



**PARK CITY COUNCIL MEETING  
SUMMIT COUNTY, UTAH  
August 3, 2017**

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, August 3, 2017.

**WORK SESSION**

2:15 p.m. Council Questions and Comments

2:30 p.m. – Discuss Capital Projects Development Process **PAGE 4**

3:00 p.m. – Recreation Advisory Board Interviews **PAGE 24**

**CLOSED SESSION**

3:35 p.m. To Discuss Property, Personnel and Litigation

**REGULAR MEETING**

6:00 p.m.

**I. ROLL CALL**

**II. APPOINTMENTS**

1. Consideration to Approve the Appointment of Cheryl Fox and Jennifer Malherbe for Terms Expiring June, 2020 and Peter O'Doherty to Fulfill a Vacant Term Ending in June, 2019 to the Special Events Advisory Committee (SEAC) **PAGE 26**
2. Consideration of the Following Appointments to the Historic Preservation Board: John Hutchings, Term Expiring May, 2020, Ann Alexander Weiner, Term Expiring May, 2018, and Reappoint Puggy Holmgren and Lola Beatlebrox, Terms Expiring May, 2020 **PAGE 31**

**III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

**Staff Communications Reports:**

- Park Silly Sunday Market Mid-Season Review **PAGE 34**
- Neighborhood Traffic Management Program (NTMP) Update **PAGE 49**
- Hillside Soft-Surface Trail Enhancement Update **PAGE 55**
- Debrief of the 2017 Fourth of July Celebration **PAGE 59**

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

**V. CONSIDERATION OF MINUTES**

Consideration to Approve the City Council Meeting Minutes from July 11 and 13, 2017  
**PAGE 71**

**VI. CONSENT AGENDA**

1. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with MC Contractors, LLC. for the 4<sup>TH</sup> Street Waterline Replacement Project in an Amount Not to Exceed \$217,918 **PAGE 87**
2. Request to Authorize the Mayor to Enter into a Settlement Agreement Between Daine and Eyreka Smith, Park City Municipal Corporation, and the Silver Strike Home Owners Association (HOA) **PAGE 93**

**VII. OLD BUSINESS**

1. Consideration to Approve Ordinance No. 2017-40, an Ordinance Amending Municipal Code Title 4, Licensing, Chapter 3, Peddlers and Solicitors Licensing, Section 9, Convention Sales and Commercial Hospitality **PAGE 107**

(A) Public Hearing (B) Action

**VIII. NEW BUSINESS**

1. Consideration to Approve the 2018 Sundance Film Festival Supplemental Plan Amendments, Including Venue Changes and Estimated Costs **PAGE 123**

(A) Public Input (B) Action

2. Consideration to Approve Ordinance No. 2017-41, an Ordinance Approving the Lilac Hill Subdivision-First Amended at 632 Deer Valley Loop Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney **PAGE 153**

(A) Public Hearing (B) Action

3. Consideration to Approve Ordinance 2017-42, an Ordinance Amending Park City Land Management Code (LMC) Title 15 Chapter 1, Section 18 Appeals and Reconsideration Process; Title 15 Chapter 11 Section 10 Park City Historic Sites Inventory; Title 15 Chapter 11, Section 11 Design Guidelines for Park City's Historic Districts and Historic Sites; and Title 15- Chapter 13 Design Guidelines **PAGE 195**

(A) Public Hearing (B) Action

4. Consideration to Approve Park City Shot Ski Event – a Level Three Special Event, on Saturday, October 21, 2017 **PAGE 225**

(A) Public Hearing (B) Action

5 Consideration to Continue an Ordinance Approving Woodside Park Subdivision - Phase I, Located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue to a Date Uncertain **PAGE 245**

(A) Public Hearing (B) Continue to Date Uncertain

6. Consideration to Authorize the City Manager to Execute a Professional Service Agreement, in a Form Approved by the City Attorney, with Golder Associates for the Mine Tunnel Condition Assessment Project in an Amount of \$72,672 **PAGE 247**

(A) Public Hearing (B) Action

7. Consideration to Approve an Interlocal Agreement for the Process to Nominate a "Wasatch Back Commissioner" to the Central Wasatch Commission Between Park City Municipal and Summit County **PAGE 252**

(A) Public Hearing (B) Action

## **IX. ADJOURNMENT**

## **X. REDEVELOPMENT AGENCY MEETING**

### **I. ROLL CALL**

### **II. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)**

### **III. NEW BUSINESS**

1. Consideration to Approve the Purchase of 1225 Black Rock Trail, #306-P and 1835 Three Kings Drive, #25-6, Amend the Deed Restrictions to Align with Current Program Guidelines and Goals and Then Sell the Units to Qualified Households **PAGE 262**

(A) Public Hearing (B) Action

## **XI. 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](http://www.parkcity.org)



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

In an effort to more efficiently and effectively plan, design, construct and maintain capital improvements by the various departments, staff formed the CIP Project Management Task Force to identify deficiencies, as well as inconsistencies in the existing processes utilized by project managers, to better align processes for both vertical (e.g. library, the MARC) and linear projects (e.g. water lines, roads), and recommend “best practices” to be utilized by Project Managers going forward.

The Task Force identified common practices, defined and outlined standard processes and nomenclature for phases in both vertical and linear projects in order to provide clarity and a framework of the capital project development process for staff, Council and the public. The framework better defines the process of individual projects and how they relate to the overall CIP for phasing, funding, budgeting and scheduling. These best practices help meet Council’s desired outcomes of being fiscally sound and providing well maintained assets and infrastructure towards the goal of an Engaged and Effective Government and Citizenry.

**Respectfully:**

Michelle Kellogg, City Recorder

## City Council Staff Report



**Subject:** Capital Improvement Projects Development Process  
**Author:** Matthew A. Twombly  
**Department:** Sustainability  
**Date:** August 3, 2017  
**Type of Item:** Informational

### Summary Recommendation

Staff recommends the City Council consider the informational update on the capital improvement project development process “best practices” document developed collaboratively by the Capital Improvement Projects Project Management Task Force.

### Executive Summary

In an effort to more efficiently and effectively plan, design, construct and maintain capital improvements by the various departments, staff formed the CIP Project Management Task Force to identify deficiencies, as well as inconsistencies in the existing processes utilized by project managers, to better align processes for both vertical (e.g. library, the MARC) and linear projects (e.g. water lines, roads), and recommend “best practices” to be utilized by Project Managers going forward.

The Task Force identified common practices, defined and outlined standard processes and nomenclature for phases in both vertical and linear projects in order to provide clarity and a framework of the capital project development process for staff, Council and the public. The framework better defines the process of individual projects and how they relate to the overall CIP for phasing, funding, budgeting and scheduling. These best practices help meet Council’s desired outcomes of being fiscally sound and providing well maintained assets and infrastructure towards the goal of an Engaged and Effective Government and Citizenry.

### Acronyms

CIP Capital Improvement Program  
PCMC Park City Municipal Corporation

### The Opportunity

Having a best practices framework will enable project managers to be more efficient, effective and provide clarity to the capital project development process within the City’s Capital Improvement Program and budget. The goal of the best practices is help align project budgets during the project development process and help minimize contract change orders during construction.

### Background

In July of 2016 after the adoption of the 2017 fiscal year budget process for the Capital Improvement Program (CIP), a number of projects still early in the design phase were seeing changes in scope, schedule and budgets. The City Manager requested that staff

investigate how CIP projects are implemented by project managers. Staff formed the CIP Project Management Task Force in order to look at existing project management across departments and how projects are developed in relation to the CIP budget.

The Task Force was headed by Matt Twombly with the assistance of Anne Laurent, Roger McClain, Alfred Knotts and Nate Rockwood. For purposes of efficiency, that group discussed and drafted CIP Project Guidelines to bring to the larger group for discussion. The larger CIP Project Management group included all of the aforementioned individuals plus Ken Fisher, Jonathan Weidenhamer, Scott Robertson, Clint McAfee, Matt Dias, Clint Dayley, Blake Fannesbeck, Mark Harrington, Polly Samuels McLean, Matt Cassel, Heinrich Deters, Tom Daley, Dave Gustafson, Lori Collett, Rebecca Gillis, Troy Dayley, and Diane Foster.

### **Alternatives for City Council to Consider**

No alternatives are necessary as this is an informational update to Council.

### **Analysis**

From the outset, the task force determined that project development or management was performed fairly consistently with standard practices, although there are differing styles across departments within the City's decentralized system. The goals of the task force was not to centralize the project management process, but rather help provide a common framework to assist with project development, better align project development with the CIP budget process, and assist with public and Council engagement.

There are two distinct processes in the development of capital projects: Linear and vertical projects. The linear projects are roadway or water line type projects and vertical are building projects. They each have their own terminology, milestones and their processes are slightly different. There are definite similarities especially where both types of projects are tied to the overall CIP budget and require Council authorization at certain stages in order to proceed forward.

The flow charts outline key stages where budget, scope and schedule will determine if additional review or additional work (design, analysis...) is required prior to moving forward in the process. Additional review or additional work often requires additional expense and time to a project. The flow charts also portray the stages for public involvement versus public information which usually transition following approval of a preferred alternative and the production of final drawings for bidding.

One of the key components of the work with the task force was the incorporation of a phase worksheet in the CIP budget system for new and larger projects. Having a phased budget request helps determine funding and timing of large CIP projects. For the fiscal year 2018 CIP Budget Process new requests incorporated a phase worksheet broken down by:

- Scoping/Conceptual Design Costs;
- Soft Costs;
- Construction Costs; and

- Contingency

Again, the overall goal of the best practices is to provide a clearer, more efficient and effective CIP project delivery process. After a little refinement to the best practices document, staff will seek to publish these in the Employee Portal as a resource for staff.

### **Department Review**

This report has been reviewed by Sustainability, City Attorney's Office, Budget, and City Manager. The CIP Project Management Task Force: Alfred Knotts, Anne Laurent, Roger McClain, Nate Rockwood, and Matt Twombly.

### **Attachment**

Exhibit A: New Capital Project Development Process

## Exhibit A



# **Capital Project Development Process**

## Introduction

Implementation of Park City Municipal's Capital Improvement Projects (CIP) requires collaboration between various City departments. In an effort to more efficiently and effectively plan, design, and construct vertical and linear capital improvements by the various departments, staff formed the CIP Project Management Task Force to identify deficiencies in the existing processes utilized by Project Managers (PM), to better align processes/phases for both vertical and linear projects, and recommend "best practices" to be utilized by Project Managers going forward.

The CIP PM Task Force believes implementation of the "best practices" outlined in this Executive Summary will lead to better coordination and predictability in project delivery schedules, assist with project scoping, control cost, and assist with public and Council engagement. Lastly, the intent of developing these "best practices" is also to assist in prioritization of projects given limited fiscal and human resources.

Tasked with the development of a more efficient and defined Project Delivery Process (PDP) process to implement CIP, the Task Force shared the vision of a common framework based upon standard protocols and processes. Their efforts have resulted in the development of the specific framework elements and collaborative interaction protocols between departments.

## Overview

The proposed PDP was developed to facilitate expeditious and cost effective implementation while preserving the culture of interdependence within City departments.

More specifically the PDP was developed to:

- Provide for a common understanding of the requisite strategic steps necessary to deliver a capital project.
- Identify key interaction points throughout the PDP where interaction between departments, Council, CIP committee, and the public need and should occur.
- Assist in achieving the objective of identifying roles and responsibilities during the PDP.
- Assist in the establishment of expectations and outcomes associated with projects.

- Be used as strategic tools for project planning and delivery.
- Develop more comprehensive project scopes that more expeditiously achieve Council goals and priorities

The Task Force recognized that, while the PDPs utilized by the various PMs were similar and followed general project management principles, these processes also contained a number of inherent differences, especially in regards to vertical (i.e library, police station, etc.) and liner projects (trails, streets, water line, etc.). To provide for continuity between these two primary project types, the Task Force developed separate PDPs for both vertical and liner projects outlined below. In addition to standardizing processes, the intent was also to standardize phasing and nomenclature for better internal and external clarity.

### **Phases in a Project Delivery System/Project Development Process – Vertical**

- Scoping/Programming
- Site Assessment/Selection (if applicable)
- Concept Design
- Schematic Design
- Design Development (could include Concept and Schematic Design Phases for small projects)
- Regulatory Approvals/Permitting
- Construction Plans (100%)
- Bid/Award
- Construction/Construction Administration
- Punchlist/Project Closeout
- Relocation/Occupancy (if applicable)

### **Phases in a Project Delivery System/Project Development Process – Linear**

- Scoping/Purpose and Need
- Planning
- Preliminary Engineering/Environmental Clearance
- Permitting
- ROW/Utility Certification
- PS&E /Final Design
- Bid and Award
- Construction Administration/Construction Punchlist/Project Closeout

A complete definition of each phase and description of deliverables and task for vertical and linear projects can be found in Attachment A. Attachment B includes flow charts for project development process for both vertical and linear projects. The flow charts identify the customary steps and points where Council and the public will review a project. The critical path identifies if a project meets Budget, scope and schedule; and how the critical path aligns with the CIP Budget process.

# ATTACHMENT A



### **Phases in a Project Delivery System/Project Development Process – Linear**

- Scoping/Purpose and Need
- Planning
- Preliminary Engineering/Environmental Clearance
- Permitting
- ROW/Utility Certification
- PS&E /Final Design
- Bid and Award
- Construction Administration/Construction Punchlist/Project Closeout

### **Definition Phase and Typical Deliverables**

Scoping Phase: Within this phase, the scope of work for the project should become generally defined which includes defining the project limits, outlining the project's goals and objectives and includes the development of a work plan to complete the Project. The budget is generally defined and typically only includes adequate funding to develop a reasonable range of alternatives, including the development of a preferred alternative.

Movement into the planning and final design and subsequent construction is where budget refinement will occur.

Scoping Phase Deliverables:

- Scoping Notice/Purpose and Need Statement
- Budget (planning level)
- Work Plan, including schedule

Planning Phase: The planning phase consists of gathering existing conditions information and the development of an actual range of alternatives to be evaluated against the purpose and need of the project. To streamline the planning process, the environmental documentation should begin as alternatives are being formulated, so that alternatives that surface during the environmental scoping process can be included in the environmental analysis.

Planning Phase Deliverables:

- Existing Conditions Report
- Formulating and Evaluating Alternatives Memorandum, including 10% schematic/concept level design
- Work Plan Amendments

- Budget Amendment

#### Preliminary Engineering/Environmental Clearance

Preliminary engineering consists of developing the agreed upon range of alternatives to approximately 30% design. 30% design is necessary to not only ensure the feasibility/constructability of a Project but to also adequately evaluate and mitigate reasonably foreseeable environmental impacts. This requires technical studies to be complete (i.e. utility mapping, floodplain, geotechnical, hydrology/hydraulics, traffic, air quality, noise, visual/scenic) and specialist reports (biological assessments, Phase 1 ESA, cultural/historic inventory, Section 4(f), Section 6(f), wetland delineation). This is the phase where the Least Environmentally Damaging Practicable Alternative/Preferred Alternative is identified and becomes the “proposed action.” High-level construction estimates are also developed based on the preliminary engineering for each alternative.

The environmental process includes completing the environmental document, the start of the permit process for the preferred alternative, and beginning the right-of-way work. Once environmental documentation is in place, the right-of-way acquisitions can begin, utility relocation, as well as final design.

#### Preliminary Engineering/Environmental Clearance Phase Deliverables:

- 30% design and preliminary engineering and construction estimates
- Technical and specialist reports
- Environmental document/analysis
- Work Plan Amendments
- Budget Amendment

#### Permitting Phase:

Following identification and selection of the preferred alternative and associated project approval the permitting process for the preferred alternative can now proceed for all necessary local, state, and federal permits. Depending on the permit, additional design and engineering may be required which typically should not exceed 60% design. Project modifications may be required to avoid or lessen environmental impacts, reduce cost, or achieve additional project goals and objectives. Significant modifications may require supplements to environmental studies including a formal addendum to the environmental document. Construction estimates are refined based on the 60% design and typically includes a 15 – 20% contingency. Overall construction, including construction engineering/inspection, should be finalized. If estimate, with contingency, exceeds budget a Value Analysis/Value Engineering step should be considered.

#### Permitting Phase Deliverables:

- 60% plans, preliminary engineering and construction estimates
- Draft Construction Specifications/Design Report
- Draft and Final Permits
- Work Plan Amendments
- Budget Amendment

### ROW/Utility Certification Phase:

Right-of-way (ROW) and utilities present significant design issues that need to be resolved. During the previous phases ROW and aerial, surface, and subsurface utilities are identified and mapped. Following environmental clearance ROW and utility relocation negotiations can proceed with the public and/or private owner. The resolution of any issues can result in utility relocations, project re-design, or both. This typically occurs concurrently with the development of 60% level plans for inclusion.

#### ROW/Utility Certification Phase Deliverables

- 60% plans and construction estimates
- Draft Construction Specifications/Design Report
- Preliminary Title Reports
- Appraisals
- Legal Descriptions
- Updated Utility maps
- Fee Title or easement recorded

### Final Design

In order to bid on a project, a detailed set of plans needs to be developed that tell a prospective contractor what is to be built, where it is to be built, and, if relevant, how to build it. These components comprise the plans and specifications. The third component, the estimate, is made up of an itemized listing or summary of what is to be built by bid item. These can also be referred to as "Construction Drawings."

When the project engineer attaches a price to these items, this becomes an estimate of the cost to build the project. The plans consist of layouts, cross sections, elevations, and enough details to bid on and control the work to be performed. It is analogous to a set of house plans where every detail, down to where the traffic stripes need to go, how wide the stripe is, what color, etc., is shown.

It should be noted, this may require a 90% submittal to incorporate all final comments from affected external agencies and internal departments. Following inclusion and/or response to these comments 100% plans, specifications, and estimate are finalized and packaged for advertisement. Estimate is finalized with 10-15% contingency.

#### Final Design Deliverables:

- 90% plans and construction estimates (if applicable)
- Final Draft Construction Specifications/Design Report (if applicable)
- 100% plans, specifications, estimate, and Final Design Report

### Bid and Award Phase

At this stage, design is complete. The complete plans and specifications are once more reviewed to verify that the package contains full, complete, and accurate plans, specifications and estimates of cost, to enable any competent contractor or other builder to carry them out. City Engineer, Public Utilities Director, Public Works Director, or authorized Project Manager

then assembles the PS&E into a bid package by adding boilerplate specifications and bidding instructions and this package is advertised to potential contractors.

Projects are then advertised and the bid packages made available to prospective bidders for a length of time commensurate with the complexity of the work, typically three to six weeks. Contractors assemble their bid package, which include prices, subcontractors, bonds, and possibly time frame (if required) and submits sealed packages. All the bids are opened publicly at predetermined times.

After bids have been opened, the City Engineer, Public Utilities Director, Public Works Director, or authorized Project Manager reviews the bidding process and recommends approval and award to the lowest responsive/responsible bidder.

#### Bid and Award Phase Deliverables

- Bid Advertisement and Legal Notice, including Affidavit
- Contractor Bids
- Notice of Intent to Award
- City Council Action
- Executed Contract

#### Construction/Construction Engineering Phase:

While the construction phase technically begins at bid award and moves through project completion it is recommend the actual construction be broken out for budgeting purposes and to assist with effective Project Management. Project objectives, conditions and regulatory requirements established during the project planning, environmental, permitting, ROW/utility, and design phases need to be properly monitored and implemented during the construction phase.

Project owners often administer project construction with staff specializing in construction engineering/inspection. These staff members are often different individuals then those who originally participated in the project development phase of the project as to monitor and document that the project is constructed consistent with construction plans and specifications. Conversely, if the project cannot be constructed consistent with the construction plans and specifications then it is imperative this this also documented to protect the owner from any errors and omissions that may result in change orders and/or delay claims.

#### Construction/Construction Engineering Phase Deliverables:

- Contractor Bonds and Insurance
- Notice to Proceed
- Contractor Submittals
- Material Testing Reports
- Inspection logs
- Certified Payroll
- Pay Estimates/Progress Payments

### Project Closeout/Post Construction:

During Project Closeout, a project is considered “substantially complete” with only items identified during the “punch list” walk and landscaping/vegetation establishment to be complete. Following completion of these minor outstanding items, the resident engineer prepares the final construction project records. The project is not complete until the final contract estimate, project history file and as-built plans are completed, final ROW activities completed, claims are resolved and permit conditions/mitigation is completed. These items may take months or years (i.e. vegetation establishment) following the actual construction of the project.

### Project Closeout/Post Construction Deliverables:

- Project History File/Records
- As-Built Plans
- Notice of Completion/Release of Bonds
- Year 1 Monitoring Plan (if applicable)
- Year 2 Monitoring Plan (if applicable )

### **Phases in a Project Delivery System/Project Development Process – Vertical**

- Scoping/Programming (if applicable)
- Site Assessment/Selection (if applicable)
- Concept Design (if applicable)
- Schematic Design
- Project Delivery Determination
- Design Development (could include Concept and Schematic Design Phases for small projects)
- Regulatory Approvals/Permitting
- Construction Documents
- Bid/Award
- Construction/Construction Administration
- Punchlist/Project Closeout
- Relocation/Occupancy (if applicable)

### Scoping/Programming

Scoping Phase: Within this phase, the scope of work for the project should become generally defined which includes defining the project limits, outlining the project's goals and objectives and includes the development of a work plan to complete the Project. The budget is generally defined and typically only includes adequate funding to develop a reasonable range of alternatives, including the development of a preferred alternative.

Movement into schematic design and subsequent construction is where budget refinement will occur.

### Scoping Phase Deliverables:

- Scoping Notice/Purpose and Need Statement

- Budget (planning level)
- Work Plan, including schedule

#### Site Assessment/Selection (if applicable)

Site Assessment/Selection or feasibility studies are preliminary studies undertaken in the very early stage of a project. They tend to be carried out when a project is large or complex, or where there is some doubt or controversy regarding the proposed development. The Site Assessment may include physical surveys, easements, zoning, access, ownership, procurement, geotechnical studies and other environmental assessments. Different solutions may be considered and analysis performed to determine moving into Concept or Schematic Design for the proposed development. Site Assessment may be combined with Scoping and or Concept Design.

#### Concept Design

Concept design phase represents the design team's initial response to the scoping and site assessment phases. Concept design also outlines the data gathered in the scoping and site assessment phase. Often Concept Design is combined with the Scoping and Site Assessment or with the Schematic Design Phases. Concept Design begins to put the project into a context of bulk, scale, mass and general appearance onto the site. It begins to develop the ideas into a guiding approach to the project.

#### Schematic Design

During the schematic design phase an architect consults with the owner to determine project goals and requirements. Often this determines the program for the project. The program, or architectural program, is the term used to define the required functions of the project. It should include estimated square footage of each usage type and any other elements that achieve the project goals. During schematic design, an architect commonly develops study drawings, documents, or other media that illustrate the concepts of the design and include spatial relationships, scale, and form for the owner to review. Schematic design also is the research phase of the project, when zoning requirements or jurisdictional restrictions are discovered and addressed. This phase produces a final schematic design, to which the owner agrees after consultation and discussions with the architect. Costs are estimated based on overall project volume. The design then moves forward to the design development phase. Deliverables: Schematic design often produces a site plan, floor plan(s), sections, an elevation, and other illustrative materials; computer images, renderings, or models. Typically the drawings include overall dimensions, and a construction cost is estimated. Note: The contract may actually spell out what is to be delivered.

#### Project Delivery Determination

At a point prior to Design Development it should be determined whether to procure the Contractor in the traditional manner of Design-Bid-Build or through the Construction Manager/General Contractor (CMGC) method (allowed by State Code). The CMGC or Construction Manager at Risk (CMAR) is hired on during the design to collaborate with the architects, engineers, and the owner to more accurately determine the budget before the construction manager bids the project to keep within budget. The construction manager may also bid on portions of the work as a subcontractor. There are pro's and con's to each. The CMGC process can be faster as the contractor has already been selected. Often better quality

as the CM is hired through a qualifications based selection. The traditional Design-Bid-Build can often lead to more competitive prices. The more competitive price may lead to shortfalls in quality of subcontractors and the desire to make up the low bid profits with change orders.

### Design Development

Design development (DD) services use the initial design documents from the schematic phase and take them one step further. This phase lays out mechanical, electrical, plumbing, structural, and architectural details. Typically referred to as DD, this phase results in drawings that often specify design elements such as material types and location of windows and doors. The level of detail provided in the DD phase is determined by the owner's request and the project requirements. The DD phase often ends with a formal presentation and approval by the owner. Deliverables: Design development often produces floor plans, sections, and elevations with full dimensions. These drawings typically include door and window details and outline material specifications.

### Regulatory Approvals/Permitting

Regulatory approvals and permitting vary greatly on the type of project. There are many Planning regulations and permitting including Subdivision, Zoning, Master Plan Development, Conditional Use Permits and Historic District Design Review. City Building, Engineering and Environmental Departments also require permits. There are also State and Federal permits depending on the project. Approvals and permitting also vary on the level of detail of drawings. Some approvals are necessary during the Design Development phase while others may require Construction Document level drawings for approval.

### Construction Documents

The next phase is construction documents (CDs). Once the owner and architect are satisfied with the documents produced during DD, the architect moves forward and produces drawings with greater detail. These drawings typically include specifications for construction details and materials. Once CDs are satisfactorily produced, the architect sends them to contractors for pricing or bidding, if part of the contract. The level of detail in CDs may vary depending on the owner's preference. If the CD set is not 100- percent complete, this is noted on the CD set when it is sent out for bid. This phase results in the contractors' final estimate of project costs. "Qualifications-Based vs. Low-Bid Contractor Selection." Deliverables: The construction document phase produces a set of drawings that include all pertinent information required for the contractor to price and build the project. Building Permit review usually requires 100% complete drawings. The permit set will usually require some editing before permit issuance.

### Bid/Award

The first step of this phase is preparation of the bid documents to go out to potential contractors for pricing. The bid document set often includes an advertisement for bids, instructions to bidders, the bid form, bid documents, the owner-contractor agreement, labor and material payment bond, and any other sections necessary for successful price bids. For some projects that have unique aspects or complex requirements, the architect and owner elect to have a pre-bid meeting for potential contractors. Projects may also be delivered with a CM/GC process (see Project Delivery above). After bid sets are distributed, both the owner and architect wait for bids to come in. The owner, with the help of the architect, evaluate the bids and select a winning bid. Any negotiation with the bidder of price or project scope, if necessary, should be done

before the contract for construction is signed. The final step is to award the contract to the selected bidder with a formal letter of intent to allow construction to begin. Deliverables: The final deliverable is a construction contract. Once this document is signed, project construction can begin.

#### Construction/Construction Administration

Contract administration (CA) services are rendered at the owner's discretion and are outlined in the owner-architect construction agreement. Different owner-architect and contractor agreements require different levels of services on the architect's part. CA services begin with the initial contract for construction and terminate when the final certificate of payment is issued. The architect's core responsibility during this phase is to help the contractor to build the project as specified in the CDs as approved by the owner. Questions may arise on site that require the architect to develop architectural sketches: drawings issued after construction documents have been released that offer additional clarification to finish the project properly. Different situations may require the architect to issue a Change in Services to complete the project. Deliverables: A successfully built and contracted project.

#### Project Closeout

During Project Closeout, a project is considered "substantially complete" with only items identified during the "punch list" walkthrough with the Architect and Owner's representatives. Following completion of these minor outstanding items, the contractor prepares and submits the final construction project records to the architect. The project is not complete until the final contract payment, project history file and as-built plans are completed, final punchlist activities completed, claims are resolved and any permit conditions are completed. These items may take months or years (i.e vegetation establishment) following the actual construction of the project.

#### Project Closeout/Post Construction Deliverables:

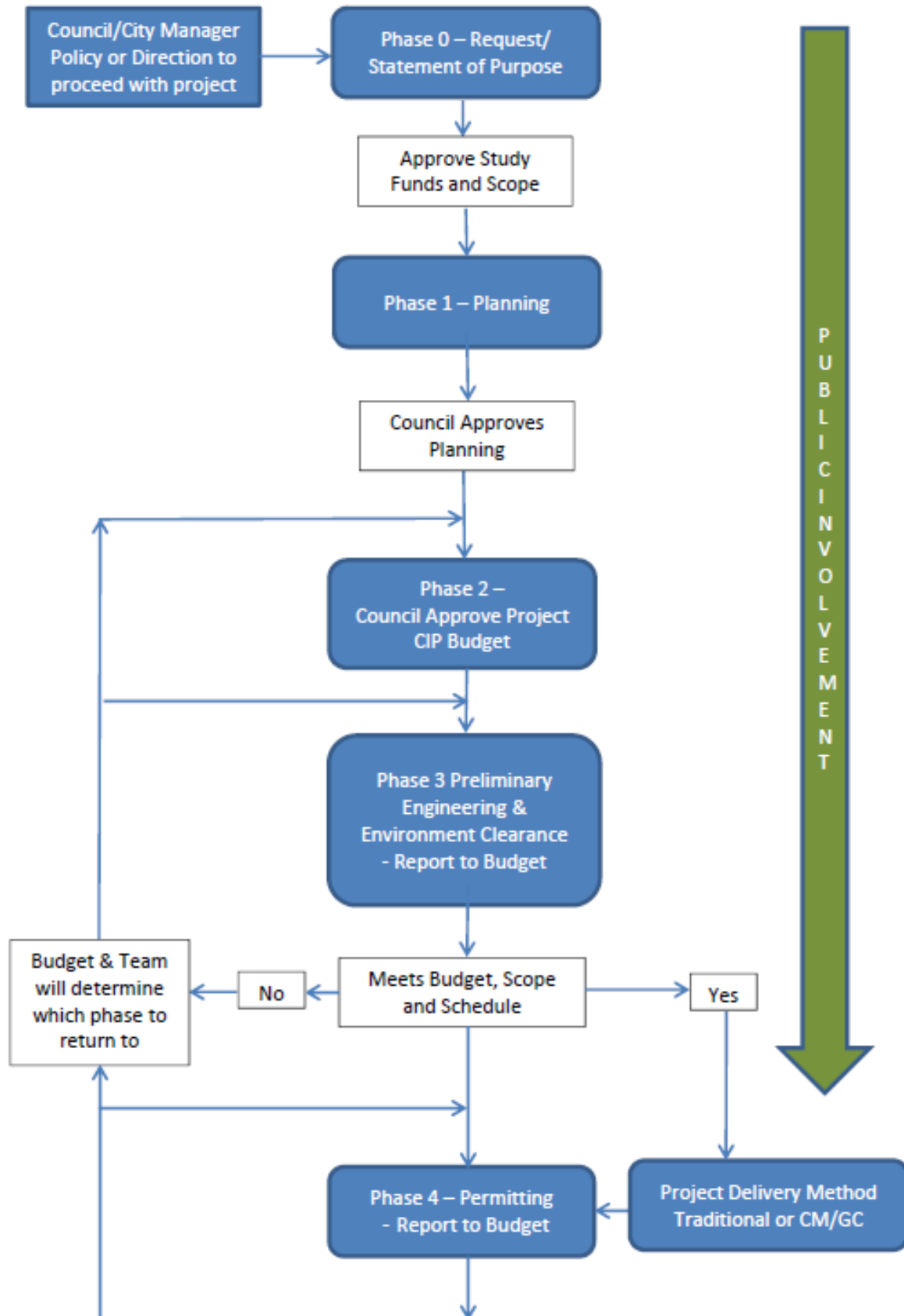
- Project History File/Records
- Warranty Information
- As-Built Plans
- Notice of Completion

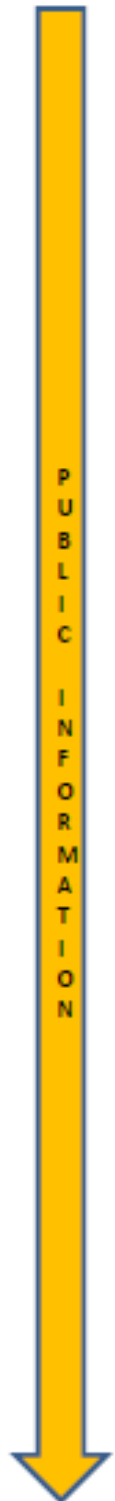
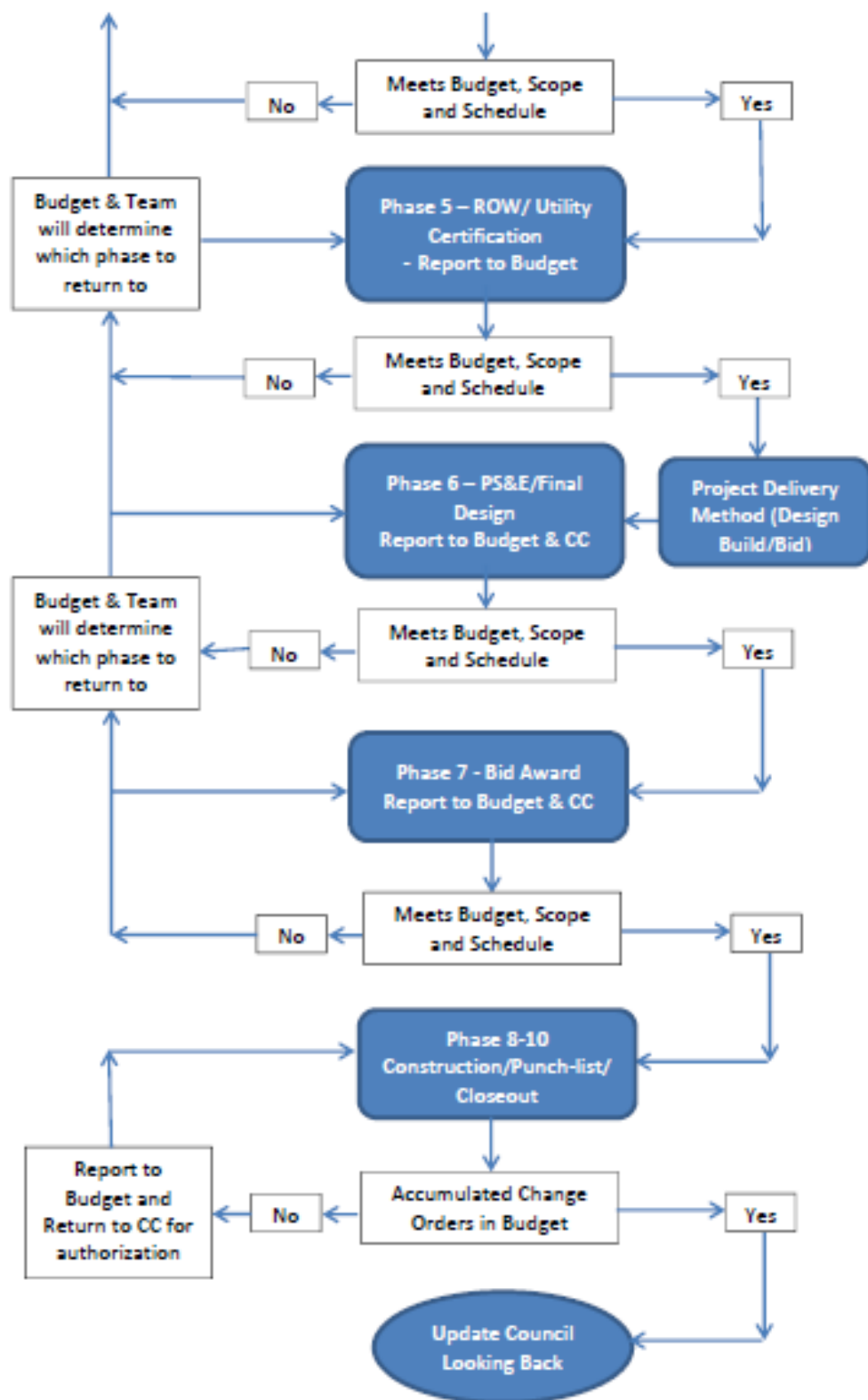
#### Relocation/Occupancy

Occupancy is generally included as the owner's occupancy at the time of Substantial Completion or other time as specified in the construction agreement. Relocation will usually be the owner's responsibility unless otherwise included in the construction agreement. Relocation usually takes place prior to construction and subsequently upon Substantial Completion or Final Completion of the construction. Relocation and Occupancy may require the owner to procure Fixtures, Furniture and Equipment (FF&E's) to the project. This may require coordination with the contractor and may be in addition to their construction contract depending on the items.

