



Community Development Department
60 North Main Coalville, UT 84017
Phone: (435)336-3153 Fax: (435)336-3046

STAFF REPORT

To: Summit County Council (SCC)
Report Date: Thursday September 13, 2012
Meeting Date: Wednesday, September 19, 2012
Authors: Molly Orgill, Assistant Planner
Project Name & Type: Goldman Ridgeline Appeal
Type of Item: Appeal
Future Routing: None

EXECUTIVE SUMMARY: The appellants, Roger Goldman & Rana Tahtinen are proposing to construct a home on parcel SS-59-7-A-1 located at 374 W. Mountain Top Dr., Summit County, UT. The house will be a total of 10,326 square feet in size and thirty-two (32) feet in height with an additional 2120 square feet of decks.

Due to the location of this parcel, the proposed, height and size of the home, along with the proposed driveway alignment, the home development will visually impact the views from within Park City limits, Highway 224, and the Old Ranch Road neighborhood. It is the recommendation of both Park City and Summit County Planning Divisions that the proposed home be placed at a lower location on the parcel that was previously approved, with a height limit of twenty-six (26') feet which will result in the least visual impact.

The Summit County Council (SCC) met on August 29, 2012 with the appellants, Roger Goldman & Rana Tahtinen to discuss their appeal. It was decided at that meeting that the SCC would visit the property to evaluate each building location, the previously approved location that both the Summit County and Park City Planning Divisions recommend and the appellants proposed location.

The SCC will be leaving the Summit County Richins Building at approximately 1:10 p.m. to go to the property located at 374 W. Mountain Top Dr., Summit County, UT. The SCC will be viewing the two building locations on the property. Each location will have a 32' pole erected on them to indicate the proposed building height. The SCC will then view the poles on the property from Highway 224 and Payday Drive.

Staff recommends that the SCC visit the site, consider the information in this report and vote to deny the appeal.

A. **Project Description**

- **Project Name:** Ridgeline Appeal
- **Appellants:** Roger Goldman & Rana Tahtinen
- **Property Owners:** Roger Goldman & Rana Tahtinen
- **Location:** 374 W. Mountain Top Drive, Summit County, Utah
- **Zone District & Setbacks:** Hillside Stewardship (HS) Setbacks- Front-30', Sides-12', Rear-12'
- **Adjacent Land Uses:** Residential
- **Existing Uses:** Vacant
- **Parcel Number and Size:** SS-59-7-A-1
- **Lot of Record Status:** Yes

B. **Identification and Analysis of Issues**

This parcel includes slopes of thirty percent (30%) and greater. The Code states that development on thirty percent (30%) slopes or greater is prohibited. The previously approved location is within the twenty percent (20%) slopes. The proposed location is within the ten percent (10%) to twenty (20%) slopes, however it is located higher on the parcel, not clustered near the existing development and is more visible.

This parcel contains a ridgeline/hillside of which a structure placed on would project into the horizon as viewed from Highway 224, Old Ranch Road Neighborhood as well as from within Park City limits.

Currently there is an existing road/utility easement that goes across this parcel that is used to access the towers located on parcel PP-17-C-2-X which is owned by Summit County. The proposed driveway would require a variance due to the driveway slope requirements per the Summit County Engineering Department.

The appellants would like to relocate the existing road/utility easement to the proposed driveway alignment. However the utility lines within the existing easement would need to remain unless the appellants pay to have them relocated. If the proposed driveway is approved the scarring of this parcel would be increased. The appellants could re-vegetate the existing easement to reduce scarring.

C. **Consistency with the General Plan**

Policy 3.1 of the Snyderville Basin General Plan (SBGB) encourages development to be clustered and minimize sprawl.

Policy 6.20 states that development permitted on a hillside that is highly visible, should be located at or as near as possible to the toe of the hill.

Policy 6.21 states that hillside development shall be integrated into the site, using topography, vegetation and other reasonable techniques, in a manner that causes it to blend into the hillside.

Policy 6.22 states that development on ridgelines and hilltops that allow a structure to project into the horizon line shall be prohibited.

Policy 6.26 states that all development should be clustered in the least environmentally and visually sensitive areas of the site.

According to the above listed policies of the SBGB, development on parcels that include steep slopes, ridgelines and hilltops are prohibited, however when it is not possible to locate a structure on a parcel out of the sensitive areas, every effort shall be made to place the structure on the least steep, less visible and most accessible portion of the parcel. Also, every effort shall be made to cluster development rather than sprawling along the hillside or ridgeline.

D. Findings/ Code Criteria and Discussion

Section 10-4-3-C of the Snyderville Basin Development Code (Code) states that development on critical slopes, which are thirty percent (30%) or greater is prohibited.

Section 10-4-3-F of the Code states that development on ridgelines and hilltops which allow a structure to project into the horizon line as viewed from a designated roadway shall be prohibited. The designated roadways include Interstate 80, Highways 224, 248 and 40.

Section 10-4-3-F-1 of the Code states that where it is not possible to locate a structure outside of the critical slopes, or ridgelines, that every effort shall be made to locate the structure in the most suitable location on the site and that the height should be limited to twenty-six feet (26')

E. Recommendation(s)/Alternatives

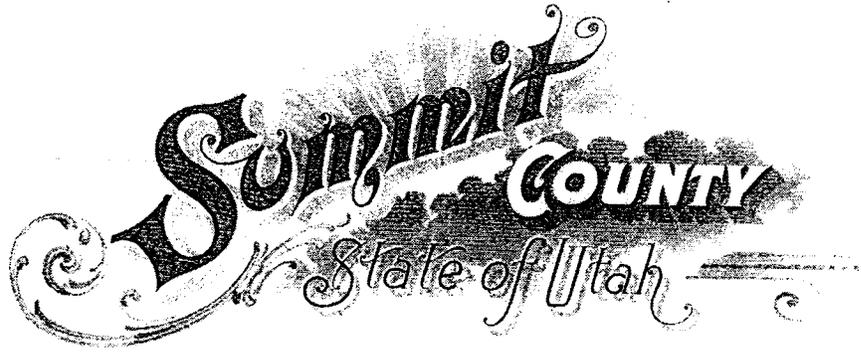
Staff recommends that the SCC visit the site and review the information in this report, and vote to **deny** the appeal, with the following findings:

Findings:

1. The proposed location and height of the structure is not consistent with the goals and policies of the Snyderville Basin General Plan.
2. The proposed location and height of the structure does not meet the criteria and requirements as outlined in the Snyderville Basin Development Code per Section 10-4-3.

Auditor

Blake Frazier



September 11, 2012

County Council;

Please consider approving the BOE Stipulations on September 19th. They will be prepared for your review by Travis Lewis prior to that date.

Thank You,

A handwritten signature in black ink that reads "Kathryn Rockhill". The signature is written in a cursive style with a prominent initial "K".

