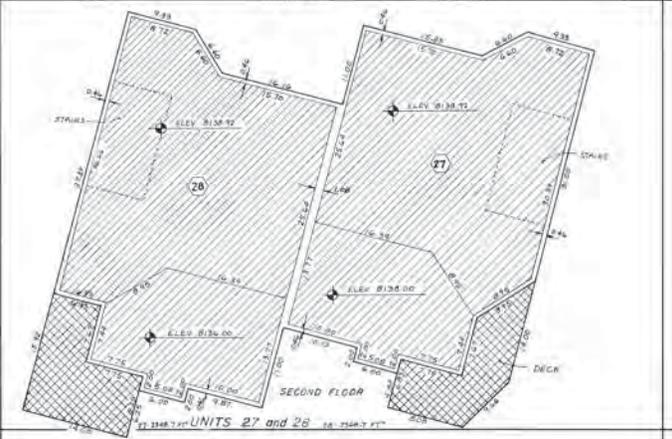
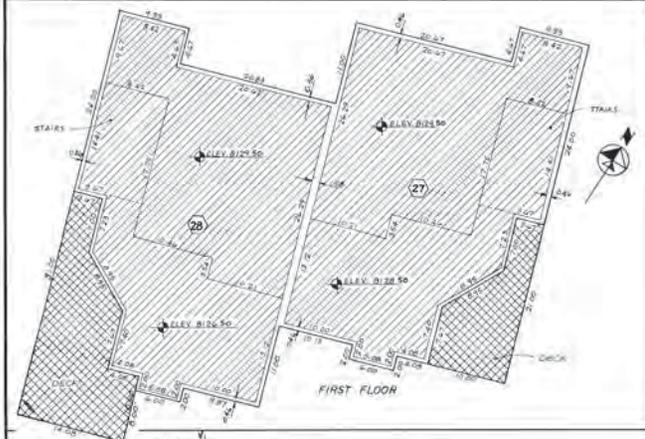
WITNESS my hand and official stamp:

Susan Brose McKeon
 Notary-Public
 My commission expires: September 13, 2017

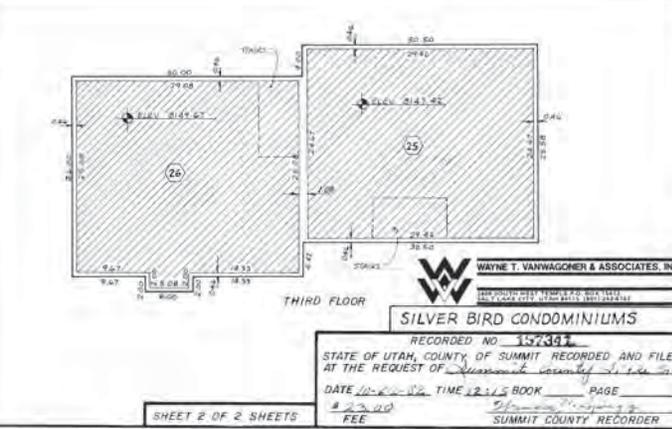
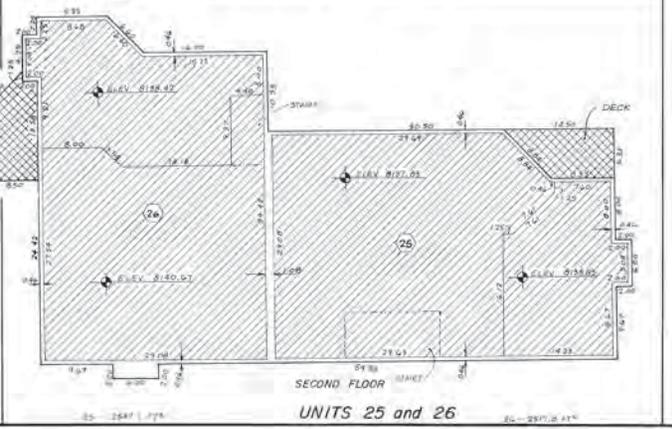
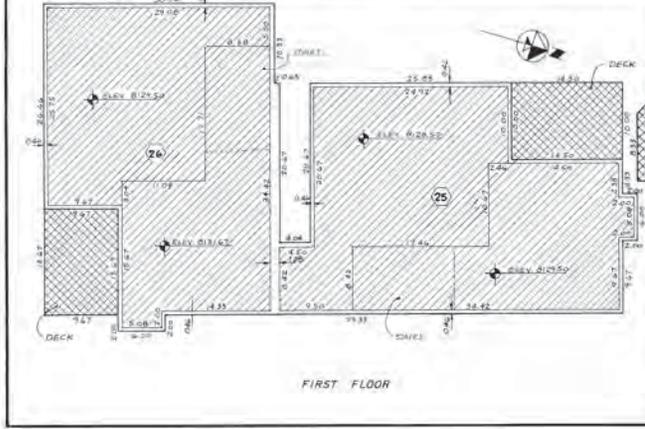