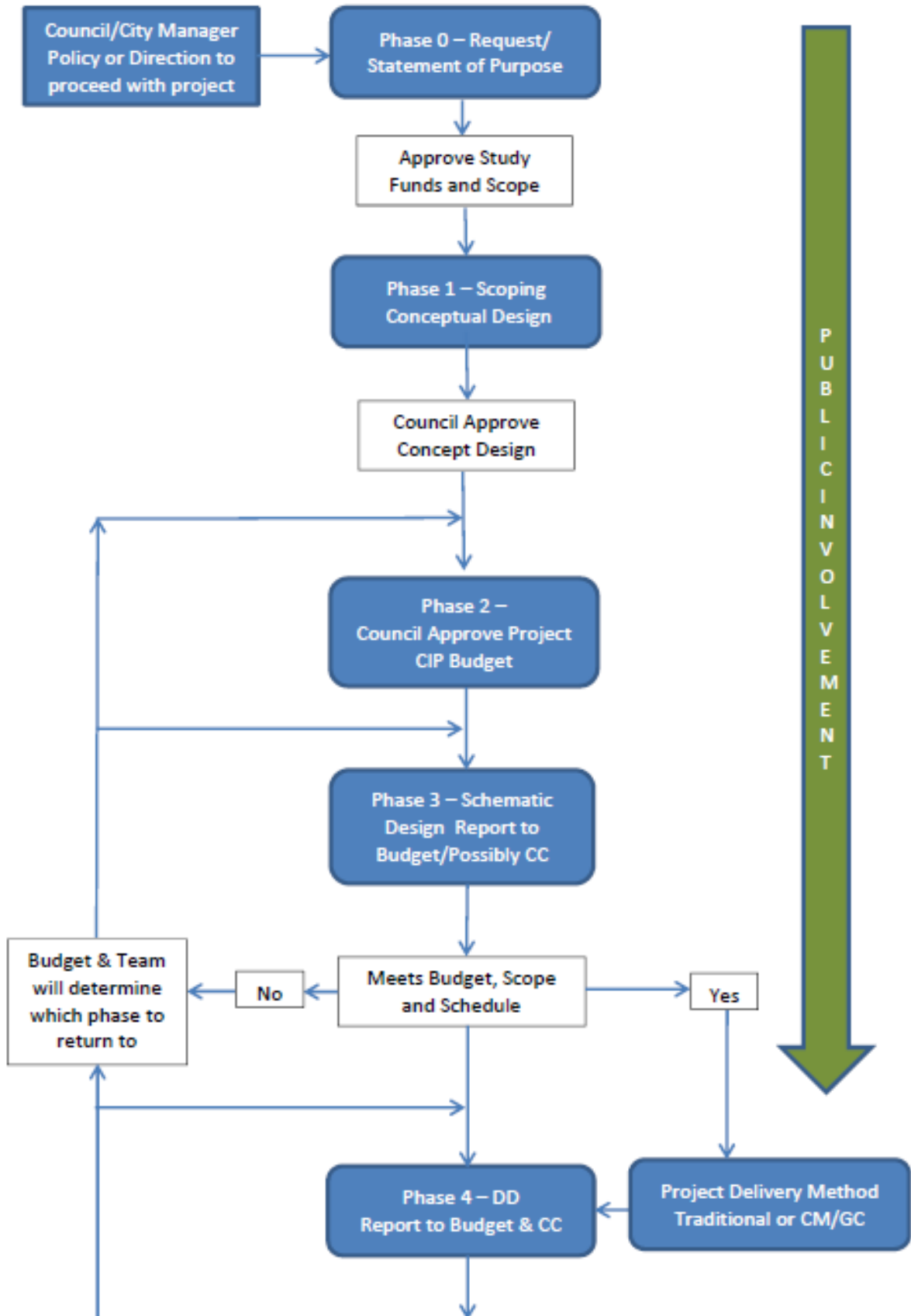
# ATTACHMENT B

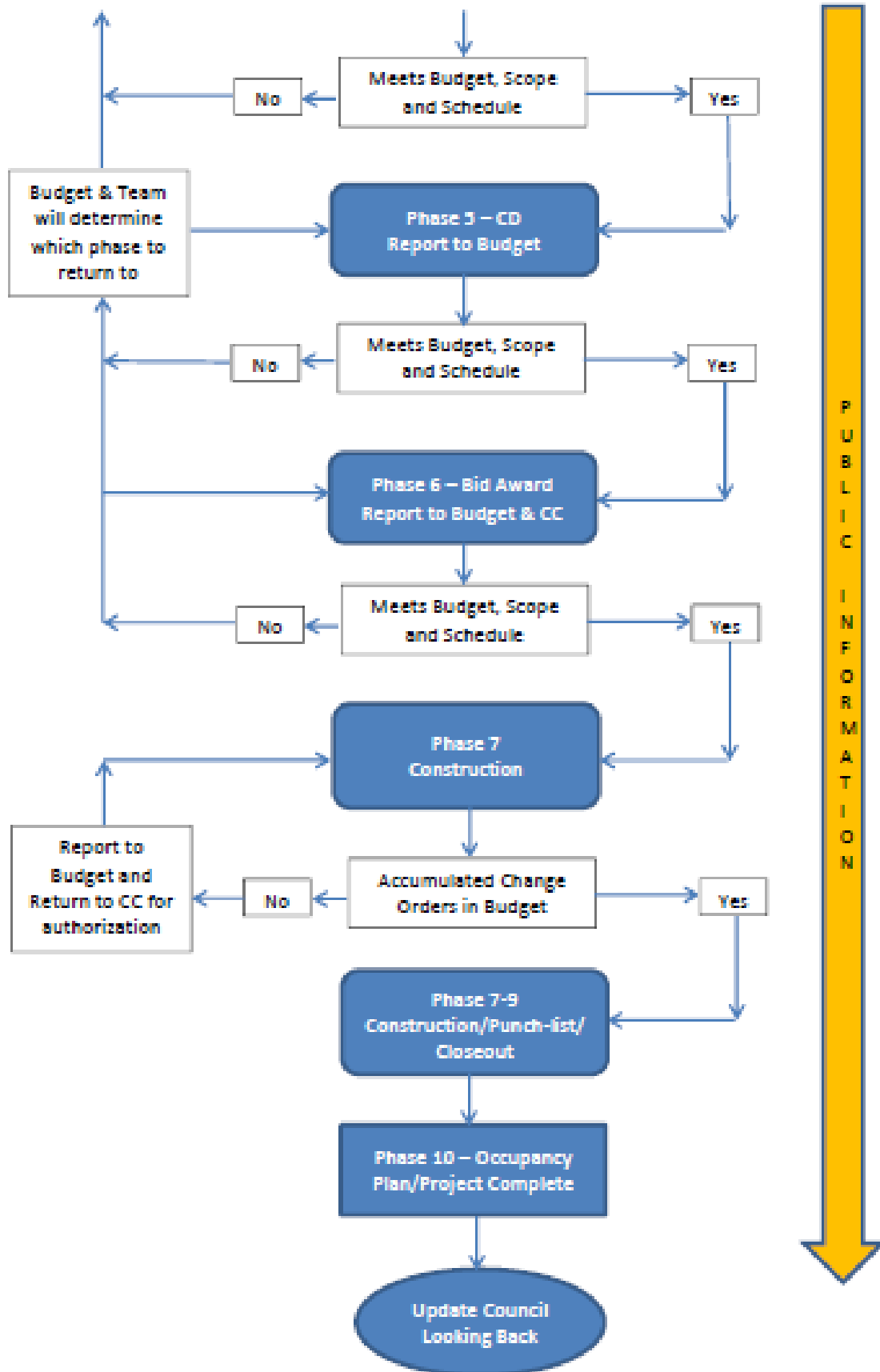
## Project Development Process – Linear Project





## Project Development Process – Vertical Project







**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

There are currently three (3) Recreation Advisory seats available for appointment. Current board members Eric Hoffman, Jane Campbell, and Ed Parigian terms have expired. All are eligible to reapply.

**Respectfully:**

Ken Fisher, Recreation Manager

## Recreation Advisory Board - Interview Schedule August 3, 2017

There are currently three (3) Recreation Advisory seats available for appointment. Current board members Eric Hoffman, Jane Campbell, and Ed Parigian terms have expired. All are eligible to reapply.

The current board is made up of the following members:

<b>Name</b>	<b>Term</b>
Cabot Woolley	July 2019
Meisha Lawson	July 2019
Sebe Ziesler	July 2018
Alisha Niswander	July 2018
Jane Campbell	July 2017
Ed Parigian	July 2017
Eric Hoffman	July 2017

Notification of openings were posted onsite at the Park City Athletic & Recreation Center and on the recreation web page and the City webpage, applications were due May 31<sup>st</sup>. The Recreation Department Staff received a total of five (5) applications. Four (4) of the applicants meet the residency requirements set forth in the Ordinance No. 03-06. David Lord was contacted that he did not meet the residency requirements.



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Staff recommends that City Council review and approve the appointment of the following members and terms to the Special Events Advisory Committee (SEAC):  
Cheryl Fox & Jennifer Malherbe with terms expiring June of 2020; and  
Peter O'Doherty-to fulfill a vacant term expiring in June of 2019

**Respectfully:**

Jennifer Diersen,

## City Council Staff Communications Report

**Subject:** Special Events Advisory Committee (SEAC) Appointments  
**Author:** Jenny Diersen, Special Events Coordinator,  
Staff Liaison to the Special Events Advisory Committee  
**Department:** Economic Development - Special Events  
**Date:** Thursday, August 3, 2017  
**Type of Item:** Administrative

### Summary Recommendation

Staff recommends that City Council review and approve the appointment of the following members and terms to the Special Events Advisory Committee (SEAC):

- Cheryl Fox & Jennifer Malherbe –with terms expiring June of 2020; and
- Peter O'Doherty—to fulfill a vacant term expiring in June of 2019

### Acronyms

SEAC – Special Events Advisory Committee

### Executive Summary

City Council conducted SEAC interviews on June 29 and July 13, 2017. City Council should consider the 3 candidates be appointed to SEAC which are listed below:

- Cheryl Fox & Jennifer Malherbe –with terms expiring June of 2020; and
- Peter O'Doherty—to fulfill a vacant term expiring in June of 2019

### The Problem/ Challenge

Staff noticed two (2) anticipated SEAC Vacancies in April of 2017. In late May of 2017, staff received notice that an additional SEAC member, Sarah Auers, would resign due to a change in residency. In June, staff reopened the application process due to the newly available position. There are three terms available for SEAC.

### Background

Both the success and challenges of a multi-season resort destination have created a need to more carefully consider impacts on the community stemming from special events. Starting in the summer of 2014, City staff began receiving community feedback regarding 'event fatigue'. From October of 2014 to March of 2016, additional steps were taken to increase mitigation efforts for the City's event calendar.

In June of 2015 the City Council adopted [Resolution 05-15](#) SEAC. On November 17, 2016, the City Council amended the SEAC resolution and adopted the amended resolution ([22-2016](#)), removing the business stakeholders from the committee and added three additional Community At-Large positions for SEAC.

SEAC is comprised of seven (7) community members who reside in the City Limits of Park City appointed by the City Council. Appointed members serve three year terms, unless they are fulfilling a vacant term.

SEAC's role is to advise and provide recommendations to City Council from a community perspective regarding event debrief, event prioritization and threshold and city service fee reduction policy in Park City. SEAC's role is purely advisory.

The City Council still retains full authority over event approvals, including smaller events which they have delegated their approval authority to Staff.

- Staff evaluates each Special Event Application based on section [4-8](#) of the municipal code.
  - Staff has the authority to approve/deny Level 1, Level 2 or Level 3 Special Events which have not substantially changed, year over year.
  - Staff makes recommendations to City Council regarding the approval/denial of any new Level 3 Special Event or any Level 3 Special Event with substantial changes.
- City Council has the authority to approve new Level Three Special Events, or Level Three Special Events that have substantial changes.
- City Council retains the final authority for any appeals regarding Special Event denials.

SEAC's recommendations may impact the:

- The overall event threshold in Park City;
- Individual events across the event calendar;
- The City's role in facilitating and/or reducing events;
- Fee reduction with regards to policy changes;
- Our local businesses, non-profits, community partners and community members;
- Community, arts and culture groups, and local businesses;
- Multi -Jurisdictional event coordination;
- Goals in the General Plan of promoting a [sense of community](#)

## Analysis

- Staff has noticed the SEAC vacancies on the City's website beginning April 21, 2017. Applications were due on May 15, 2017. Staff received 4 applications at this time.
- At the end of May, staff received notice that a member of SEAC, Sarah Aures, was moving into the County, and therefore had a vacant term.
- Staff reopened SEAC Vacancies on Friday, June 9<sup>th</sup> and applications were due on Monday, June 19.
- During the advertising periods, staff received a total of seven SEAC applicants.
  - One of the applicants, Cheryl Fox is applying for a second term.
  - One of the applicants, Peter O'Doherty, applied in November, but was not appointed to the committee. Peter is eligible and is reapplying for a position on the committee.
  - The other 5 applicants had not applied to SEAC before and are eligible to serve on the committee.

Staff recommends the appointment of three members listed below to serve on SEAC:

- Cheryl Fox & Jennifer Malherbe –with terms expiring June of 2020; and
- Peter O'Doherty—to fulfill a vacant term expiring in June of 2019

## Department Review

The Special Events, Economic Development, Executive and Legal Departments have reviewed this report.

## Funding Source

No funding is needed for appointment, as members are not compensated.

## Alternatives for City Council to Consider

### 1. Recommended Alternative:

Staff recommends that City Council review and approve the appointment of the following members and terms to SEAC:

- Cheryl Fox & Jennifer Malherbe –with terms expiring June of 2020; and
- Peter O'Doherty—to fulfill a vacant term expiring in June of 2019

#### Pros

- SEAC's work impacts the City's Council's goals of creating a Complete Community that values historic preservation, economic diversity and the arts and culture, as well as, creating a Thriving Mountain Community.
- Consistent with City's goal of increasing citizen involvement.

### **2. Modify Alternative:**

Reopen the recruitment process.

#### Pros

- Council would receive additional applications for the committee to be considered.

#### Cons

- SEAC positions would remain unfilled and future meetings may be postponed until the positions are filled.

### **3. Other Alternatives:**

City Council could choose to provide no direction regarding the appointment of SEAC.

#### Cons

- SEAC positions would remain unfilled and future meetings may not be able to occur until the positions are filled.
- Staff would lack direction on how to precede with the SEAC vacancies.
- Prolonging the selection of SEAC members may be perceived by the community as being non-responsive to their concerns.
- Current members of SEAC may be paused in their work of evaluating Special Events with regard to Fee Reduction, Event Prioritization/Threshold, Debrief and Fee Reduction.

### **Attachments**

A SEAC Vacancy Advertisement



## SPECIAL EVENTS ADVISORY COMMITTEE (SEAC)

Post Date: 6/09/2017



*Autumn Aloft Hot Air Balloon Festival, 2016*

The Mayor and City Council are accepting applications for three (3) positions on the [Special Events Advisory Committee](#). Two positions are eligible for reappointment, and one position is to fulfill a vacant term.

SEAC provides recommendations to the City Council from a community perspective regarding events that will create a diverse and well balanced offering to the local community. SEAC makes recommendations regarding events with regards to citywide carrying capacity threshold and prioritization, city service fee reduction policy, as well as overall event review and performance evaluation.

Members serve as representatives of the citizens of Park City and may serve no more than two consecutive terms. Those interested in serving on this committee must reside within the city limits of Park City. Two members will serve for a three-year term ending in June of 2020, and one member will complete the vacant term ending June of 2019.

Meetings are held the third Wednesday of each month, from 12 noon to 2 p.m. at the Park City Library Community Room. Committee members should expect to participate in 5 to 10 hours of work outside of meetings, and are not compensated.

The application form can be found on the city's website. For questions, please email Jenny Diersen [jenny.diersen@parkcity.org](mailto:jenny.diersen@parkcity.org) or call 435.615.5188. Applications must be received by **Monday, June 19, 2017**. Applications may be submitted by email to Jenny Diersen, [jenny.diersen@parkcity.org](mailto:jenny.diersen@parkcity.org) or in hard copy, to Jenny Diersen, Sustainability Department: Special Events Office, 3<sup>rd</sup> Floor, 445 Marsac Ave. P.O. Box Park City, UT. 84060.

**Interviews with City Council are scheduled on Thursday, June 29.** An interview schedule will be sent out after the application deadline. Selected candidates will begin their terms immediately at the July 19<sup>th</sup> SEAC meeting.



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

There are four (4) Historic Preservation Board (HPB) positions available for appointment as of May, 2017. Three (3) of the positions are for full terms and one (1) is for an unexpired term that will end in May of 2018. Board Member David White resigned in May, 2017. Existing Historic Preservation Board members Puggy Holmgren and Lola Beatlebrox have requested to be reappointed. Board members are not required to be residents of Park City.

Based on City Council's direction, staff recommends that the City Council appoint John Hutchings to the Historic Preservation Board term expiring May 2020, appoint Ann Alexander Weiner for the unexpired term of David White that will end in May of 2018, and reappoint Puggy Holmgren for a third term and Lola Beatlebrox for a second term to the Historic Preservation Board which will expire May 2020.

**Respectfully:**

Louis Rodriguez, Planning Analyst II

## City Council Staff Report

**Subject:** Historic Preservation Board (HPB) Appointments  
**Author:** Louis Rodriguez  
**Date:** August 3, 2017  
**Type of Item:** Administrative



### **Summary Recommendations**

Based on City Council's direction, staff recommends that the City Council appoint John Hutchings to the Historic Preservation Board term expiring May 2020, appoint Ann Alexander Weiner for the unexpired term of David White that will end in May of 2018, and reappoint Puggy Holmgren for a third term and Lola Beatlebrox for a second term to the Historic Preservation Board which will expire May 2020.

### **Executive Summary**

There are four (4) Historic Preservation Board (HPB) positions available for appointment as of May, 2017. Three (3) of the positions are for full terms and one (1) is for an unexpired term that will end in May of 2018. Board Member David White resigned in May, 2017. Existing Historic Preservation Board members Puggy Holmgren and Lola Beatlebrox have requested to be reappointed. Board members are not required to be residents of Park City. City Council interviewed for the vacancies on July 20, 2017.

### **Background**

#### **15-11-1 Establishment Of Board**

Pursuant to the Historic District Act, Section 11-18-1, et seq. of the Utah Code, 1953, and other applicable power, there is hereby created a Park City Historic Preservation Board (HPB). The HPB shall be composed of seven (7) members.

#### **15-11-2 Terms and Qualifications Of Members**

Members of the HPB shall serve terms of three (3) years. The terms shall be staggered. Terms may expire on May 1, however, members of the HPB shall continue to serve until their successors are appointed and qualified.

- A. The Mayor shall appoint a new HPB member to fill vacancies that might arise and such appointments shall be to the end of the vacating member's term.
- B. It is the first priority of the City Council that the HPB have technical representation in Historic preservation, therefore, when vacancies occur and if appropriate, it shall be the first consideration of the City Council to ensure that there is a licensed architect, or other professional having substantial experience in rehabilitation-type construction, serving on the HPB, and secondly that there is representation from the Park City Historical Society. After being notified by the City of a vacancy, at least two (2) nominations shall be rendered to the City Council by the Park City Historical Society if it desires to participate in the Application process.

C. In addition, the HPB should include members with the following qualifications, or representing the following interests:

1. A member recommended by or associated with the Utah State Historical Society or Utah Heritage Foundation.
2. A member living in the Historic District with demonstrated interest and knowledge of Historic preservation.
3. A member appointed at large from Park City with demonstrated interest and knowledge of Historic preservation.
4. A member associated with Main Street Business and commercial interests.

### **Analysis**

Staff noticed the four Historic Preservation Board vacancies on the City's website, through the Park Record, as well as posting vacancies at City Hall from April 8, to April 28, 2017. Staff received nine applications, two from members who were eligible for reappointment, and 7 from new applicants who had not applied to the Historic Preservation Board before.

### **Department Review**

Executive Department, Legal Department, and Planning Department

### **Alternatives**

- **A. Approve the Request:**  
Make the appointments to ensure a fully staffed and legally constituted Historic Preservation Board.
- **B. Deny the Request:**  
Make alternative appointments or reopen the recruitment process.
- **C. Continue the Item:**  
Continue the appointments to a future date.

### **Recommendation**

Based on City Council's direction, staff recommends that the City Council appoint John Hutchings to the Historic Preservation Board term expiring May 2020, appoint Ann Alexander Weiner for the unexpired term of David White that will end in May of 2018, and reappoint Puggy Holmgren for a third term and Lola Beatlebrox for a second term to the Historic Preservation Board which will expire May 2020.



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

In March of 2014, the City entered into three-year City Services Agreement with Park Silly Sunday Market. On November 10<sup>th</sup>, City Council approved a one year extension to the PSSM City Service Contract. As part of the City Service Contract, PSSM must present a complete a mid-season review to City Council annually, which articulates the details of the operation of the Market. Staff finds the Park Silly Sunday Market has been meeting all of the requirements of the contract and continues to mitigate challenges as they arise.

**Respectfully:**

Jennifer Diersen,



## City Council Staff Communications Report

**Subject:** Park Silly Sunday Market Mid-Season Review  
**Author:** Jenny Diersen, Special Events Coordinator  
**Department:** Special Events  
**Date:** Thursday, August 3, 2017  
**Type of Item:** Informational

### Summary Recommendation

Staff recommends that the Park City Council review the mid-season update for the 2017 Park Silly Sunday Market based on findings that they are operating consistently with the City Services Agreement and the Level Three Special Event Permit, as entered into on November 10, 2016 and Supplemental Plan as approved for the current contract season on Thursday, April 27, 2017.

Staff is presenting this report as a staff communication.

- Staff is coordinating with the transportation and parking teams to propose potential paid parking/transportation trial program during this year's PSSM likely in September. Staff will return at a future meeting to discuss possibilities for paid parking, transportation and residential mitigation for the current market season.
- If City Council has questions regarding the information in this report, staff can return to the August 17<sup>th</sup> City Council meeting for further discussion regarding the mid-season review.

### Executive Summary

In March of 2014, the City entered into three-year City Services Agreement with Park Silly Sunday Market. On November 10<sup>th</sup>, City Council approved a one year extension to the PSSM City Service Contract. As part of the City Service Contract, PSSM must present a complete a mid-season review to City Council annually, which articulates the details of the operation of the Market. Staff finds the Park Silly Sunday Market has been meeting all of the requirements of the contract and continues to mitigate challenges as they arise.

### Acronyms

HPCA – Historic Park City Alliance  
PCMC/City – Park City Municipal Corporation  
PSSM/Market – Park Silly Sunday Market  
SEAC – Special Events Advisory Committee

### The Problem

The PSSM has become an important part of Park City's cultural identity and event calendar. Its success includes cultivating new, local businesses, and creation of community gathering space.

The success of the event has also created impacts that need to be mitigated for specifically in the Old Town neighborhood and Main Street areas. Staff believes PSSM is in compliance based on the current City Services Contract.

The Special Events Department continues to work to both facilitate events and mitigate their impacts including efficiently managing events taking place in the Park City Community. Discussions have centered on balancing positive economic and cultural outcomes and community impacts, specifically including:

- Traffic and Transportation;
- Public Safety;
- Businesses; and
- Residents in Old Town.

## **Background**

### City Council Reports

September 22, 2016

November 3, 2016

November 10, 2016

April 27, 2017

June 15, 2017

[Special Event Work Session Update](#) / [Minutes](#) - pages 7 - 11

PSSM 2016 [End of Season Review](#) / [Minutes](#) – pages 14-15

PSSM [Contract Extension](#) / [Minutes](#) pages 7 -8

PSSM [Supplemental Plan](#) / [Minutes](#) pages 10 – 11

PSSM [Addendum for Transportation](#) / [Minutes](#) pages 5 - 6

## **Analysis Summary**

The 2017 PSSM season is the last year of the current City Services Agreement. Staff believes the PSSM has been meeting all of the requirements and continues to work in coordination with the City and HPCA as challenges arise.

The 2017 Mid Season Measures of Success chart is included as Exhibit A, and the 2017 Mid-Season Review Summary is included as Exhibit B regarding the following topics:

- Event Days and Attendance – Average attendance per Sunday is 12,507
- Transportation – Pedi Cabs, Shuttle Service, Buses and Bikes
- Parking & Residential Mitigation – Parking Counts & Increased Signage
- Working Group – Two Working Group Sessions have been completed, HPCA Vendor No Show and Vendor Mix
- SEAC Mid-Season Debrief & Engagement – Positive review of sustainability and transportation mitigations, diverse community feedback.
- Sustainability Efforts – 16,057 pounds diverted from landfill and encouraging people to bring their own bags to reduce plastic bags at Market.
- Construction, Department & Event Coordination – PSSM continues to coordinate construction and event impacts, as well as coordinates with Departments as needed.
- Financial Considerations – Currently below estimated City Service Fees.

## **Department Review**

The Special Events, Economic Development, Executive, Budget and Legal Departments have reviewed this report and comments have been incorporated. Police, Transportation, Parking

Services, Parks, Streets, Transit have not reviewed this report, but are working with PSSM to ensure that all mitigation and measures of success are met.

### **Funding Source**

Funding for the Park Silly Market comes from the Transportation and Parking Fund from income generated through the paid parking meter program and from within existing budgets.

### **Alternatives for City Council to Consider**

#### **1. Recommended Alternative:**

This is an informational update for City Council regarding the Park Silly Sunday Market. Staff is coordinating with the transportation to propose potential paid parking pilot program during this year's PSSM likely in September. Staff will return at a future meeting to discuss possibilities for paid parking, increased transportation and residential mitigation. Staff will be returning in October for an end of season review of the 2017 Market Season.

#### **2. Alternative:**

City Council could review and ask staff to come back to the August 17th regularly scheduled meeting to discuss any updates regarding the 2017 PSSM mid-season review.

### **Attachments**

Exhibit A – PSSM Mid-Season Measures of Success for PSSM

Exhibit B – 2017 Mid-Season Review Summary for PSSM

## Exhibit A – 2017 PSSM Mid-Season Measures of Success

Park Silly Sunday Market – 2017 Season Preview Measures of Success		<b>Legend</b> S – Succeeding in meeting Contract Requirements I - In progress / Meeting Requirements U – Unsatisfactory - Not meeting Requirements
<b>Vendor Mix</b>		
Importers ( allowed per week maximum) i. 2017 - 6	Notes: Requirements are currently being met. All markets have had under 6 importers. Most markets have had 4 importers, except one market where there was 5.	I
Jewelers (allowed per week maximum) i. 2017 - 12	Notes: Requirements are currently being met. On the June 25 <sup>th</sup> market, there were 13 Jewelry Vendors, which was over the allotment, as there was a last minute vendor cancellation and a jeweler was able to fill the cancelled space.	I
On-site Food Vendors & Snack food Vendors (per week maximum ) i. 2017 - 12	Notes: Requirements are currently being met. At all markets Food Vendors have been at 12 food vendors, except one market when there were only 11 food vendors.	I
PSSM will invite tow (2) HPCA representatives in the jurying of jewelry vendors.	Notes: Requirement was met by PSSM. HPCA sent two representatives.	S
PSSM will coordinate three (3) market walk through with the HPCA and PCMC to identify possible conflicts and/or issues with vendor mix.	Notes: Dates have been set. HPCA and City have identified representatives.	I
PSSM will provide to the City a list of vendor classification definitions along with preference criteria for vendor mix.	Notes: Requirements have been provided and met. <ul style="list-style-type: none"> <li>June 11 – No Show from HPCA. Council was unable to attend</li> <li>July 23 – Transit Experience – All were in attendance.</li> <li>August 20 – Market walk through</li> <li>September 12 – Feed the Pigs in Kamas</li> <li>September 20 – PSSM End of Season Review/ Debrief</li> </ul>	S
<b>Parking / Traffic / Pedestrian Management</b>		
Create event parking plan <ul style="list-style-type: none"> <li>i. Identify vendor vehicle with license plate identification.</li> <li>ii. Identify public parking locations both in Old Town/Main Street along with alternative parking areas.</li> <li>iii. Identify locations where parking will be removed to provide space for event and mitigate impacts of event</li> <li>iv. Increase communication between departments and PSSM to encourage parking of vendors in vendor locations.</li> </ul>	Notes: PSSM continues to work with Staff & private parking garages to park vendors in appropriate areas. <ul style="list-style-type: none"> <li>A resident parking area has been established and is being enforced along the west side of Park Ave. from 9<sup>th</sup> to 13<sup>th</sup> Street. This area is not being used by residents to park, but residents are appreciative of the spaces being un-utilized, as it helps them get out of their drive ways.</li> <li>Parking Enforcement continues to communicate with the residents to resolve parking concerns during the Park Silly Sunday Market if they arise, through little comment has been received.</li> <li>Beginning at the June 25th Market, Parking Enforcement has placed residential parking only signs up during each PSSM.</li> </ul> Concerns that staff is working on include: <ul style="list-style-type: none"> <li>Taxi &amp; Shuttle Circulation and Drop Offs in the Old Town area.</li> <li>Abuse of 30 minute spaces on Swede Alley</li> <li>Heavier citations in the 2 hour spaces.</li> <li>Heavy pedestrian traffic at the Main and Heber intersection, causing delayed transit and traffic congestion. Pedestrians simply just keep walking.</li> <li>Park City High School Lot has only been about 20% full.</li> </ul>	I

## Exhibit A – 2017 PSSM Mid-Season Measures of Success

Work with Special Events and Transit to get out alternate transportation messaging out with: i. Co- messaging with PC Transit Dept. ii. PSSM will create and implement different methods of informing the public (PSA's, print ads) iii. Create and implement a program encouraging non-motorized forms of transportation to the market.	Notes: Meeting requirements; PSSMs print, online and radio advertising includes directions for participants to take alternate transportation to the event. Including City transit, biking or walking to attend. <ul style="list-style-type: none"> <li>PSSM did run an additional shuttle on July 2<sup>nd</sup> with 358 riders. This was a direct line between the high school and town lift plaza. PSSM will run this service on September 3<sup>rd</sup> as well.</li> <li>Salt Lake Pedi Cab has not been able to attend the market.</li> </ul>	I
Submit sign Plan to Staff at the time of Supplemental Plan containing the following: i. Locations ii. Size & Type iii. Message iv. Placement and removal times	Notes: Requirements have been met – this was provided in the 2017 Supplemental Plan.	I
Work with City to create a pedestrian management plan that addresses the crossings of Heber/Main and Swede Alley	Notes: Requirements are currently being met – currently intersection does not require additional management, however staff is exploring possible pedestrian and traffic management at this intersection for future markets and will return to Council at a future date to explore testing this at a market during the 2017 season.	I
<b>Market Set-Up and Inspections</b>		
a. Weekly notification to staff of footprint or operational changes	Notes: Staff is working with PSSM to ensure that requirements are met. No changes have been made since the addendum to the Supplemental Plan on June 15 adding additional transportation options.	I
b. Location of interior sponsor signs	Notes: Requirements are currently being met	I
<b>Street Cleaning and Trash Removal</b>		
a. Pre-Meet with City's Street Department to create a street cleaning and trash removal plan	Notes: Requirements were met.	S
b. Meet with Street Department two (2) additional times throughout summer to address any issues with plan.	Notes: No meeting required. Staff has been coordinating VMS schedule with Transportation Planning and Streets Department. <ul style="list-style-type: none"> <li>The main challenge has been ensuring VMS boards are running, as every Sunday, staff has to contact UDOT to ensure signs are up.</li> </ul>	S
<b>Coordination with PCMC and HPCA</b>		
a. PSSM will schedule monthly "Working Group" meetings from June through September.	Notes: PSSM has recommended dates for the 2017 Working Group meetings and has requested representatives from both HPCA, City Staff and City Council.	S
b. PSSM will schedule three (3) market walkthroughs with the "Working Group" within the season.	Notes: PSSM has set dates for the 2017 Working Group. <ul style="list-style-type: none"> <li>June 11 – No Show from HPCA. Council was unable to attend</li> <li>July 23 – Transit Experience – All were in attendance.</li> <li>August 20 – Market walk through</li> <li>September 12 – Feed the Pigs in Kamas</li> <li>September 20 – PSSM End of Season Review/ Debrief</li> </ul>	I
c. PSSM will schedule a weekly market walk through with City representatives	Notes: PSSM and the City have scheduled the weekly meetings. Meetings are to be conducted at 9 a.m. prior to the start of each Market. Additionally staff has a standing weekly meeting with PSSM.	I

## Exhibit A – 2017 PSSM Mid-Season Measures of Success

d. PSSM will supply the City Representatives with weekly report containing the following <ul style="list-style-type: none"> <li>i. Estimated attendance</li> <li>ii. Zero Waste statistics</li> <li>iii. Breakdown of number of vendors and types</li> </ul>	<p>Notes: Requirements are currently being met. Zero waste statistics will be reported by pound. Vendor types and mix will be reported weekly.</p> <ul style="list-style-type: none"> <li>• Average attendance = Average attendance per week (first 8 weeks) was 12,506 per week, with an overall attendance of 100,054. The highest attendance was on July 2<sup>nd</sup> at 20,536 people. Currently the weekly attendance average is lower than in 2016.</li> <li>• Zero Waste = PSSM has diverted 16,057 lbs of comingled recycle, compost and glass; as compared to 4,934 lbs to the landfill.</li> <li>• Breakdown of Vendors = PSSM has averaged 149 vendors per market.</li> </ul>	I
e. PSSM will supply the City Representatives with an ongoing list of vendor and staff license plates: <ul style="list-style-type: none"> <li>i. Prior to the start of the June 4 Market.</li> <li>ii. At any time they add license plates to the market throughout the 2017 season.</li> <li>iii. License plate lists should be provided to the City Representative no later than 10:00 a.m. each Sunday.</li> </ul>	<p>Notes: Requirements are currently being met by PSSM, as they have provided an initial list of vendor license plates. PSSM will continue to provide the list of license plates to Parking Services staff weekly.</p>	I
<b>Marketing and PR</b>		
a. HPCA logo on all advertisements & promotions	<p>Notes: Requirements currently being met.</p>	I
b. Engage in cross promotions with Chamber, HPCA, Park City Restaurant association	<p>Notes: Requirements currently being met.</p>	I
c. Media – The HPCA logo and sponsorship credits will be provided in all media placement that the PSSM currently employs, including but not limited to: <ul style="list-style-type: none"> <li>I. Print ads</li> <li>II. Ads, links or info listings on Utah tourism, business and special internet websites;</li> <li>III. Periodic television coverage;</li> <li>IV. Radio PSAs and promotions;</li> <li>V. Website spots, summer guides, fairs, non-profit organization calendar listings;</li> <li>VI. Email blasts; and</li> <li>VII. Social media, 'if applicable'</li> </ul>	<p>Notes: Requirements currently being met.</p>	I
<b>Other Items:</b>		
Attendance must average 7,500 visitors to the market per season. This number shall be established and verified annually by City Staff and PSSM .	<p>Notes: Average attendance per week in 2016 was 14,222 per week with an overall attendance of 199,109.</p> <ul style="list-style-type: none"> <li>• Average attendance per week (first 8 weeks) was 12,506 per week, with an overall attendance of 100,054. The highest attendance was on July 2<sup>nd</sup> at 20,536 people. Currently the weekly attendance average is lower than in 2016.</li> </ul>	I
Quantify Marketing & PR Value – of at least \$150,000	<p>Notes: In progress.</p>	I
PSSM shall present an annual report to the city in February of the preceding market season. This report will contain the following: <ul style="list-style-type: none"> <li>i. Estimated attendance</li> <li>ii. Zero Waste statistics</li> <li>iii. Breakdown of number of vendors and types</li> <li>iv. List of non-profit groups attending the market</li> <li>v. Advertising information etc.</li> </ul>	<p>Notes: Requirements being met in this pre-season report. In addition, the past season information was presented in November 3, 2017.</p>	I

## Exhibit A – 2017 PSSM Mid-Season Measures of Success

There are a few items that staff would like to inform Council on outside of the measures as written:

### Noise Ordinance:

PSSM staff has been reminded that all amplified noise, music and announcements are to be halted no later than 5:00 p.m. in accordance with their contract.