Kathryn Rockhill
BOE Clerk

2012 BOE Adjustments

| Serial # | New Market Value | Old Market Value | MV Difference | New Taxable Value | Old Taxable Value |
|----------------|------------------|------------------|-----------------|-------------------|-------------------|
| AER-37 | \$ 412,781.00 | \$ - | \$ 412,781.00 | \$ 412,781.00 | \$ - |
| ALLC-407 | \$ 1,550,000.00 | \$ 1,550,000.00 | \$ - | \$ 1,550,000.00 | \$ 1,550,000.00 |
| B01-4 | \$ 39,000.00 | \$ 110,850.00 | \$ (71,850.00) | \$ 39,000.00 | \$ 110,850.00 |
| BB-55 | \$ 972,695.00 | \$ 745,793.00 | \$ 226,902.00 | \$ 534,982.00 | \$ 745,793.00 |
| BELV-2-6 | \$ 1,900,000.00 | \$ 1,900,000.00 | \$ - | \$ 1,900,000.00 | \$ 1,900,000.00 |
| BEPC-10 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-11 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-12-1AM | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-13 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-14 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-15 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-16 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-17 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-3 | \$ 1,500,000.00 | \$ - | \$ 1,500,000.00 | \$ 1,500,000.00 | \$ - |
| BEPC-4 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-5 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-6 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-7 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-8 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BEPC-9 | \$ 500,000.00 | \$ - | \$ 500,000.00 | \$ 500,000.00 | \$ - |
| BHS-B-13 | \$ 356,636.00 | \$ 450,636.00 | \$ (94,000.00) | \$ 196,149.00 | \$ 450,636.00 |
| BHWKS-1-40-2AM | \$ 318,534.00 | \$ 318,534.00 | \$ - | \$ 175,193.00 | \$ 318,534.00 |
| BMDV-7 | \$ 2,750,000.00 | \$ 3,200,000.00 | \$ (450,000.00) | \$ 2,750,000.00 | \$ 3,200,000.00 |
| CCRK-P-34 | \$ 85,000.00 | \$ 85,000.00 | \$ - | \$ 46,750.00 | \$ 85,000.00 |
| CHC-214 | \$ 85,010.00 | \$ 110,010.00 | \$ (25,000.00) | \$ 85,010.00 | \$ 110,010.00 |
| CHC-304 | \$ 110,010.00 | \$ 110,010.00 | \$ - | \$ 60,505.00 | \$ 110,010.00 |
| CLEGG-1 | \$ 103,979.00 | \$ 103,979.00 | \$ - | \$ 57,188.00 | \$ 103,979.00 |
| CSLC-A410-AM | \$ 1,008,000.00 | \$ 1,500,000.00 | \$ (492,000.00) | \$ 1,008,000.00 | \$ 1,500,000.00 |
| CSLC-A424-AM | \$ 955,000.00 | \$ 1,100,000.00 | \$ (145,000.00) | \$ 955,000.00 | \$ 1,100,000.00 |
| CSLC-B-B370-AM | \$ 855,000.00 | \$ 1,100,000.00 | \$ (245,000.00) | \$ 855,000.00 | \$ 1,100,000.00 |
| CWPC-29-AM | \$ 4,152,999.00 | \$ 4,152,999.00 | \$ - | \$ 2,296,731.00 | \$ 4,152,999.00 |
| CWPC-3A-111-AM | \$ 6,062,646.00 | \$ 6,062,646.00 | \$ - | \$ 3,360,121.00 | \$ 6,062,646.00 |
| EVG-22 | \$ 2,910,000.00 | \$ 3,425,907.00 | \$ (515,907.00) | \$ 2,910,000.00 | \$ 3,425,907.00 |
| FHE-25 | \$ 1,100,000.00 | \$ 1,959,137.00 | \$ (859,137.00) | \$ 605,000.00 | \$ 1,959,137.00 |
| FHE-II-52 | \$ 1,571,376.00 | \$ 1,571,376.00 | \$ - | \$ 1,571,376.00 | \$ 1,571,376.00 |

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|--------------------|----|--------------|----|--------------|----|--------------|----|--------------|----|--------------|
| HE-A-381-A | \$ | 290,000.00 | \$ | 321,679.00 | \$ | (31,679.00) | \$ | 159,500.00 | \$ | 321,679.00 |
| HE-B-278-A-AM | \$ | 285,000.00 | \$ | 342,204.00 | \$ | (57,204.00) | \$ | 156,750.00 | \$ | 342,204.00 |
| HM-1-18 | \$ | 550,000.00 | \$ | 750,000.00 | \$ | (200,000.00) | \$ | 550,000.00 | \$ | 750,000.00 |
| HM-1-21 | \$ | 400,000.00 | \$ | 750,000.00 | \$ | (350,000.00) | \$ | 400,000.00 | \$ | 750,000.00 |
| ISL-1 | \$ | 2,200,000.00 | \$ | 2,500,000.00 | \$ | (300,000.00) | \$ | 2,200,000.00 | \$ | 2,500,000.00 |
| JR-2-256 | \$ | 702,515.00 | \$ | 702,515.00 | \$ | - | \$ | 702,515.00 | \$ | 702,515.00 |
| JR-3-390 | \$ | 496,250.00 | \$ | 568,930.00 | \$ | (72,680.00) | \$ | 273,174.00 | \$ | 568,930.00 |
| JR-5-5125 | \$ | 135,000.00 | \$ | 270,000.00 | \$ | (135,000.00) | \$ | 135,000.00 | \$ | 270,000.00 |
| EFNADVCE-17AB-18-A | \$ | 1,882,395.00 | \$ | 750,000.00 | \$ | 1,132,395.00 | \$ | 1,882,395.00 | \$ | 750,000.00 |
| KRD-6 | \$ | 460,000.00 | \$ | 494,000.00 | \$ | (34,000.00) | \$ | 253,000.00 | \$ | 494,000.00 |
| KT-6-A | \$ | 125,000.00 | \$ | 164,552.00 | \$ | (39,552.00) | \$ | 68,750.00 | \$ | 164,552.00 |
| MC-7 | \$ | 215,000.00 | \$ | 275,000.00 | \$ | (60,000.00) | \$ | 118,250.00 | \$ | 275,000.00 |
| MOOSE-24-AM | \$ | 327,500.00 | \$ | 390,430.00 | \$ | (62,930.00) | \$ | 327,500.00 | \$ | 390,430.00 |
| PB-12-816 | \$ | 330,000.00 | \$ | 418,787.00 | \$ | (88,787.00) | \$ | 181,500.00 | \$ | 418,787.00 |
| PBH-A-H-22 | \$ | 210,000.00 | \$ | 210,000.00 | \$ | - | \$ | 115,500.00 | \$ | 210,000.00 |
| PB-IB-14 | \$ | 580,648.00 | \$ | 580,648.00 | \$ | - | \$ | 319,356.00 | \$ | 580,648.00 |
| PB-PR-86 | \$ | 900,000.00 | \$ | 1,300,450.00 | \$ | (400,450.00) | \$ | 900,000.00 | \$ | 1,300,450.00 |
| PC-581 | \$ | 150,000.00 | \$ | 200,000.00 | \$ | (50,000.00) | \$ | 150,000.00 | \$ | 200,000.00 |
| PI-C-42 | \$ | 152,000.00 | \$ | 165,950.00 | \$ | (13,950.00) | \$ | 85,625.00 | \$ | 165,950.00 |
| PI-D-33 | \$ | 244,725.00 | \$ | 257,751.00 | \$ | (13,026.00) | \$ | 134,598.00 | \$ | 257,751.00 |
| PKVC-28 | \$ | 411,000.00 | \$ | 450,000.00 | \$ | (39,000.00) | \$ | 411,000.00 | \$ | 450,000.00 |
| PKVC-30 | \$ | 411,000.00 | \$ | 450,000.00 | \$ | (39,000.00) | \$ | 411,000.00 | \$ | 450,000.00 |
| PKVC-31 | \$ | 411,000.00 | \$ | 450,000.00 | \$ | (39,000.00) | \$ | 411,000.00 | \$ | 450,000.00 |
| PKVC-36 | \$ | 411,000.00 | \$ | 450,000.00 | \$ | (39,000.00) | \$ | 226,050.00 | \$ | 450,000.00 |
| PLWC-3-B | \$ | 355,000.00 | \$ | 430,000.00 | \$ | (75,000.00) | \$ | 355,000.00 | \$ | 430,000.00 |
| PP-33-E | \$ | 475,000.00 | \$ | 758,633.00 | \$ | (283,633.00) | \$ | 475,000.00 | \$ | 758,633.00 |
| PR-14 | \$ | 375,000.00 | \$ | 407,335.00 | \$ | (32,335.00) | \$ | 206,250.00 | \$ | 407,335.00 |
| PRESERV-1-9 | \$ | 370,000.00 | \$ | 507,200.00 | \$ | (137,200.00) | \$ | 370,000.00 | \$ | 507,200.00 |
| PSC-818 | \$ | 52,500.00 | \$ | 52,500.00 | \$ | - | \$ | 28,875.00 | \$ | 52,500.00 |
| PSKY-36 | \$ | 1,550,000.00 | \$ | 1,774,264.00 | \$ | (224,264.00) | \$ | 1,550,000.00 | \$ | 1,774,264.00 |
| PTAR-18 | \$ | 400,000.00 | \$ | 400,000.00 | \$ | - | \$ | 400,000.00 | \$ | 400,000.00 |
| PWC-1-6 | \$ | 180,000.00 | \$ | 180,000.00 | \$ | - | \$ | 99,000.00 | \$ | 180,000.00 |
| RCC-1B-B-134 | \$ | 165,000.00 | \$ | 190,000.00 | \$ | (25,000.00) | \$ | 165,000.00 | \$ | 190,000.00 |
| RCC-1B-B-204 | \$ | 403,435.00 | \$ | 570,000.00 | \$ | (166,565.00) | \$ | 403,435.00 | \$ | 570,000.00 |
| RCC-1B-B-208 | \$ | 570,000.00 | \$ | 570,000.00 | \$ | - | \$ | 570,000.00 | \$ | 570,000.00 |
| RCC-1B-B-212 | \$ | 323,500.00 | \$ | 570,000.00 | \$ | (246,500.00) | \$ | 323,500.00 | \$ | 570,000.00 |
| RCC-1B-B-223 | \$ | 344,900.00 | \$ | 435,500.00 | \$ | (90,600.00) | \$ | 344,900.00 | \$ | 435,500.00 |
| REI-ALL | \$ | 567,500.00 | \$ | 600,379.00 | \$ | (32,879.00) | \$ | 567,500.00 | \$ | 600,379.00 |
| RULONR-5 | \$ | 390,000.00 | \$ | 59,000.00 | \$ | 331,000.00 | \$ | 218,550.00 | \$ | 59,000.00 |
| SE-149 | \$ | 219,691.00 | \$ | 219,691.00 | \$ | - | \$ | 120,830.00 | \$ | 219,691.00 |