UNITS 29 and 30
 22-2553, 4 211 30-2472 8 211

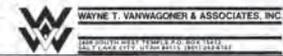


UNITS 27 and 28
 22-2558 7 211 30-2467 8 211



UNITS 25 and 26
 22-2547 1 211 30-2577 2 211

SHEET 2 OF 2 SHEETS



WAYNE T. VANWAGNER & ASSOCIATES, INC.

RECORDED NO. 157381

SILVER BIRD CONDOMINIUMS

STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF *Wayne T. VanWagner & Associates, Inc.*

DATE *10-20-12* TIME *2:15* BOOK *146* PAGE *5*

FEE *823.00* SUMMIT COUNTY RECORDER

SILVER BIRD COND. 211

EXHIBIT E - Silver Bird Condominiums - First Amended Condo Plat

CONDOMINIUM PLAT
**SILVER BIRD CONDOMINIUMS
 AT DEER VALLEY
 FIRST AMENDMENT
 -A UTAH CONDOMINIUM PROJECT-**

A PARCEL OF LAND LOCATED
 IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION OF SILVER BIRD CONDOMINIUMS AT DEER VALLEY

BEGINNING AT A POINT WHICH LIES EAST 306.74 FEET AND SOUTH 385.28 FEET FROM THE SOUTHWEST CORNER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 89°00'00" WEST 204.11 FEET TO A POINT ON A 120.00 FOOT RADIUS CURVE TO THE LEFT; THEN ALONG THE ARC OF SAID 120.00 FOOT RADIUS CURVE TO THE LEFT 178.50 FEET (LONG CHORD BEARS NORTH 17°00'00" EAST 174.00 FEET); THENCE NORTH 2°00'00" WEST 152.00 FEET; THENCE NORTH 89°00'00" EAST 83.00 FEET; THENCE SOUTH 89°22'30" WEST 83.00 FEET; THENCE NORTH 1°00'00" EAST 83.00 FEET; THENCE SOUTH 1°00'00" EAST 154.89 FEET TO THE POINT OF BEGINNING, CONTAINING 0.827 ACRES FOR SIX CONDO UNITS.

SURVEYOR'S CERTIFICATE

I, BRIG CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 14289 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED ABOVE, AND HAVE AMENDED SAID CONDO UNITS AS SHOWN HEREON. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT AMENDMENT IS A CORRECT REPRESENTATION OF THE PROPERTY SURVEYED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.



BRIG CHRISTENSEN
 PROFESSIONAL LAND SURVEYOR
 DATE: 11-11-14

OWNER'S CONSENT TO RECORD - UNIT 26

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF UNIT 26 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: *John C. Murphy*
 JOHN C. MURPHY, TRUSTEE OF THE MURPHY FAMILY TRUST DATED JULY 26, 1994

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF GARFIELD

ON THIS 10th DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME JOHN C. MURPHY, WHO BEING DULY SWORN, DID SAY THAT HE IS THE TRUSTEE OF THE MURPHY FAMILY TRUST DATED JULY 26, 1994, WHICH OWNS UNIT 26 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT HE SIGNED THE FOREGOING INSTRUMENT.