- The only exception is that noise, music and announcements shall end by 6 p.m. on September 18<sup>th</sup>, 2017.
  - PSSM is required to conduct outreach of residents reminding them of the extension as that date approaches.
- Staff has been monitoring PSSM stages, and music is within allowed limit of 90 decibels for the event between 10 a.m. and 5 p.m. Staff has noticed that other private stages from surrounding businesses has exceeded the allowed limit of 65 decibels, and music continues past 5 p.m. Staff is working with Police and Code Enforcement to continue enforcement for the private businesses. Staff is concerned that PSSM will be blamed for this noise.
- In 2014, Park Avenue Residents reported that the climbing wall, erected on 9<sup>th</sup> Street, had an air horn attached to the top that people would activate when they reached the top, and asked that this horn be disconnected. PSSM has been reminded that the horn not be activated on the climbing wall during the 2017 season.

### Construction:

Staff is working to ensure that PSSM is aware of all construction ahead of time by providing the market with a construction mitigation matrix.

### Parking Count Graphs

Staff continues to coordinate with Parking Services to get parking counts for various areas throughout the market. The graphs for 2017 are indicated below. Number of Weekly Totals have slightly dropped, which may coincide the slight decrease in attendance as compare to past years.

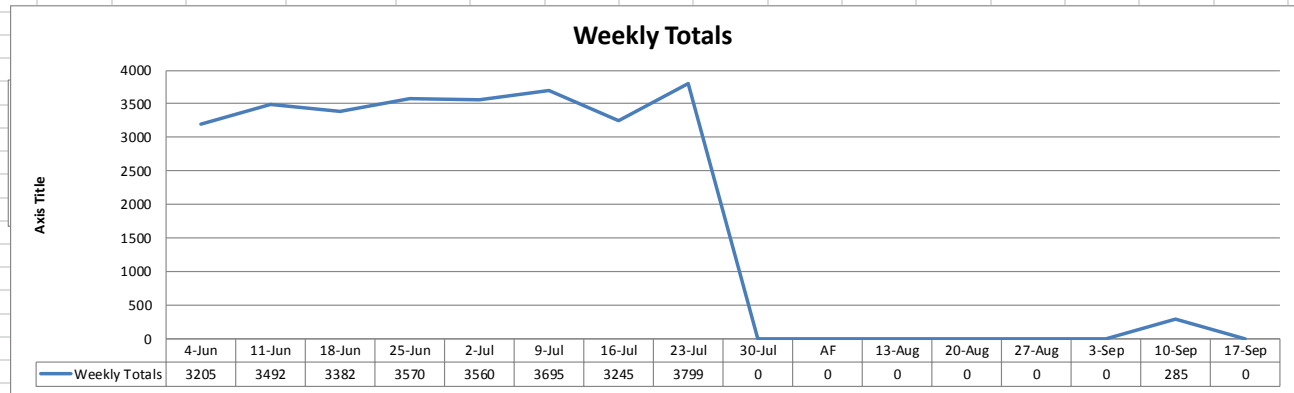
Staff will work with Parking Services to ensure counts are also made during the Sunday of Arts Fest, as well as August 13<sup>th</sup>, which currently has no event planned, so that we can monitor and analyze data throughout the summer season.

In summary, between the [2016 Parking Counts](#) and 2017 Parking Counts below staff believes the following:

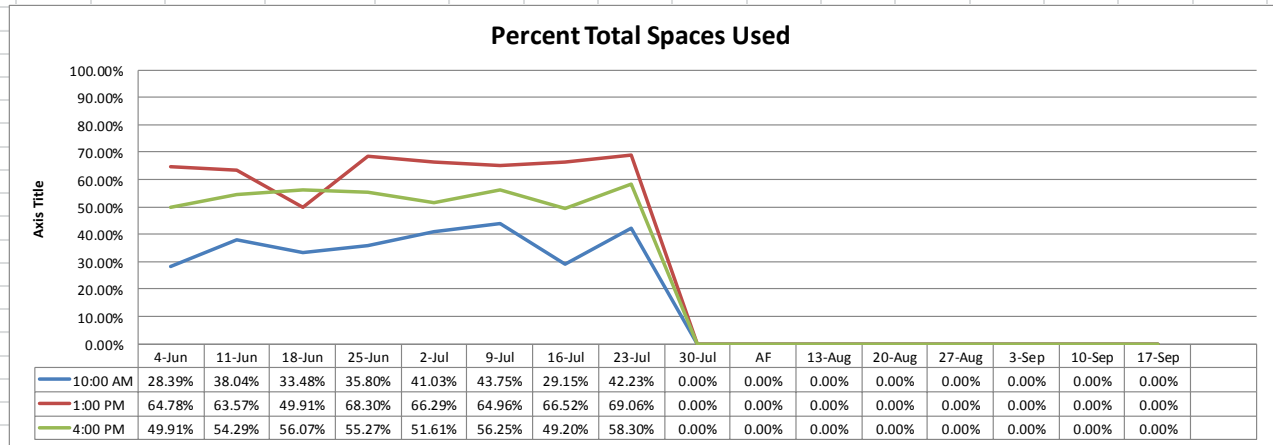
- 819 fewer cars were parked on July 2, 2017, than on July 3, 2016 (Fourth of July Weekend Market Date)
- 300 fewer cars were parked on July 23, 2017, as compared to July 24, 2017 (Pioneer Day Weekend Market Date)
- More vehicles are parked at 1:00 p.m., than at 10:00 a.m. or 4:00 p.m.
- Temporary Residential Parking Areas are very seldom being used. Anecdotally, residents like the temp zones, as it prevents people from blocking drive way.

# Exhibit A – 2017 PSSM Mid-Season Measures of Success

	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	13-Aug	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
Weekly Totals	3205	3492	3382	3570	3560	3695	3245	3799	0	0	0	0	0	0	285	0

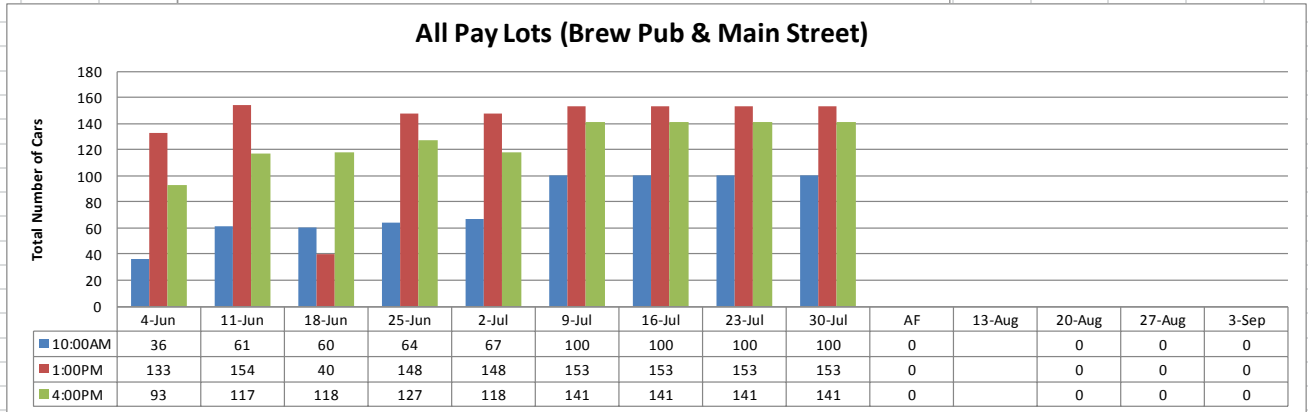


	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	13-Aug	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00 AM	28.39%	38.04%	33.48%	35.80%	41.03%	43.75%	29.15%	42.23%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
1:00 PM	64.78%	63.57%	49.91%	68.30%	66.29%	64.96%	66.52%	69.06%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
4:00 PM	49.91%	54.29%	56.07%	55.27%	51.61%	56.25%	49.20%	58.30%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

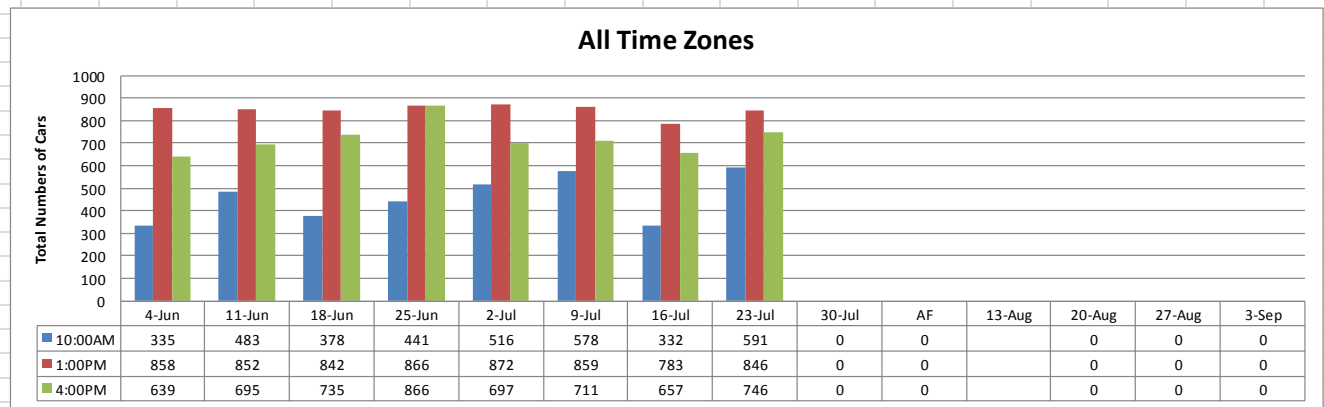


# Exhibit A – 2017 PSSM Mid-Season Measures of Success

	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	13-Aug	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00AM	36	61	60	64	67	100	100	100	100	0		0	0	0	95	0
1:00PM	133	154	40	148	148	153	153	153	153	0		0	0	0	95	0
4:00PM	93	117	118	127	118	141	141	141	141	0		0	0	0	95	0

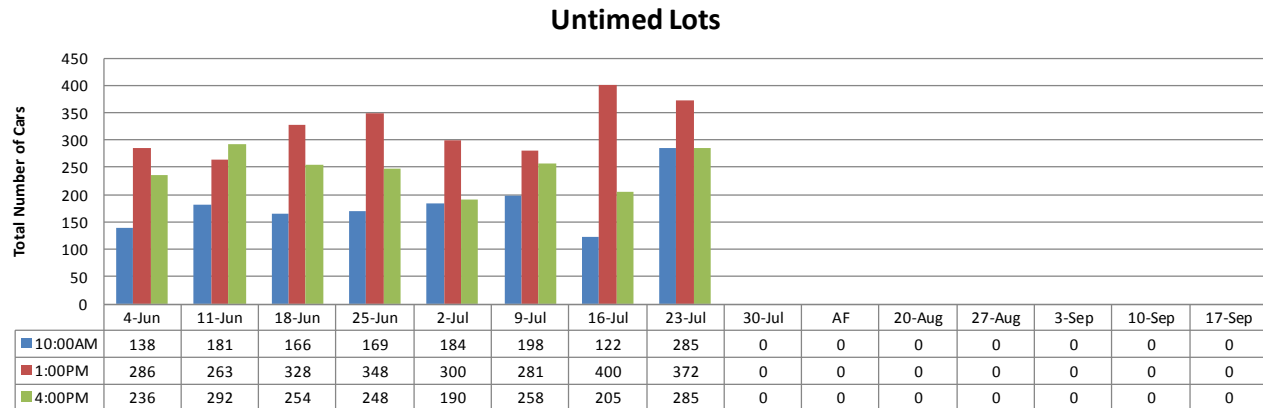


	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	13-Aug	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00AM	335	483	378	441	516	578	332	591	0	0		0	0	0	0	0
1:00PM	858	852	842	866	872	859	783	846	0	0		0	0	0	0	0
4:00PM	639	695	735	866	697	711	657	746	0	0		0	0	0	0	0

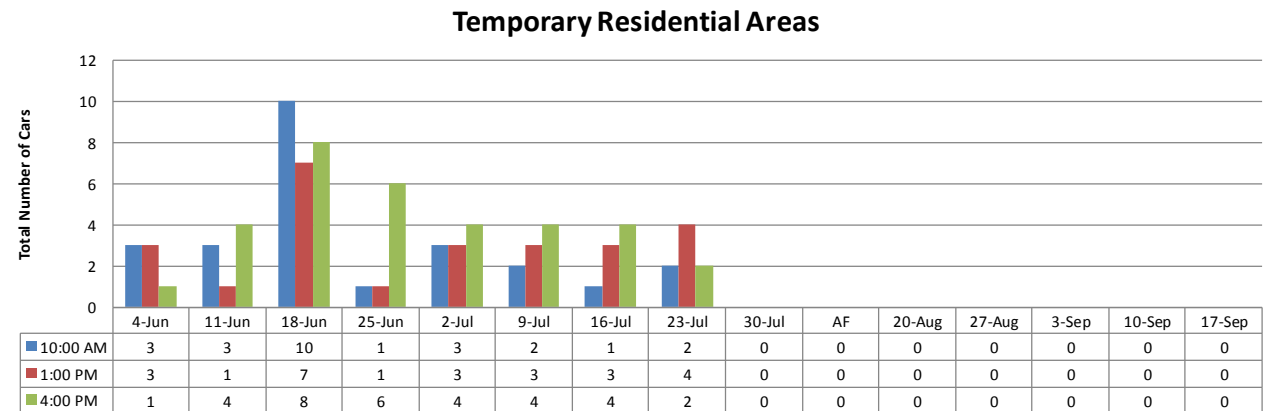


# Exhibit A – 2017 PSSM Mid-Season Measures of Success

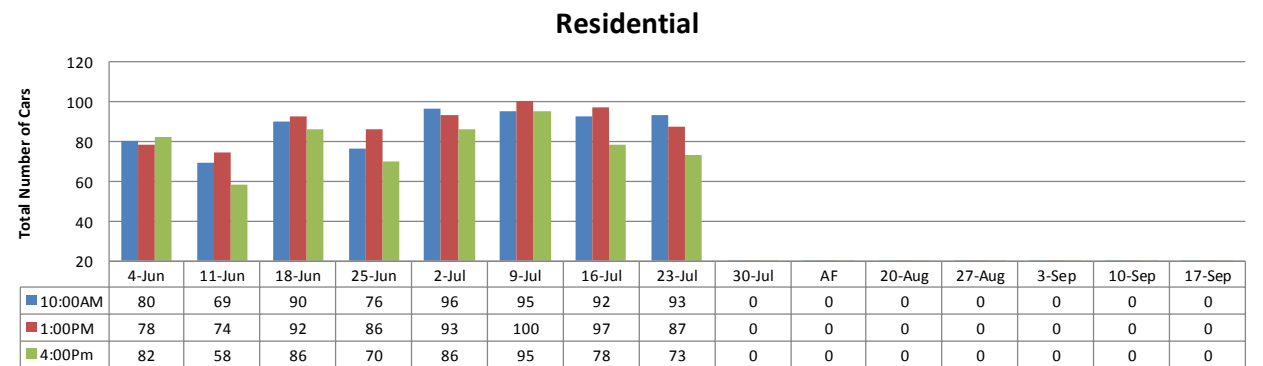
	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00AM	138	181	166	169	184	198	122	285	0	0	0	0	0	0	0
1:00PM	286	263	328	348	300	281	400	372	0	0	0	0	0	0	0
4:00PM	236	292	254	248	190	258	205	285	0	0	0	0	0	0	0



	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00 AM	3	3	10	1	3	2	1	2	0	0	0	0	0	0	0
1:00 PM	3	1	7	1	3	3	3	4	0	0	0	0	0	0	0
4:00 PM	1	4	8	6	4	4	4	2	0	0	0	0	0	0	0



	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00AM	80	69	90	76	96	95	92	93	0	0	0	0	0	0	0
1:00PM	78	74	92	86	93	100	97	87	0	0	0	0	0	0	0
4:00Pm	82	58	86	70	86	95	78	73	0	0	0	0	0	0	0



	4-Jun	11-Jun	18-Jun	25-Jun	2-Jul	9-Jul	16-Jul	23-Jul	30-Jul	AF	20-Aug	27-Aug	3-Sep	10-Sep	17-Sep
10:00AM	8	9	8	8	12	7	7	12	0	0	0	0	0	0	0
1:00PM	8	16	17	20	16	12	19	20	0	0	0	0	0	0	0
4:00PM	15	14	11	15	9	10	14	17	0	0	0	0	0	0	0

Event Days and Attendance:

The Park Silly Sunday Market operates for fourteen (14) Sundays. The 2017 Market will run from June 4<sup>th</sup> through September 17<sup>th</sup> from 10:00 a.m. to 5:00 p.m. Average attendance for the first 8 markets has been 12,506 per week.

Reminders:

Park Silly Sunday Market will not be held on:  
Sunday, August 6 for the Arts Festival  
Sunday, August 13 – no event scheduled

Park Silly Sunday Market will run one hour longer on Sunday, September 17 for Silly Fest. This was approved in the supplemental plan as part of section B.2.2.3 of their contract. The street will be clear and open by 8 p.m.

Transportation

City Council approved an addendum to the Park Silly Sunday Market Transportation Plan on June 15<sup>th</sup>, allowing the following items:

- ProTrans Shuttle Service (direct line) on July 2 and September 3.
  - These dates were selected because these are historically the two busiest days over the market season.
  - PSSM pays for this increased service.
  - On July 2<sup>nd</sup>, more than 300 people took this direct line at the market.
- Ebike Pedi Cab Service Pilot Program
  - The vendor that PSSM worked with has not been able to attend the market. At this time, staff does not anticipate that the Ebike Pedi Cab Service will be offered during the event.

Parking & Residential Mitigation

Please review Exhibit A for a summary of parking counts during the Market.

Between the [2016 Parking Counts](#) and 2017 Parking Counts below staff believes the following:

- 819 less cars were parked on July 2, 2017, than on July 3, 2016 (Fourth of July Weekend Market Date)
- 300 less cars were parked on July 23, 2017, as compared to July 24, 2017 (Pioneer Day Weekend Market Date)
- More vehicles are parked at 1:00 p.m., than at 10:00 a.m. or 4:00 p.m.
- Temporary Residential Parking Areas are very seldom being used. Anecdotally, residents like the temp zones, as it prevents people from blocking drive way.

Starting with the June 25<sup>th</sup> Silly Market, Parking Services team began placing residential parking only signs in the Old Town Area in an effort to reduce traffic in Old Town. This will continue to be required at each Market throughout the rest of the season.

Staff is coordinating with the transportation and parking teams to propose potential paid parking/transportation trial program during this year's PSSM likely in September. Staff will return at a future meeting to discuss possibilities for paid parking, transportation and residential mitigation for the current market season.

Working Group

## Exhibit B – 2017 Mid-Season Review Summary

- |                               |   |
|-------------------------------|---|
| 1: June 11; 11:00 a.m.        | Walk-through, Main Street<br>This walk through was cancelled due to absence from HPCA and Council. Council's absence was excused. |
| 2: July 23; 2:00 p.m.         | Meet at High School – Park & Ride to the Market<br>All were in attendance.  |
| Remaining walk through dates: |   |
| 3: August 20; 11:00 a.m.      | Walk-through, Main Street   |
| 4: September 12; 10:00 a.m.   | Sustainable Efforts – Compost to the pigs in Kamas  |
| 5: September 22; 10:30 a.m.   | End of Season Debrief, Location TBD   |

### HPCA Vendor Cancellation & Date Requests

HPCA did have a vendor signed up to participate that did not show up to the July 16<sup>th</sup> market. HPCA was notified and paid the \$150 no show fee on time. The HPCA has showed up for all other scheduled times.

### Vendor Mix

PSSM regulates their vendor mix to mitigate for potential of adverse impacts to brick and mortar Main Street Businesses. As outlined in the requirements of the City Services Agreement, the 2016 vendor mix is as follows and is attached as Exhibit F:

- Importers – 6
- Jewelers – 12  
There were 13 jewelers at the June 25<sup>th</sup> market because a vendor cancelled and the jewelry vendor was able to fill the space for the cancelled space.
- On-site Food Vendors & Snack Food Vendors – 12

### SEAC Debrief & Engagement

SEAC conducted a debrief of the PSSM at the June 21 meeting. Their comments are below.

*The committee felt that the event has positive aspects, good efforts continuously made in sustainability and transportation. There is still some concern for the impact on Old Town residences; they look forward to gaining broader perspective through a special event community survey in the fall.*

SEAC Engagement - though several PSSM dates were made available for SEAC to walkthrough with staff, one SEAC member signed up to walk through with staff during the market to learn about the operations and coordination during the event. Staff does believe several SEAC members have attended the market on their own.

### Sustainability Efforts

PSSM will report zero waste statistics weekly to Staff, who will compile a total amount of zero waste statistics at the mid-season and end of season reports.

- In 2016, PSSM's zero waste efforts generated 25,910 pounds of compost, co-mingled recyclables and glass, as compared to 4,150 pounds of waste to the landfill.
- In the first 5 weeks of the market, PSSM diverted 9,112 pounds of commingled recycle, compost and glass from the landfills.
- PSSM is reminding people to bring reusable bags to the event in their weekly eblasts.

### Financial Considerations

Estimated fee waivers for 2017 were \$77,283. Current estimated fees are \$75,150. Fees are less than the anticipated amount, some of the areas highlighted below reflect actual current numbers, specifically for Building Permits and Police Services.

Exhibit B – 2017 Mid-Season Review Summary

Staff believes there may also be changes to the cost of parking fees in coordination with the Parking Demand implementation, and understands there may be city fee increases for banner installation in the future. Staff will continue to report any adjustment in the anticipated fees when they return for the end of season review.

Cash payment for the PSSM has decreased to the amount of twenty-thousand dollars (\$20,000), and was released in May.

A summary of City Service Fees is listed in the chart below.

Departments	Item	Actual Fees 2015	Estimate Fees 2016	End Of Season Actual	Estimate Fees 2017	Current Fees 2017
Parking Department	Parking spaces for 14 days	\$22,050	\$22,050	\$22,050	\$22,050	\$22,050
Police Department	520 Hours	\$39,000	\$39,000	\$37,500	\$39,000	\$39,900
Transit Department	15 Hours	\$2,250	\$2,250	\$2,250	\$2,250	\$2,250
Parks Department	Banner installation	\$648.70	\$648	\$648	\$648	\$648
Building Department	Inspections and permits	\$3,375	\$3,375	\$7,575	\$7,575	\$4,541.24
Application Fee	Annual Permit Fee	\$80	\$160	\$160	\$160	\$160
VMS Signs & Barricades	2 VMS/ Electronic Signs	\$5,600	\$5,600	\$5,600	\$5,600	\$5,600
Total Fees	Totals	\$73,003.70 2015 Actual	\$73,083 2016 Estimate	\$75,783 2016 Actual	\$77,283 2017 Estimate	\$75,150 2017 Estimated total

Site Plan / Construction Mitigation

PSSM and staff will continue to work and address site plan variations due to private and City construction to ensure smooth flow of traffic and transportation around the venue, as well as, safety of event participants along with the ease of access to residents in the PSSM Use Area.

- PSSM was aware of two construction projects in the Main Street area including 4<sup>th</sup> Street Utilities and Sidewalk Construction.

Exhibit B – 2017 Mid-Season Review Summary

- Additionally PSSM is working to ensure there are no conflicts with private construction projects at 638 Park (Old Kimball Garage) and Marriott Summit Watch (Sidewalk Repair).

Event Coordination

A summary of events that occur on the same day as Park Silly Sunday Market 2017 Season is below. Staff does not have any concerns with these events occurring simultaneously. Staff will continue to work with organizers of both PSSM and the events as outlined below to ensure traffic and transportation plans run smoothly, as well as, that the organizer of each event is coordinating mitigations to impacts they cause. PSSM continues to be willing to work with the organizers of other events to coordinate event logistics:

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipated Attendance
July 9	Park City Food & Wine Classic	Various Locations	8am – 8pm	30 – 50 per venue
July 9	1033 Foundation Ride and Concert	Deer Valley	1:00 p.m. to 5:00 p.m.	750
July 16	Big Stars Bright Nights	Deer Valley	5:00 to 10:00 p.m.	2,500
July 23	Big Stars Bright Nights	Deer Valley	5:00 to 10:00 p.m.	2,500
September 3	Big Stars Bright Nights	Deer Valley	5:00 to 10:00 p.m.	2,500
September 10	Walk A Mile In Her Shoes	City Park	8 a.m. to noon	250
September 17	Autumn Aloft	N40 Fields	7 a.m. to noon	2,500
September 17	Tour De Suds	City Park	9 a.m. to noon	350
September 17	Fall Harley Ride	Main Street, Brew Pub Lot	11 to 1 p.m.	350

Department Coordination

Park Silly Sunday Market has worked with Staff to set meetings with Public Safety as well as Parks and Building Maintenance, and Transportation to ensure that operations with regards to both aspects remain well coordinated. At this time, Staff does not anticipate any changes to department coordination.

- Staff is working to discuss and plan potential transportation and parking programs this season and will report out on possible plans at a future City Council meeting. As staff continues to coordinate and implement City wide transportation standards and increased mitigations, PSSM has agreed to help implement these changes.



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

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

**Respectfully:**

Corey Legge, Engineer Tech

## City Council Staff Communication Report



**To:** City Manager for Mayor and City Council  
**Subject:** NTMP Update  
**Author:** Corey Legge  
**Department:** Engineering  
**Date:** August 3, 2017  
**Type of Item:** Informational (NTMP)

The information provided in this Staff Communication Report is an update on the items that have been or are in the process of being evaluated by the Neighborhood Traffic Management Program (NTMP). City Council was last updated on NTMP issues in a similar [staff communication report](#) staff communication report on February 16, 2017.

### Acronyms

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

### Summary of the NTMP Items since September 2015

In Progress				
NTMP Item	Request for	Progress	Start Date	Comments
Webster Drive Parking Issue	Parking permit program	Phase I	9/15/2015	Discussed with Vaughn and Clint with Golf. Took parking inventory at Hotel Park City. Held a meeting September 28 <sup>th</sup> , 2016 with Engineering, Planning, and Transportation. Engineering and Planning performed zoning analysis from plat. Still in the analysis phase.
Aerie Drive Pedestrian Crossing	Crosswalk at Aerie Drive and Deer Valley Drive	Phase II	1/10/2016	Parametrix conducted a study of crossing alternatives. Community meeting was held June 29 <sup>th</sup> , 2016 to discuss issues and concerns with residents. Parametrix analyzed alternatives and provided a recommendation. Staff recommended the no action alternative. Residents appealed staff's recommendation. A <a href="#">Staff Communications Report</a> was presented to City Council April 13, 2017 requesting to gather accurate pedestrian and cyclist crossing data during summer 2017. Will present the appeal to Council during September 2017. Engineering purchased video monitoring equipment and will process data from 4 <sup>th</sup> of July weekend and Arts Festival.

In Progress				
NTMP Item	Request for	Progress	Start Date	Comments
Lowell Avenue Residential Parking	Residential Permit Parking Program	Phase II	1/10/2016	Met with resident. Collected data. Held a community meeting to gain information from residents. Hales Engineering conducted a qualitative analysis during the winter of 2017. Held a second community meeting with residents and staff. Tested alternatives throughout the winter 2017. Temporary way finding sign installed at intersection of Lowell and Manor Way. Engineering, Transportation Planning, and Parking are evaluating the boundary of the residential permit parking program.
Parking at Bottom of Rossie Hill	Eliminate parking to improve landscape	Phase I	1/10/2016	Discussed with requestor. Mitigation measure will occur during the OTIS Rossi Hill Reconstruction in 2018.
Pedestrian Movement	Install stairs from Rossie Hill Drive to Deer Valley Drive Loop Road	Phase I	1/10/2016	Discussed with requestor and planning.  Mitigation measure: Adjacent development will be approached about installing the stairs as part of their development.
9 <sup>th</sup> Street and Park Avenue Crosswalk	Request to add crosswalks at the 9 <sup>th</sup> Street and Park Avenue Intersection	Phase I	8/9/2016	Streets Department will install crosswalks during Summer 2017.
Parking on Park Avenue	Request for signage indicating "No Parking" on Park Avenue between Heber and 9 <sup>th</sup> Street	Phase I	2/2/2017	Informed the requestor that signage will be evaluated during the Park Avenue Reconstruction project.
Intersection of Sidewinder and SR-248	Request to add signage to increase safety	Phase I	3/14/2017	Police researched enforcement policies of restricting left turns during specific hours. Discussed with UDOT during FHWA Road Safety Audit. Engineering will work with transportation planning to install appropriate signage.

In Progress				
NTMP Item	Request for	Progress	Start Date	Comments
Wildlife Crossing and Fencing	Request for Wildlife Crossing Structure NE of McPolin Farm on SR-224 along with appropriate wildlife fencing.	Phase I	5/9/2017	Met with applicant to discuss objectives, benefits, location, structure characteristics, and complications. Informed applicant that improvements would need to include UDOT participation. Denied the request at Phase I and informed the applicant of the process to proceed to Phase II.
SR-224 Intersection Pedestrian Safety	Request to utilize advance stop line intersection design	Phase I	5/9/2017	Researched the benefits of the intersection design and use in the Netherland/Dutch transportation. Confirmed this traffic movement was evaluated as part of the 2012 corridor study by Fehr and Peers, Design Workshop, and Horrocks Engineers. Informed the applicant that the SR-224 corridor is UDOT right-of-way and has not been slated for reconstruction. Denied the request at Phase I and informed the applicant of the process to proceed to Phase II.
Queen Esther Drive Speeding	Request to lower speed limit to 15 mph and install "Quiet Neighborhood" signage.	Phase I	6/13/2017	Police obtaining traffic data to determine 85 <sup>th</sup> percentile speed on Queen Esther Drive. Streets Department will install 25mph speed limit sign at intersection of Deer Valley Drive North and Queen Esther Drive.
Empire Avenue Sidewalk	Sidewalk on Empire Avenue between Manor Way and Shadow Ridge along with 14 <sup>th</sup> Street Crosswalk	Phase I	6/13/2017	Verified proposed sidewalk would need to be located on the west side of Empire Avenue due to limited right-of-way. Vail Resorts is evaluating the impact this may have on snow-storage.
Three Kings Drive Sidewalk	Sidewalk following the bus route on Thaynes Canyon and Three Kings Drive	Phase I	6/13/2017	Discussed with the NTMP committee. Engineering is preparing a preliminary design and cost estimate.
Silver Lake Parking Issues	Request to sign both sides of Royal Street "No Parking"	Phase I	7/11/2017	Engineering is working with Police to verify existing "No Parking" signage is enforceable. Development of the Goldener Hirsch parking structure during the summer of 2017 has limited parking in the Silver Lake area for recreationalists. The issue is expected to dissolve once the parking structure is complete.

<b>Completed Items</b>				
<b>NTMP Item</b>	<b>Request for</b>	<b>Progress</b>	<b>Start Date</b>	<b>Comments</b>
Parking Issue Sidewinder	Parking issue near 2298 Sidewinder Drive	Complete	12/15/2015	Increased police enforcement. Hales Engineering has finalized parking study. Mitigation measure: "No parking 2 AM - 6 AM" signs were installed June 27th.
Rossie Hill Width	Improve parking, snow clearance, and emergency vehicle access	Complete	1/10/2016	Met with requestor on May 20, 2016. Report/discussion presented to Council on August 4, 2016. It was decided that Rossi Hill Drive would be widened to 26 feet during the 2018 road re-construction with seasonal parking ban along the north side of the street. This decision is pertinent to the section of Rossi Hill Drive between Ontario Avenue and Echo Spur.
Rossie Hill No Parking Signs at hair pin turn located on lower section of road.	Make no parking signs more efficient	Complete	1/10/2016	Discussed with requestor. Mitigation measure: Installed "No Parking" sign at easterly bend of Rossie Hill.
Deer Valley Drive Crosswalks	Request to add cross walks along Deer Valley Drive	Complete	2/9/2016	Collected data, researched MUTCD crosswalk guidelines. Denied original request.  Held a public meeting with residents, concern was with the existing cross walks and cars were not stopping. Mitigation measure: Improved existing crosswalk at Sunnyside Drive and added flags. Staff has seen improvement once the flags were installed.
Deer Valley Drive Intersection Signage	Address signage at Royal Street intersection and the exit from Deer Valley Resort	Complete	2/10/2016	Mitigation measure: Improved signage at Royal Street intersection and do nothing at the exit to Deer Valley Resort.
9th Street Stop Sign	Discuss the need for a stop sign at 9th street	Complete	2/11/2016	Staff completed NTMP evaluation criteria form for stop signs. Staff determined that the high traffic volume on Park Avenue and close proximity to the Main Street business district warranted multi-way stop signs. Stop signs were installed at each leg of the intersection.
Short Term Parking Spaces on Park Avenue	15 minute parking signs near 8th and Park	Complete	4/12/2016	15 minute parking signs were installed by the City's Streets department.