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|-----------------------------|-----------|-----------------------|-----------|-----------------------|-----------|-----------------------|-----------|-----------------------|-----------|-----------------------|
| SLK-419 | \$ | 245,000.00 | \$ | 295,000.00 | \$ | (50,000.00) | \$ | 245,000.00 | \$ | 295,000.00 |
| SLK-510 | \$ | 520,000.00 | \$ | 630,000.00 | \$ | (110,000.00) | \$ | 520,000.00 | \$ | 630,000.00 |
| SLS-98 | \$ | 466,125.00 | \$ | 466,125.00 | \$ | - | \$ | 256,368.00 | \$ | 466,125.00 |
| SOL-20 | \$ | 800,000.00 | \$ | 1,174,027.00 | \$ | (374,027.00) | \$ | 800,000.00 | \$ | 1,174,027.00 |
| SS-69-B-10 | \$ | 90,000.00 | \$ | 156,600.00 | \$ | (66,600.00) | \$ | 90,000.00 | \$ | 156,600.00 |
| SS-8-B-7 | \$ | 700,000.00 | \$ | 770,000.00 | \$ | (70,000.00) | \$ | 700,000.00 | \$ | 770,000.00 |
| SU-B-1 | \$ | 485,000.00 | \$ | 642,430.00 | \$ | (157,430.00) | \$ | 266,750.00 | \$ | 642,430.00 |
| TJR-14 | \$ | 1,065,444.00 | \$ | 1,065,444.00 | \$ | - | \$ | 624,205.00 | \$ | 1,065,444.00 |
| TMP-4-B | \$ | 440,000.00 | \$ | 660,000.00 | \$ | (220,000.00) | \$ | 440,000.00 | \$ | 660,000.00 |
| TPL-1 | \$ | 380,000.00 | \$ | 380,000.00 | \$ | - | \$ | 209,000.00 | \$ | 380,000.00 |
| TPL-3 | \$ | 400,000.00 | \$ | 400,000.00 | \$ | - | \$ | 220,000.00 | \$ | 400,000.00 |
| TSP-18 | \$ | 583,160.00 | \$ | 625,564.00 | \$ | (42,404.00) | \$ | 320,738.00 | \$ | 625,564.00 |
| TWL-6D | \$ | 250,000.00 | \$ | 290,000.00 | \$ | (40,000.00) | \$ | 250,000.00 | \$ | 290,000.00 |
| UL-9 | \$ | 264,680.00 | \$ | 304,143.00 | \$ | (39,463.00) | \$ | 264,680.00 | \$ | 304,143.00 |
| WWS-2A-A3 | \$ | 325,000.00 | \$ | 344,208.00 | \$ | (19,208.00) | \$ | 178,750.00 | \$ | 344,208.00 |
| Totals for 9/19/2012 | \$ | 61,834,634.00 | \$ | 58,697,816.00 | \$ | 3,136,818.00 | \$ | 52,024,580.00 | \$ | 58,697,816.00 |
| Totals For 9/12/2012 | \$ | 85,543,866.00 | \$ | 91,568,057.00 | \$ | (6,024,171.00) | \$ | 66,650,057.00 | \$ | 91,568,057.00 |
| Totals For 8/29/2012 | \$ | 46,659,094.00 | \$ | 48,620,199.00 | \$ | (1,961,105.00) | \$ | 37,170,923.00 | \$ | 48,620,199.00 |
| RunningTotal | \$ | 194,037,594.00 | \$ | 198,886,072.00 | \$ | (4,848,458.00) | \$ | 155,845,560.00 | \$ | 198,886,072.00 |

Annette,

So far this year(2012)the Market value decrease is (\$ 4,848,458) As of 09/19/2012

Memo

Date: September 19, 2012
To: County Council
From: Kevin Callahan, Public Works Director
Subject: Notice of Annexation to Service Area # 6

Background

In September of 2011, the County Council gave direction to staff to consider applications for road acceptance and annexation to Service Area # 6 for private roads that meet basic county road standards. Staff has met with a number and explained the processes with a number of interested subdivisions on private roads. The second subdivision to submit a completed set of petitions for road acceptance and annexation to Service Area # 6 was the Ecker Village subdivision (Engen Loop). Those petitions have now been certified as complete and accurate by the County Clerk. The number of certified petitions exceeded the 75% minimum threshold required by county procedure. 100% of the affected property owners signed petitions both for county road acceptance and annexation into Service Area # 6.

The next step in the process is for the posting of a Notice of Annexation at the County Courthouse, at the Jeremy Point subdivision, publishing the notice in the Park Record and on the Utah Public Notice website. We will also mail a copy of the notice to each affected property owner. Property owners then have a 20 day period within which to request a public hearing. The public hearing must be held in the Snyderville Basin on a weekday evening no earlier than 6 pm. A quorum of the County Council must be present at the public hearing.

Following a 20 day period without a request for a public hearing, the County Council may adopt a Resolution approving or denying the annexation. At that same time, the County Council may approve the road dedication plat identifying the dedicated county road and right-of-way.

Recommendation

Staff recommends that the Council approves the Notice of Annexation and directs the Chair to sign the Notice. Staff will then post and mail the Notice to the affected property owners.

NOTICE OF ANNEXATION

**REGARDING THE ANNEXATION OF THE ECKER VILLAGE SUBDIVISION
INTO SUMMIT COUNTY SERVICE AREA #6**

SUMMIT COUNTY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN that the Board of Trustees (the "Board") of the Summit County Service Area #6 ("Service Area #6") will annex the Ecker Village Subdivision (Engen Loop) into Service Area #6, pursuant to Title 17B, Chapter 1, Utah Code Annotated 1953, as amended, in order to provide road maintenance and snow removal services.