John C. Murphy
 NOTARY PUBLIC



OWNER'S CONSENT TO RECORD - UNIT 29

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNERS OF UNIT 29 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: *David C. Dumas*
 DAVID C. DUMAS, TRUSTEE OF THE SILVER BIRD 29 TRUST DATED APRIL 3, 2002

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF SUMMIT

ON THIS 6th DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME DAVID C. DUMAS & PHYLAS S. DUMAS, DO SAY THAT THEY ARE THE TRUSTEES OF THE SILVER BIRD 29 TRUST AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT THEY EACH SIGNED THE FOREGOING INSTRUMENT.

David C. Dumas
 NOTARY PUBLIC



PLAT NOTES

- THIS PLAT REPRESENTS AN AMENDMENT OF UNITS 26, 27, 28, 29 & 30 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (REGISTRATION NUMBER 18741). THIS AMENDMENT CONVERTS ALL EXISTING LIMITED COMMON AREA SPACE INTO PRIVATE AREA FOR UNITS 26, 27, 28, 29 & 30. THE SPACE BEING CONVERTED IS LOCATED ON LEVEL 1, FLOOR LEVELS 2 & 3 ON ALL UNITS 26, 27, 28, 29 & 30 AND NOTION AND NOTION HEREON.
- THIS PLAT ALSO REPRESENTS AN AMENDMENT OF UNITS 27, 28, 29 & 30 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (REGISTRATION NUMBER 18741). THIS AMENDMENT EXTENDS EXISTING COMMON AREA DOORSPACE OF UNITS 27, 28, 29 & 30. THE EXTENDED DOOR SPACE IS LOCATED ON LEVEL 1 AND LEVELS 2 FOR UNITS 27, 28, & 30 AND ON LEVEL 1 FOR UNIT 29 AS NOTED AND SHOWN HEREON.
- THIS PLAT ALSO REPRESENTS AN AMENDMENT OF UNITS 27, 28, 29 & 30 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (REGISTRATION NUMBER 18741). THIS AMENDMENT ENCLOSES EXISTING HALLWAYS AND CONVERTS THEM FROM COMMON AREA INTO PRIVATE SPACE FOR UNITS 27, 28, 29 & 30. THE ENCLOSED HALLWAYS ARE ON LEVELS 2 FOR UNITS 27, 28, & 30.
- CONDOMINIUMS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR OTHER PROVISIONS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO THE USUALLY APPLICABLE TERMS.
- ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY REPORT (17)14 AMENDED AND REPEATED LARSEN SCALE 8/9 AND THE ORIGINAL SILVER BIRD CONDOMINIUMS AT DEER VALLEY APPROVAL SHALL CONTINUE TO APPLY.
- THIS CONDOMINIUM PROJECT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN PARK CITY ORDINANCE 14-1.
- THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL, INDIANHEAD LANE. THE SILVER BIRD CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE, OPERATION, AND REPAIRS OF ALL COMMON PRIVATE LATERAL, INDIANHEAD LANE.

RECORDING INFORMATION

Blank box for recording information.

OWNER'S CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENTS THAT SILVER BIRD CONDOMINIUM OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATIONS OF CONDOMINIUM OF THE SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

SILVER BIRD CONDOMINIUM OWNERS ASSOCIATION
 A UTAH NON-PROFIT CORPORATION
 BY: *Bruce S. Moran*
 BRUCE S. MORAN, PRESIDENT

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF SUMMIT

ON THIS 7th DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME BRUCE S. MORAN, WHO BEING DULY SWORN, DID SAY THAT HE IS PRESIDENT OF SILVER BIRD CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

Bruce S. Moran
 NOTARY PUBLIC



OWNER'S CONSENT TO RECORD - UNIT 27

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNERS OF UNIT 27 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED.

BY: *Robert Scott Mohr*
 ROBERT SCOTT MOHR, AS JOINT TENANT

BY: *Rebecca M. Michael*
 REBECCA M. MICHAEL, AS JOINT TENANT

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF SUMMIT

ON THIS 2nd DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME ROBERT SCOTT MOHR AND REBECCA M. MICHAEL, WHO BEING DULY SWORN, DID SAY THAT HE AND SHE ARE JOINT OWNERS OF UNIT 27 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT EACH SIGNED THE FOREGOING INSTRUMENT.