Parking Issue on King Road by Upper Norfolk	"No Standing" Sign at 69 King Road	Complete	6/14/2016	Evaluated site triangles, intersection dimensions, and turning radius off of Upper Norfolk. Limited road width warranted two "No Parking" signs on the south side of the street to be installed. Both sides of King Road is now signed "No Parking"
Pedestrian Crossings at intersection of Bonanza Drive and Kearns Boulevard	Request to lengthen allotted time for pedestrian crossing and add crossing flags	Complete	8/9/2016	Discussed with requester. Intersection was evaluated to determine what changes would improve conditions for pedestrians. It is against UDOT policy to install crossing flags at a signalized intersection. The request was denied at Phase I. Direction was provided to the requester that Phase II would be initiated once a petition is submitted containing five signatures from residents. UDOT will re-evaluate if Phase II is initiated.
Super Hero Parking	Install "Super Hero Parking Only" signs	Complete	9/13/2016	Two signs were installed in Park City. One sign is located in the Bob Wells Parking Lot and the other is located in the Library Parking Lot. Police know that these signs will not be enforced. The purpose of these signs is to show a higher level of respect for those willing to put their life on the line to protect us and our rights.
Signage at intersection of SR-248 and Comstock Drive	Request to install overhead signage on traffic signal indicating lane purpose on Comstock Drive.	Complete	1/10/2017	Met with UDOT to verify that no policies prohibit mast-arm-mounted signage at signalized intersections. Comstock Drive is a private drive that is maintained by Park City School District. Engineering contacted the school district and confirmed the drive will be re-stripped during Spring 2017. The request was denied at Phase I and direction was provided to the requester to enter Phase II.
Silver King Parking Issue	"No parking" signs	Complete	2/7/2017	Analyzed street width and overflow parking of Park City Mountain Resort. Installed seasonal "No Parking" signage at problem location.



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Through a competitive process consistent with the City's Procurement and Purchasing Policies, staff has procured Alliance Engineering Inc. to design, provide bidding support and construction oversight on improvements to the Hillside Soft-surface recreation and hiking trail.

**Respectfully:**

Julia Collins, Senior Transportation Planner

## City Council Staff Communications Report

**Subject: Hillside Soft-surface Trail Enhancement Update**

**Author: Julia Collins**

**Department: Transportation Planning**

**Date: August 3, 2017**

**Type of Item: Informational**

Through a competitive process consistent with the City's Procurement and Purchasing Policies, staff has procured Alliance Engineering Inc. to design, provide bidding support and construction oversight on improvements to the Hillside Soft-surface recreation and hiking trail. The trail is an existing connection between Hillside Ave. and Swede Alley (see attachment 1). The scope of the trail design will look to enhance the function, safety, and aesthetics, include recommendations for trail amenities such as signage, historical characteristics, landscaping possible lighting, explore surface treatments to address erosion control and slope stability, evaluate drainage and work with staff to develop a final design and layout.

- On June 27, 2017 staff issued a Request for Proposal (non-bid) for the Hillside soft-surface design and construction management. Proposals were received on 4:00 PM on Tuesday, July 11, 2017.
- On Friday July 14, 2017 three staff members from Sustainability and Transportation departments reviewed and evaluated the proposals according to the following selection criteria:
  - Capability of the Firm and Consultant Team (35%)
    - Overall firm experience
    - Past experience with municipal landscape architecture, design and consulting services
    - Experience with trail infrastructure design
  - Project Approach (30%)
    - Firm's project approach to the requested scope of services
    - Schedule and timeline in providing the desired services/product.
  - Cost (30%)
    - Ability to deliver a quality product within reasonable financial parameters.
  - Local goods and services (5%)
    - Ability to support Park City businesses by purchasing goods and services through local vendors and service providers
- As a result of the comprehensive selection process Alliance Engineering Inc. was recognized as the most qualified firm.
- The intended timeframe for the utilization of Alliance Engineering Inc. services is from August 2017 through October 2017.
- Staff and Alliance Inc. anticipate returning to City Council in September with recommendations for construction bids and an estimated construction timeline.
- Construction is expected to start the end of September.
- A professional services agreement will be signed by the City Manager between Park City Municipal and Alliance Engineering Inc. for the work below in the amount of \$13,175.00.

## Hillside Soft-surface Trail Enhancement Project Design and Construction Work Plan

1. Task 1 – Preliminary Design and Layout – July-August 11	\$3,625.00
<ul style="list-style-type: none"> <li>Assess onsite conditions including existing easements and right-of-way, examine surface and subsurface utilities to be incorporated in the design, assess existing drainage conditions and needs, assess existing grading conditions and needs, provide proposed route alignment, provide design treatments and trail amenities such as lighting and signage, meet with PCMC staff for review, scope and timing.               <ul style="list-style-type: none"> <li>Project Manager – 5 hours @ \$140.00 = \$700.00</li> <li>Survey Crew – 5 hours @ \$165 = \$825.00</li> <li>Draftsman – 30 hours @ \$70 = \$2,100.00</li> </ul> </li> </ul>	
2. Task 2 – Final Design - August 14-25	\$2,600.00
<ul style="list-style-type: none"> <li>Finalize landscape drawings for recreational trail. Provide cost estimate and timeline for construction phase, identify and arrange for utility coordination, coordinate initial approval through PCMC Planning and Engineering department, hold final design and approval meeting with PCMC staff.               <ul style="list-style-type: none"> <li>Project Manager – 5 hours @ \$140.00 = \$700.00</li> <li>Draftsman – 30 hours @ \$70.00 = \$2,100.00</li> </ul> </li> </ul>	
3. Task 3 Bidding Support - August 28 - September 22	\$2,450.00
<ul style="list-style-type: none"> <li>Provide electronic copies of contract documents for bid packages, advertise per PCMC procurement policy, answer questions and issue addenda as required, conduct bid opening, evaluate bids and provide recommendation to PCMC.               <ul style="list-style-type: none"> <li>Project Manager – 15 hours @ \$140.00 = \$2,100.00</li> <li>Draftsman – 5 hours @ \$70 = \$350.00</li> </ul> </li> </ul>	
4. Task 4 – Construction Management / Administration - Sept 25 – Oct 27	\$4,500.00
<ul style="list-style-type: none"> <li>Conduct pre-construction meeting, provide construction administration, coordinate on-site observation and changes in the field, coordinate construction testing and inspection, provide on-site observation of 10 hours per week, provide closeout of project, compilation and submittal of final paperwork.               <ul style="list-style-type: none"> <li>Project Manager – 10 hours @ \$140 = \$1,400.00</li> <li>Inspector – 40 hours @ \$70 = \$2,800.00</li> <li>Administration – 5 hours @ \$60.00 = \$300.00</li> </ul> </li> </ul>	
<b>TOTAL:</b>	<b>\$13,175.00</b>

Attachment 1: Hillside Soft-surface Trail Project Location





**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

The Fourth of July Celebration is an important cultural and community event and provides ancillary economic benefits to our local business community. It is a fun, funky and unique event that makes it authentic and iconic to our community.

The popularity of the Fourth of July Celebration has brought both suggestions for additional mitigations and concerns regarding the City's carrying capacity. Staff has worked to:

- Address the concerns and implement increased mitigation strategies for this event.
- Bring all of the various events that occur on that day together in order to streamline the increased mitigation strategies for the Parade, Park and On Mountain Activities.

The debrief focuses on the increased mitigations and data for this event to help determine needs for other major summer events such as Miners Day, Park Silly Sunday Market, Autumn Aloft and Halloween.

**Respectfully:**

Jennifer Diersen,



## City Council Staff Communications Report

**Subject:** Fourth of July Debrief  
**Author:** Jenny Diersen, Special Event Coordinator  
Matthew Hartnett, Associate Transportation Planner  
**Department:** Special Events & Transportation Planning  
**Date:** Thursday, August 3, 2017  
**Type of Item:** Staff Communications Report

### Summary Recommendation

The purpose of this Staff Communications Report is to provide an informational debrief of the 2017 Fourth of July Celebration. The debrief focuses on the following areas:

- Attendance Numbers
- Transportation Planning & Mitigation Efforts
- Community Engagement, Notification & Marketing
- Sustainability Efforts

Staff is still compiling information from the event and at the time this report was due did not have a final summary for the following items:

- SEAC Debrief (scheduled for the August 16<sup>th</sup> SEAC meeting)
- Fourth of July Transportation Survey
- Financial Considerations
- Activity Provider and Event Planner Debrief
- Public Safety and Security

Staff will return at a subsequent Council meeting to address the information that has not been compiled and questions for Council before beginning planning for the 2018 event.

### Executive Summary

The Fourth of July Celebration is an important cultural and community event and provides ancillary economic benefits to our local business community. It is a fun, funky and unique event that makes it authentic and iconic to our community.

The popularity of the Fourth of July Celebration has brought both suggestions for additional mitigations and concerns regarding the City's carrying capacity. Staff has worked to:

- Address the concerns and implement increased mitigation strategies for this event; and
- Bring all of the various events that occur on that day together in order to streamline the increased mitigation strategies for the Parade, Park and On Mountain Activities.

The debrief focuses on the increased mitigations and data for this event to help determine needs for other major summer events such as Miners Day, Park Silly Sunday Market, Autumn Aloft and Halloween.

### Acronyms

HPCA – Historic Park City Alliance

PCMC – Park City Municipal Corporation

SEAC – Special Events Advisory Committee

### The Problem and the Opportunity

The Fourth of July Celebration is one of the largest events on Park City's event calendar. Staff has worked to make changes to the event over the past two years to increase the community appeal and to increase mitigation efforts. The continued success of the event has also created impacts that need to be mitigated, specifically in the Old Town neighborhood and Main Street areas. The size and popularity of the event require coordination between almost every department in the City, as well as, many community partners. As staff reflects and analyzes the data from the event we are working to understand the challenges, and make informed solutions and changes that we can apply for future events.

### Background

<u>Date</u>	<u>Item</u>
March 26, 2015	<a href="#">Special Events Update</a> (pages 8 – 29)/ <a href="#">Minutes</a> (page 1 & 2)
August 6, 2016	<a href="#">Fourth of July Managers Report</a> (page 107)
May 5, 2016	<a href="#">Fee Reduction Approval for Special Events</a> July 1 to Dec 31, 2016 (pages 151 through 160)
May 5, 2016	Fee Reduction Approval / <a href="#">minutes</a> (pages 9 – 10)
October 6, 2016	<a href="#">Fourth of July Event Debrief</a> / <a href="#">Minutes</a> (page 4)
May 11, 2017	<a href="#">Fourth of July Event Planner Contract Approval</a>
May 25, 2017	<a href="#">Event Traffic Management Plan and Proposed Strategies for the Fourth of July Festivities</a>
May 25, 2017	<a href="#">Fourth of July Activity Provider Cost Sharing Request</a> / <a href="#">Minutes</a> (pages 15 – 17)
June 8, 2017	<a href="#">Fourth of July Supplemental Plan</a> / <a href="#">Minutes</a> (page 9 - 10)
June 8, 2017	<a href="#">Fourth of July Fee Reduction Approval</a> / <a href="#">Minutes</a> (pages 10 – 11)

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 2016, knowing additional mitigations and changes were needed, staff applied for a Restaurant Tax Grant to help streamline the Activity Providers and make the event

more appealing. Additionally the grant was to be used to hire an Event Planner for the 2017 event.

In 2016, the discontinuation of the Park City Ambassadors meant that a bulk of the planning fell to Bob Kollar and the PCMC Special Events Team. Staff implemented significant changes to the event including:

- Restricting parade entrants to local Summit County businesses and residents;
- Moved the City Park activities from South End City Park, to North End City Park to help with crowd control and congestion at the park; and
- Worked with the many Activity Providers to streamline food, beverage and activity options.

With the changes that were implemented in 2016 for the Fourth of July Celebration, staff received additional comment from the community, SEAC and City Departments that the event needed further mitigation traffic congestion and residential impacts. Changes that were made in 2016 to bring back the community feel were well received.

### **Analysis Summary**

Comments regarding the Fourth of July Celebration continue to be largely positive. Changes made to the event in 2016 were well received, though staff continued to increase mitigations for the 2017 event. As we anticipate additional implementation of traffic mitigation measures with the Transportation Demand Management plan in future years, staff is working to evaluate data and feedback from this event to come up with best possible solutions for future years and quickly approaching late summer and fall events.

Exhibit A in this report is a summary debrief regarding the following topics regarding the Fourth of July:

- Attendance Numbers
- Transportation Planning & Mitigation Efforts
  - Bus only lane along Deer Valley Drive;
  - Transit – Kimball Express & Kamas Commuter were running – throughout the system saw 2,000 rider increase as compared to 2016;
  - Parade load in moved on hour earlier to decrease congestion between 10 and 11 a.m.;
  - Free satellite parking options & multi-jurisdictional coordination;
  - Paid parking in China Bridge;
  - Advanced wayfinding;
  - Increased residential access control during parade;
  - Bike valet – seeing more than 250 bikes throughout the event.
- Community Engagement, Notification & Marketing
- Sustainability Efforts

Areas to focus on for planning for the 2018 event include:

- Increase egress transportation plan post parade;
- Further extend bus lane on Deer Valley Drive towards Park Ave;

- Increase no parking signs on Thaynes/ Three Kings Drive. Cars were double parked along roads during fireworks.
- Start planning activity providers and sponsorship before Sundance – November 2017;
- Organize volunteer/city wide clean-up team for July 5<sup>th</sup> to assist Trash/Recycling and Parks Crew;
- Funding for Event Planner and Operations – Restaurant Tax Grant funding is completed. Staff will return to discuss future funding options at a subsequent meeting.

SEAC has not been able to meet and debrief this year's event, but will debrief the Fourth of July Celebration at the August 16<sup>th</sup> meeting. SEAC has been made aware of this Staff Communications Report. SEAC comments will be included in the work session update to take place at a later date.

HPCA has been made aware of this Staff Communications Report.

Staff is appreciative of the many organizations and City Departments that make this event fun, safe and successful. It is the work of almost every department in the City, as well as the many community partners (such as Deer Valley, Park City Mountain Resort, Park City School District and Summit County) that make this event's success possible.

### **Department Review**

Special Events, Community Engagement, Economic Development, Transportation Planning, Legal, and Executive have reviewed this report. Environmental Sustainability, Parking Services, Emergency Management, Legal, Executive, Budget, Parks, Building, Police, Public Works and Transit have not reviewed this report but have contributed to the debrief information that is reflected in this report.

### **Funding Source**

Funding for the Fourth of July comes from the General Fund and Transportation and Parking Fund, as well as a two year Restaurant Tax Grant Allocation.

### **Attachments**

Exhibit A      Summary of Debrief of the 2017 Fourth of July  
Exhibit B      Blynscy Data Analysis Park City Fourth of July Celebration

## **Exhibit A 2017 Fourth of July Celebration Debrief Summary**

Staff is returning to City Council to provide a debrief report on the Fourth of July. At a high level, areas to focus on as we look to planning for the 2018 event include:

- Increase egress transportation plan post parade;
- Further extend bus lane on Deer Valley Drive towards Park Ave;
- Increase no parking signs on Thaynes/ Three Kings Drive. Cars were double parked along roads.
- Start planning activity providers and sponsorship before Sundance – November 2017;
- Organize volunteer/city wide clean-up team for July 5<sup>th</sup> to assist Trash/Recycling and Parks Crew;
- Funding for Event Planner and Operations – Restaurant Tax Grant funding is completed. Staff will return to discuss future funding options at a subsequent meeting.

Due to the scale of the event, staff is still gathering feedback and debrief information. Staff will return to Council at a subsequent meeting for further debrief and possible questions for Council to consider before we begin planning for next year's event. Information not available at the time this report was due includes:

- SEAC Debrief (scheduled for the August 16<sup>th</sup> SEAC meeting)
- Fourth of July Transportation Survey
- Financial Considerations
- Activity Provider and Event Planner Debrief
- Public Safety and Security

The following information summary was collected by the time this report was due.

### **Attendance Numbers**

- It is currently estimated that 42,000 people attended this year's Fourth of July Celebration throughout the day, though staff is still working to analyze data for crowd numbers.
  - This is compared to:
    - Monday, July 4, 2016 – Estimated 53,000 people in the Park City Area
    - Saturday, July 4, 2015 – Estimated 35,000 people attended the event
    - Friday, July 4, 2014 – Estimated 37,000 people attended the event
- 60 Local Residents and Businesses participated in this year's parade.
  - We received \$4,500 in parade fees for the first time this year. Previously the Chamber had received such fees as they were the applicant of the event.
  - The amount of parade floats helped to keep the parade to one hour which has been well received by locals.
  - We continued to allow parade floats to handout candy and use water guns. This has been well received, though we do have parade participants throwing candy and using water balloons or water cannons which can be dangerous/ hazardous to the crowd.
  - Parade gaps were generally better than they have been in years past, although we did have a few times when parade gaps needed to be corrected.

### **Transportation Planning & Mitigation Efforts**

For the Park City Fourth of July Celebration, City staff implemented the following mitigation strategies:

#### Bus-Only Lane Along Deer Valley Drive

Staff found value in keeping the bus-only lane for southbound buses during the parade infill allowed transit to bypass general traffic on Deer Valley Drive between Bonanza Drive and the Old Town Transit Center.

## **Exhibit A 2017 Fourth of July Celebration Debrief Summary**

- Used in 2016, and again in 2017, this dramatically increases the carrying capacity of the City's transit system.
- The decreases in transit travel times as a result of this implementation, as well as the addition of new services including the Electric Xpress and the Kamas Commuter helped facilitate a 15% increase (2,000 additional riders) in transit ridership in 2017 from 2016.

### Parade Load In

Parade Load In was moved to 8 a.m. instead of 9 a.m. This helped ensure that all floats were on Swede Alley before 10 a.m. and ensured that the parade load in would not impact the highest traffic time between 10 a.m. and 11 a.m. Some parade participants stated that they thought this was too early, but staff will likely continue this load in for future years as it helped decrease traffic congestion.

### Satellite Parking Options

In order to reduce congestion in Old Town and along corridors such as Deer Valley Drive, staff coordinated the use of Deer Valley lots 5 & 6, the Park City Mountain base area lots, the Canyons Cabriolet lot, and the School District Kearns Campus lots in a park-and-ride capacity during the Fourth of July Celebration. Richardson Flats was not used for this year's event.

- The lots at Park City Mountain base area reached capacity during the parade ingress, and the School District lots filled to approximately 90% capacity. The lots at Deer Valley and Canyons were not used as prevalently.

### Paid and Restricted Parking in Old Town

From 7 AM – 1 PM, staff implemented a \$20 cash charge for parking in China Bridge garage, as well as enforced parking restrictions along Main Street, Park Ave and for both on- and off-street parking along Swede Alley for the parade. These implementations incentivized visitors to park at the above described park-and-ride locations or reach the parade by other means, reducing congestion impacts in the Old Town area.

- China Bridge garage was at 95% occupancy as the parade began.
- \$8,000 in parking revenue was collected during the time of charged parking.

### Advanced VMS Messaging and Improved Wayfinding

In partnership with Summit County and UDOT, City staff increased the role of our VMS infrastructure for operations during the Fourth of July Celebration compared to 2016.

- From Friday, June 30 to Monday, July 3, staff leveraged VMS in the City and County to encourage Fourth of July Celebration visitors to carpool and use transit, as well as to travel early in order to avoid times at which local roadways are most congested.
- On the 4<sup>th</sup>, VMS as well as additional wayfinding were used and monitored in order to appropriately direct visitors to parking areas with available capacity.
- Associate Transportation Planner, Matthew Hartnett worked at the Transportation Operation Center in Salt Lake City on the Fourth of July to monitor traffic cameras and ensure that messaging could be changed as quickly as possible to get real time information on VMS boards.

### Multi-Jurisdictional Coordination

Multi-jurisdictional coordination is essential to the success of operations on the Fourth of July. Park City School District, Vail Resorts (both Park City Base and Canyons) as well as Deer Valley Resort allowed use of parking. Summit County helped coordinate transit efforts and use of their VMS boards. We are very appreciative of our jurisdictional partners for helping to pull off the success of this event.

### Increased Residential Access Control

## **Exhibit A 2017 Fourth of July Celebration Debrief Summary**

For this year's Fourth Celebration, staff implemented increased residential access controls and signage. Kane Security provided 10 staffed residential security guards on the morning of the Fourth of July from 7:00 a.m. to 1:00 p.m. at the following locations:

- City Park Entrances
- North Sand ridge Lot
- Hillside & King Road
- Empire & Silver King Road
- Empire & 14<sup>th</sup> Street
- Empire & Manor Way
- Lowell & Manor Way

This effort was coordinated with existing Police Security and Barricades.

- Transportation Planning staff will be conducting a review of traffic data collected in Old Town residential areas as well as distributing a community survey in order to estimate the impacts of these implementations.

### Bike Valet

Bike Valet stations were implemented at the intersection of Main Street and 9<sup>th</sup> Street as well as at the Mahwinney Lot in order to encourage visitors to travel to and from the event by bike.

- 9<sup>th</sup> Street Bike Valet closed at 1 p.m. – 76 Bikes
- Mawhinney Lot Bike Valet closed at 5 p.m. – 220 Bikes
- Total of 296 Bikes were parked at the Bike Valets on the Fourth of July.

## **Community Engagement, Notifications & Marketing**

### Residential notification

For all major summer events, residential mitigation took place in Old Town took place on Tuesday, May 30 as a coordinated effort between Parking Services, Special Events, Transportation Planning, Park City Police and Community Engagement.

Staff completed an additional residential notifications the week of June 26 to remind local residents of activities, parking and transportation restrictions over the Fourth of July weekend.

### HPCA

Staff attended the May HPCA meeting to give a high level overview of proposed changes for the 2017 event. Staff sent out information at to the June HPCA meeting to give a more in depth overview of Transportation and Parking changes for the event.

### Text Alert System

Staff has coordinated with Emergency Management and Community Engagement Department to create a Text Alert System for the busy summer event season using the key word PCEVENTS to push transportation and other important information during the event.

- During the Fourth of July there were 140 people subscribed to this system, 56 people subscribed between July 3 and July 4th.
- Staff began pushing notifications on July 3 by reminding local residents of parking and traffic restrictions for the Fourth of July. There were some challenges with the system on the Fourth of July. Emergency Management and Community Engagement are working to understand the challenges as the Arts Fest weekend approaches.

### Impact Information & Community Notification

Staff worked with the Community Engagement Team to create informative materials regarding impacts, road closures and parking removals for the event. This information was translated to

## **Exhibit A 2017 Fourth of July Celebration Debrief Summary**

Spanish. Information was provided to HPCA, Chamber, Park Record, KPCW and hosted on the City's website.

### Marketing

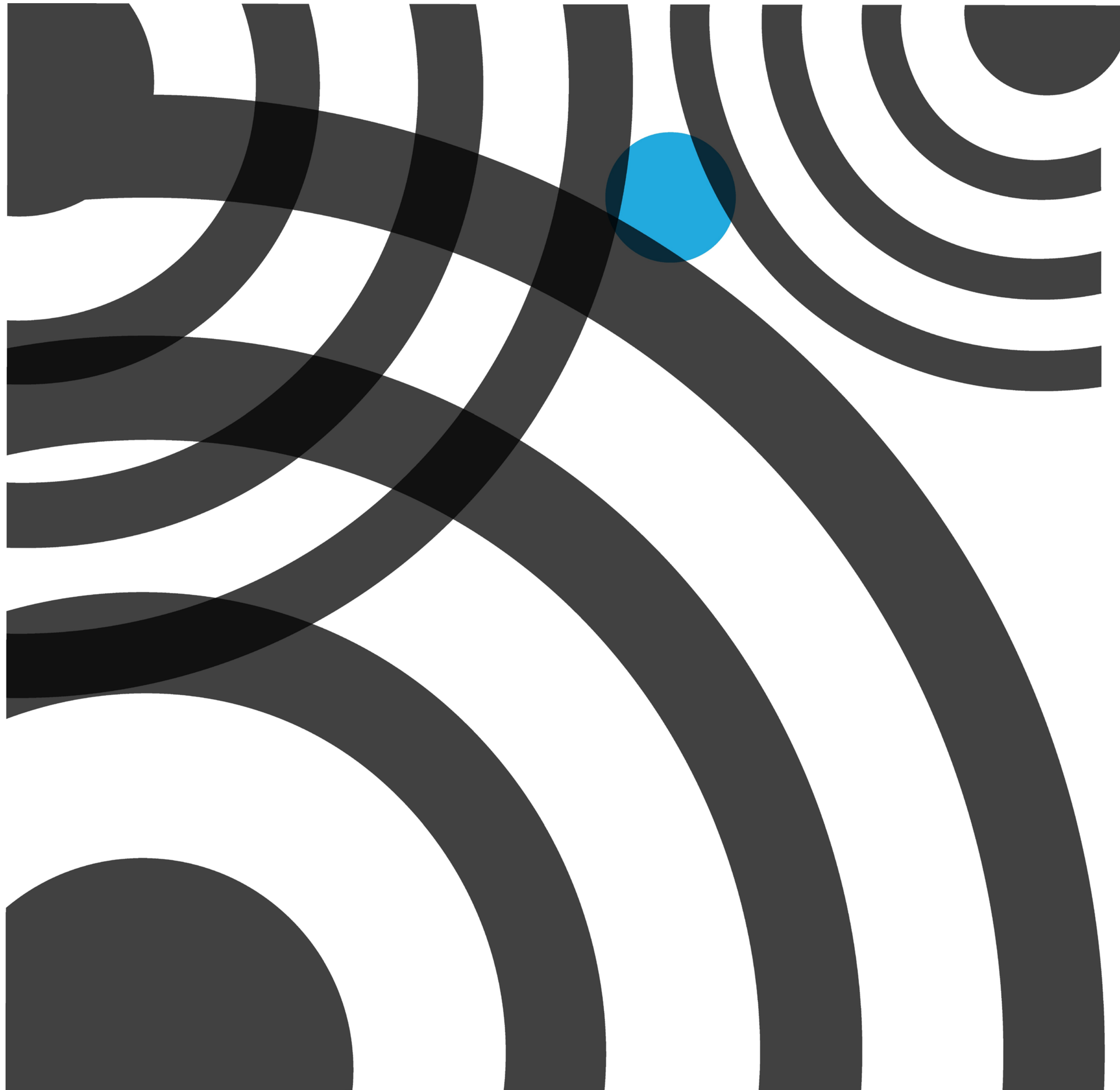
As a requirement of the Restaurant Tax Funding, marketing was developed and included in the Salt Lake City news outlets. This included Deseret News and Salt Lake Tribune.

Staff is very appreciative of our communication partners including HPCA, Chamber, KPCW and the Park Record.

### **Sustainability Efforts**

Staff hired Green Machine Waste and Recycling to handle waste and recycling efforts during the Fourth of July. This effort was concentrated at City Park. The Parks Department handled waste and recycling on Main Street.

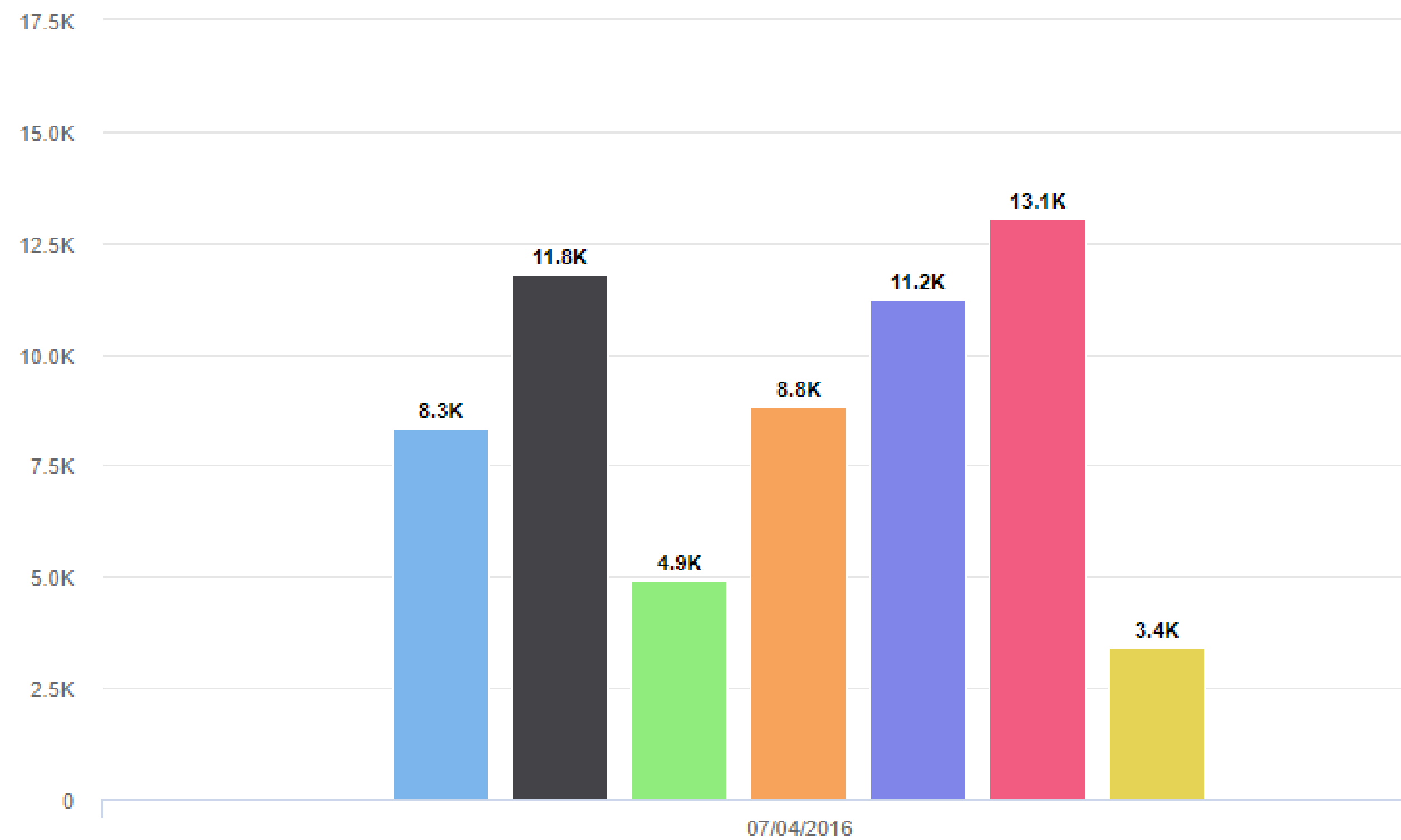
- Pounds of Waste to Landfill 4,000 lbs
- Pounds of Waste Diverted from Landfill 2,250 lbs
  - 1,100 lbs Plastics
  - 450 lbs Glass
  - 350 lbs Cardboard
  - 200 lbs Aluminum
  - 150 lbs Mixed Metal



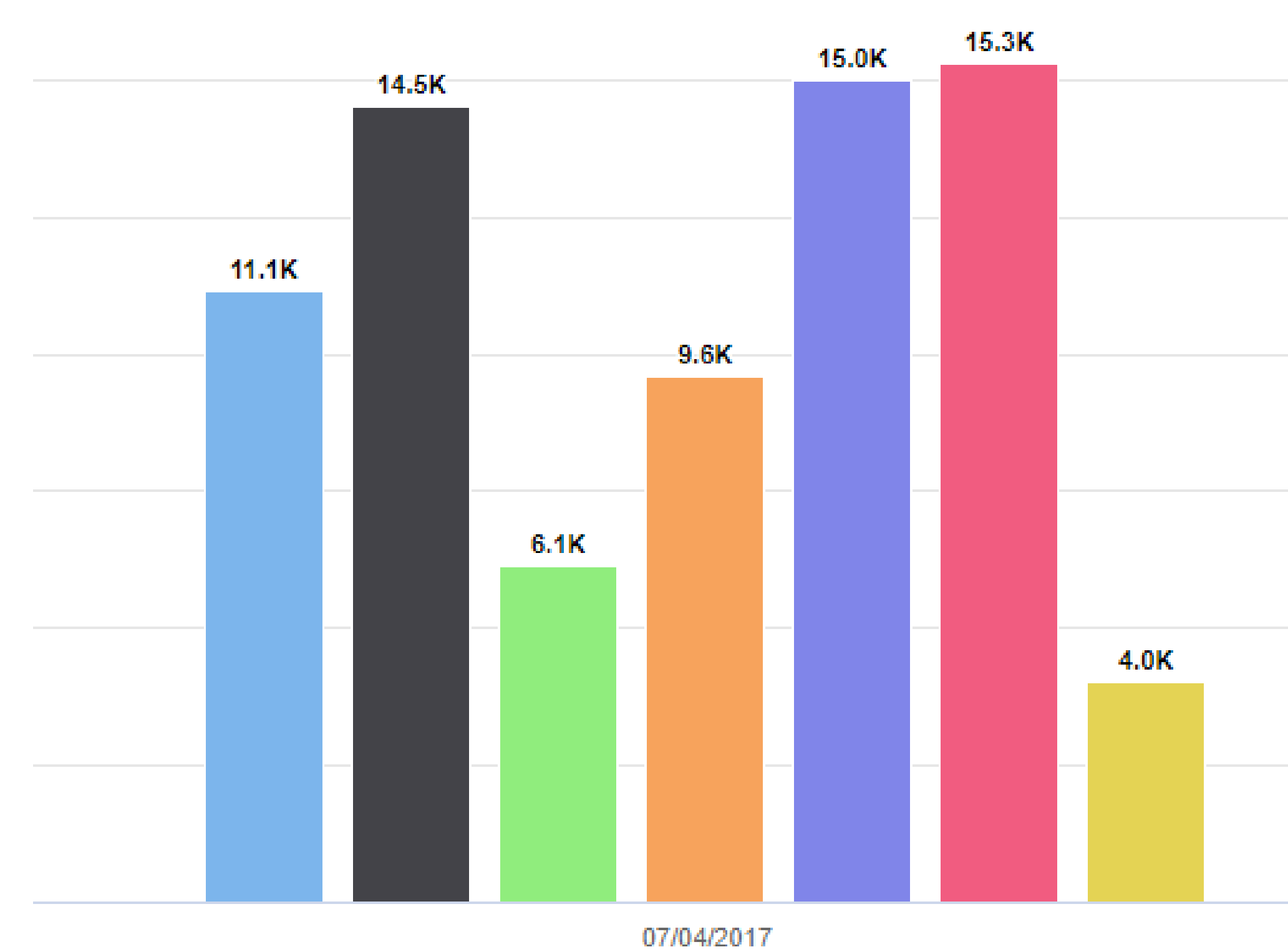
# Park City: 4<sup>TH</sup> of July 2016 vs 2017

## Main Street Totals

2016: 61,500 unique devices



2017: 75,600 unique devices



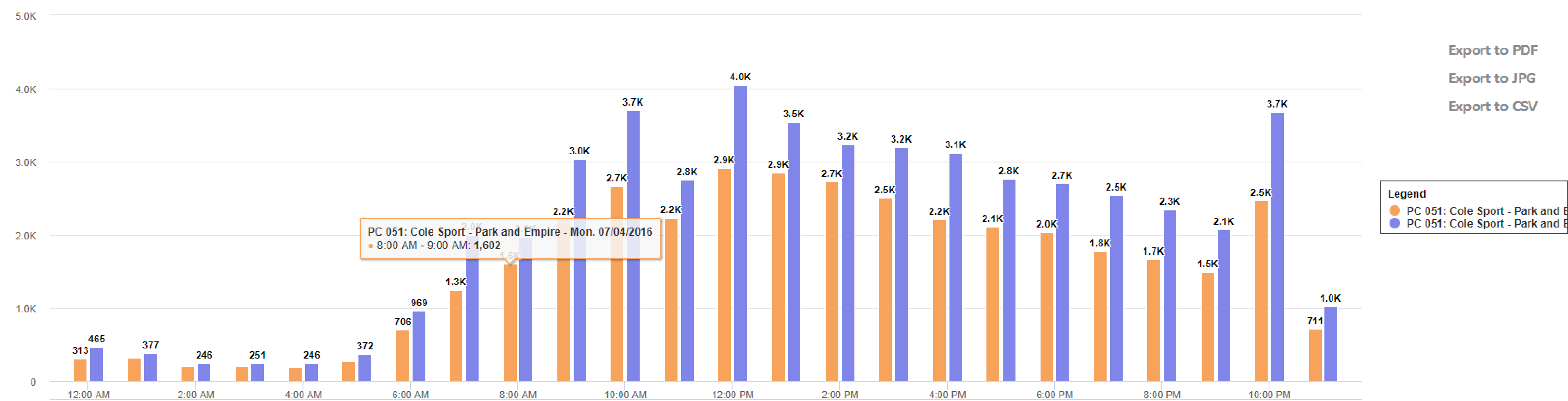
### Legend

- PC 028: 402 Main St, Park City,
- PC 029: 508 5th St Park City, U
- PC 035: 825 Main Street, Park C
- PC 036: 605 Main Street, Park C
- PC 037: 537 Main St Park City,
- PC 038: 427 Main St Park City,
- PC 052: Intersection of Park Av

# Park City: 4<sup>TH</sup> of July 2016 vs 2017

## PC Sensors Cole Sport: 2016 vs 2017

\* Volume is algorithmically calculated through BIDs (Blynscy Unique IDs) captured from wireless capable devices during a period of time. Volume data is best used for relative trends and deltas.