A duly certified Petition proposes to annex the Ecker Village Subdivision, inclusive of all properties adjoining Engen Loop into Service Area #6. The Engen Loop Subdivision is located within the Pinebrook neighborhood, Snyderville Basin, Summit County, Utah.

Service Area #6 may be funded through any or all of the following: (a) rates, fees and other charges collected for the use of Service Area facilities or the provision of Service Area services, (b) assessments that may be levied on properties located in one or more assessment areas created in the Service Area, (c) the issuance of bonds and other forms of indebtedness by the Service Area, and (d) property taxes levied by the Service Area pursuant to Utah law. The estimated average financial impact in property taxes upon a typical primary resident with a residential dwelling valued at approximately \$460,000.00 within the area proposed for annexation is approximately \$180.00 per year.

Property owners or registered voters within the area proposed for annexation may request a public hearing as provided in UCA §17B-1-413(2)(a)(ii)(B) within twenty (20) days of this Notice. Information concerning the proposed annexation may be obtained from the Summit County Public Works Director, (435) 336-3978.

DATED this ___ day of _____, 2012.

SUMMIT COUNTY, UTAH

By: _____
David Ure
Chair



Dear Summit County Council:

As your constituent, I am writing on behalf of the Pancreatic Cancer Action Network and the estimated 37,390 Americans who will die of pancreatic cancer in 2012, approximately 210 of whom live in Utah. In 2012, pancreatic cancer will afflict more than 43,920 Americans, 74% of whom will die within one year of their diagnosis, and 94% of whom will die within five years of diagnosis.

I lost my first cousin in September of 2011 9 months after her diagnosis which was just one month after her 60th birthday. Her hope was to be one of the 6% to live five years. Unfortunately she did not live long enough to see her only grandson's first birthday. It was a painful and horrible death.

To date, pancreatic cancer is the fourth leading cause of cancer death in the United States, and it is the only major cancer with a five-year relative survival rate in the single digits at just six percent. Furthermore, there has been little improvement in the survival rates over the last forty years. We need your help to shine a spotlight on this disease and finally make progress in developing treatments and early detection tools. By issuing a proclamation supporting the observance of November 2012 as Pancreatic Cancer Awareness Month in Summit County, you can help us to raise awareness in our community.

I have attached a draft of the proclamation text for your review:

The proposed text not only recognizes November as Pancreatic Cancer Awareness Month, but also calls on Congress to pass the *Pancreatic Cancer Research & Education Act* (S.362/H.R.733) this year. This critical legislation would ensure that we have a national strategic plan for defeating this devastating disease. The bill has broad bi-partisan support, including 3 co-sponsors from our state. We are asking for this additional language because it is essential that the bill pass this year. I have included a fact sheet on the bill for your review. I am happy to provide additional official Pancreatic Cancer Action Network material, including pancreatic cancer facts and statistics and National Cancer Institute (NCI) funding information, upon request.

We request that a total of one original of the proclamation to be made available for our records. Please contact me at rgreenwald@pancanvolunteer.org, 216-926-3537 with any questions. I look forward to working with you to issue a proclamation that will recognize November as Pancreatic Cancer Awareness Month and bring much needed attention to this deadly disease. Thank you for your interest in this important issue.

Sincerely,

Rona Greenwald
8976 N Promontory Ranch Rd
Park City, Utah 84098

**RESOLUTION DECLARING THE MONTH OF NOVEMBER
“PANCREATIC CANCER AWARENESS MONTH”
SUMMIT COUNTY, UTAH**

WHEREAS in 2012, an estimated 43,920 people will be diagnosed with pancreatic cancer in the United States and 37,390 will die from the disease;

WHEREAS pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent;

WHEREAS when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 74 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years;

WHEREAS of all the racial/ethnic groups in the United States, African Americans have the highest incidence rate of pancreatic cancer, between 34 percent and 70 percent higher than the other groups;

WHEREAS approximately 210 deaths will occur in Utah in 2012;

WHEREAS there is no cure for pancreatic cancer and there have been no significant improvements in survival rates in the last 40 years;

WHEREAS the Federal Government invests significantly less money in pancreatic cancer research than it does in any of the other leading cancer killers; and pancreatic cancer research constitutes only approximately 2 percent of the National Cancer Institute’s federal research funding, a figure far too low given the severity of the disease, its mortality rate, and how little is known about how to arrest it; and

WHEREAS, the *Pancreatic Cancer Research & Education Act* (S. 362/H.R. 733) requires that the National Cancer Institute develop a strategic plan for combating pancreatic cancer;

WHEREAS the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Summit County and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

WHEREAS the Pancreatic Cancer Action Network and its affiliates in Summit County support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure;

WHEREAS the good health and well-being of the residents of Summit County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; therefore be it

NOW, THEREFORE, be it resolved by the County Council, Summit County, Utah, that the month of November 2012 shall be proclaimed as “Pancreatic Cancer Awareness Month”.

APPROVED AND ADOPTED this _____ day of _____, 2012.

SUMMIT COUNTY COUNCIL
SUMMIT COUNTY, UTAH

ATTEST:

By: _____
David Ure, Chair

Kent Jones, County Clerk



STAFF REPORT

To: Summit County Council (SCC)
Report Date: Thursday, September 13, 2012
Meeting Date: Wednesday, September 19, 2012
Author: Kimber Gabryszak, AICP
Project Name: Commerce CRG Appeal

EXECUTIVE SUMMARY: The appellant, Tim Ankor on behalf of Commerce CRG, is appealing the Community Development Department's administrative decision to deny a tenant improvement building permit for a unit in the Park City Tech Center research park (PCTC research park), Building A.

Staff recommends that the SCC review the appeal and vote to **deny** the appeal and **uphold** Staff's denial of the building permit, based upon the use not being consistent with the allowed uses of the Summit Research Park Development Agreement (DA).

A. Project Description

- **Project Name:** Commerce CRG Appeal of Decision
- **Project Type:** Appeal of administrative decision
- **Appellant(s):** Tim Ankor, Commerce CRG; Dave Allen, Boyer Company
- **Property Owner(s):** Boyer Company; Kimball Junction LLC;
- **Location:** PCTC Building A, Kimball Junction (Exhibit A)
- **Zone District & Setbacks:** Community Commercial (CC)
- **Adjacent Land Uses:** Commercial; Open space; vacant
- **Existing Uses:** Commercial
- **Parcel Number and Size:** PCTC-5A
- **Lot of Record Status:** Yes
- **Type of Process:** Legislative / Quasi-judicial
- **Future Routing:** None – SCC final decision

B. Background

The Summit Research Park DA (aka Park City Tech Center) was approved in December 2008, and contains a short list of permitted and conditional uses that may occur in the ~1,295,000 s.f. research park (Exhibit B). Any use, tenant, or business that is not consistent with this list is considered to be prohibited in the research park.

The DA does not outline a process for the Planning Division to review uses, so identification of potential tenants in the PCTC research park may occur as late as the time of building permit application or business license application.

Commerce CRG submitted an application for a tenant improvement building permit in June of 2012; when the application was reviewed for Planning Division approval it was determined that the proposed

use was not consistent with the allowed uses of the DA. Staff verbally informed the appellant of the determination, and then issued a formal denial via email (Exhibit C) which the appellants have appealed.

C. **Identification and Analysis of Issues**

DA Use language

The DA list of allowed and conditional uses is as stated below.