Robert Scott Mohr
 NOTARY PUBLIC

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF SUMMIT

ON THIS 2nd DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME REBECCA M. MICHAEL AND REBECCA M. MICHAEL, WHO BEING DULY SWORN, DID SAY THAT HE AND SHE ARE JOINT OWNERS OF UNIT 27 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT EACH SIGNED THE FOREGOING INSTRUMENT.

Rebecca M. Michael
 NOTARY PUBLIC

OWNER'S CONSENT TO RECORD - UNIT 30

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF UNIT 30 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: *Philip S. Sullivan*
 PHILIP S. SULLIVAN, AS TO AN UNDIVIDED ONE-HALF INTEREST

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF GARFIELD

ON THIS 3rd DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME ROBERT E. BRIDGEMAN, WHO BEING DULY SWORN, DID SAY THAT HE IS AN OWNER OF UNIT 30 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT HE SIGNED THE FOREGOING INSTRUMENT.

Robert E. Bridgeman
 NOTARY PUBLIC

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF GARFIELD

ON THIS 14th DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME PHILIP S. SULLIVAN, WHO BEING DULY SWORN, DID SAY THAT HE IS AN OWNER OF UNIT 30 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT HE SIGNED THE FOREGOING INSTRUMENT.

Philip S. Sullivan
 NOTARY PUBLIC

OWNER'S CONSENT TO RECORD - UNIT 28

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF UNIT 28 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: *John D. Lehner*
 JOHN D. LEHNER, TRUSTEE OF JOHN D. LEHNER REVOCABLE TRUST DATED DEC. 21, 1993

ACKNOWLEDGEMENT

STATE OF UTAH
 COUNTY OF SUMMIT

ON THIS 13th DAY OF FEBRUARY 2014, PERSONALLY APPEARED BEFORE ME JOHN D. LEHNER AND DENISE A. LEHNER, WHO BEING DULY SWORN, DID EACH SAY THAT THEY ARE THE TRUSTEES OF THE JOHN D. LEHNER REVOCABLE TRUST DATED DEC. 21, 1993, WHICH OWNS UNIT 28 AT SILVER BIRD CONDOMINIUMS AT DEER VALLEY, AND EACH DULY ACKNOWLEDGED TO ME THAT HE AND SHE SIGNED THE FOREGOING INSTRUMENT.

John D. Lehner
 NOTARY PUBLIC



COMMERCIALITY OF PURCHASES

BUYER'S SEAL
 PURCHASE BY: *John D. Lehner*
 My Commission Expires August 15, 2014

COMMERCIALITY OF PURCHASES

BUYER'S SEAL
 PURCHASE BY: *John D. Lehner*
 My Commission Expires August 15, 2014



PROJECT NO: 14-009
 DRAWN BY: JFL
 REVISION BY: BC
 APPROVED BY: BC
 DATE: NOV 7, 2014

SHEET 1 OF 2

PARK CITY PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE 17th DAY OF FEBRUARY 2014
David Wood

PARK CITY ENGINEER
 THIS PLAT IS IN CONFORMANCE WITH THE INFORMATION ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER ON THE 17th DAY OF FEBRUARY 2014
Michael

SNYDERVILLE BASIN
 WATER RECLAMATION DISTRICT
 REQUIRED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDIZATION 12-10-05
R. B. ...

PARK CITY ATTORNEY
 APPROVED BY CONSENT ON 15th of April
Paul G. Miller

CITY COUNCIL APPROVAL
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THE 15th OF APRIL 2014
John Moran

CERTIFICATE OF ATTEST
 I CERTIFY THAT THIS PLAT AMENDMENT HAS BEEN RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER ON THE 15th OF APRIL 2014
Morgan

REC-604A RECORDED
 11-15-14
 STATE OF UTAH
 COUNTY OF SUMMIT
 DATE: 11-15-14
 RECORDED BY: *First American*
 C. Stillman - deputy

EXHIBIT F- Vicinity Map followed by streetscape images of Unit 29



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14. Parking is only allowed on the private driveway in front of the garage for 158 Ridge Avenue; parking is prohibited on the private drive (extending from Ridge Avenue).