Orange = 2016  
Purple = 2017



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Attached for your approval, please find the minutes for the July 11 and 13, 2017, City Council meetings. Thank you for your consideration.

**Respectfully:**

Michelle Kellogg, City Recorder



**PARK CITY COUNCIL MEETING MINUTES - DRAFT**  
**1255 PARK AVENUE**  
**PARK CITY, SUMMIT COUNTY, UTAH 84060**

**July 11, 2017**

The Council of Park City, Summit County, Utah, met in open meeting on July 11, 2017, at 5:00 p.m. in the Park City Library Community Room

**SPECIAL MEETING**

**I. ROLL CALL**

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Excused
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Michelle Kellogg	City Recorder	Present

**Arts and Culture District:**

Mayor Thomas called the meeting to order at 5:20 p.m. and referred to the announcement of the creation of the Arts and Culture District in the Bonanza Park East area. He indicated the City had worked on this neighborhood for the past 10 years, and he was excited to see this new development. He stated the City would be working with two partners: Sundance Institute and the Kimball Arts Center (KAC), and he recognized the representatives from each of these organizations. He related that he felt the Arts and Culture District was the right fit for this area.

Mayor Thomas explained the illustration of the Complete Community Tree, which showed the goals of the City. He stated this district was in the core of the community. Park City would contribute various things to the project, including leadership as a development partner, creating a true arts and culture feel, parking and connectivity.

1 A master plan process would begin with a concept design. Nate Rockwood, Capital  
2 Budget Manager, stated the City would contribute to the project by developing parking  
3 and a transit hub, as well as a community space. The district would be wrapped in  
4 housing and office space to continue with the arts feel of the area, and there would be  
5 open space for events.

6  
7 Rockwood explained the City would purchase the property and then KAC and  
8 Sundance would each buy the property for their sites. The City would pass a 1%  
9 Transient Room Tax (TRT), which would fund the sales revenue bonds that would fund  
10 the project. The tax would become effective January 1, 2018. Mayor Thomas noted the  
11 tax would be imposed on the Park City visitor, and not on the resident.

12  
13 Mayor Thomas related that two years ago he discussed with Sundance the possibility of  
14 making their home in Park City. Now, the partnership with them and Kimball Arts Center  
15 would make this project complete.

16  
17 Robin Marrouche, Kimball Arts Center Executive Director, stated the KAC was honored  
18 to partner with the City and with Sundance in the best interest of the community. She  
19 looked forward to spending the next 50 years in this space with these partners. She  
20 wanted to get opinions and views from the community members in order to make this  
21 project great.

22  
23 Betsy Wallace, Sundance Institute CFO and Managing Director, stated Robert Redford  
24 indicated the DNA of Sundance began in Park City and it would continue to bloom.  
25 Sundance was an economic driver in Utah and Park City could be the driver for arts and  
26 culture for Utah and the nation. She hoped to deepen Sundance's relationship with the  
27 City, and she was excited to be a partner with KAC.

28  
29 Mayor Thomas stated there would be small group discussions to answer questions from  
30 the public. Board members from KAC and Sundance, along with City Council members,  
31 divided into groups to talk with attendees at this meeting.

## 32 33 **ADJOURNMENT**

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

36  
37  

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Michelle Kellogg, City Recorder



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

**July 13, 2017**

The Council of Park City, Summit County, Utah, met in open meeting on July 13, 2017, at 1:30 p.m. in the City Council Chambers.

**WORK SESSION**

**Special Events Advisory Committee (SEAC) Interviews:**

Mayor Thomas, Council, and Jenny Diersen interviewed Jennifer Malherbe and Jill Campbell who applied for openings on SEAC. They were told a decision would be made in a few days.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 2:35 p.m. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, and Worel. Council Member Matsumoto was excused.

**CLOSED SESSION**

Council Member Council Member Worel moved to adjourn from Closed Meeting at 4:10 p.m. Council Member Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, and Worel. Council Member Matsumoto was excused.

**WORK SESSION (CONTINUED)**

**Council Questions and Comments:**

Council Member Henney stated he enjoyed the Chamber lunch, hearing Bill Malone and seeing Becky Kearns receive the Rademan Award. He indicated the City was in a delivery phase after years of planning and setting goals, and wondered how the fast paced action of delivery on promises had impacted staff. Council requested a future agenda item addressing this issue.

Council Member Worel stated Connect reported 133% increase in attendance as a result of Mental Health Awareness Month in May. She attended the Bright Futures Board meeting, where it was requested that City Council have a permanent liaison

1 position. Council agreed that Council Members Gerber and Worel continue in that  
2 liaison capacity. She indicated this was Grant Week, and noted the organizations that  
3 were beneficiaries of various grants. She attended the Mental Health Alliance Steering  
4 Committee meeting and related this group was working on a draft strategic plan. She  
5 attended the Bonanza Park meeting and the Peace House board meeting. She also  
6 helped interview candidates for the Communities that Care Coordinator position and  
7 indicated there should be an announcement by next week.

8  
9 Council Member Beerman complimented staff who worked on July 4<sup>th</sup> and thought it  
10 was a fantastic event. He noted there was improvement with the event traffic mitigation,  
11 but thought the City still had a ways to go in its mitigation efforts. He attended the Board  
12 of Realtors meeting where transportation was discussed. He greeted the exchange  
13 students from Courchevel, France. He participated in a ribbon cutting for a new trail,  
14 called the Free Mason Trail. He suggested putting a bike lane on Deer Valley Drive on  
15 the western side in order to help alleviate bike traffic from the trail in that area. He talked  
16 about the Solomon Fund with Diego Zegarra from Park City Foundation and he wanted  
17 to have a Council discussion on assisting this group with funds for summer camps, etc.  
18 He also stated the residents on Silver Cloud were concerned about the lights on the  
19 Round Valley field, and requested to retrofit the lights with shields.

20  
21 Council Member Gerber thanked staff for the work involved with the July 4<sup>th</sup> parade and  
22 for putting on the Arts and Culture meeting. She attended the Park City Action Network  
23 (PCAN) meeting. She indicated that at the Friends of Farm meeting, they discussed  
24 people who wanted to tour the barn, but there was no budget for staff to give tours.  
25 Council Member Beerman suggested Friends of Farm board members volunteer to give  
26 tours in exchange for donations. Council Member Gerber stated having volunteers  
27 would take a lot of management. She also expressed concern about the beetles found  
28 in aspen trees. Luke Cartin stated that could be discussed next week with the carbon  
29 discussion. Bruce Erickson stated Community Development was finishing the Forestry  
30 Management Plan and indicated if the non-native evergreens were banned, the aspens  
31 would be fine.

32  
33 Mayor Thomas felt July 4<sup>th</sup> was a great event. He also thanked staff for their  
34 contributions to the Arts and Culture District discussion.

35  
36 **Council Top Priorities Discussion on Historic Preservation:**

37 Anya Grahn, Hannah Tyler, and Bruce Erickson, Planning Department, reviewed the  
38 historic preservation accomplishments from 2016. Some projects in progress this year  
39 included the Storefront Enhancement Program, design guideline revisions in the code  
40 and the Historic District Grant Program. Erickson stated a consultant was hired to  
41 advise the City on the grant program, and in the future the grant program would be a  
42 targeted program.

1 Future projects were reviewed, and included expanding the national register Main Street  
2 District, initiating a character zone study, analyzing ski era architecture, and updating  
3 the historic sites inventory.

4  
5 Council Member Henney stated the accomplishments listed for the past year was  
6 phenomenal and congratulated the planners. Council Member Worel noted the staff  
7 report reference to public necessities under Ongoing Work, and asked for clarification.  
8 Erickson stated projects such as restoring the senior building, the 1450/1460 affordable  
9 housing remodel and also the Woodside Avenue project would constitute meeting a  
10 public need.

11  
12 Council Member Beerman asked how many historic homes were occupied by primary  
13 residents. Grahn indicated she would look into that as part of the study. Mayor Thomas  
14 felt preserving this area might be a way to get people back into Old Town.

15  
16 Mayor Thomas opened the meeting for public input.

17  
18 Sandra Morrison, Park City Museum, reviewed the preservation of the mine structures.  
19 The museum spent \$130,000 restoring California Comstock, and Vail donated \$50,000  
20 as well. The museum also donated \$15,000 to the preservation of the Silver Creek  
21 Water Tanks and another \$15,000 for the Silver Creek Aerial Tramway. They promised  
22 an additional \$30,000 towards work on the California Comstock this summer.

23  
24 Cheryl Soshnik stated ski era "A frame" structures were endangered species. Many  
25 were being demolished and she hoped it would be a priority of the City to offer  
26 incentives to preserve these homes. She thought the City needed a variety of structures  
27 in the neighborhoods.

28  
29 Mayor Thomas closed the public input portion of the meeting.

30  
31 **Discuss Net-Zero Buildings and Facilities:**

32 Celia Peterson and Luke Cartin, Environmental Sustainability Department, presented  
33 this item. Peterson displayed the carbon footprint graph for municipal buildings. She  
34 indicated a five-step plan was being compiled to reach the City's net zero goals: reduce  
35 energy consumption, high performance envelope, appropriately designed systems, on-  
36 site energy production and monitoring and verification. The policy would include all  
37 buildings using City funds that used in excess of 1MMBtu (approx 293 kWh) annually,  
38 and all renovations up to 25% of the total square footage of the building. Peterson  
39 stated there would be a third party verification to ensure a net-zero energy performance.  
40 She stated the cost for verification would be about \$10,000, which was very affordable.

41  
42 Council Member Beerman stated he was happy that the City was at this point in the  
43 process, but thought the conservation efforts should happen on every project. He  
44 favored using subscriber solar until the City had its own energy source. He was

1 disappointed the Water Department was pulled out of the requirement, and thought all  
2 new projects should be held to the requirement, including Water. Cartin stated the only  
3 part of Water that couldn't be mitigated was the processing equipment part. The other  
4 areas of the facility, such as office space, would need to comply.

5  
6 Council Member Henney asked that priority be placed on working with Rocky Mountain  
7 Power (RMP) on getting the City's own power plant. Cartin stated charging the electric  
8 buses helped make RMP willing to cooperate with the City. Cartin asked about variance  
9 requests when projects were cost prohibitive. Council Member Henney stated those  
10 requests should come to Council for discussion in a work session.

11  
12 Council Member Worel asked if this plan would be shared with the building community.  
13 Peterson stated outreach was being planned. Cartin said this certification was the  
14 absolute goal, which was zero. Council Member Beerman asked if there were plans to  
15 replace the sustainability employee in Public Works. McAfee stated Holly Hilton was  
16 reporting on progress within the department and how the department was spending the  
17 energy surcharge.

18  
19 **Discuss Proposed Amendments to the Type 2 Convention Sales License:**

20 Beth Bynan, Business License Specialist, reviewed concerns with Type 2 License  
21 vendors. She proposed code amendments to help keep Main Street vibrant and safe.  
22 Loading permits would be color coded, each with different allowances. She noted some  
23 challenges that needed to be addressed, such as noise in the early morning hours,  
24 snow removal, concurrent special events, etc., and recommended increasing the fee by  
25 \$149 to cover administrative costs, as well as assessing a Main Street Bid fee.

26  
27 Council Member Worel was concerned about load-in at 4:00 a.m. and requested a start  
28 time of 6:00 a.m. Jason Glidden stated the old business had to load out and the new  
29 business load-in, which took six hours. Council Member Beerman stated he would  
30 prefer the load-in at night instead of blocking streets during the days. He praised staff's  
31 efforts and recommendations. He asked about the bid fee being for multiple vendors in  
32 the same location. Glidden stated the low impact vendors usually fell under an umbrella  
33 license, so only one bid fee would be charged in that case. Rebecca Gillis stated the  
34 code required that every request would have to pay the bid fee, but she would work on it  
35 further with the Legal Department.

36  
37 Council Member Gerber asked if load-in regulations would be imposed on days other  
38 than the Thursday of the event. Glidden stated some regulations would apply. Bynan  
39 stated the following Tuesday would be the first day the vendors could load out.

40  
41 **Update on Microtransit Request for Proposal Process:**

42 Alfred Knotts, Matthew Hartnett, and Blake Fannesbeck, Transportation Department,  
43 presented this item. Knotts reported that since the June 29 Council meeting, there had  
44 been numerous correspondences regarding drafting an application in which the

1 transportation companies could participate. He reviewed the modifications being made  
2 to the RFP, adding the Deer Valley area, Aerie area and that all areas would service the  
3 Old Town Transit Center or Fresh Market bus zones. The hours were modified to run  
4 11:00 a.m.-11:00 p.m. in the summer and 7:30 a.m.-11:00 p.m. in the winter. The  
5 operating parameters clarified that door-to-door would be allowed if there were no bus  
6 stops in the area, and one trip end must be at a transit stop within the zone. There  
7 would be bonus evaluation points for low fuel vehicles, and two different types of  
8 vehicles would need to be compared in the proposal. Knotts indicated this RFP would  
9 be advertised for two weeks, then the evaluation committee would meet and the notice  
10 of award would be on August 8, with Council approval on August 17.

11  
12 Council Member Beerman stated hiring local should be a requirement, and bonus points  
13 given to local companies. He also requested that vehicles be electric. Council Member  
14 Gerber didn't mind not hiring locally because there was a staffing shortage in Park City,  
15 so neighboring communities could be considered when hiring drivers. She was also in  
16 favor of only electric vehicles being used for this program. Council Member Worel  
17 supported hiring drivers from surrounding areas if necessary, and suggested allowing  
18 the taxis to acquire electric vehicles within a certain period of time so they might be able  
19 to participate.

20  
21 Council Member Henney hoped the local transportation companies could purchase  
22 electric or hybrid vehicles to be competitive in the RFP. Council Member Beerman  
23 stated electric vehicles were consistent with the City priorities and if these companies  
24 wanted the contract, they would do what it took to show they were serious.

25  
26 Mayor Thomas agreed that electric vehicles should be required for this program. After  
27 some discussion, it was determined the drivers should live in Summit County, and  
28 bonus points would be given for having electric vehicles.

29 **REGULAR MEETING**

30 **I. ROLL CALL**

31

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	Excused
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present

Michelle Kellogg	City Recorder	Present
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II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- **Plastic Bag Ban Update**

Council Member Henney indicated the plastic bag ban was a great success and thanked the community for supporting this effort. Council Member Beerman requested that signs reminding people about the no idling ordinance go up in the parking lots at the same time as the signs reminding customers to bring reusable bags into the stores.

- **2017 Kae Draper Outstanding Transit System Award**

It was indicated that the Transit Award was acknowledged and voted on by peers from other entities.

- **Park City Plaza Discussion Recap**

Council Member Worel read the event planning would be discussed as the City went through the regulatory process, which she felt would be too late. She requested a Council discussion on who would program events there and how they would be programmed. Twombly stated the proposed stage was no longer in the plans. The regulatory process was going on and the City departments would work together with the regulatory process. Foster stated a policy discussion on programming would be brought to a future Council meeting.

- **Coffee with Council Summary - June 27, 2017**

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

Mayor Thomas opened the meeting for those who wished to address Council on issues not listed on the agenda.

Thomas Hurd read a prepared statement on the nuisance of amplified music. He noted he received a call from Captain Kirk, which was very productive. He stated noise was not a Parks regulation, but was in the code and Police could enforce it. He shared an incident near his home at Rotary Park.

Foster indicated Ken Fisher was working with Karen Yocum to mitigate this problem.

Josh Hobson stated the plastic bag ban was great, and suggested banning single use polystyrene (styrofoam) containers as well.

1 Lisa Reynolds said on behalf of Girl Scouts, who were stewards of the land, she couldn't  
2 thank the City enough for being able to work together on Bonanza Flat.

3  
4 **IV. CONSIDERATION OF MINUTES**

5  
6 **Consideration to Approve the City Council Meeting Minutes from June 15 and 22,**  
7 **2017:**

8  
9 Council Member Gerber moved to approve the City Council Meeting minutes from June  
10 15 and 22, 2017. Council Member Henney seconded the motion.

11 **RESULT: APPROVED**

12 **AYES:** Council Members Beerman, Gerber, Henney, and Worel

13 **EXCUSED:** Council Member Matsumoto

14  
15 **V. NEW BUSINESS**

16  
17 **1. Courchevel Student Exchange Certificate Presentation:**

18 Mayor Thomas welcomed the Courchevel exchange students, and indicated he was  
19 grateful for the relationship the City had with Courchevel, France. He distributed  
20 certificates to the students.

21  
22 Tina Quayle said the students were happy to be in Park City. Two students expressed  
23 their appreciation as well for being able to be here.

24  
25 **2. Bonanza Flat Open Space Planning Framework and Conservation**  
26 **Easement Timeline:**

27 Heinrich Deters, Open Lands Manager, Wendy Fisher, Utah Open Lands, and Linda  
28 Jager, Community Engagement Manager, presented this item. Deters asked for  
29 direction on property management questions. Fisher stated Utah Open Lands was  
30 doing a vegetative analysis to determine the different habitats in Bonanza Flat. They  
31 would also do water quality monitoring and historic use patterns so any conservation  
32 value conflicts might be determined. With regard to outreach efforts, a survey would be  
33 administered to the public, a calendar of events would be made available, along with  
34 stakeholder meetings, open houses, and additional opportunities for public input. They  
35 suggested signage for the property, and proposed the name Bonanza Flat Community  
36 Preserve.

37  
38 Deters stated there would be technical resource advisors, jurisdictional agency  
39 stakeholders, drafting and an executive team, and public input that would all come to  
40 council every six weeks with updates on the conservation progress.

1 Council Member Henney asked what engagement staff had with Brighton Estates home  
2 owners and the Girl Scouts. Fisher said they were working with these groups. She  
3 defined Technical Resources as groups such as the Mountain Trails Foundation, and  
4 Jurisdictional agencies as the taxing entities. Council Member Henney asked if Brighton  
5 Estates residents had a seat at the table or was their only access through public input.  
6 Deters stated there were some groups in a gray area and they would be heard.

7  
8 Mayor Thomas stated it would be important to stay focused that this was a conservation  
9 easement and that would take priority. Council Member Gerber hoped safer parking  
10 was being explored.

11  
12 Council Member Beerman asked if Fisher and Deters had the resources to monitor this  
13 large parcel of land. Deters reviewed the current resources and stated more help would  
14 be nice. Fisher stated having a person up there as a liaison to the City would be critical  
15 while they figured out how to manage the property. Foster stated Open Lands might be  
16 able to absorb the liaison position temporarily until the City could take it over.

17  
18 Deters stated he wanted to post “no open fires” and “no camping” signage. He also  
19 stated the parking area was a Wasatch County right-of-way. Fisher stated the road was  
20 an issue that needed to be worked on.

21  
22 Mayor Thomas opened the public input portion of the meeting.

23  
24 Ann Bransford stated her family lived here for 100 years. She owned a parcel next to  
25 Bonanza Flat. She congratulated the City on purchasing it, and offered her services and  
26 expertise.

27  
28 Charlie Sturgis stated he used the property for years and noted it was undermanaged.  
29 Now there was a chance to provide recreation opportunities and have a well-managed  
30 area.

31  
32 Mayor Thomas closed the public input portion of the meeting.

33  
34 **3. Consideration to Approve a Letter of Intent Between Park City Municipal**  
35 **Corporation and the Kimball Art Center, Dated July 6, 2017, in a Form Approved**  
36 **by the City Attorney:**

37 Nate Rockwood, Capital Projects Manager, presented this item. Foster noted Betsy  
38 Wallace with Sundance Institute and others were here but had a conflict and could not  
39 stay.

40  
41 Rockwood stated his presentation included this item and the next three items on the  
42 agenda. He explained the City was entering into a purchase agreement to buy the  
43 Bonanza Park East parcel for the purpose of creating an Arts and Culture District. The  
44 letters of intent that were in the Council packet showed the Kimball Arts Center’s (KAC)

1 and Sundance Institute's parts in the purchase of this property. He indicated Sundance  
2 Institute would build a 45,000 square foot building with an exhibition space and theatre.  
3 The KAC would build a 30,000-40,000 square foot building for office and gallery spaces.  
4 The City would add additional space and would include the infrastructure, parking lots,  
5 etc. The City proposed a 1% Transient Room Tax (TRT), which was the maximum  
6 allowed by the City code, and it would be paid for by guests to Park City. The tax would  
7 be implemented on January 1, 2018. The City would close on the property January 31<sup>st</sup>.  
8 Then there would be a joint planning process with Sundance and KAC to create the Arts  
9 and Culture District. Rockwood noted that Sundance and KAC would each purchase the  
10 property of their respective building footprints.

11  
12 Council Member Henney asked what acreage would be purchased by KAC and  
13 Sundance. Rockwood estimated each entity would purchase just over an acre. Council  
14 Member Beerman asked if there would be an HOA type of organization formed to  
15 govern maintenance. Rockwood stated the dedicated parking and walkways would be  
16 maintained by the City. Council Member Worel asked about the timeline for completion.  
17 Rockwood felt the planning process would be complete within a year and the  
18 groundbreaking would occur in 2019-2020.

19  
20 Mayor Thomas opened the public hearing.

21  
22 Josh Hobson indicated he was happy for this district, but expressed concern on public  
23 access across Bonanza Drive.

24  
25 Patrick Fannon stated he owned two businesses in the Bonanza Park District. There  
26 were other businesses in this proposed district, and he hoped a good resolution could  
27 be had between the City and the businesses there.

28  
29 Greg Gendron, Park City Area Lodging Association (PCALA) Board, applauded the  
30 vision to create such a district and to have a relationship with Sundance. The lodging  
31 association was aligned with the project and would like to have a partner role. The  
32 association had a few recommendations. He expressed concern on the timing of the  
33 contract and bonding since lodging would have already collected millions of dollars, and  
34 they would have to go back to retroactively collect that tax from the visitors. Also, he  
35 requested that the City get a long term commitment from Sundance. Third, he  
36 requested a commitment for the allocation of the money to ensure that the entity being  
37 taxed had representation. PCALA suggested a portion of the money collected be  
38 allocated to the benefit of the lodging community. He was concerned that the 3% TRT  
39 the County imposed might be increased as well. He commended the City staff for the  
40 open dialogue.

41  
42 Mayor Thomas closed the public hearing.  
43

Council Member Henney indicated the City was aware of the local businesses in the district and noted this was an opportunity to deliver what the community wanted.

Council Member Gerber moved to continue Items 3, 4, 5, and 6 of New Business, including Letters of Intent between Park City Municipal Corporation and the Kimball Art Center, and between Park City Municipal Corporation and Sundance Institute, dated July 6, 2017, a purchase agreement between Bonanza Park, L.L.C., a Utah Limited Liability Company, JP'S NEVADA, LLC, a Nevada Limited Liability Company, Maverik Park City, L.L.C., a Utah Limited Liability Company and Park City Municipal Corporation, for the Bonanza Park East Parcel, located at approximately Kearns Boulevard and Bonanza Drive, in a form approved by the City Attorney, and Ordinance 2017-34, an ordinance establishing the Municipality Transient Room Tax within the city of Park City, Utah, at one percent (1%), to July 20, 2017. Council Member Beerman seconded the motion.

**RESULT: CONTINUED TO JULY 20, 2017**

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

**EXCUSED:** Council Member Matsumoto

**4. Consideration to Approve a Letter of Intent Between Park City Municipal Corporation and Sundance Institute, Dated July 6, 2017, in a Form Approved by the City Attorney:**

This item was continued to July 20, 2017 in Item 3.

**5. Consideration to Approve Ordinance 2017-34, an Ordinance Establishing the Municipality Transient Room Tax Within the City of Park City, Utah, at One Percent (1%):**

This item was continued to July 20, 2017 in Item 3.

**6. Consideration to Approve a Purchase Agreement Between Bonanza Park, L.L.C., a Utah Limited Liability Company, JP'S NEVADA, LLC, a Nevada Limited Liability Company, Maverik Park City, L.L.C., a Utah Limited Liability Company and Park City Municipal Corporation, for the Bonanza Park East Parcel, Located at Approximately Kearns Boulevard and Bonanza Drive, in a Form Approved by the City Attorney:**

This item was continued to July 20, 2017 in Item 3.

**7. Consideration to Approve Ordinance No. 2017-35, an Ordinance Approving the Gill Subdivision Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:**

Tippe Morlan, Planner II, indicated the applicant would like combine three lots in order to construct a single family home at 352 Woodside Avenue. After this plat amendment

1 approval, they would need to submit a steep slope CUP as well. She noted the  
2 proposed plat would add a public snow storage and utility easement.

3  
4 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas  
5 closed the public hearing.

6  
7 Council Member Worel moved to approve Ordinance No. 2017-35, an ordinance  
8 approving the Gill Subdivision Plat Amendment, pursuant to findings of fact, conclusions  
9 of law, and conditions of approval in a form approved by the City Attorney. Council  
10 Member Gerber seconded the motion.

11 **RESULT: APPROVED**

12 **AYES:** Council Members Beerman, Gerber, Henney, and Worel

13 **EXCUSED:** Council Member Matsumoto

14  
15 **8. Consideration to Approve Ordinance No. 2017-36 an Ordinance Approving**  
16 **the Frank Andrews Building (FAB) Main Street Plat Amendment Located at**  
17 **442/444 Main Street, Park City, Utah:**

18 Anya Grahn, Planner II, stated this plat amendment would combine three lots in the  
19 historic district. The purpose for the amendment would be to expand the building.

20  
21 Council Member Henney asked if this was a split vote by the Planning Commission, and  
22 was told this was not a contentious item.

23  
24 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas  
25 closed the public hearing.

26  
27 Council Member Beerman moved to approve Ordinance No. 2017-36 an ordinance  
28 approving the Frank Andrews Building (FAB) Main Street Plat Amendment located at  
29 442/444 Main Street, Park City, Utah. Council Member Henney seconded the motion.

30 **RESULT: APPROVED**

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

32 **EXCUSED:** Council Member Matsumoto

33  
34 **9. Consideration to Approve Ordinance 2017-37, an Ordinance Approving the**  
35 **Vacation of a 250 Square Foot Public Utility Easement Associated with 442/444**  
36 **Main Street, Park City, Utah:**

37 Anya Grahn, Planner II, stated the applicant owned the easement and it was no longer  
38 needed for the utility companies.

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

3  
4 Council Member Worel moved to approve Ordinance 2017-37, an ordinance approving  
5 the vacation of a 250 square foot public utility easement associated with 442/444 Main  
6 Street, Park City, Utah. Council Member Henney seconded the motion.

7 **RESULT: APPROVED**

8 **AYES:** Council Members Beerman, Gerber, Henney, and Worel

9 **EXCUSED:** Council Member Matsumoto

10  
11 **10. Consideration to Approve Ordinance 2017-38, an Ordinance Approving the**  
12 **Retreat at the Park, First Amended Plat Amendment Located at 1450-1460 Park**  
13 **Avenue, Based on the Findings of Fact, Conclusions of Law, and Conditions of**  
14 **Approval in a Form Approved by the City Attorney:**

15 Anya Grahn, Planner II, stated the applicant wanted to combine lots and  
16 condominiumize the subdivision

17  
18 Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas  
19 closed the public hearing.

20  
21 Council Member Henney expressed concern with the Planning Commission minutes  
22 and the approval process. Erickson stated the commissioners wanted to weigh in on  
23 parking with the historic homes. Parking was not required, and a commissioner felt  
24 more parking needed to be required for some areas. Council Member Henney stated  
25 Council made it clear that the City would be held to the same standard as other  
26 applicants, so the Planning Commission should not imply that exceptions were being  
27 made for this project. Erickson explained some of the nuances with the project, such as  
28 the Planning Department had made an error on a condition of approval, and the  
29 commissioners were frustrated.

30  
31 Council Member Beerman stated he was at the meeting and explained that the Planning  
32 Commission was frustrated with the delays; they felt this project should have come to  
33 them earlier. Council Member Gerber asked why the City wanted to consolidate the two  
34 plats. Erickson stated having one plat would help with parking configurations.

35  
36 Mayor Thomas suggested a copy of Planning Commission duties be distributed to the  
37 commissioners. Harrington stated the Council put strong minded individuals on the  
38 Planning Commission that didn't just rubber stamp projects. He suggested a liaison  
39 meeting with the Chair to resolve any concerns.

40  
41 Council Member Beerman moved to approve Ordinance 2017-38, an ordinance  
42 approving the Retreat at the Park, First Amended Plat Amendment located at 1450-

1 1460 Park Avenue, based on the findings of fact, conclusions of law, and conditions of  
2 approval in a form approved by the City Attorney. Council Member Worel seconded the  
3 motion.

4 **RESULT: APPROVED**

5 **AYES:** Council Members Beerman, Gerber, Henney, and Worel

6 **EXCUSED:** Council Member Matsumoto

7  
8 **11. Consideration to Approve Ordinance 2017-39, an Ordinance Approving the**  
9 **Retreat at the Park Condominiums Located at 1450-1460 Park Avenue, Based on**  
10 **the Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form**  
11 **Approved by the City Attorney:**

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

14  
15 Council Member Beerman moved to approve Ordinance 2017-39, an ordinance  
16 approving the Retreat at the Park Condominiums located at 1450-1460 Park Avenue,  
17 based on the findings of fact, conclusions of law, and conditions of approval in a form  
18 approved by the City Attorney. Council Member Worel seconded the motion.

19 **RESULT: APPROVED**

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

21 **EXCUSED:** Council Member Matsumoto

22  
23 **VI. ADJOURNMENT**

24  
25 With no further business, the meeting was adjourned.  
26  
27  
28

\_\_\_\_\_  
Michelle Kellogg, City Recorder



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

As part of the Water Department's ongoing asset management program, the 4<sup>th</sup> Street Waterline 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 within 4<sup>th</sup> Street between Main Street and Swede Alley.

**Respectfully:**

Nicholas Graue, Water Project Engineer



## City Council Staff Report

**Subject:** 4<sup>th</sup> Street Waterline Replacement Project  
Construction Agreement  
MC Contractors, LLC  
**Author:** Nick Graue, Public Utilities Engineer  
**Department:** Public Utilities  
**Date:** August 3, 2017  
**Type of Item:** Administrative

### Summary Recommendation

Staff recommends Council authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with MC Contractors, LLC. for the 4<sup>th</sup> Street Waterline Replacement Project for an amount not to exceed \$217,918.

### Executive Summary

As part of the Water Department's ongoing asset management program, the 4<sup>th</sup> Street Waterline 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 within 4<sup>th</sup> Street between Main Street and Swede Alley.

### The Problem

Public Utilities has identified a critical waterline in 4<sup>th</sup> Street between Main Street and Swede Alley in need of replacement. The waterline does not meet state Division of Drinking Water standards, has a recorded history of leaks and repairs and is inadequate in size to convey fire flow to the Main Street and Swede Alley area.

### Background

- In anticipation of the Main Street Sidewalks project and Brew Pub Plaza project, Public Utilities reviewed waterlines in the vicinity.
- The water main in 4<sup>th</sup> Street is a 3-inch diameter steel line installed in the late 60's. The pipe has a recorded history of leaks and repairs and restricts conveyance of fire flow to the Main Street and Swede Alley area.
- In an effort to avoid tearing up the newly installed granite sidewalks, Public Utilities determined that the 4<sup>th</sup> Street waterline must be replaced prior to the installation of the new sidewalks.
- On December 3, 2015, Council authorized a Professional Services Agreement with Bowen Collins and Associates for the design of the Upper Swede Alley Utility Replacement Project.
- Outlined in this report, is a staff recommendation for council authorization of a construction contract to complete the 4<sup>th</sup> Street work.
- Links to project related information presented at prior City Council meetings are provided below:

- Professional Services Agreement with Bowen Collins and Associates for the design of the Upper Swede Alley Utility Replacement Project (Link: <http://parkcityut.igmp2.com/Citizens/FileOpen.aspx?Type=1&ID=2080&Inline=True>, page 133)

### Alternatives for City Council to Consider

**1. Approve the Request:** This alternative will replace and improve the existing water services.

Pros - Replacement will address the issues with the existing 4<sup>th</sup> Street waterline and increase fire flows to critical areas of Old Town.

Cons - Capital cost impacts, construction impacts.

**2. Do Nothing:** This alternative would deny the request to replace existing water main.

Pros – Funds allocated for this project could be used for other asset management projects.

Cons – The 4<sup>th</sup> Street waterline issues and deficient fire flows would remain.