Allowed uses are:

- Laboratories, offices, and prototype production facilities related to research facilities and technology.
- Sports medicine related uses, including research and treatment facilities (no hospital allowed)
- Incidental commercial uses principally located within the Research park to support other permitted and approved conditional uses, such as restaurants, private clubs, retail, banks, financial services, recreation facilities, health care facilities, accessory uses authorized by the Code as of the Vesting Date and facilities for limited indoor production, warehousing and distribution.
- Churches
- Utility Facilities, Water lines, Sewer lines

Conditional uses are:

- Offices and/or research facilities for outdoor product oriented companies
- Public Service Facilities
- Chamber Bureau Visitor's Center
- Transit Facilities

Issues with application and interpretation

As mentioned previously, Staff does not have an early opportunity to review potential tenants and uses in the PCTC research park. Additionally, the uses listed above are not clearly defined in the DA. As a result of both the lack of a review process and the lack of clear definitions, a use that does not appear to meet the intent of the DA was approved; the tenant was issued permits and now occupies a portion of the PCTC Building A.

Community concerns were voiced about this other tenant, and Staff analyzed potential uses in more depth, though still not until the time of building permit or business license application.

Recently, the SCC had a work session to discuss the vision and intent of the DA, and reviewed the list of permitted and conditional uses in context with the original approval of the DA. Staff would appreciate additional direction for the determination of acceptable uses in the future.

Appellant case

The appellant has argued that a commercial real estate office is appropriate for the PCTC development, under the category of “incidental commercial uses principally located within the Research park to support other permitted and approved conditional uses, such as [...]”.

The appellant has presented a case (Exhibit D) that all research parks have an onsite leasing office, and also that most new developments have an onsite leasing or sales office. They argue that such uses are clearly incidental and in support of other permitted and approved uses in the research park.

Staff's response

Staff agrees that an onsite leasing office would be an incidental use to the PCTC research park. The intent of the incidental commercial section seems to be that these and similar uses are appropriate when they are clearly there *to support other permitted and approved* uses in the research park.

In the review of the proposed use, however, Staff did not find that Commerce CRG met this intent:

1. The Commerce CRG proposed use is not simply a leasing office; instead, it is a relocation of the entire office and is therefore not incidental.
2. The Commerce CRG proposed use does not primarily to represent the research park; instead, it is conducting business throughout the County and therefore is not located there “to support other permitted and approved conditional uses” in the PCTC research park.
3. The Commerce CRG proposal has not yet been shown to be for the entire research park; instead, at the time of this report, the agreement between Commerce CRG and Boyer only addressed leasing and sales for Building A of the PCTC research park.

D. **Findings/ Code Criteria and Discussion**

In an appeal of an administrative decision, the role of the SCC is to determine whether Staff correctly applied the applicable Code section or DA section.

E. **Recommendation(s)/Alternatives**

Staff recommends that the SCC discuss the appeal, and vote to **uphold** Staff’s determination that the proposed Commerce CRG office is not in compliance with the DA list of allowed uses, with the findings below:

Findings:

1. Staff correctly applied the provisions of the Summit Research Park Development Agreement.
2. The proposed use is not consistent with the Summit Research Park Development Agreement list of allowed and conditional uses, and is therefore prohibited.

Alternatives:

The SCC may instead choose to **continue** the appeal to another date, with clear direction to Staff and / or the appellant of information needed to render a decision.

The SCC may instead choose to **overturn** Staff’s determination, and **uphold** the appeal, with the findings below:

Findings:

1. Staff did not correctly apply the provisions of the Summit Research Park Development Agreement, **as articulated by the SCC**.
2. The proposed use is consistent with the Summit Research Park Development Agreement list of allowed and conditional uses, **as articulated by the SCC**, and is therefore permitted.

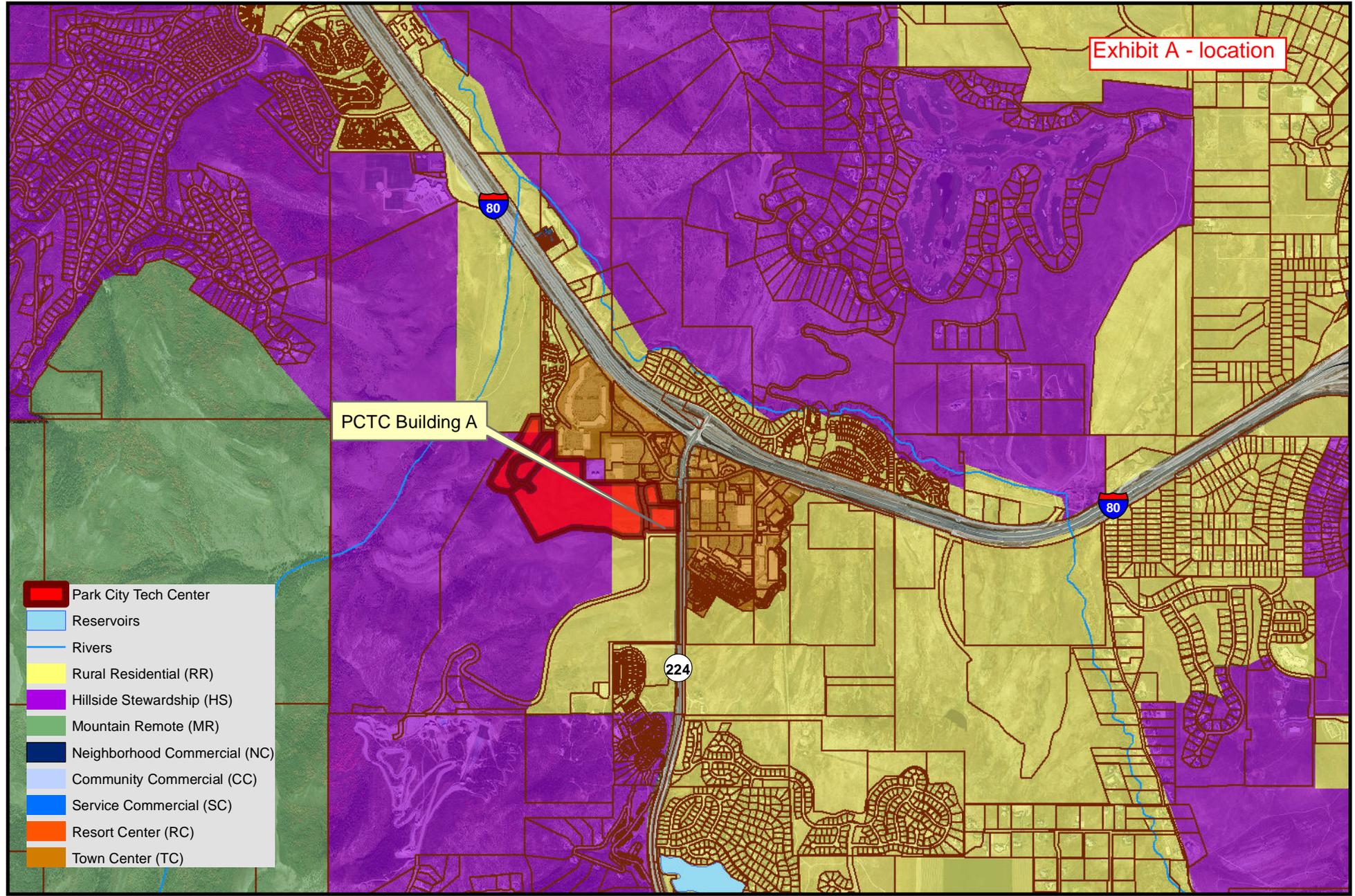
Attachment(s)

Exhibit A – Location Map (page 4)

Exhibit B – List of permitted and conditional uses from DA (pages 5-6)

Exhibit C – Denial letter (email) (page 7)

Exhibit D – Commerce CRG appeal packet (pages 8-15)



PCTC Building A

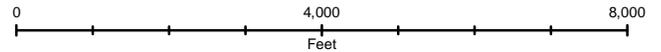
Exhibit A - location

- Park City Tech Center
- Reservoirs
- Rivers
- Rural Residential (RR)
- Hillside Stewardship (HS)
- Mountain Remote (MR)
- Neighborhood Commercial (NC)
- Community Commercial (CC)
- Service Commercial (SC)
- Resort Center (RC)
- Town Center (TC)



Summit County, Utah Vicinity Map

Prepared by Summit County
Community Development Department



This drawing is neither a legally recorded map, nor a survey, and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources including Summit County. Summit County is not responsible for the timeliness or accuracy of information shown.