15. The CMP shall include language that the contractor shall provide and place signage such as Heavy Truck Traffic, etc. along access routes.

16. Construction mitigation plan, which will include controlling loose rocks, must be approved prior to granting building permits.

17. The CMP shall state that truck access during construction shall be limited to King Road.

18. The CMP shall comply with COA #10 from the 07-74 Ordinance stating "Construction mitigation plan, which will include controlling loose rocks, must be approved prior to granting building permits."

19. A snow shed easement or roof design acceptable to the Chief Building Official must be approved.

20. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance (15-2.1-5).

21. The Chief Building Official will require snow shed agreements from each neighboring property and will provide an approval determination during the Building Permit Plan Check process to complete COA #7 of Ordinance 07-74.

3. 7379 Silver Bird, Unit 29 – Plat Amendment to change existing common area to private area (Application PL-16-03207)

Planning Tech Hawley reported that the requested plat amendment would convert existing common area into private area. It would allow for enclosing an area and converting it into living space for Unit 29. The 60% open space would still be maintained on the lot.

Planner Hawley noted that the HOA had signed off on the request and she had not received any public comment.

Chair Strachan asked if there would be any change in use or intensity of use. Director Erickson replied that the use would not change; however, the size of the private space would be expanded. He pointed out that Unit 29 is a second home rental unit.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the Silver Bird Condominiums at Deer Valley Second Amended – Amending Unit 29 condominium plat, based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 7379 Silver Bird Unit 29

1. The property is located at 7379 Silver Bird Drive Unit 29 within the Residential Development (RD) District and is subject to the Eleventh Amended Deer Valley MPD (DVMPD).
2. Within the DVMPD, a project can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per UE or develop the allowed number of units without a stipulated unit size so long as the project has %60 or more of open space.
3. A total of 6 units were constructed with allowed number of units per the Deer Valley MPD. The Silver Bird Condominiums parcels are all included in the 11th Amended Deer Valley Master plan and are developed using allowed number of units without a stipulated unit size with provision that at least 60% open space is maintained.
4. Silver Bird Condominiums record of survey plat was approved by City Council on October 7, 1982 and recorded at Summit County on October 22, 1982.
5. The Silver Bird Condominiums First Amended condominium plat was approved by City Council on September 4, 2015 and recorded at Summit County on April 24, 2015. The condominium plat amendment was to convert limited common deck space to private area for Units 25, 26, 27, 28, 29 & 30, so that they could enclose a covered patio and convert it to living space. Units 27, 28, 29, & 30 requested to convert common area deck space to private so that they could extend their deck. Units 25 & 29 request to enclose existing hallways and convert them from common area into private space.

6. On June 09, 2016, the applicants submitted an application for a condominium plat amendment to convert common space to private area for Unit 29, so that they can convert it to living space.

7. The application was deemed complete on June 28, 2016.

8. The square footage of the unit, including the area being converted is as follows: Unit 29 private area: 4001.2 sq. ft.;

9. The Silver Bird Condominiums parcels were developed using allowed number of units without a stipulated unit size. The amendment does not change the number of residential units and at least 60% open space is maintained.

10. The plat amendment does not increase the parking requirements for these units.

11. The HOA received 100% approval from the owners to convert this unit on April 12, 2016.

12. The findings in the analysis section are incorporated herein.

13. The applicants will be required to provide a survey at the building permit stage for the Planning Department's review.

Conclusions of Law – 7379 Silver Bird Unit 29

1. There is good cause for this condominium plat amendment.
2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended condominium plat is consistent with the 11th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
5. 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 – 7379 Silver Bird Unit 29

1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the

condominium plat.

2. The applicant will record the amended condominium plat 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 condominium 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. Fire suppression must extend into the addition.
4. All conditions of approval of the Silver Bird Condominiums at Deer Valley condominium plat and the Deer Valley MPD as amended shall continue to apply.
5. This Plat is required to be recorded prior to any building permit issuance.

The Park City Planning Commission Meeting adjourned at 9:30 p.m.

Approved by Planning Commission: _____