### Analysis

#### Contractor Selection

The request for bid proposals for the 4<sup>th</sup> Street Waterline Replacement Project was advertised in the Park Record on 6/7, 6/10, 6/14, 6/17 & 6/21/2017, online at [utahlegals.com](http://utahlegals.com), and on the Park City website beginning June 7, 2017. Bids were received and opened on June 21, 2017. Due to irregularities in the initial bid results, the project was re-bid and advertised for an additional two weeks starting on June 30, 2017. Three bids were received and opened on July 14, 2017; the following summarizes the pricing contained in the bid proposals received:

<b>Engineer's Estimate</b>	<b>\$308,269.68</b>
<b>England</b>	<b>\$288,900.00</b>
<b>MC Contractors</b>	<b>\$217,918.00</b>
<b>Counterpoint</b>	<b>\$264,223.00</b>

MC Contractors, LLC. is the lowest responsive bidder. Bid documents have been reviewed by staff and no issues were discovered. None of the bidders maintain an office in Summit County, therefore, local bidder preference was not considered during the determination of lowest responsive bidder.

As this project lies within Park City's soil ordinance boundary, additional costs not included in this contract will be incurred due to the disposal of contaminated soils. Hauling costs are included in the construction contract however tipping (soils disposal) fees will be paid directly by the City. The soils disposal cost is estimated to be \$27,760, for a total project cost of \$245,678.00.

#### Proposed Construction

Construction is anticipated to occur beginning shortly after the 2017 Kimball Arts Festival and to be complete by November 15, 2017.

- Construction documents include special requirements to provide barriers to separate work activities from pedestrian and vehicles along Main Street and Swede Alley
- Traffic at the intersection of 4<sup>th</sup> Street and Swede Alley will be impacted
- Construction documents preclude construction parking and staging from Swede Alley and Main Street areas
- Construction activities will be coordinated with Special Events
- Public Engagement will be continuously updated by the Project Manager

Nick Graue, Public Utilities Engineer, will be coordinating the work, and will be working under the guidance of the Public Utilities Engineering Manager.

### **Furthering the Goals of the General Plan**

Through the General Plan, City Council has set as an objective to “Provide reliable public resources to ensure the health, welfare, and safety of residents and visitors” (Objective 1.4 <http://www.parkcity.org/home/showdocument?id=12388> page 99). Additionally, City Council has established, through the strategic planning process and the Biennial Plans, the following Desired Outcomes:

- Enhanced water quality and high customer confidence
- Effective water conservation program
- Adequate and reliable water supply  
(<http://www.parkcity.org/Home/ShowDocument?id=13028> page 1)

### **Department Review**

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

### **Funding Source**

The funding for this project is part of the approved FY2018 Water Department Capital Improvement Project budget.

### **Attachment**

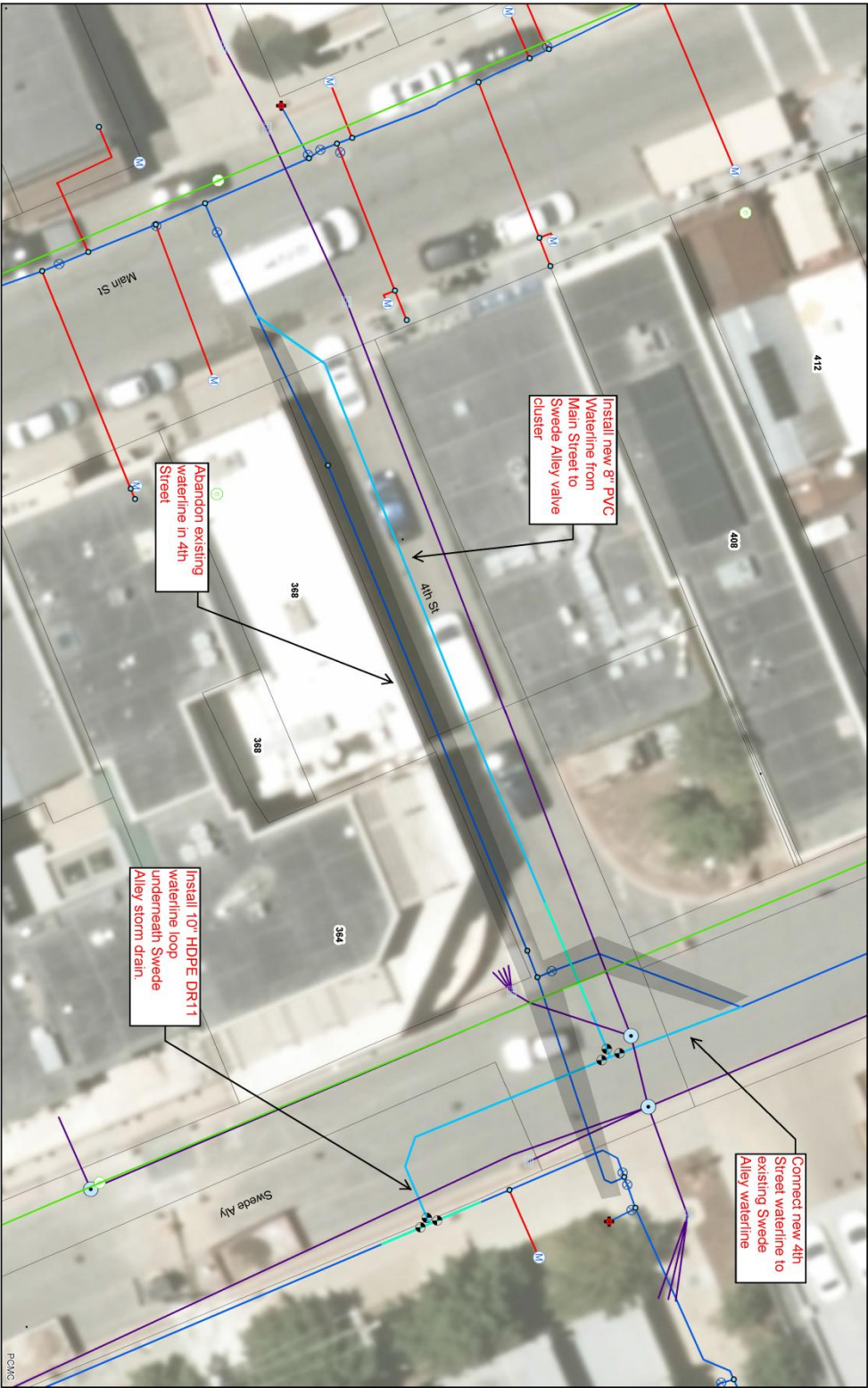
- A 4<sup>th</sup> Street Waterline Replacement - Bid Abstract
- B 4<sup>th</sup> Street Waterline Replacement - Site Plan

## Attachment A

### 4th Street Waterline Replacement - Bid Abstract

Item	Description of Work	England	MC Contractors	Counterpoint
1	Consists of all Construction Phase 1 items necessary to construct the new waterline in 4th Street between Station 0+15 and Station 1+65. This bid item also includes the potholing required throughout the project.	\$128,500.00	\$68,293.00	\$83,929.00
2	Consists of all remaining Construction Phase 1 items necessary to complete the waterline from Station 1+65 to the valve cluster at Station 1+85, the valve cluster at Station 1+85 (including all three valves and tee), waterline insulation, and the connection to the existing waterline north of the Swede Alley/4th Street intersection	\$48,100.00	\$57,680.00	\$70,455.00
3	Consists of all Phase 2 items, including the new waterline between the valve cluster at Station 1+85 (not including the valve cluster) and the connection at Station 2+53, the new loop in the existing waterlines, and all other items necessary to complete the project.	\$92,300.00	\$71,945.00	\$89,839.00
<b>Total Bid Amount</b>		<b>\$268,900.00</b>	<b>\$197,918.00</b>	<b>\$244,223.00</b>
<b>Allowance</b>		<b>\$20,000.00</b>	<b>\$20,000.00</b>	<b>\$20,000.00</b>
<b>Total Bid Amount Plus Allowance</b>		<b>\$288,900.00</b>	<b>\$217,918.00</b>	<b>\$264,223.00</b>

4th Street Waterline Replacement





**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Staff is seeking approval from City Council to enter into a Settlement agreement with the Smiths, the City and the Silver Strike HOA. By entering into the settlement agreement, the City agrees to buy the Silver Strike Employee Housing Unit (EHU), forgive the development of the EHU obligation, and re-sell the unit at market rate. Proceeds from the re-sale of the unit will go toward the City's affordable housing fund and \$33K will go toward the HOA's attorney fees. Additionally, the agreement would eliminate the existing settlement agreement between the City and the Smiths regarding HOA fees and further eliminate the EHU requirement of the Silver Strike development.

**Respectfully:**

Jason Glidden, Housing Development Manager



## City Council Staff Report

**Subject:** Settlement Agreement with Silver Strike EHU, and Silver Strike HOA  
**Author:** Jason Glidden, Housing Development Manager  
**Department:** Community Development  
**Date:** August 3, 2017  
**Type of Item:** Administrative

### Summary Recommendation

Staff recommends City Council authorize the Mayor enter into the Settlement Agreement between the Smiths, Park City Municipal Corporation, and the Silver Strike Home Owners Association (HOA).

### Executive Summary

Staff is seeking approval from City Council to enter into a Settlement agreement with the Smiths, the City and the Silver Strike HOA. By entering into the settlement agreement, the City agrees to buy the Silver Strike Employee Housing Unit (EHU), forgive the development of the EHU obligation, and re-sell the unit at market rate. Proceeds from the re-sale of the unit will go toward the City's affordable housing fund specifically to replace this affordable housing unit in a location that is more central to services and \$33K will go toward the HOA's attorney fees. Additionally, the agreement would eliminate the existing settlement agreement between the City and the Smiths regarding HOA fees and further eliminate the EHU requirement of the Silver Strike development.

### Acronyms in this Report

AUE - Affordable Unit Equivalent  
CCRs - Covenants, Conditions & Restrictions  
EHU – Employee Housing Fee  
HOA – Home Owner Association  
MPD – Master Planned Development  
RDA – Redevelopment Agency  
REPC – Real Estate Purchase Agreement

### The Problem

The Silver Strike HOA fees are unaffordable for the EHU. The City has an ongoing cost to pay the HOA to make the fees affordable and the relationship between the current EHU owner and the HOA is hostile.

### Background

Silver Strike was built by Ironwood Resorts in 2006. Ironwood purchased the development rights for "The Silver Strike Lodge" from Talisker which included the requirement to build one EHU (employee housing unit) within the building/development.

This unit was in fulfillment of the requirement that 25% of the affordable housing obligation be located on-mountain as stated in the Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, 20-Acre Quinn's Junction Parcel and Iron Mountain dated June 24, 1999.

In August 2014 the City engaged in mediation with the owners of the EHU, the Smiths, and the Silver Strike Home Owners Association (HOA) and entered into an agreement (Attachment A). The City agreed to and has paid the Silver Strike HOA \$10K to cover back HOA fees and attorney fees and \$163.27 per month (approximately \$2K/year) on behalf of the Smiths in order to maintain the affordability of the EHU. When the HOA fees increase above \$776.64, the City pays the increased amount as well as additional assessments. In exchange, the City received the right of second refusal (the HOA has the right of first refusal), release claims from the Smiths, and put the EHU back into affordability.

Recently, the HOA asked the City to participate financially in purchasing the EHU from the Smiths due to on-going issues between the parties. This amount is approximately \$107K above the deed restricted maximum sale price of the unit (\$153,035). The HOA's request of the City was to remove the EHU Master Planned Development (MPD) approval obligation and allow the unit to be sold at market rate to avoid future problems.

To date the City has paid the following as a result of the August 2014 settlement agreement:

- Mediation settlement payment, \$10K
- HOA dues subsidies since September 2014 to date, \$8,347.36

HOA dues have increased each year. Over the last two years, the HOA fees have increased between eight and nine percent annually. If the HOA fees continue to increase the same rate, the City's HOA fee subsidy of \$2,877 annually for the EHU will increase to \$4,428 in five years and is paid for by the Lower Park Avenue Redevelopment Agency (RDA) affordable housing funds. For this reason and in addition to ongoing staff time anticipated on the ongoing disputes, staff recommends the City purchase the unit to resolve the unaffordable HOA fees, and eliminates future ongoing payments to the HOA.

The HOA and the EHU owner litigated over the owner's use of the Unit as a home business which violated the Covenants, Conditions & Restrictions (CCRs). The District Court found in favor of the HOA and awarded them a judgment of approximately \$90,000 in attorneys' fees. There is the possibility of future litigation over the conflict of the meaning of the term special assessment in the mediation agreement and the CCRs.

During the July 20, 2017 City Council meeting, City Council provided direction to enter into an agreement to purchase the unit located at 8902 Empire Club #201. In addition, staff received direction to work with the parties to draft a settlement agreement that would outline terms that would resolve the issues faced by all three groups.

City Council Reports:

### Alternatives for City Council to Consider

**1. Recommended Alternative:** City enter into a settlement agreement that:

- a. Forgives the EHU development obligation
- b. Re-sells the unit at market rate.
- c. Proceeds from the sale will go toward the housing fund to develop additional affordable housing in Park City and
- d. \$33,000 will go toward the HOA's legal costs that exceeded their judgment against the Smiths.
- e. Solves the long term HOA fee affordability.
- f. Eliminates future HOA fee subsidy by the City.
- g. Eliminates future staff time spent potential future litigation and fallout from the ongoing hostile relationship between the HOA and current EHU owner.
- h. Eliminates the possibility of litigation with the City regarding the attorney fees as a special assessment.
- i. Funds are available to replace the affordable unit somewhere else in the City

Cons

- a. Silver Strike development is forgiven of the EHU obligation.

Consequences of Selecting This Alternative

This alternate solves the ongoing hostilities as well as the issue of affordability of the Silver Strike HOA fees for the EHU.

**2. Null Alternative:** The City could choose not to enter into the settlement agreement and continue to subsidize the EHU HOA fees for an indefinite amount of time.

Pros

- a. Does not require an immediate and unexpected large sum payment of City Housing funds.

Cons

- a. Does not eliminate ongoing City subsidies of the EHU HOA fees.
- b. Does not eliminate the ongoing hostilities and potential future lawsuits.

### Analysis

The in-lieu fee, if approved by the Housing Authority in place of building the EHU at the time of the Silver Strike development per Housing Resolution 10-06, would have been approximately \$86K for a 900 square foot unit or one Affordable Unit Equivalent (AUE), but also stated the fee should be updated bi-annually. Today's in-lieu fee would be approximately \$336K. The anticipated market rate sale of this Silver Strike EHU after the obligation is lifted is anticipated to meet or exceed the current in-lieu fee amount.

City Council has provided direction to staff to replace this affordable housing unit with one that is more centrally located with better access to transit as well as services.

### Department Review

This report has been reviewed by the Budget, Community Development, and Executive departments and the City Attorney's Office.

### **Funding Source**

If Council approves the recommended option a budget adjustment will be required in fund 023 (LPA RDA Special Revenue Fund) and fund 033 (Lower Park RDA – “capital fund”). The adjustment will result in temporarily having less revenue in the Lower Park RDA for capital projects identified in the LPA RDA CIP, until the unit is re-sold.

### **Attachments**

- A Draft Settlement Agreement between Smiths, Silver Strike HOA, and Park City Municipal
- B Location Map

## Attachment A

## Attachment C



## **SETTLEMENT AGREEMENT AND RELEASE**

**THIS SETTLEMENT AGREEMENT AND RELEASE** (the “Agreement”) is made and entered into this \_\_\_ day of July, 2017 by, between, and amongst Daine F. Smith (“Mr. Smith”) and Eyreka Y. Smith (“Mrs. Smith”) (collectively the “Smiths”), Silver Strike Lodge Owners Association, Inc. (“Silver Strike”), and Park City Municipal Corporation (the “City”). The Smiths, Silver Strike, and the City are sometimes referred to herein individually as a “Party” or collectively as the “Parties.”

### **RECITALS**

A. On or about March 19, 2010, the Smiths purchased real property located at 8902 Empire Club Drive, Unit 201, Park City, Utah 84068 (the “Property”), which is part of the condominium project commonly known as Silver Strike Lodge Condominiums (the “Lodge”);

B. The Property is an employee/affordable housing unit that is governed generally by that certain Declaration of Covenants, Conditions, Restrictions and Easements of Silver Strike Lodge a Condominium Project (the “CC&R”) and governed specifically by that certain Restrictions Concerning the Rental of Employee/Affordable Housing Unit in the Silver Strike Lodge (the “Restriction”);

C. Silver Strike is the Lodge’s homeowners association that governs and oversees compliance with the CC&R, including those rules and regulation established by Silver Strike under the CC&R;

D. On August 20, 2014, the City and the Smiths entered into an agreement wherein the City paid Silver Strike \$10,000.00 to cover back HOA fees and attorney fees in connection with the Smiths’ ownership of the Property. In exchange, the Smiths granted the City a right of second refusal should the Smith later sell the Property.

E. In or about April 2015, Silver Strike imposed a fine (the “Fine”) on the Smiths for operating a business out of the Property, which Silver Strike alleged was in violation of the CC&R;

F. The Smiths requested a hearing on the Fine, in hopes of having the Fine removed and/or dismissed, but Silver Strike upheld the Fine;

G. On August 13, 2015, the Smiths commenced a civil proceeding against Silver Strike, which is identified as civil case 150500339 (the “Civil Case”) in the Third Judicial District Court for Summit County, State of Utah (the “District Court”), seeking to challenge Silver Strike’s imposition of the Fine.

H. On March 11, 2017, the District Court rendered a verdict in the Civil Case in Silver Strike's favor by upholding the Fine; later, on April 25, 2017, the District Court awarded Silver Strike fees and costs in connection with the Civil Case (the "Fee Award"); On May 5, 2017, Silver Strike recorded the Fee Award against the Property;

I. The Smiths allege the City has a responsibility to satisfy the Fee Award, but the City denies any liability on the Fee Award;

J. After extensive settlement negotiations, the Parties have agreed to resolve and compromise their respective disputes and any and all claims and disputes that currently exist by, between, and amongst them, whether known or unknown, including, but not limited to, those asserted in the Civil Case and/or related to the Fine or the Fee Award, pursuant to the terms and conditions more fully set forth in this Agreement.

**NOW, THEREFORE**, in consideration of the foregoing recitals of fact, the Parties hereto agree as follows:

1. Effectiveness of Agreement. This Agreement shall become effective upon execution of the same by all Parties. Should one of the Parties fail to execute this Agreement, it shall be deemed null, void, and of no effect or consequence. Moreover, if this Agreement is not executed by all Parties it shall be subject to the protections of Rule 408 of the Utah Rules of Evidence and shall not be disclosed or used in any form.

2. Settlement Terms. As consideration for the mutual covenants, promises, releases, and obligations set forth herein, the Smiths, Silver Strike, and the City agree as follows. The City agrees to purchase the Property from the Smiths for an amount of two hundred sixty thousand dollars (\$260,000.00) (the "Sales Price"). While the City's purchase of the Property shall be subject to a written purchase agreement (the "Purchase Agreement"), the following terms shall be incorporated into the Purchase Agreement. From the Sales Price, the following shall be satisfied: mortgage of Mountain America Credit Union (estimated at \$50,000.00); mortgage of Kevin Barnes (estimated at \$102,000.00); title costs (including but not limited to title insurance, title reports, recording fees, runner fees, and the like); escrow costs; and settlement payment to the Smiths (an amount of no less than sixty seven thousand two hundred and fifty dollars (\$67,250.00)). Any remaining funds from the Sales Price after satisfaction of the above-referenced items, which is estimated to be between thirty thousand dollars (\$30,000.00) and forty thousand dollars (\$40,000.00) (the "Remaining Sale Proceeds"), shall be paid to Silver Strike in satisfaction of its liens on the Property. Silver Strike acknowledges that it will remove, release, and discharge any and all liens it has on the Property in exchange for the Remaining Sale Proceeds. The Smiths shall be responsible for any prorated taxes due and owing on the Property through August 4, 2017. From August 4, 2017 until the City closes on its purchase of the Property, Silver Strike shall be responsible for any taxes on the Property. The HOA waives its right of first refusal to buy the Property in favor of the City's purchase of the Property. In exchange for the City's purchase of the Property, the Parties agree, as set forth in more detail below, to mutually release any and all claims they respectively have against each other.

3. Sale of and Closing on the Property. The City's purchase of the Property from the Smiths shall be governed by the Purchase Agreement, which the City shall prepare and provide to the Smiths, care of their counsel. Closing on the City's purchase of the Property from the Smiths shall occur on August 4, 2017, or as soon thereafter as reasonably possible. Once a closing date is set, Silver Strike and/or the City shall provide the Smiths with notice of the proposed closing date so that the Smiths may vacate the Property in a timely and orderly fashion.

4. Mutual Release of Claims. Upon the effective date of this Agreement and after the City closes on its purchase of the Property from the Smiths, the Parties shall release and forever discharge each other, and each other's agents, representatives, employees, directors, officers, trustees, members, and attorneys, from any and all claims, demands, debts, obligations, liabilities, costs, expenses, rights of action, causes of action, or judgments of any kind or character whatsoever, at law or equity, whether known, unknown, suspected, or unsuspected, arising prior to the effective date of this Agreement, including, but not limited to, any and all claims and liabilities arising from or related to any action, inaction, event, transaction, or matter related, in any way to the Civil Case, the Fine, the Fee Award, and/or the August 20, 2014 agreement between the City and the Smiths.

5. Due Diligence and Representation by Counsel. Each Party to this Agreement covenants, warrants, and represents that they have, through their individual efforts and through their attorneys, and any other persons they deem necessary, investigated to their full satisfaction all facts and law surrounding the various claims, controversies, damages, and disputes related to, directly or indirectly, this matter. The Parties covenant, warrant, and represent that each of them executes this Agreement according to his/her/its/their own free will and acts without time constraints, fraud, duress, or undue coercion or influence of any kind.

6. Dismissal of the Civil Case. After execution of this Agreement and after the City closes on its purchase of the Property from the Smiths, a form motion and order shall be jointly submitted by the Smiths and Silver Strike to the District Court disposing of the Civil Case with prejudice, with each Party to bear his or her own costs.

7. Governing Law. This Agreement and the rights and obligations of the Parties hereunder shall be construed in accordance with and governed by the laws of the State of Utah, except to the extent such laws are superseded by the laws of the United States of America, and in such instances, the laws of the United States shall control.

8. Attorneys' Fees and Costs. Except as otherwise provided in this Agreement, the Parties shall bear their own attorneys' fees and costs arising from or related to the Civil Case and the execution of this Agreement. In the event of any litigation or dispute resolution relating to this Agreement, the prevailing Party shall be entitled to collect from the other Party/Parties to such litigation or dispute resolution any and all reasonable costs (including reasonable attorneys' fees) incurred by the prevailing Party in connection with such litigation or dispute resolution. Such relief shall be in addition to any other relief to which the prevailing Party may be entitled.

9. Additional Actions to Effectuate Settlement. Each of the Parties shall execute such additional documents, perform such additional acts, and take such additional steps as may be reasonable or necessary to implement the provisions, intent, and purpose of this Agreement.

10. Binding Effect; Entire Agreement; Amendment. This Agreement is binding upon and shall inure to the benefit of the Parties and their respective heirs, successors, and assigns, officers, directors, trustees, members, employees, agents, attorneys and representatives, subrogees, and to all persons or entities claiming by, through or under them. This Agreement is fully integrated and represents the entire understanding between the Parties, and there are no written or oral agreements between them which are not set forth herein. None of the provisions of this Agreement may be changed, discharged or terminated orally and may be modified or amended only by an instrument in writing, signed by all Parties. Likewise the rights available to each of the Parties under this Agreement cannot be waived or released orally, and may be waived or released only by an instrument in writing, signed by the Party whose rights will be diminished or adversely affected by the waiver.

11. Severability. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction only, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof, and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render unenforceable such provision in any other jurisdiction. Furthermore, all other provisions not so prohibited or unenforceable shall remain effective.

12. Confidentiality. The Parties agree, for themselves and their attorneys, agents, and representatives, that they will not, without the prior written consent of all Parties, communicate, publish, display, discuss, disclose, or reveal (directly or indirectly) in any way to anyone: (a) the terms of this Agreement, (b) the negotiations leading up to this Agreement, (c) the circumstances concerning any dispute related to this Agreement, or (d) the receipt or payment of any benefit to or from another Party in connection with this Agreement, except: (i) as may be required by order of court or other quasi-judicial or regulatory body having jurisdiction and the legal right and power to demand such information, (ii) to the Parties' legal and financial advisors, in each case, where such disclosure may be required for legitimate legal, business, or tax purposes and where the recipient of such information agrees to receive and maintain the information in strict confidence in accordance with the terms of this Agreement, (iii) to any appropriate tax authorities with jurisdiction over the Parties, and (iv) as otherwise required by law. Prohibited disclosure hereunder shall include, without limitation, the making of any statement, written or oral, to any person through any medium, including (without limitation) newspaper, magazine, radio, television or electronic media such as internet website, instant messaging or the like. If either Party or any of his/her/its/their attorneys, agents, or representatives receives an unsolicited inquiry about this Agreement, the Party shall respond: "The matter has been amicably resolved." Notwithstanding the foregoing, the Parties agree that the Silver Strike may make known to its members that the Civil Case ended with settlement and that the City has or will purchase the Property, and furthermore, the Silver Strike may discuss the financial implications of the Civil Case and the Agreement with its members and the Silver Strike's financial records and accounting may show the effects of the Civil Case and the Agreement. Silver Strike may also adopt any board resolutions necessary to execute and effectuate this Agreement, and such resolutions will become part of the Association's records. Silver Strike will nonetheless make a

good faith effort to maintain full confidentiality until the sale contemplated herein is complete and the Smiths have vacated the property, unless otherwise required by law. The Parties acknowledge that this Agreement may constitute an Association record pursuant to the Utah Condominium Act and/or the Utah Revised Non-Profit Corporations Act and the Association may be obligated by law to produce this Agreement pursuant to a properly made request for records by a member of the Silver Strike. Moreover, the Parties acknowledge that the City, as part of its standard procedures, may disclose, discuss, and publish the terms of this Agreement and the Purchase Agreement as reasonably necessary to comply with its requirements as a municipal corporation.

13. Retention of Jurisdiction. The District Court shall retain exclusive jurisdiction to adjudicate any controversy, dispute or claim arising out of or in connection with this Agreement, or the breach, termination, or validity thereof.

14. Advice of Counsel. Each Party acknowledges that it has been represented by counsel in the negotiation and preparation of this agreement (or has been advised to obtain the advice and assistance of counsel) and that such Party (and, if applicable, such Party's counsel) have participated in and contributed to drafting this Agreement. Accordingly, this Agreement shall be construed as if the Parties jointly prepared it, and any uncertainty or ambiguity in the Agreement shall not be interpreted against any one party.

15. Captions. The captions and headings are for reference and convenience only and shall not affect the construction or interpretation of any of the terms of this Agreement.

16. No Inducement. The Parties represent, warrant, and agree that upon executing and entering into this Agreement, they, and each of them, are not relying upon and have not relied upon any representation, promise, or statement made by anyone which is not recited, contained, or embodied in this Agreement.

17. No Admissions. The Parties acknowledge and agree that this Agreement represents a settlement of disputed facts and claims. Nothing contained herein may be construed as an admission of guilt, fault, liability, or wrongdoing, on the part of either Party.

18. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall constitute one and the same Agreement. Facsimile or e-mailed signatures by PDF shall have the same force and effect as original signatures.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

**[SIGNATURE PAGES TO FOLLOW]**

**IN WITNESS WHEREOF**, the Parties hereto execute this Agreement as follows:

\_\_\_\_\_  
Daine F. Smith

DATED this \_\_\_\_ day of \_\_\_\_\_, 2017.

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, \_\_\_\_\_, a notary public, personally appeared Daine F. Smith, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed the same. Witness my hand and official seal.

Notary Public

\_\_\_\_\_ DATED this \_\_\_\_ day of \_\_\_\_\_, 2017.  
Eyreka Y. Smith

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, \_\_\_\_\_, a notary public, personally appeared Eyreka Y. Smith, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed the same. Witness my hand and official seal.

Notary Public

**SILVER STRIKE LODGE  
OWNERS ASSOCIATION, INC.**

\_\_\_\_\_ DATED this \_\_\_\_ day of \_\_\_\_\_, 2017.  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

State of Utah )  
County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed the same. Witness my hand and official seal.

Notary Public

**PARK CITY MUNICIPAL CORPORATION**

DATED this \_\_\_\_ day of \_\_\_\_\_, 2017.

By: \_\_\_\_\_

Its: \_\_\_\_\_

State of Utah )

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed the same. Witness my hand and official seal.

Notary Public



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

During the March 9, 2017 City Council meeting, Council asked staff to find ways to minimize impacts stemming from temporary turnover of business spaces during the Sundance Film Festival. In many cases, temporary business turnovers not officially affiliated with the Sundance Film Festival provide minimal up front coordination on load in and load out activities and have heavy, unanticipated trash impacts. These temporary businesses must obtain a Type 2 Convention Sales License to operate/activate.

Keeping Main Street vibrant and safe during the Sundance Film Festival is a priority for Sundance Institute & PCMC, and is in the best interest of residents and visitors. Staff intends to use the Type 2 CSL as a control tool, specifically to address the trash impacts of these temporary businesses, as well as their loading/unloading operations as they set up and break down. Defining appropriate loading/unloading times is critical to maintaining vibrancy on Main Street during the heart of the Festival as well as keeping the public safe.

- Staff recommends adding the following fees/requirements to each Type 2 CSL:
  - If location of activity is within the BID, applicant must include a receipt of a deposit with Republic Services in the amount of \$100.00 with the other application materials to make the application complete.
  - PCMC administrative fee of \$149 on top of CSL fee to cover cost of approval process of applications (multiple departments within the City as well as City Council approval).
  - PCMC Enhanced Enforcement fee of \$45.58 on each license to cover some of the cost associated with enforcement.
  - Applying the BID tax to all businesses located within its boundaries, as the ordinance currently states.
  - Adding a higher Public Safety level of service allowing on-hand presence during day/evening to address incidents where illegal loading is taking place - especially if there is a life safety concern.
- **Load-in & Load-Out operations-** It is incumbent that loading operations are

coordinated to occur on specific dates & times during the Festival to maintain vibrancy on Main Street and to keep pedestrians safe. Stakeholders are supportive of Staff's recommendation to implement three types of loading permits:

- **Red:** for large-scale loading operations (only permitted between 4am-10am on designated days). First opportunity for load-out with a RED loading permit will be Tuesday (Day 6) after the start of the Festival.
- **Green:** for smaller loading operations such as catering, food/beverage or linen service (15 minute maximum, allowed during day & evening), vehicle may not be larger than 15' in length.
- **Blue:** for the active loading of musical instruments, sound equipment and related materials such as amplifiers, microphones and cords (permitted during the day/evening but with specific parameters on location and timing).

**Respectfully:**

Beth Bynan, Business License Specialist

## City Council Staff Report



**Subject:** Type 2 Convention Sales License- Proposed Amendments  
**Author:** Beth Bynan, Business License Specialist  
**Department:** Finance  
**Date:** August 3, 2017  
**Type of Item:** Legislative

### Summary Recommendation

Staff recommends the addition of enhanced enforcement fees, Main Street Business Improvement District (BID) fees, and other Municipal administration fees be added to each Type 2 Convention Sales License. Staff also recommends requiring a deposit receipt Republic Services as part of the required materials to accompany each Type 2 CSL application for locations within the boundaries of the Main Street Business Improvement District.

Staff is recommending specific dates and times for significant loading and unloading operations on Main Street and implementation of 3 types of Loading Permits.

### Executive Summary

During the March 9, 2017 City Council meeting, Council asked staff to find ways to minimize the impacts of loading operations stemming from temporary turnover of business spaces during the Sundance Film Festival. In many cases, temporary business turnovers not officially affiliated with the Sundance Film Festival provide minimal up front coordination on load in and load out activities and have heavy, unanticipated trash impacts. These temporary businesses must obtain a Type 2 Convention Sales License to operate/activate.

Keeping Main Street vibrant and safe during the Sundance Film Festival is a priority for Sundance Institute & PCMC, and is in the best interest of residents and visitors. Staff intends to use the Type 2 CSL as a control tool, specifically to address the trash impacts of these temporary businesses, as well as their loading/unloading operations as they set up and break down. Defining appropriate loading/unloading times is critical to maintaining vibrancy on Main Street during the heart of the Festival as well as keeping the public safe.

- Staff recommends adding the following fees/requirements to each Type 2 CSL:
  - If location of activity is within the BID, applicant must include a receipt of a deposit with Republic Services in the amount of \$100 with the other application materials to make the application complete.
  - PCMC administrative fee of \$149 is required along with the Type 2 CSL fee to cover cost of approval process of applications (inspections and multiple departmental reviews within the City as well as City Council approval).

- PCMC Enhanced Enforcement fee of \$45.58 on each Type 2 CSL license to cover some of the cost associated with increased police support & enforcement.
- Applying the BID tax to all businesses located within its boundaries, as the ordinance currently states.
- Adding a higher Public Safety level of service allowing on-hand presence during day/evening to address incidents where illegal loading is taking place - especially if there is a life safety concern.
- **Load-in & Load-Out operations-** It is incumbent that loading operations are coordinated to occur on specific dates & times during the Festival to maintain vibrancy on Main Street, reduce traffic impacts, and to keep pedestrians safe. Stakeholders are supportive of Staff's recommendation to implement three types of loading permits:
  - **Red:** for large-scale loading operations (only permitted between 4am-10am on designated days). First opportunity for load-out with a RED loading permit will be Tuesday (Day 6) after the start of the Festival.
  - **Green:** for smaller loading operations such as catering, food/beverage or linen service (15 minute maximum, allowed during day & evening), vehicle may not be larger than 15' in length.
  - **Blue:** for the active loading of musical instruments, sound equipment and related materials such as amplifiers, microphones and cords (permitted during the day/evening but with specific parameters on location and timing).

Staff has identified many different challenges and opportunities that may arise with the implementation of these proposed regulations. These are addressed in the report below.

### Acronyms

BID	Main Street Business Improvement District
CSL	Convention Sales License (Type 2 CSL- only issued during dates of Sundance Film Festival to unaffiliated entities which are not under the Level III Special Event License)
Festival	Sundance Film Festival
HPCA	Historic Park City Alliance
PCMC	Park City Municipal Corporation

### The Problem

- Every year, the Sundance Film Festival attracts several unofficial entities that come to Park City and operate on a temporary basis. These groups leave behind a significant amount of waste materials (trash & recyclables) that are then mitigated at the expense of the local, full-time businesses and landlords.
- The compounding effects of these impacts have left HPCA in dire need of a solution to address this annual occurrence.

- Some of these entities are activating at their event location for only 1, 2, or 3 days and then immediately commencing large-scale load-out operations in the middle of the day/evening when pedestrian traffic is at its peak. This renders Main Street as looking more like a construction zone rather than a vibrant film festival and also creates safety concerns.
- In the past, there has not been a coordinated loading operation or a consolidation of efforts to orchestrate a team approach to regulate the activity, so the loading operations have been very chaotic at times and even dangerous.
- Loading permits in the past have had the word “Parking” on them so groups that are supposed to be loading-in/out are using the permits to park.
- Staff has noticed a breakdown in communication between the person obtaining the permit and the person(s) conducting the actual loading operation. In many cases, organizers are trying earnestly to be compliant, but the parameters of the loading activity aren’t conveyed effectively to the individuals carrying out the activity and conflicts arise.
- Parking and Code Enforcement staff are trying to educate offenders and citing them if necessary, however, many times the threat or even issuance of a citation is not enough to compel the individual(s) to cease, leaving staff frustrated and the street in dangerous disorder.
- With the addition of extra or accessory staff (independent contractors hired by PCMC to assist during the Festival, extra Transit drivers, other Police officers from neighboring jurisdictions), information is not shared effectively at all levels so there is confusion among citizens & (accessory) staff alike.
- In the past, administrative fees, BID fees and enforcement fees have not been collected, nor has a deposit with Republic Services been required of the applicants, leaving the local businesses, HPCA & the City to absorb the impact costs.