Use Table – Summit Research Park

- **Permitted Uses:**
 - **Laboratories, offices, and prototype production facilities related to research facilities and technology.**
 - **Sports medicine related uses, including research and treatment facilities (no hospital allowed).**
 - **Incidental commercial uses principally located within the Research Park to support other permitted and approved conditional uses, such as restaurants, private clubs, retail, banks, financial services, recreation facilities, health care facilities, accessory uses authorized by the Code as of the Vesting Date and facilities for limited indoor production, warehousing, and distribution.**
 - **Churches**
 - **Utility Facilities, Water lines, Sewer lines**

- **Conditional Uses:**
 - **Offices and/or research facilities for outdoor product oriented companies**
 - **Public Service Facilities**
 - **Chamber Bureau Visitor's Center**
 - **Transit Facilities**

Kimber Gabryszak

From: Kimber Gabryszak
Sent: Monday, August 27, 2012 3:59 PM
To: Dave Allen; tanker@comre.com
Cc: Don Sargent; Robert Jasper; Anita Lewis
Subject: RE: Commerce CRG Tenant Improvements

Dave and Tim,

We have discussed the proposed occupancy of a portion of Building A by Commerce CRG at length, and having reviewed the terms of the Summit Research Park Development Agreement, do not believe real estate brokerage firms such as CRG qualify as incidental commercial uses that support the research park such as financial services as listed or any other support commercial uses as intended and articulated.

Please accept this as a written denial of the Tenant Improvement building permit for the proposed Commerce CRG space in Building A.

In regard to your request for a meeting, we have considered it as well and do not believe further discussion would alter the Community Development Department's determination. If you would like to meet to discuss an appeal, please let us know.

If you wish to appeal this determination to the Summit County Council, please submit a written summary of the appeal along with the associated application and fees, within ten (10) days of this email. You may find the application form by visiting www.summitcounty.org/comunitydevelopent/snyderville.php and clicking on "appeal" on the left hand side of the page under "forms & checklists".

Please let me know if you have any questions.

Thank you,

Kimber Gabryszak, AICP
Summit County Planner III
435.336.3132 or 435.615.3132



Community Development Department
P.O. Box 128
60 North Main Street
Coalville, Utah 84017
Phone: 435 -615-3124
Fax: 435 -615-3046
www.summitcounty.org

APPEAL OF A DECISION APPLICATION FORM

Owner(s) of Record:

Name: Commerce CRG Utah, L.C. and Boyer Snyderville 1, L.C. Phone: 435-575-5630

Mailing Address: 1678 W. Redstone Center Drive, Suite 225

City: Park City State: Utah Zip: 84098

E-Mail Address: tanker@comre.com with a copy to dallen@boyercompany.com Fax: _____

Authorized Representative to Whom All Correspondence is to be Sent:

Name: Tim Anker Phone: _____

Mailing Address: Same as above _____

City: _____ State: _____ Zip: _____

E-Mail Address: _____ Fax: _____

Project Information:

Parcel #: Building A, PCTC Lot 5A Subdivision Name: Park City Tech Center

Address: 1794 Olympic Parkway, PC, 84098 Section: _____ Township: _____ Range: _____

Do you currently have construction plans turned in for Building Permit review? YES (plan check #) 415 NO

Description of Appeal (please use additional sheets if necessary):

Appeal of administrative decision denying Commerce CRG the right to have an office in Building A of PCTC based on Use definition in the Summit Research Park Development Agreement. (additional pages attached)

| | | |
|-------------------------------------|---|--|
| <u>FOR OFFICE USE ONLY</u> | | |
| <input checked="" type="checkbox"/> | \$400.00 (Planning Department review) | |
| <input type="checkbox"/> | \$600.00 (Planning and Engineering Department review) | |
| <input type="checkbox"/> | <i>Snyderville Basin</i> | |
| <input type="checkbox"/> | <i>Eastern Summit County</i> | |
| RECEIPT #: | <u>8525</u> | DATE RECEIVED: <u>9/5/12</u> RECEIVED BY: <u>ATS</u> |

OWNER(S) ACKNOWLEDGEMENT

All application fees must be paid at time of application submittal. No application will be processed until all application fees are paid. Notification and publication fees for required public hearing notices (individual notices mailed to property owners - \$2.00 per notice; 14 day publication of legal notice in local newspaper –cost of notice) will be billed to applicant at the time a hearing is scheduled. Notification fees must be paid within 10 days of billing.

PLEASE NOTE REGARDING FEES; the payment of fees and /or the acceptance of such fees by County Staff does not constitute any sort of approvals, vesting, or signify that the application is complete or appropriate in any manner. The collection of fees is simply a requirement to begin the review process that will ultimately make such determinations.

I hereby declare under penalty of perjury that this application form, and all information submitted as part of this application form is true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application form be incorrect or untrue, I understand that Summit County may rescind any approval or sufficiency determination, or take other appropriate action.

Owner(s) Signature:  _____ Date: 9-5-12

Commerce CRG Utah, LLC



Boyer Snyderville, 1, L.C.

September 5, 2012

To Whom It May Concern:

My name is Tim Anker and I am the branch broker for the Park City office of Cushman & Wakefield | Commerce Real Estate Solutions (CRES). Our company deals exclusively in the commercial real estate industry and has served the Park City market for more than 12 years.

For nearly a year, our office has been preparing to move into the first Park City Tech Center building. I have always felt confident that CRES is an appropriate and “incidental commercial use” to the development. We applied for a building permit for tenant improvements back in June and were told by the building department August 17th that everything was approved and to bring in two sets of drawings and pick up our permit. When our contractor showed up on August 20th he was turned away because of a concern with our use. Our application was made in June and our use has never been an issue. I’m sure it is not the goal of Summit County to have one of the only research and technology parks on the planet without a commercial leasing office yet it appears from the denial of our tenant improvement permit, that is what someone is trying to do.

Below are reasons that support our occupancy as an “incidental commercial use”.

1. The definition of “incidental commercial use,” as found under “Permitted Uses” in the “Use Table” of the Development Agreement, allows for uses “*such as* restaurants, private clubs, retail, banks, financial services, recreation facilities, health care facilities, accessory uses authorized by the code as of the vesting date.” A commercial real estate firm located onsite within the research park for the purpose of marketing and promoting the project, acting as the park’s model office suite, and as the developers’ onsite office is, by definition, an “incidental commercial use.” This concept seems preferable to dragging a sales trailer around the Park for the next 20 years or building a separate structure for this use as many projects do.
2. Every significant office project in the state, including U of U’s Research Park, has an onsite leasing office to market and promote the project. Research Park, Millrock, Old Mill, Cottonwood Corporate Center, Lake Park, River Park, etc., they all have onsite leasing, many of them manned by third party brokerage firms including U of U’s Research Park. Significant projects require this level of attention. Substantially smaller projects in our market such as the Gateway Center on Heber Ave. and the Newpark offices at Kimball Junction have onsite leasing offices. Being a research and technology park does not eliminate the need to have an onsite leasing office nor is it in conflict with the Development Agreement.
3. The Association of University Research Parks (AURP) is the largest association of its kind with hundreds of millions of square feet in over 700 research and technology parks around the world. Eileen Walker is their CEO located in Tucson, Arizona, and can be reached at 520-529-2521. Eileen Walker is recognized around the globe as THE Research Park expert and has confirmed with me that with very few exceptions, mostly due to size, research parks throughout the world have onsite commercial leasing offices which serves to market and promote the park.

4. The Park City office of CRES specializes in recruiting research and technology offices to the Park. We are the only commercial real estate company in the market focused on this industry sector. We are partners with the EDCU and work with organizations such as Silicon Slopes to attract research and technology companies to our market. We have already entered into a contract to market for lease the available space within the Park City Tech Center.

5. Whatever complaints have been filed about PCTC uses have nothing to do with our company. After placing numerous calls and emails to the Community Development Department in an effort to better understand the complaints against our use, I received an email from Kimber Gabryszak on August 31st stating "it appears the complaint was primarily concerning a different tenant". After reading the complaint she attached, it appears the complaint was **exclusively** concerning another tenant. If anyone ever questions the county as to why a commercial real estate office which markets the Tech Center is allowed to be onsite, all the county needs to do is refer the complaining party to the Development Agreement and the conversation would be over. There is nothing controversial about our use in this development.

6. It may add perspective to compare our use to sales offices found in residential projects. I can't think of a significant residential real estate project in our county that has not had an onsite sales office. Glenwild, Promontory, The Colony, Tuhaye, Montage, these all have onsite sales offices manned by third party brokerages. Ours is the commercial version of that use. I can't imagine the Community Development Department telling The Colony that they can't have a sales office because the development is zoned for residential.

7. I checked with Kent Wilkerson in engineering, and while he could not weigh in on matters of use, he did confirm that in terms of trip generation, the impact of our use is around 1/10 of the other permitted uses listed in the Development Agreement. Our use decreases the impact allowed in the park.

I am available for any questions you might have and look forward to helping the Park City Tech Center fulfill its purpose of bringing good, high paying jobs to our market. This project will help diversify our economy and allow us to be less reliant on the increasingly competitive ski and travel industries.

Respectfully,



Tim Anker
Branch Broker | Commercial Properties
Commerce Real Estate Solutions
Cushman & Wakefield Alliance Member
1678 West Redstone Center Drive, Suite 225
Park City, UT 84098
[435-575-5630](tel:435-575-5630) (Direct)
[435-575-5600](tel:435-575-5600) (Main)
[435-575-5640](tel:435-575-5640) (Fax)
www.comre.com

Use Table – Summit Research Park

- Permitted Uses:
 - Laboratories, offices, and prototype production facilities related to research facilities and technology.
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 - Churches
 - Utility Facilities, Water lines, Sewer lines

Park City Tech Center (“PCTC”) “Use” Table Summary

Background. The Use Table (Exhibit C to the Development Agreement) was developed during 2008 in order to keep PCTC focused on attracting certain types of companies, but principally to control impacts related to uses. The discussion at the time focused on impacts such as traffic, parking, and making sure we were attracting relatively high paying jobs that help take advantage of the unique Park City lifestyle. The goal was to avoid uses such as call centers (high density of employees, low paying jobs). The Use Table tried to follow the language used by other existing research parks such as the University of Utah.

Other Technology Parks. In reviewing other research and technology parks, one of the unique and perhaps unintended differences with PCTC is that almost all other such parks are internally regulated as to how the uses restrictions are applied. They have their own review procedures and do not go through a review process with the local government.

UNIVERSITY OF UTAH. At the U. of U. for example, they have a control board that reviews applications related to use. Sample tenants at the U. of U. range from numerous medical buildings, cancer research, the University Human Resources Department, University IT Department, Health Sciences Public Affairs, a University Research Park administration office, the Utah Poison Control center, ARUP Laboratories (very large processing facilities for lab tests), Huntsman Corporation (corporate headquarters), Goldman Sachs, Northwest Pipeline (operates and owns gas pipelines), a Marriot Hotel, several restaurants, a marketing/media company (unrelated to research park marketing—Pole Vault Media), a children’s education company (sipacademyusa.com), a general property management company (rpamanagement.com), a credit union, a college sports marketing company (cbccsp.com), and numerous other “hard core” research companies tied to the U. of U. as well as other more general businesses. A full list of business tenants is available online at <http://vp.admin.utah.edu/research/business-tenants/>

STANFORD. Other technology parks around the country (such as Triangle Park, Stanford, etc...) have similar mixes with many of them having law firms, accounting offices, food services, property management firms, investment firms, stock brokerages, banks, general corporate offices, and commercial real estate brokerages. Stanford includes Pacific Property Company (realtors and property managers), Summerhill Homes (a residential real estate construction company), CB Richard Ellis (commercial realtors), Merrill Lynch, Bank of America, Goldman Sachs, Equity Office (one of the nation’s largest commercial developers), and numerous other similar companies, including movie theaters.

All of these research and technology parks review potential companies to see how they may fit in to their existing mix, how the company meets their criteria, how the company may be able to provide support services to the park, and how the potential new company will support and

contribute to the local community. At PCTC, we do the same type of review. Some examples of opportunities we have reviewed include the following:

1. Physical Therapist: particular company is long-term area provider with focus on sports related PT. Also includes a full work-out space with weights, bike trainers, etc... and a swim in-place pool. Great service for all tenants and good support for existing residents.
2. Property Management Company: Had outgrown existing space due to growth opportunities presented by other such companies that failed in recent years. Critical provider of services to resort community and potential provider of services to future tenants in PCTC. ALL buildings need a property management company and having one onsite only makes sense. In addition, this particular company does extensive research on trends in the industry. We have corporate offices, not maintenance crews so wages, traffic, and parking needs are compatible.
3. Commercial Real Estate Company: absolutely essential to marketing the technology center. Potential clients have a place to meet right onsite and we have a national company with a local office focused on PCTC growth.
4. School: we turned this down because impacts were too great and it detracted from other office type of tenants.
5. Hotel requests: turned down as this point due to fact that we simply do not generate enough need at this point. That may change in the future.
6. Evening sit down restaurant: turned down due to lack of need in park.
7. Aerobics type of work out facility: Turned down due to fact parking needs exceed what we are able to provide and job opportunities were very limited.
8. Technology School Company Headquarters and small school: Working on this. Company clearly fits criteria and is poised to be both Utah and national leader in technology use for education (internet schools, Ipads, etc...). Small onsite school has lower impacts than typical school and is really a laboratory for company research. Good fit and synergistic to potential future companies.
9. Computer software tech company: being aggressively pursued with help of commercial real estate company.
10. Movie studio: Due to digital focus of media production these days, creates some tremendous opportunities for synergistic users. Utah has a very strong digital technology business sector. However, due to studios themselves, this use would require specific approval by Summit County (in our opinion).
11. Visitor's Center: terrific contributor to local economy, but did require a conditional use permit.
12. Big Box Retail: turned down multiple requests for obvious reasons.
13. Indoor Climbing Gym: would potentially be a great support opportunity and marketing tool for us. However, as a stand-alone facility, it is hard to economically justify. We are pursuing options to place such a facility in connection with an outdoor product company (as an example).

14. "Think Tank" for online retailer. Very "research" and idea oriented. Designed to attract creative and innovative people to the company by allowing them to live and/or work in Park City. Great use that brings interesting people to our community, has high paying jobs, and attracts people who want to help preserve Park City lifestyle. This is being pursued, but on hold due to economic conditions.
15. U. of U. Chemistry Research related business: was very aggressively pursued. Ultimately decided they needed to be right next to U. of U.

The point is that as developer, we have exercised control over our potential tenants mix. We need the ability to continue to exercise this control. PCTC will evolve over time into a good mix of businesses for the community. Whether this takes form in traditional computer companies, sports medicine companies, chemistry research, or outdoor products manufacturing and research, we don't really know right now. We just need flexibility to follow the opportunities as we create them and/or they contact us.