## Background

- During the Sundance recap portion of the March 9, 2017 City Council meeting, [\(minutes\)](#), Council asked staff to return with ideas on ways to better regulate the activities of entities which are not affiliated with the Sundance Film Festival and which are required to obtain a Type 2 Convention Sales License to operate.
- Staff created a workgroup comprised of multiple internal departments within the City (**Finance, Special Events, Planning, Building, Parking, Streets, Transit, Public Safety, Transportation Planning, Community Engagement, Sustainability**), as well as key external stakeholders to develop ideas and take a holistic approach to address the trash impacts and loading activities of Type 2 Convention Sales Licensees- instead of making it the sole responsibility of just one or two departments.
- This team made significant advances in terms of information sharing and facilitating communication among internal City staff and stakeholders/community members of the workgroup. This approach is broad and multi-faceted; staff has held several meetings to try to anticipate any and all of the challenges that may arise with the implementation of the proposed ideas.

<u>Date</u>	<u>Item</u>
April 20, 2017	Initial Meeting with legal department to determine best approach to regulation
April 26, 2017	Multi-department internal meeting to discuss and generate ideas
May 2, 2017	Meeting with HPCA to address trash & recycling concerns
May 17, 2017	Meeting with Building department to check-in and ensure open communication throughout the project
June 1, 2017	Internal meeting to discuss Type 2 CSL fees & the possibility of adding enhanced enforcement fees
June 7, 2017	Initial stakeholder meeting with Sundance Institute, HPCA, and other possible stakeholders
June 13, 2017	Multi-department internal meeting to discuss and generate ideas & digest input from stakeholder meeting
June 27, 2017	Second stakeholder meeting to summarize recommended proposals and possible challenges
July 13, 2017	Work Session with City Council to discuss proposed amendments ( <a href="#">minutes</a> )

- The workgroup recognized that there is a spectrum of different types of loading activities and proposed ideas on how to best permit the loading, specific to its nature and size.
- Staff identified the following process for addressing the trash impacts and loading activities:
  - Coordinate load-in operations: allow load-in on Day 1 (Thursday) from 4am-12pm and on Day 2 (Friday) 4am-10am.
  - Prohibit Type 2 CSLs from any large-scale loading or unloading operations until Day 6 (Tuesday) of the Festival. The first opportunity for large-scale load-out will be Tuesday (Day 6) between 4am-10am. Permitted with RED Loading permit.
  - Small scale loading/unloading: Smaller deliveries such as food & beverage service and linen deliveries will be permitted with a *GREEN Loading Permit*. These deliveries cannot use vehicles larger than 15' in length and must be completed within 15 minutes or less.
  - Entertainment Venues: musicians and crew will be permitted to load-in/out each day, but will only be permissible for the active loading of musical instruments, sound equipment and related materials such as amplifiers, microphones and cords. This type of loading will be permitted with a *BLUE Loading Permit*.

## **Alternatives for City Council to Consider**

### **1. Recommended Alternative:**

- a. Coordinate and consolidate the load-in & load-out activities of Type 2 CSLs with clear parameters of acceptable loading times using three types of permits: RED, GREEN & BLUE.
- b. Amend Title IV of the municipal code (4-3-9(D)(2) to make a \$100.00 deposit receipt from Republic Services a requirement as part of the Type 2 CSL application if location of activity lies within the boundaries of the BID.
- c. Amend Title IV of the municipal code (4-3-9-D (2)(e) to clarify that the Main Street Business Improvement District tax of \$243 applies for each Type 2

CSL located within the BID to recover the costs associated with the trash & recycling impacts of these temporary businesses.

- i. See Exhibit C: Letter of support from HPCA asking the City to begin collecting BID fees for CSLs.
- d. Amend Title IV of the municipal code (4-3-9-D (2) (f) to allow PCMC to assess the \$45.58 Enhanced Enforcement Fee to each Type 2 CSL.
- e. Implement municipal code 4-3-9-A and charge \$149 administrative fee on each Type 2 CSL.

#### Pros

- a. This will keep Main Street vibrant during the kick-off of the Festival throughout the busy 1<sup>st</sup> weekend.
- b. Main Street will be safer for pedestrians if they are not forced to walk around large-scale/active loading zones.
- c. Preventing load-out until Day 6 could reduce the amount of CSL applicants- some may not be able to afford to stay until Day 6.
- d. Staff will know in advance when the large-scale loading will occur, making it easier to predict staffing needs.
- e. With the collection of BID fees and proof of deposit with Republic Services at time of application, the cost of the trash impacts is mitigated.
- f. With collection of administrative fee in addition to CSL fee, costs will be recovered for the amount of time PCMC staff & City Council spends on approving the applications.

#### Cons

- a. Type 2 CSLs will cost \$566.58-\$809.58 (currently Type 2 CSLs are \$372 total).
- b. Could receive backlash from applicants related to the increase of cost.

#### Challenges & Opportunities

- a. Address noise ordinance 6-3-8(F) to define parameters of relief documented by Building Official to allow early morning loading 4am-10am.
- b. Conduct ample outreach to affected residents and property owners to ensure that public is made aware of the early morning loading with as much lead-time as possible.
- c. Coordinate with Snow Removal staff if heavy snow is in the forecast.
- d. Conduct outreach with sign installation/removal vendors so that they are aware of the possible surge of sign removal/installation requests and can staff their workload accordingly.
- e. Coordinate with independent contractors to ensure communication → consistent information coming from all levels of staff & contractors. (sign vendors, towing companies, extra traffic control staff, extra bus drivers, accessory Police from other jurisdictions).

- f. Take steps to confirm that local businesses conducting their regular business through the Festival are able to receive their normally scheduled deliveries (FedEx, UPS, deliveries)
- g. Continue to conduct outreach with HPCA to ensure ample communications with year-round businesses.
- h. Remain aware of any marches, big screenings, major snow storms, major NFL playoff games and other unanticipated events that take place throughout the Festival that may attract more people than previously anticipated.

**2. Null Alternative:** Remaining with the status quo.

Pros: maintaining the same process as in the past will be familiar to applicants and staff.

Cons: Will likely lead to another chaotic year with large-scale, midday loading/unloading operations that detract from the vibrancy of Main Street and the Festival, as well as present safety issues for pedestrians. HPCA will be forced to absorb more of the trash impact costs of these temporary entities.

**3. Other Alternative:** Another alternative such as applying the BID tax to only the umbrella holder at each location is not feasible since the City cannot pick and choose which entities to tax, and therefore must treat all businesses equally and apply the tax to all businesses within the district boundaries.

**Analysis**

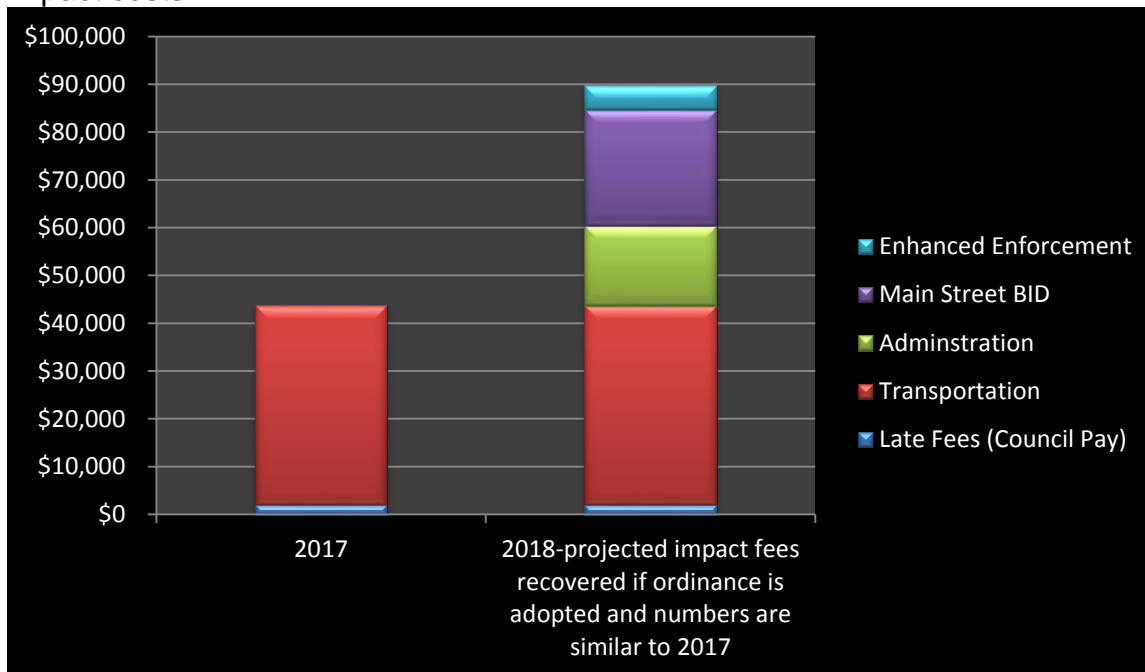
Staff believes the implementation of the recommended processes will address the concerns that City Council expressed in their March 9, 2017 meeting regarding the vibrancy on Main Street and public safety. Large-scale loading operations being consolidated and conducted early in the morning will keep Main Street vibrant and safe. Additionally, staff believes that collecting the BID tax fees for the Type 2 CSL activations located within the BID boundaries and the trash deposit receipt as part of the Type 2 CSL application process will greatly reduce the financial burden currently felt by HPCA and other local landlords and businesses of having to absorb the increased trash impacts. Moreover, collecting the administrative fee of \$149 and the enhanced enforcement fee of \$45.58 will directly address the amount of staff/Council time and effort involved with approving and enforcing Type 2 CSL activities.

Out of 112 total Type 2 Convention Sales Licenses issued during Sundance 2017, 100 were located within the BID boundaries (89%).



As the chart reveals, the vast majority of Type 2 CSLs in 2017 were located within the BID boundaries. If the BID tax had been assessed to each Type 2 CSL, \$24,300 would have been collected on behalf of HPCA to help manage the increased trash impacts associated with these temporary businesses.

If the proposed ordinance is adopted, and the amount of applicants for Type 2 Convention Sales Licenses remains similar to 2017, the City will recover significant impact costs.



### Department Review

Finance, Special Events, Sustainability, Building, Parking, Planning, Streets, Transpiration Planning, Transit, Public Safety, Legal

### Attachments

- Exhibit A: Proposed Code Amendments
- Exhibit B: Proposed Ordinance

- Exhibit C: Letter of Support from HPCA requesting PCMC to collect BID fees on Type 2 CSLs

## EXHIBIT A-Proposed Code Amendments

### 4-3-9 Convention Sales And Commercial Hospitality

- A. The Finance Department may issue licenses for a period not to exceed two (2) weeks for temporary use of convention, meeting, event and other assembly rooms within any licensed convention, meeting or assembly facility for the purpose of temporary exhibiting, marketing, displaying, Gifting or promoting of goods or services.
- B. For Type 1 and 2 Convention Sales Licenses, if multiple vendors are sharing a space, an umbrella organizer may obtain a convention sales license for the entire space as long as each individual vendor provides an individual tax identification number. The umbrella organizer will be charged a license fee for the umbrella license as well as a fee for each vendor listed on the application. All vendors included in the umbrella license must be located under one physical address. The umbrella organizer is also responsible for having an appropriate business license. If the event is physical address is taking place at a location within the boundaries of the Main Street Business Improvement District, the umbrella organizer, as well as each individual vendor, will be charged the Main St. Business Improvement District tax set forth in the fee schedule.
- C. For Type 3 Convention Sales Licenses, any person or business that is conducting point of sales transactions will be required to have a separate business license whether in conjunction with a convention or not.

There are three types of Convention Sales and Hospitality Licenses.

**TYPE 1** – Convention Sales License. This type of license will be available year round except for during the dates of Sundance Film Festival and in a space other than convention space. Each point of sale requires a separate license.

**TYPE 2** – Sundance Film Festival Convention Sales and Hospitality License. This type of license will only be available during the dates of the Sundance Film Festival.

**TYPE 3** – Convention Sales License is available all year round except for the dates of the Sundance Film Festival and in a licensed convention space. A single license is required for the organizer along with a list of all participants and their temporary Utah State Sales Tax Numbers.

The licenses may be issued on the following terms:

- A. **LICENSE FEE**. The license fee shall be as set forth in the Park City License Fee Schedule. An additional administrative fee as set forth in the Park City License Fee Schedule is hereby authorized for all such temporary licenses effective during any portion of the Sundance Film Festival.
- B. **STATE TAX NUMBER**. The applicant must provide individual a Utah tax identification number if sales transactions are taking place, federal tax identification numbers if only promotion or gifting is taking place, as part of the license application to assist in verifying the collection and reporting of sales tax.
- C. **REVIEW OF APPLICATIONS**.

1. Upon a reasonable belief that the applicant or Licensee has a fraud or felony conviction or prior criminal background or pending criminal proceeding, the Director may refer the application or Licensee for investigation to the Police Department.
2. The Finance Manager or designee shall refer the application to the Building, ~~and~~ Planning, ~~Parking & Public Safety~~ ~~d~~Departments for review; the Chief Building Official or designee to ensure compliance with the applicable building codes and fire codes including, but not limited to, determination of the maximum number of occupants the premises may safely accommodate at one time given the location and number of emergency exits; and the Planning Director or designee to ensure compliance with the Park City Land Management Code, Title 15.

#### **D. TYPES OF APPLICATIONS.**

1. For Type 1 & Type 3 Convention Sales Licenses, the City may take up to ten (10) business days to complete the licensure process to permit adequate time for the Police, Building, Finance and Planning Departments for review and investigation. The Departments may request reasonable evidence of title to goods proposed to be offered for sale as part of the review.
2. Retained Council Authority for Type 2 licenses:
  - a. The Finance Manager or designee shall refer the Type 2 Convention Sales License application to the Building, Planning, Parking, & Public Safety Departments for approval.
  - ~~a.b.~~ After obtaining department approval. ~~All~~ Type 2 licenses shall require City Council approval at a publically noticed meeting. All Type 2 license applications must be completed and received at least seven (7) calendar days prior to a regular scheduled meeting and three (3) business days prior to a special meeting.
  - ~~b.c.~~ All Type 2 license applications require the applicant to have a pre-inspection prior to application at the place of business conducted by the Building Department for compliance with the building and fire codes. A copy of said pre-inspection report must accompany the license application submittal. The pre-inspection prior to application shall remain valid for 120 days.
  - ~~e.d.~~ All Type 2 license applications shall require an accurate floor plan and a design occupancy load stamped by a design professional to be submitted at the time of application.
  - e. All Type 2 license applicants require a final inspection by the Building Department post application after the space has been set up for the event. Business shall not be conducted until the final inspection has been passed and the applicant has been issued a Type 2 Consideration to Approve the 2018 Sundance Film Festival Supplemental Plan Amendments, Including Venue Changes and Estimated Costs Sales License.
  - f. All Type 2 Convention Sales License applications for locations located within the Main Street Business Improvement District boundaries shall require a deposit receipt with Republic Services in the amount of \$100, to be submitted at time of application, and be required to pay the Main St. BID tax set forth in the fee schedule.

~~d.g.~~ All Type 2 Convention Sales Licenses will be assessed the Enhanced Enforcement Fees of \$45.58 to be paid at time of application.

h. The loading operations of each Type 2 Convention Sales License shall be permitted by the Parking Division with 3 different permits: Red, Green, & Blue), depending on the type of loading ((Red) large-scale operations, (Green) food & beverage, & (blue) musical equipment.) Any violation of the regulations specified on each permit may result in the revocation of the Type 2 Convention Sales License or the inability to obtain a Type 2 Convention Sales License in the future.

A. Large scale load-out operations for Type 2 Convention Sales Licensees will not be permitted until Day 6 (Tuesday) of the Festival.

- E. **RESPONSIBILITY OF HOST BUSINESS TO ENSURE LICENSING AND COMPLIANCE WITH THE UNIFORM BUILDING AND FIRE CODES.** Businesses which make all of or a portion or portions of their licensed business locations available to other persons for the purpose of engaging in business shall be responsible to ensure that such persons obtain business licenses and or convention sales licenses and possess federal tax numbers and Utah state sales tax numbers listed in Park City if sales transactions are taking place. In the event a licensed hotel, motel, inn or bed-and-breakfast business fails to require such a showing, that business shall be liable for payment of all license fees and penalties payable by the person engaging in business at their licensed location. If such business is not currently licensed for assembly use, the business shall obtain the necessary inspection and permit from the Building Department. Nothing herein shall relieve the sub-letting/guest business from their individual responsibility to obtain the necessary licenses.

Exhibit B

**Ordinance No. 2017-40**

**AN ORDINANCE AMENDING MUNICIPAL CODE TITLE 4, LICENSING, CHAPTER 3, PEDDLERS AND SOLICITORS LICENSING, SECTION 9, CONVENTION SALES AND COMMERCIAL HOSPITALITY**

WHEREAS, Park City has an interest in promoting public health, safety, and welfare, and

WHEREAS, the City Council finds that it is in the public interest to regulate Type 2 Convention Sales Licensees because of the disproportionate impacts on City services including staff time, City Council time, and create the need for increased parking, transit, & police support, and

WHEREAS, large-scale loading operations pose a threat to public safety and detract from the vibrancy of Main Street, especially during the Sundance Film Festival, and

WHEREAS, the Main Street Business Improvement District is responsible for business promotion and solid waste management for all businesses within its boundaries, and

WHEREAS, public hearings were duly held before City Council on August 3, 2017; and

WHEREAS, the City Council finds the proposed amendments in the best interest of the residents of Park City,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

**Section I.** Amendment. Title 4, Licensing, Chapter 3, Section 9, Convention Sales And Commercial Hospitality to be amended and read as outlined in Exhibit A.

**Section II.** Effective Date. This Ordinance shall become effective upon publication.

**PASSED AND ADOPTED this 3<sup>rd</sup> DAY OF AUGUST, 2017.**

PARK CITY MUNICIPAL CORPORATION

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Mayor Jack Thomas

Attest:

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Michelle Kellogg, City Recorder

Approved as to form:

---

Mark D. Harrington, City Attorney



October 15, 2015

Diane Foster  
City Manager  
Park City Municipal Corporation  
PO Box 1480  
Park City, Utah 84060

Dear Diane:

The Historic Park City Alliance (HPCA) requests the City collect BID fees for temporary businesses operating during the Sundance Film Festival. This would include businesses operating under a business license or convention sales licensees. In 2012 the HPCA submitted a letter asking the City to suspend collection of BID fees since the temporary businesses did not benefit from the HPCA's services.

Since 2013 the HPCA has provided services to these temporary businesses which include listing their activities on our website and managing trash and recycling services. As a result of this policy the HPCA members saw an increase in trash requiring more service to the dumpsters and compactors. In the last three years, the additional service increased the overall cost of trash removal in January by \$2,700 to \$6,100 over the average winter bill.

The HPCA's Trash and Recycling Committee discussed ways to recoup the increased trash removal seen during January due to the temporary uses during Sundance. The City and HPCA have been on the same page not requiring temporary businesses coming in for Sundance to open an account with Republic Services due to the complexity of turning on and off billing for the permanent tenant and history of these temporary businesses leaving town without paying their bills. The costs for the additional trash pick-ups are borne by businesses that pay into the common dumpsters.

To cover these additional costs for services the HPCA requests the City begin collecting BID fees for business license and convention sales licenses issued during the timeframe of Sundance. The HPCA will pay for the increased costs in January with the additional BID fees and will pay the City \$5,000 to cover a portion of the \$10,000 cost for extra dumpsters in Swede Alley the City orders.

The HPCA has worked with the City's Special Events and Finance Departments to develop a solution to our problem and we appreciate their efforts.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alison Butz", is written over a light blue horizontal line.

Alison Butz  
Executive Director



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Sundance Institute and Park City have partnership that effectuates the mission of the Institute and significant financial and cultural benefits to the community. The vehicle to implement the Festival is a long term contract that identifies venues and operational plans, as well as the cost of providing city services. Each year a supplemental plan is amended and approved as the annual operating plan.

Sundance Film Festival has proposed the following changes to the supplemental plan including changes to venues and costs including:

Adding:

- A 500 seat theatre at the former Sports Authority space located at 1768 Park Avenue;
- Relocation of New Frontier VR and microcinema (previously the cinetransformer) from Main Street area to the lower level of the Sports Authority space. .
- Relocation of New Frontier Art Exhibition to the Kimball Art Center located at 1401 Kearns Blvd. from the Main Street area,

Removal of the following contingent on the approval of the Sports Authority venue:

- Claim Jumper venue (573 Main Street) as the New Frontier Venue (if Sports Authority goes through)
  - Claim Jumper space may be used for sponsorship space during the Festival. Staff will report on this information when bringing back the final supplemental plan at a future Council meeting.
- 5<sup>th</sup> Street Closure for cinetransformer
- Lower Main Street closure.

Financial considerations and cost sharing including:

- City to waive \$28,050 in City Services for Building Permits
- City to pay for \$39,432 in hard costs for Pedestrian Management, Barricades and Transit.
- Additionally, the City proposes to increase and pay for additional police presence, estimated to be approximately 280 hours (\$21,000) to ensure public safety and response capability.
- Sundance to pay for \$81,168 in hard costs associated with the change including snow removal, trash and recycling, signage, parking attendants, transit and barricades.
- These financial terms shall last for five years and then be reconsidered by

City Council. Assuming an annual 2% increase due to inflation, should the total costs of the requested changes exceed \$184,000, or the City Service Fees and hard costs exceed 96,000, or the costs for Sundance exceed 88,000 the parties will reconvene prior to the fifth year to agree on costs sharing.

Staff seeks direction from City Council to approve the change of venues and costs to the Festival, prior to moving forward with preparation of other specific details, conditions of approval, and mitigation efforts as part of the 2018 Supplemental plan. Staff will be returning at a subsequent meeting with specific details, final operational plans and required mitigation efforts for both the changes as requested in this report and for the Festival as a whole. Final costs will be identified at that time.

Despite concerns regarding traffic, congestion and possible impacts on neighborhoods which will need to be mitigated, staff is highly supportive of these changes as they forward the goals identified in the contract. Highlights include:

- Reducing congestion and traffic in Old Town;
- Locating a new theatre proximate to two existing theatre venues. This will create a walk-able theatre district during the Sundance Film Festival, located on central bus lines, which consolidates services and costs;
- Locating theatres proximate to major infrastructure including State highways and public parking lots;
- Making a major capital investment in an older tenant space (approx. \$2M) that drives vitality to the theatre district; and
- The commitment to keeping a strong physical presence/film screenings in Park City Limits - Sundance has many options and locations to do screenings outside Park City limits, but very few viable options within Park City. Creating a new theatre in Park City for use during the Festival is consistent with cultural and economic goals.

**Respectfully:**

Michelle Kellogg, City Recorder

## City Council Staff Report



**Subject:** Sundance Film Festival 2018 Supplemental Plan – Venue Changes and City Service Costs  
**Author:** Jenny Diersen, Special Events Coordinator  
Jonathan Weidenhamer, Economic Development Manager  
**Department:** Sustainability – Special Events  
**Date:** Thursday, August 3, 2017  
**Type of Item:** Administrative

### Summary Recommendation

Staff recommends City Council hold a public hearing and approve changes to the Sundance Film Festival Supplemental Plan in a form approved by the City Attorney including:

1. The addition of two new venues:
  - Former Sports Authority space (1768 Park Avenue);
  - Kimball Art Center (1401 Kearns Blvd).
2. The removal of the following items contingent on the approval of the Sports Authority space:
  - New Frontier on 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Claim Jumper venue (573 Main Street);
  - 5<sup>th</sup> Street closure for Cinetransformer;
  - Lower Main Street closure - No request to close Lower Main Street in 2018. While there may be a request to close Lower Main in 2019 in coordination with FreeStyle World Championships.
3. Estimated increases in City Services fees, value or value in kind for operation and mitigation of the proposed venue changes during the Sundance Film Festival are amount of \$169,820 (one hundred sixty nine thousand, eight hundred and twenty dollars) – Exhibit E.
4. Staff will finalize a Change Order request from Sundance as according to section 6.2 of the City Service Contract that includes the changes due to these new venues including:
  - City to waive \$28,050 in City Services for Building Permits
  - City to pay for \$39,432 in hard costs for Pedestrian Management, Barricades and Transit.
  - Additionally, the City proposes to increase and pay for additional police presence, estimated to be approximately 280 hours (\$21,000) to ensure public safety and response capability.
  - Sundance to pay for \$81,168 in hard costs associated with the change including snow removal, trash and recycling, signage, parking attendants, transit and barricades.
  - These financial terms shall last for five years and then be reconsidered by City Council. Assuming an annual 2% increase due to inflation, should the total costs of the requested changes exceed \$184,000, or the City Service Fees and hard

costs exceed 96,000, or the costs for Sundance exceed 88,000 the parties will reconvene prior to the fifth year to agree on costs sharing.

The recommended changes described above are based on findings that Sundance Institute is operating consistently with the City Services Agreement for the Sundance Film Festival and that the changes meet the requirements of a Level Three Special Event Permit according to section 4-8 of the Park City Municipal Code. While staff is supportive of the recommended changes in this report, and believes the mitigation strategies are 70% developed, the approval is conditioned upon return at a subsequent Council meeting that will further specify mitigation efforts and operational planning including more detailed review from building, transportation, parking, public safety/security, noise, etc. to mitigate potential residential and business impacts. Staff does believe that the financial considerations in this report accurately reflect the changes being requested.

Staff will also return at a future City Council meeting to request the approval of the complete supplemental plan for items that are not currently known for the 2018 Festival including Sponsor venues, City wide traffic, parking and residential mitigation, public safety/security, noise, business impacts, community outreach and notification, environmental sustainability and financial considerations and the complete Level Three Special Event Permit For the 2018 Festival.

### **Executive Summary**

Sundance Institute and Park City have partnership that effectuates the mission of the Institute and significant financial and cultural benefits to the community. The vehicle to implement the Festival is a long term contract that identifies venues and operational plans, as well as the cost of providing city services. Each year a supplemental plan is amended and approved as the annual operating plan.

Sundance Film Festival has proposed the following changes to the supplemental plan including changes to venues and costs including:

Adding:

- A 500 seat theatre at the former Sports Authority space located at 1768 Park Avenue;
- Relocation of New Frontier VR and microcinema (previously the cinetransformer) from Main Street area to the lower level of the Sports Authority space. .
- Relocation of New Frontier Art Exhibition to the Kimball Art Center located at 1401 Kearns Blvd. from the Main Street area,

Removal of the following contingent on the approval of the Sports Authority venue:

- Claim Jumper venue (573 Main Street) as the New Frontier Venue (if Sports Authority goes through)
  - Claim Jumper space may be used for sponsorship space during the Festival. Staff will report on this information when bringing back the final supplemental plan at a future Council meeting.

- 5<sup>th</sup> Street Closure for cinetransformer
- Lower Main Street closure.

Financial considerations and cost sharing including:

- City to waive \$28,050 in City Services for Building Permits
- City to pay for \$39,432 in hard costs for Pedestrian Management, Barricades and Transit.
- Additionally, the City proposes to increase and pay for additional police presence, estimated to be approximately 280 hours (\$21,000) to ensure public safety and response capability.
- Sundance to pay for \$81,168 in hard costs associated with the change including snow removal, trash and recycling, signage, parking attendants, transit and barricades.
- These financial terms shall last for five years and then be reconsidered by City Council. Assuming an annual 2% increase due to inflation, should the total costs of the requested changes exceed \$184,000, or the City Service Fees and hard costs exceed 96,000, or the costs for Sundance exceed 88,000 the parties will reconvene prior to the fifth year to agree on costs sharing.

Staff seeks direction from City Council to approve the change of venues and costs to the Festival, prior to moving forward with preparation of other specific details, conditions of approval, and mitigation efforts as part of the 2018 Supplemental plan. Staff will be returning at a subsequent meeting with specific details, final operational plans and required mitigation efforts for both the changes as requested in this report and for the Festival as a whole. Final costs will be identified at that time.

Despite concerns regarding traffic, congestion and possible impacts on neighborhoods which will need to be mitigated, staff is highly supportive of these changes as they forward the goals identified in the contract. Highlights include:

- Reducing congestion and traffic in Old Town;
- Locating a new theatre proximate to two existing theatre venues. This will create a walk-able theatre district during the Sundance Film Festival, located on central bus lines, which consolidates services and costs;
- Locating theatres proximate to major infrastructure including State highways and public parking lots;
- Making a major capital investment in an older tenant space (approx. \$2M) that drives vitality to the theatre district; and
- The commitment to keeping a strong physical presence/film screenings in Park City Limits – Sundance has many options and locations to do screenings outside Park City limits, but very few viable options within Park City. Creating a new theatre in Park City for use during the Festival is consistent with cultural and economic goals.

## Acronyms

PCMC	Park City Municipal Corporation
SFF/Festival	Sundance Film Festival

### **The Problem and the Opportunity**

The Sundance Film Festival continues to be challenged to find venues for film screenings and other programs in Park City. In the spring of 2017, Sundance became aware that the upper two levels of the Claim Jumper space (573 Main Street) are likely to be under construction for the 2018 Festival. Sundance identified two potential new locations to replace the loss of venue for New Frontier Exhibition and VR, as well as, add a 500 seat theatre, and microcinema starting with the 2018 Festival. The spaces have been identified as the former Sports Authority (1768 Park Avenue) and the Kimball Art Center (1401 Kearns Blvd).

Keeping a physical presence in Park City has been a goal for both Parties. Due to high venue rents, construction and the ongoing evolution and growth of the economy, this has been an ongoing challenge.

Sundance needs to secure construction contracts to begin working on the Sports Authority space in order to have the venue ready for the 2018 Festival (there is a 22 week build out schedule). Sundance's plan is to have The Sports Authority space build out completed and the Certificate of Occupancy must be issued no later than December 15, 2017 for this space to remain a viable option for them.

- Sundance Institute is working to secure a 5 year lease, with two (2) 5 year renewal for operation of the Sports Authority space during the Sundance Film Festival, investing approximately 2 million dollars into the renovation of the venue.
- Sundance Institute is working to secure a two (2) year lease for operation of the Kimball Art Center during the Sundance Film Festival.
- While this Supplemental Plan is limited to the time period of the Film Festival, should Sundance pursue additional screenings at other times of the year, Special Events staff will work with Planning staff to determine if the screenings are sufficiently infrequent to warrant a separate Special Event Permit or if a Conditional Use Permit may be necessary. If a Conditional Use Permit is necessary, Sundance will enter into the appropriate Planning process.

While staff sees this as a benefit for both the City and Sundance, there are several challenges associated with this request including:

- HOA outreach and required HOA approvals have started but contact with every individual tenants is not yet complete and specific mitigation plans have not yet been finalized. The HOA must amend its underlying Restrictions and Grant of Easements to allow the Sports Authority property owners to use its property on a short-term basis as a movie theatre and to allow for a temporary tent to be installed within the parking spot footprint owned by the property owners. However, even if Council approves this segment of the Supplemental Plan, Sundance will still need the appropriate HOA approvals
- Traffic, congestion and parking impacts in an area that is already surrounded by two Festival venues including the Doubletree Hotel and Holiday Village Theatres.

- While Sundance and the City will work to mitigate impacts, it is highly likely that there will be times of high traffic congestion with or without the change of venues, specifically during the first four days of the Festival and dependent on weather conditions. This is due to the combination of existing traffic for regular day to day activities such as school drop off and skier loading/load out and the Film Festival.
- Construction impacts of the venue build out/ tenant improvements.
- Load in and load out coordination associated with use of the venues.
- Building Code review is based on preliminary submittals. Pending review of more detailed plans, there is possibility that any approval may further limit occupancy which may have unintended impacts on the Institute's ability to generate (ticket) revenue.
- Year round Use – at this time no other approval except the Festival will be approved. For any other activities, a separate Event or Use permit will be need to be approved. Having a dark space is inconsistent with stated City goals for vitality and may impact adjacent commercial areas.

The new venue also provides opportunities including:

- The additional venues would begin the creation a new theatre district (Holiday Village, Doubletree and Sports Authority Theatres), especially when coupled with the arts and culture district, that helps to alleviate congestion in Old Town, and keeps the majority of the film festival theatre venues in Park City limits.
- The Sports Authority and Kimball Art Center venues are likely to increase the connectivity/walkability between all venues and theatres during the Festival.
- The addition of the venues will alleviate the need to close 5<sup>th</sup> Street and will help open traffic flow on Main Street.
- Sundance does not anticipate requesting closure lower Main Street in 2018.
  - In coordination with the City and the 2019 World Championships Committee, Sundance is contemplating requesting a lower Main Street closure in 2019. Sundance will work with both the 2019 World Championships Committee and the City in the Spring/Summer of 2018 to refine this possible proposition.
- The proposed use is for Festival programs and is not currently proposed for sponsor activities.
- Community Engagement is in progress. The role of the community engagement strategy was to inform area residents and businesses of the proposal, and to understand their questions in order to develop the best possible solutions/mitigation strategies. Together, Staff and Sundance completed notification regarding this topic on Monday, July 31.

Due to the size and scope of the event, a large coordinated effort occurs between City, Sundance Institute, and many stakeholders in order to both support and mitigate the event. The success and opportunity that the Sundance Film Festival brings creates challenges and a need to increase community outreach and mitigation efforts to offset adverse impacts during the Festival including transportation and parking plans, as well

as challenges that were reported during the 2017 Sundance Debrief, including lodging and venue costs and protecting the official Festival sponsors.

## Background

<u>Date</u>	<u>Item</u>
September 12, 2013	<a href="#">Sundance Contract Extension</a> pg. 41
September 12, 2013	Sundance Contract Extension <a href="#">Minutes</a> pg. 2-3
February 9, 2016	SEAC <a href="#">Debrief</a> of Sundance 2016 pg. 2 - 3
July 21, 2016	<a href="#">Work Session 2016 Sundance Debrief</a> pg. 3
July 21, 2016	Work Session 2016 Sundance Debrief <a href="#">Minutes</a> pg. 2 & 3
March 16, 2017	<a href="#">Sundance 2017 Debrief</a> / <a href="#">Minutes</a> pg. 3 – 5

The [Sundance Film Festival](#) is one of the world's defining international events that reinforces cultural and economic vitality for Park City, the state of Utah, and for independent film. The 2017 Sundance Film Festival brought over \$150 million in additional economic impact to the state of Utah. The event creates a sense of place by providing programs that enable community interaction (both during the Festival and during other seasons) and provide unique amenities and experiences for both our residents and visitors to enjoy and benefit from.