Drug Court Pilot Program



Prepared for: Summit County Council

Prepared by: David R. Brickey, Summit County Attorney

Overview

The purpose of this presentation is to help explain to the Summit County Council the Third District Summit County Drug Court pilot program. Participants in the presentation include Judge Todd Shaughnessy, Utah Third District Court, David R. Brickey, Summit County Attorney, Matthew Bates, Deputy Summit County Attorney, Paul Quinlan, Summit County Public Defender, Agent Robert Cid, Adult Probation and Parole, and Therapists DodiAnn Wilson and Kelly Ovard, Valley Mental Health. Together, these individuals comprise the Drug Court Treatment Team.

What is Drug Court?

The Summit County Drug Court is a pilot problem solving court that brings together treatment providers, law enforcement, and the judiciary to collaboratively rehabilitate drug offenders in Summit County. Drug court programs have been operating within the state of Utah for several years. Summit County has been working to establish a drug court program for the past three years. As a result of the synergy created by those individuals listed above, a pilot program has now taken shape and is in its infancy. We appreciate the opportunity to sit down and explain to you the concepts and benefits of the drug court program. This program has not been thrown together on a whim. Rather it has come together over the course of nine months. The Treatment Team have put in their own time, energy and money into this program.

What Will Drug Court Do for Summit County?

Before starting the Summit County Drug Court, the only rehabilitation program for most drug offenders was standard probation and out-patient drug treatment at the county mental health provider, Valley Mental Health. There was little collaboration between the court and Valley Mental Health, and the courts and law enforcement were slow to

impose sanctions for a relapse or failure to complete treatment. When sanctions were imposed, it was often weeks or even months after a relapse.

The Summit County Drug Court provides intensive judicial and law enforcement oversight over offenders during their participation in treatment programs. Sobriety and progression through treatment is rewarded weekly. Relapses and misbehavior are also sanctioned weekly and sometimes daily.

Drug Courts Work

In 20 years since the first Drug Court was founded, there has been more research published on the effects of Drug Courts than on virtually all other criminal justice programs combined.

The scientific community has put Drug Courts under a microscope and concluded that Drug Courts work. Better than jail or prison. Better than probation and treatment alone. Drug Courts significantly reduce drug use and crime and are more cost-effective than any other proven criminal justice strategy. Recent studies published by the National Association of Drug Court Professionals show:

Drug Courts Reduce Crime

Nationwide, 75% of Drug Court graduates remain arrest-free at least two years after leaving the program.

Rigorous studies examining long-term outcomes of individual Drug Courts have found that reductions in crime last at least 3 years and can endure for over 14 years.

The most rigorous and conservative scientific “meta-analyses” have all concluded that Drug Courts significantly reduce crime as much as 45 percent more than other sentencing options.

Drug Courts Save Money

Nationwide, for every \$1.00 invested in Drug Court, taxpayers save as much as \$3.36 in avoided criminal justice costs alone.

When considering other cost offsets such as savings from reduced victimization and healthcare service utilization, studies have shown benefits range up to \$27 for every \$1 invested.

Drug Courts produce cost savings ranging from \$3,000 to \$13,000 per client. These cost savings reflect reduced prison costs, reduced revolving-door arrests and trials, and reduced victimization.

In 2007, for every Federal dollar invested in Drug Court, \$9.00 was leveraged in state funding.

Drug Courts Ensure Compliance

Unless substance abusing/addicted offenders are regularly supervised by a judge and held accountable, 70% drop out of treatment prematurely.

Drug Courts provide more comprehensive and closer supervision than other community-based supervision programs.

Drug Courts are six times more likely to keep offenders in treatment long enough for them to get better.

Drug Courts Restore Families

Children of Family Drug Court participants spend significantly less time in out-of-home placements such as foster care.

Family re-unification rates are 50% higher for Family Drug Court participants.

I think after my last two relapses I can benefit from being in this Drug Court Program. I am completely unable to manage my life if I drink alcohol or use drugs. My thought process changes and I become a different person, the person I become I can say I honestly hate and that person is killing me.

I think the biggest benefit I will get from this program is that I will have to be Drug tested three times a week. This keeps me in check and keeps me sober. If I don't stay sober I have no option but to turn myself in. Whenever I was given any openings in the past to get high I would and now I am having to learn something new, I am learning that I cannot get high or drunk without consequences. I am also seeing when I do use since I am only able to do it for one day when these relapses happen that I don't feel good about it. Before, when I was able to keep using I would mask my emotions by continuing to get high. So, I really thought I was that person and I wanted that life. I am now seeing I don't want this life I care about myself, my family, my job. I also care about what all of the staff think about me in this program. I don't want to be grouped in the category of the addict who will not succeed because I truly think I can.

Another benefit I find from this program is the Group Therapy we have three times a week. I have gotten to know the three people in my group as of now and really trust them and believe they really care about me and my recovery. I also truly care about them and their recovery. It is nice to be able to go somewhere and be able to talk about your week and what is stressing you out and have people who can relate with you and also feel like they totally support you. I also don't want to let my group members down because I feel like when I go out and use it is a slap in the face to them, I feel like we all

are working together to stay sober. I also have gotten to know and trust all the night counselors now and didn't feel that way before when I was just in the IOP program.

I used to go AA on a regular basis even when it was not court ordered. After a while I stopped going and this program has gotten me back into AA. I have started reconnecting with the woman in AA and actually just this week gotten about three numbers from the program. It has felt very refreshing to get back into the program and reconnect with people who I know have my best interest at heart. When I am in any AA meeting I can relate with just about any share and like many alcoholics and addicts say, they feel like they are at home. So, I have this program to thank for getting me back into meetings which I can say I believe if I continue to stay sober which is my hope for life, AA will be a part of my ritual for life.

I have a job now that I love serving tables at Nick's Café. I believe that I am a great server and I work hard there. Working at Nick's makes me feel good and like I'm doing something good with my life as of now. Would I like to do more, yes but right now its good. I don't believe I would be able to successfully keep a job if I wasn't in this program because drugs and alcohol were always more important to me. I would get so hung over or high that I would not even call in sick to work and always lose my jobs. I am proud of myself for holding a job and being a good employee.

If not the best benefit is I'm regaining my relationships back with my family. It is coming back slowly but if I was still using I wouldn't even be talking to my family. I care about my family now. I want to spend time with them and I know being sober is the only way. I spend time with my brother and father weekly now. I also talk to my sister daily on the telephone and see our relationship healing and coming back to the way it use to be.

██████ my 26 year old sister is my best friend. When I was using drugs I completely cut her out of my life. We have so much fun together watching movies, shopping, hiking, and skiing. It hurts me that I would be so selfish to just ignore her and that I always chose drugs over our relationship. My Father who is the most amazing Father in the world, all he wants is my success in Sobriety and my happiness. When I look him in the eyes now and see what I'm doing to him it truly hurts me, where before I believed I was to deep into my addiction to care. My mother is one of my biggest supports she is there for me through thick and thin and always just a phone call away. All my family wants is the best for me and I believe I'm getting to the spot where I want the best for me too.

This program has gotten me just back into the routine of life in general. One of my biggest problems in the past was I would relapse and destroy everything. I have learned that I don't have to be doomed and destroy everything I can pick up the pieces and still move on. I see that I can't live this way anymore, I want more for myself today. I know you all have developed a program that is going to save my life. I always said before I know how unmanageable my life is but I guess I really didn't. The tools I am learning in here are showing me my life is unmanageable this way and I need to listen and trust you all. I wish I could walk through this program perfectly with no relapses and I tell myself that's the plan but I believe I do want this and I will be able to succeed with more effort on my part and all the Drug Courts help and support.