In September of 2013, Park City Municipal Corporation (PCMC) and the Sundance Institute (Sundance) entered into an agreement extending the dates for the Sundance Film Festival (Festival) in Park City, Utah through 2026.

Each year, the supplemental plan for the annual Sundance Film Festival is amended to reflect changes from the previous year per the long term contract. Changes from previous years carry forward unless they are amended in the Supplemental Plan.

As per section 6.2 of the current City Services contract (Additional City Services and Work Order Process), Sundance may request additional City Services to be approved by the City Manager or City Council. Sundance will be charged the actual cost of additional City Services. If Sundance disapproves of such costs to be charged, it may withdraw its requests for such additional City Services. When the City and Sundance cannot agree upon any proposed changes, the prior year's Supplemental Plan is still valid and governs the next Festival. However, the City may still address health and safety issues through regulatory conditions of approval in accordance with adopted ordinance standards.

## Analysis

Staff has been meeting with Sundance and City Departments to address the opportunities and concerns of the proposed venue additions.

A complete list of proposed Official Sundance Venues is attached as Exhibit A. A summary of the Operational Plan for the proposed Sports Authority venue is attached as Exhibit D. Sundance has stated that the exhibition space at the Kimball Art Center

venue will run similarly to how it does now, but that they will develop and operational plan to be reviewed and properly mitigated.

There continues to be broad community support for the Sundance Film Festival. Typical concerns regarding the event are largely focused on inconveniences from traffic and congestion and the closure of city streets. Mitigation requirements will be developed including:

- Event Timeline & Operations;
- Construction Mitigation;
- Transportation, Traffic & Parking;
- Residential Mitigation;
- Community Engagement & Notification – Exhibit E;
- Environmental Sustainability; and
- Financial Considerations – Exhibit C

Staff's support of the venue is conditioned upon return at a future Council meeting to seek Council's approval of further specific mitigation efforts for the space including more detailed review from building, transportation, parking, public safety/security, noise, etc. to mitigate potential residential and business impacts. Staff estimates an increase in City Services fees, value or value in kind for operation and mitigation in the amount of \$88,482 to be waived, reduced or paid by the City, and a commensurate amount by Sundance Institute (Exhibit C) estimated at \$81,168 (eighty one thousand, three hundred and thirty eight dollars). Final costs for the entire Sundance Film Festival Supplemental Plan will be considered at a subsequent Council meeting and will be conditional on final operational plan.

### **Alternatives for City Council to Consider**

**1. Recommended Alternative:** This is staff's recommendation.

Staff recommends City Council hold a public hearing and approve changes to the Sundance Film Festival Supplemental Plan in a form approved by the City Attorney including:

1. The addition of two new venues:

- Former Sports Authority space (1768 Park Avenue);
- Kimball Art Center (1401 Kearns Blvd).

2. The removal of the following items contingent on the approval of the Sports Authority space:

- New Frontier on 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Claim Jumper venue (573 Main Street);
- 5<sup>th</sup> Street closure for Cinetransformer;
- Lower Main Street closure - No request to close Lower Main Street in 2018. While there may be a request to close Lower Main in 2019 in coordination with FreeStyle World Championships.

3. Estimated increases in City Services fees, value or value in kind for operation and mitigation of the proposed venue changes during the Sundance Film Festival are amount of \$169,820 (one hundred sixty nine thousand, eight hundred and twenty dollars) – Exhibit C.

4. Council should consider a Change Order request from Sundance as according to section 6.2 of the City Service Contract including:

- City to waive \$28,050 in City Services for Building Permits
- City to pay for \$39,432 in hard costs for Pedestrian Management, Barricades and Transit.
- Additionally, the City proposes to increase and pay for additional police presence, estimated to be approximately 280 hours (\$21,000) to ensure public safety and response capability.
- Sundance to pay for \$81,168 in hard costs associated with the change including snow removal, trash and recycling, signage, parking attendants, transit and barricades.
- These financial terms shall last for five years and then be reconsidered by City Council. Assuming an annual 2% increase due to inflation, should the total costs of the requested changes exceed \$184,000, or the City Service Fees and hard costs exceed 96,000, or the costs for Sundance exceed 88,000 the parties will reconvene prior to the fifth year to agree on costs sharing.

The recommended changes described above are based on findings that Sundance Institute is operating consistently with the City Services Agreement for the Sundance Film Festival and that the changes meet the requirements of a Level Three Special Event Permit according to section 4-8 of the Park City Municipal Code. While staff is supportive of the recommended changes in this report, and believes the mitigation strategies are 70% developed, the approval is conditioned upon return at a subsequent Council meeting that will further specify mitigation efforts and operational planning including more detailed review from building, transportation, parking, public safety/security, noise, etc. to mitigate potential residential and business impacts. Staff does believe that the financial considerations in this report accurately reflect the changes being requested. Staff will return at a future City Council meeting for approval of the complete supplemental plan and Level Three Special Event Permit For the 2018 Festival.

Pros:

a. In addition to being consistent with the Recitals in the Contract with Sundance Institute, staff finds adding a new venue at the Sports Authority space forwards 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;
- Balance between tourism and local quality of life;
- Varied and extensive event offerings;
- Accessibility during peak times
- Well utilized, fare-free, regional public transit, and walk-able community;
- World-class, multi-seasonal resort destination

b. Consolidates venue allowing for systematic support of transportation, and aligns use along state roads which have the infrastructure in place to handle the uses.

c. Reduces congestion in Old Town, and keeping the venues in Park City limits.

Cons:

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

b. Though staff believes the venue will help with transportation and pedestrian management, as well as, will help with creating community character and sense of place, there is a fine balance in the opportunity and challenges in both our residential and business areas.

**2. Continue the Item Alternative:** The City Council may continue the item for more information or discussion, thus postponing the approval of the requested changes in this report.

Cons:

a. This will further postpone the approval of the new venue for the Sundance Film Festival Plan and delay staff's ability to implement changes for the upcoming Festival.

**3. Do Nothing Alternative:** The Council may do nothing and take no action.

Cons

a. This would provide lack of direction regarding the best possible negotiating terms for current and future supplemental plans for the Sundance Film Festival in accordance with their City Services Agreement and Level Three Special Event Permit.

## Department Review

Special Events, Economic Development, Community Engagement, Budget, Legal, Executive have reviewed this report.

Police, Streets, Building, Public Works, Finance,, Transit and Transportation Planning Departments have not had time to review this report, though they are aware of the proposed venue changes and will work together to develop mitigation strategies.

## Funding Source

The General Fund pays for the Sundance contract currently. Any increases to expenses would need come through the BFO process. Any decreases (savings) to ongoing expenses would go back to the General Fund and potentially used for other needs within the General Fund.

## Attachments

Exhibit A	Sundance Film Festival Use of City Property Matrix DRAFT
Exhibit B	Sundance 2018 Official Sundance Venues (Proposed List)
Exhibit C	City Services and Cost Sharing for Increased Mitigation
Exhibit D	Sports Authority Venue & Proposed Operational Plan
Exhibit E	Community Engagement & Financial Considerations DRAFT
Exhibit F	DRAFT Level Three Special Event Permit and Conditions of Approval

# MASTER FESTIVAL LICENSE AND CITY SERVICES AGREEMENT

## 2018 USE AREAS

Use Area	Address	Use Period *	Intended Use	Type of Use	Basic City Services	Access Control	Traffic Control
Santy Auditorium of Park City Public Library and Education Center, all associated furnishings, fixtures, and equipment; including projection booth & projector, North Field, 16 parking spaces, courtyard and sponsor car display	1255 Park Avenue	Thursday January <del>9th</del> <u>18th</u> through <del>Thursday</del> <u>Sunday January 28th</u>	Screening venue, tents (Press and Wait list) and operational parking and propane storage, car display	Parking – Nonexclusive (except 16 reserved via permit; All others – Exclusive	Park City shall maintain regular Cleaning, Waste Removal and snow and ice removal inside and outside the use area. In addition, Park City shall clear snow, ice and debris from the field & courtyard for placement of Sundance's Tent & other activities.	Sundance and Park City	Sundance and Park City
<del>Santy Library Rooms 301, 201, 101, 205, North Conference Room &amp; Jim Santy Auditorium</del>	1255 Park Avenue	<del>Thursday</del> January <u>8</u> through <del>Saturday, February 3rd</del>	Concessions/ Hospitality; Wait list Line; Box Office, kiosk, volunteer use, storage	Parking – Nonexclusive (except 16 reserved via permit; All others – Exclusive	Same as above	Sundance and Park City	Sundance and Park City
The MARC- Gymnasium and East Parking Lot for vehicle and equipment staging for theatre build-out.	1200 Little Kate Road	Wednesday, January <u>3</u> – Wednesday, January <u>17</u> , <u>2018</u> . Access: 7:00am – 10:00pm Daily	Load-in. All trucks out of east parking lot by 8pm. Equipment may remain in parking lot but must be completely turned off by 8pm. Work inside building may occur after 10pm. Late workers to park in front of building. These dates and times are the same as in past years.		Park City shall maintain regular Waste Removal and snow and ice removal inside and outside the use area. In addition, Park City shall clear snow, ice and debris for placement of Sundance's Tent & other activities.	Sundance and Park City	Sundance and Park City
The MARC - Tennis Courts for queue set-up, Festival use and break	1200 Little Kate	Tuesday, January <u>16</u> 7:00am	Load-in on Tuesday, January <u>16</u> . All	For Public screening purposes	Same as above	Sundance and Park City	Sundance and Park City

down.	Road	through Monday, January <u>29</u> 8:00pm	work after 10pm will occur inside building. Late workers to park in front of building. Access is 24 hours a day until Monday, January <u>29</u> at 8:00pm as long as a Sundance representative is present.				
The MARC - Gymnasium and Tennis Courts.	1200 Little Kate Road	Thursday, January <u>18</u> , 2018 – <u>Saturday</u> January <u>27</u> , 2018. Access: 7:00am - 11:30pm	Day One Screening Schedule : 5:30pm and 8:30pm Daily Screening Schedule: 8:30am; 11:30am; 2:30pm; 5:30pm; 8:30pm	For public screening purposes	Same as above	Sundance and Park City	Sundance and Park City
The MARC - Gymnasium and Tennis Courts	1200 Little Kate Road	Sunday, January, <u>28</u> , 2018 Access: 8:00am – 8:15pm	Screening Schedule: 11:15am; 2:15pm; 5:15pm	For public screening purposes	Same as above	Sundance and Park City	Sundance and Park City
The Marc – Tennis Courts	1200 Little Kate Road	Monday, January <u>29</u> , 2018 Access: 7:00am – 8:00pm	Tear down and load out of tennis court.		Same as above	Sundance and Park City	Sundance and Park City
The MARC - Gymnasium and East Parking Lot.	1200 Little Kate Road	Sunday, January <u>28</u> , 2018 – Wednesday, <u>January 31</u> , 2018. Access: From 8:00am on 1/ <u>28</u> ,	Tear down and load out of Gymnasium and East Parking Lot. All trucks out of east parking lot by 8pm each		Same as above	Sundance and Park City	Sundance and Park City

		access is 24 hours a day and ends on 1/31 <sup>19</sup> at 12:00pm for the Gymnasium and 4:00pm for the East Lot	night. Equipment may remain in parking lot but must be completely turned off by 8pm. Work inside building may occur after 10pm. Late workers to park in front of building. All trucks and activity out of parking lot by 4:00pm on 1/31.				
Miners Hospital -Entire building with option of pavilion and surrounding park areas. All Parking around facility during the festival. <del>(4) spaces reserved for other tenants</del>	1354 Park Avenue	September 1, <u>2017</u> – February 28, <u>2018</u>	Sundance Festival Office space	Parking – Exclusive-adjacent to Recreation and Miners; Other - Nonexclusive	Park City shall maintain regular, Cleaning, Waste Removal and snow and ice removal inside and outside the use area.	Sundance	Sundance and Park City
PCMC Recreation Building – Entire building	1354 Park Avenue	November 1, <u>2017</u> – February 28, <u>2014</u> 2018	Sundance Storage or other Sundance use	Currently use as storage	Park City shall maintain regular, Cleaning, Waste Removal and snow and ice removal inside and outside the use area.	Sundance	Sundance and Park City
Miners Park on Main Street	Main Street	Festival Dates ( <u>Tuesday</u> January <u>16</u> th-Sunday, January <u>28</u> th)	Sundance Film Festival or Sponsor Activation		Park City shall maintain regular, Cleaning, Waste Removal and snow and ice removal inside and outside the use area.	Sundance	Sundance
Park City Museum - First Right of Refusal for Sundance or Sundance Sponsors	Main Street						

Park Avenue- Between Heber & 9 <sup>th</sup> St.	Park Ave	TBD	Parking mitigation	Parking/exclusive	Park City shall place barricades and enforce the operations plan	Park City	Park City
Park Avenue- Between 9th and 14th St	Park Ave	TBD	Parking mitigation	Parking/exclusive	Park City shall place barricades and enforce the operations plan	Park City	Park City
Main Street - Entire east & west sides.	Main Street	TBD	Parking control to increase response time and increase traffic mitigation	Pedestrian	Park City shall place the barricades, provide snow removal and place “no parking” and “drop zone” signs	None	None
<u>Bob Wells Plaza</u>	Swede Alley	<u>December 29- Feb 4, 2018</u>	<u>Base Camp</u>	<u>Base Camp</u>	Snow Removal	Sundance	Load –in /out
<u>Brew Pub Parking Lot</u>	<u>Swede Alley</u>	<u>January 17 through January 29, 2018</u>	<u>Public Safety and Emergency Management</u>	<u>Command Center</u>	<u>Park City shall place the barricades, provide snow removal and place “no parking” signs, command center and restrooms.</u>	<u>Park City</u>	<u>Park City</u>

# SUNDANCE FILM FESTIVAL OFFICIAL VENUES

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## THEATRES:

### **Eccles Theatre**

1750 Kearns Blvd.  
Park City, UT 84060

### **Egyptian Theatre**

328 Main Street  
Park City, UT 84060

### **Holiday Village Cinemas**

1776 Park Ave.  
Park City, UT 84060

### **Prospector Square Theatre**

2175 Sidewinder Dr.  
Park City, UT 84060

### **Redstone Theatre**

6030 Market St.  
Park City, UT 84098

### **Library Center Theatre**

1225 Park Ave.  
Park City, UT 84060

### **Frontier Theatre**

**(formally the Sports Authority)**

1768 Park Avenue  
Park City, UT 84060

### **The MARC Theatre**

1200 Little Kate Rd.  
Park City, UT 84060

### **Temple Theatre**

Highway 224  
3700 North Brookside Ct.  
Park City, UT 84060

### **Park Avenue Theatre (formally the Yarrow)**

DoubleTree by Hilton Hotel Park City  
1800 Park Ave.  
Park City, UT 84060

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## VENUES:

### **Music Café**

Rich Haines Art Gallery  
751 Main Street  
Park City, Utah 84060

### **Filmmaker Lodge**

Elks Building  
550 Main Street  
Park City, UT 84060

### **Festival Base Camp**

475 Swede Alley  
Park City, UT 84060

### **Festival Co-op**

Montgomery Lee Gallery  
608 Main St.  
Park City, UT 84060

### **New Frontier VR and Microcinema**

**(formally the Sports Authority)**

Lower Level  
1768 Park Avenue  
Park City, UT 84060

### **New Frontier Exhibition**

Kimball Arts Center  
1401 Kearns Blvd  
Park City, UT 84060

### **Festival Headquarters**

Park City Marriott  
1895 Sidewinder  
Park City, UT 84060

### **Festival Store on Upper Main**

Park City Mercantile  
523 Main Street  
Park City, UT 84060

### **Festival Store on Lower Main**

Grace Clothiers  
751 Main Street  
Park City, UT 84060

### **Park City Main Box Office**

Gateway Mall #102  
**Pass Package #201/202**  
136 Heber Ave.  
Park City, UT 84060

## **SUNDANCE FILM FESTIVAL OFFICIAL VENUES**

As per section 6.2 of the current City Services contract (Additional City Services and Work Order Process), Sundance may request additional City Services to be approved by the City Manager or City Council. Sundance will be charged the actual cost of additional City Services. If Sundance disapproves of such costs to be charged, it may withdraw its requests for such additional City Services. When the City and Sundance cannot agree upon any proposed changes, the prior year's Supplemental Plan is still valid and governs the next Festival. However, the City may still address health and safety issues through regulatory conditions of approval in accordance with adopted ordinance standards.

DRAFT Sundance Film Festival ESTIMATED Increased Mitigation Costs				
Item	Estimated Cost	City	Sundance	Notes
<b>SFF Internal Venue Ops</b>				
Snow Removal	\$10,000		\$10,000	
Garbage & Recycling	\$2,000		\$2,000	
Signage	\$5,000		\$5,000	
Parking Attendants	\$30,000		\$30,000	
<b>PCMC City Services</b>				
Increased Transit (3 Busses)	\$50,400	\$16,632	\$33,768	3 busses x 14 hours x 10 days @ \$120 an hour
Increased Police (2 officers)	\$21,000	\$21,000		2 officers x 14 hours x 10 days @ \$75 an hour
Barricades & Traffic Control	\$800	\$400	\$400	
Pedestrian Management	\$22,400	\$22,400		4 people x 14 hours x 10 days @ \$40 an hour
Plan Review Fee	\$11,050	\$11,050		waived, per contract
State Tax Fee	\$170		\$170	If building permits are waived, this fee will not be charged.
Building Permit Fee	\$17,000	\$17,000		waived, per contract
<b>Total Estimated Cost 2018</b>				
<b>Total Estimated Cost</b>	<b>\$169,820</b>	<b>\$88,482</b>	<b>\$81,168</b>	
<b>Break Down of Total Estimated Costs</b>				
<b>Total City service cost FY18</b>	<b>\$99,620</b>	<b>\$65,682</b>	<b>\$33,938</b>	transit, public safety, plan review & b. permit fees
<b>Total Hard Costs FY 18</b>	<b>\$70,200</b>	<b>\$22,800</b>	<b>\$47,400</b>	actual out of pocket expenses

Sundance has asked to add private property venues including former Sports Authority space (1768 Park Avenue) and Kimball Art Center (1401 Kearns Blvd) to official Sundance venues during the Sundance Film Festival. Sundance has requested to remove private venue including upper two levels of Claim Jumper space (573 Main Street). Sundance has asked to remove use of City Property including 5<sup>th</sup> Street and Lower Main Street from the Sundance Film Festival for 2018. This change will require increased mitigation to reduce impacts and ensure public safety. Staff will finalize a Change Order request from Sundance as according to section 6.2 of the City Service Contract that includes the changes due to these new venues including:

- City to waive \$28,050 in City Services for Building Permits
- City to pay for \$39,432 in hard costs for Pedestrian Management, Barricades and Transit.
- Additionally, the City proposes to increase and pay for additional police presence, estimated to be approximately 280 hours (\$21,000) to ensure public safety and response capability.
- Sundance to hire and pay for \$81,168 in hard costs associated with the change including snow removal, trash and recycling, signage, parking attendants, transit and barricades.
- These financial terms shall last for five years and then be reconsidered by City Council. Assuming an annual 2% increase due to inflation, should the total costs of the requested changes exceed \$184,000, or the City Service Fees and hard costs exceed 96,000, or the costs for Sundance exceed 88,000 the parties will reconvene prior to the fifth year to agree on costs sharing.

## **Operational Plan Sports Authority**

### **EXECUTIVE SUMMARY**

In the late fall of 2016, we were notified by the owner of Claim Jumper that the top two floors of the building, our current New Frontier home located on Main Street, was more than likely going to be under construction right after Sundance Film Festival 2016. The Institute immediately started looking for space that could handle New Frontier. After a couple of months of property reviews and analysis, the Sports Authority building became the Institute's top choice. This decision hinged on several factors including:

- There are no other 25,000 sq ft spaces available in Park City with large open spaces.
- The location allowed the Institute to work towards reducing traffic congestion off of Main Street.
- The Institute has been looking for years for additional space in greater Park City to house a 500 seat theatre. This space would allow for this size theatre.
- The space would also provide a new home for New Frontier.
- The Sports Authority location allows for the creation of a mini Theater District for the Festival. In connection with any possible future plans the City may have in creating an Arts & Culture District, the Theatre District may enhance this concept.
- For now, after the Festival there are no other year-round uses being proposed for the space.

Sundance Institute plans to lease the old Sports Authority building, signing a five year lease with the option to extend for two additional five year periods. The Institute's current plans include utilizing the space as follows:

- Main floor space for a 500 seat theatre.
- Lower floor space for both a New Frontier Virtual Reality interactive space and a Microcinema.

This redesign of current building use will require a substantial investment by the Institute to bring the space up to code. To date the Institute has had an Engineering study done, an Architectural space design done along with several walk-throughs with our Contractor and the Park City Planning team to confirm what code changes needed to be included in the design.

## **DETAILS**

### **Location**

Sports Authority (previous tenant)  
1768 Park Avenue  
Park City, Utah 84060

### **Main Level Use**

500 seat theatre, volunteer room, green room , restrooms, press area/step and repeat, behind the scene for Box Office and small amount of storage.

Dates for screenings for SFF 2018: starting Thursday, January 18th– Sunday, January 28th

Screening Times: 5 screening a day except first Thursday( approx: 9:30am, 12:30am, 3:30pm, 6:30pm, 9:30pm).

### **Lower Level Use**

New Frontier VR  
Microcinema (100-120 capacity)

**Capacity** – Code for exhibition space (65 women per toilet / 125 men per toilet)

Main Level:

Toilets: Construction plan to add 3 men's and 6 women's toilets plus 1 unisex/ADA in green room. (3 ADA total)

Exit/Entrances / Doors: 3 doors 72" wide, 1 door 36"

Lower Level:

Toilets: Plan to remodel 1 toilet / 1 urinal men's and 2 women's toilets.

Exits/Entrances / Doors: 2 double doors 72" (1 in front and one in back) and 1 stairway to single door

### **Venue Construction / Theatre Build-out**

August 15 - December 15 - construction and remodel

Dec 15- January 15 - Institute adding in risers, seats, projector, audio, etc.

### **Venue Load-out**

SFF 2018: Sunday January 28<sup>th</sup> – February 3<sup>rd</sup>, 2018. The plan is to leave the theatre in place but use it for meetings and/or maybe a few screenings for community.

## **Queuing of Patrons for Theatre, New Frontier and Microcinema**

### **Theatre:**

Passholders: Theatre queuing for pass holders will take place inside the building in the pass holder queuing area.

Ticket holders: Ticket holders will queue in the tent in the adjacent parking lot in the front of the building, and ewaitlist patrons will queue down the west side walkway.

All patrons will enter the building through the west doors on the front of the building, and egress will occur through both the east and west side doors located on the front of the building. Screenings will occur 5 times per day starting at 9:30am, and running every three hours until the last screening at 9:30pm from the first Friday to the second Saturday. The last Sunday we will include three screenings at 11:30am, 2:30pm, and 5:30pm.

### **New Frontier and Microcinema:**

New Frontier entrance and queuing will be located on the east side of the building. Entrance to New Frontier will be in 2-hour intervals. The Microcinema will also be on 2-hour intervals but opposite to New Frontier. Therefore, every hour we will be loading patrons from the east door into either New Frontier or Microcinema.

### **Accessibility:**

#### **Walkability**

The Sports Authority venue is in very close proximity to both the Holiday Village and Yarrow theatres, creating a concentrated theatre district ("Theatre District"). Also, it is a relatively short walk to Eccles, Prospector, the Kimball Art Center and Festival HQ. A few minutes farther walk are the MARC and Library theatres. The intended result is less vehicular traffic. Additionally, the Theatre District is very close to the high-volume bus stops in front of the Fresh Market. This provides excellent walkability access to the Theatre District.

#### **Parking Lot / Shuttles**

There is no patron parking allowed at our theatres. We will inform people to take the shuttle bus and hop on/off at the stop next to the Yarrow Double Tree Hotel. If needed, we will increase bus service on the Theatre loop and/or the Eccles/HQ/Prospector loop. The Yarrow/Holiday East and West bus stops put this venue directly on 4 of our 5 Festival routes, making it easy to take public transit to other festival locations.

We will provide several Parking Attendants to help keep traffic flowing during the festival as well as monitor our small number of reserved spaces for programmers and drop and load service.

**Deliveries and Drop offs**

Sundance will use the loading dock accessed from Homestake Rd as much as possible.

**Security**

The following gives the proposed security for the upcoming festival.

3 bag check guards - 5:00pm - 10:00pm January 18; 8:30am - 10:00pm

January 19- 27, 10:30am - 6pm January 28

3 Additional security guards (Main Entrance, Loading Dock VIP entrance, and Press Line) - 5:00pm - 10:00pm January 18; 8:30am - 10:00pm

January 19- 27, 10:30am - 6pm January 28

Additional guards added for events(as needed)

Vendor Centennial Management Group

Contact Randy Mayne: (801) 988-8800

**ADA**

ADA restrooms on each floor

ADA lift to get patrons to basement level

ADA seats on main floor of theatre

**Bar Concessions Stand**

New Frontier Concessions will be provided by Top Shelf Management (Casey Metzger).

Concessions stand will be open January 19<sup>th</sup> – Sunday, January 28<sup>th</sup>. Hours of operation TBD

**Trash Removal**

Sundance will provide recycling and garbage bins on each floor of the venue. The Festival volunteer team will carry all full garbage bags to the back ramp. This run will happen around 4-5 times a day, as needed.

**Recycling**

All full recycling bags will be carried by the Volunteer team to the 4' x 4' collection bin at the rear of Sports Authority. Curb It Recycling will service these bins every morning.

**Snow Removal**

The Sundance Works Crew team will assist with supplemental support on snow removal. In the case of excess snow accumulation, a contractor will be brought on for additional removal.

Vendor Questa Landscape Construction

Contact Larry Lopez: (801) 450-7870

**Environmental Graphics**

Sundance plans to add graphics and a sign marquee which will go through the city process for approval. No design is available at this time.



Kearns Blvd

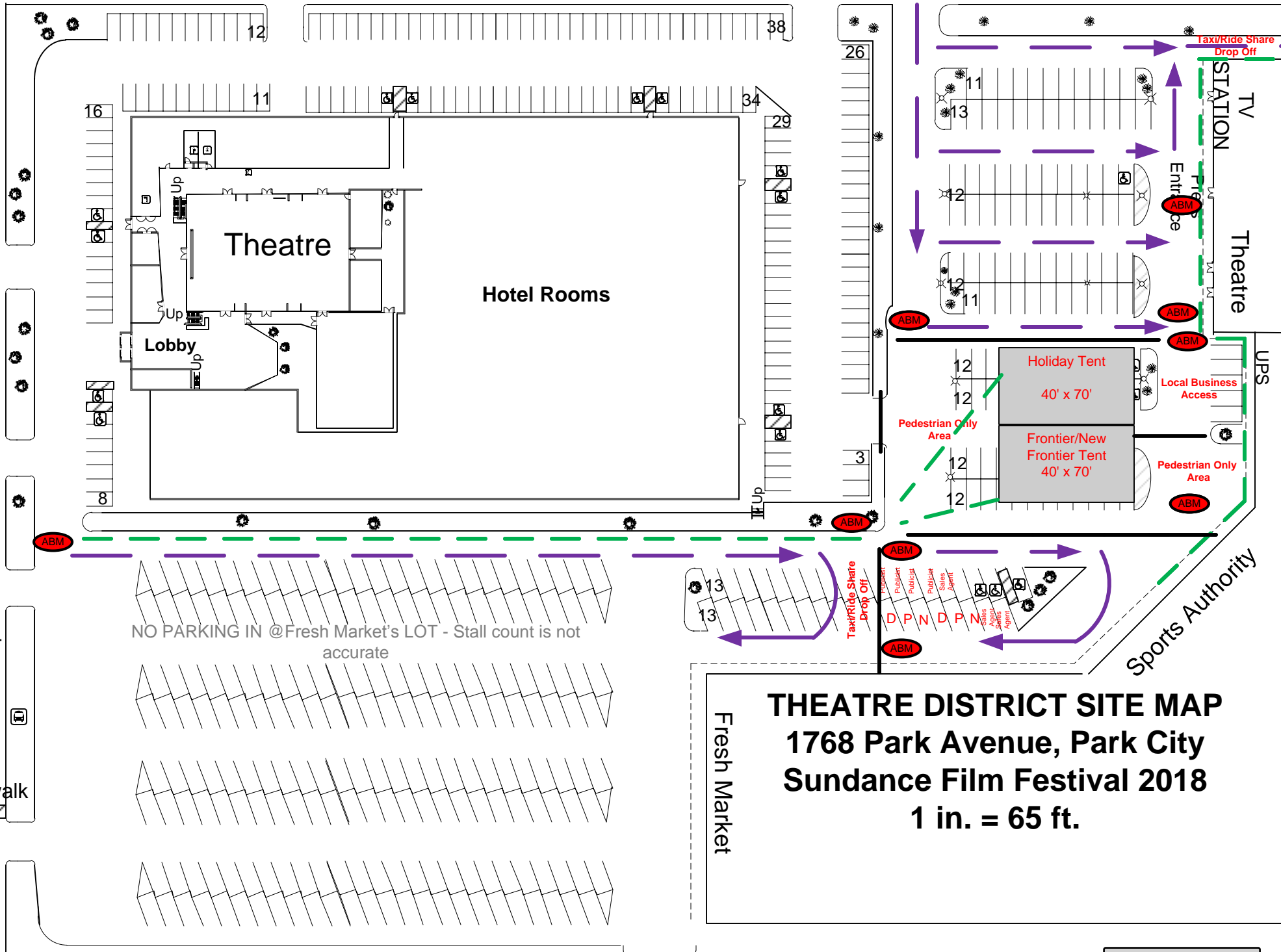
# Park Avenue

Yarrow/Holiday East  
Shuttle Stop

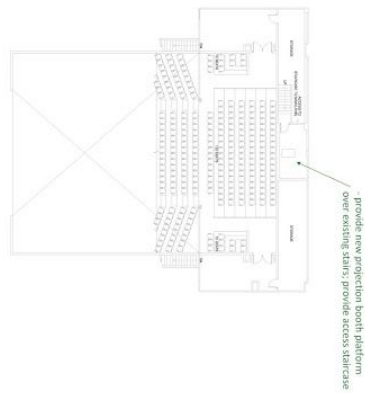
## Crosswalk

Park Avenue

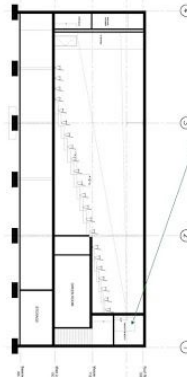
Homestake Rd



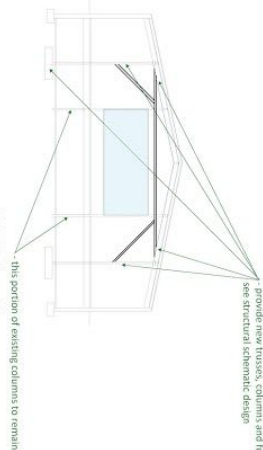
**THEATRE DISTRICT SITE MAP**  
**1768 Park Avenue, Park City**  
**Sundance Film Festival 2018**  
**1 in. = 65 ft.**



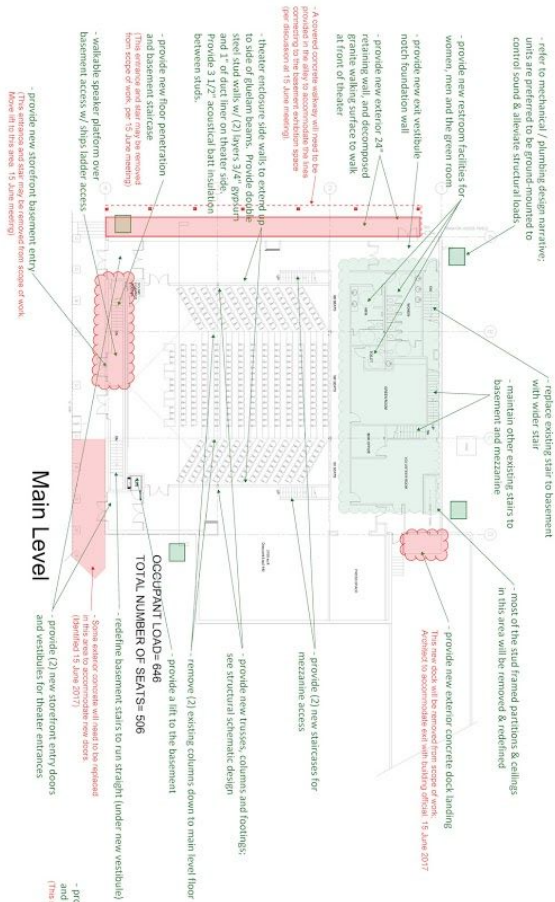
Mezzanine Level



N/S Section



EW Section



Main Level

Basement

# Sundance Institute - 1768 Park Avenue Property Theater Remodel

## OPTION A

24 May 2017  
revised 15 June 2017 / EV



## Community Engagement Plan

### Stakeholders:

- Building owners
- Holiday Village business owners/managers//employees
  1. Bank
  2. Holiday Village Theater
  3. PCTV
  4. Enterprise
  5. Cross Fit
  6. H&R Block
  7. UPS
  8. La Hispana (market)
  9. Sergio's
  10. PC Chinese & Thai
  11. Park City Paint
  12. Fresh Market
  13. Yarrow
  14. UDOT
- Homestake/Claimjumper residents/property managers
- Public/Media
- Storage Depot (access via Homestake)
- For-hire transportation

### Potential Issues:

- Customer access/parking
- Business deliveries (FedEx)
- Noise
- Traffic flow/access
- Transit
- Pedestrian management
- Public Safety

### Outreach Team:

- Community Engagement
- Special Events
- Sundance

### Outreach Methods:

#### Phase 1 -

- Door-to-door outreach (what/when/impact)
- FAQ Handout (translate)
- Outreach Log
- E-mail w/FAQ handout (translate)
- Stakeholder meetings (business and residential)
- Contact Opportunities

#### Phase 2 -

- Stakeholder e-mail updates re:construction w/customer FAQ handout
- Workplace signage (tabletop and posted)
- Media outreach

#### Phase 3 – Pre-Festival/Festival

## Exhibit C – Community Engagement

- Stakeholder e-mail updates
- Door-to-door outreach (residential)
- Feedback option – online/phone

### Phase 4 – Post-Festival

- Solicit stakeholder feedback
- Stakeholder meeting
- Outreach report

### **Action Items:**

- Identify stakeholder contacts/contact info
- Determine outreach team/timeline
- Develop outreach messaging/collateral
- Media response (if needed)
- Compile outreach recap and stakeholder input for Council review



## Exhibit F –Sundance Film Festival 2018 Level Three Special Event Permit DRAFT

### SPECIAL EVENT PERMIT

Type of License:      Level One      Level Two      X Level Three  
Event Name:            2018 Sundance Film Festival  
Event Date(s):        Saturday, January 18 through Sunday, January 28<sup>th</sup>, 2018  
Event Location:        Various locations throughout Park City  
Licensee:                Sundance Institute  
Contact Person:        Tina Graham, Associate Director, Festival Operations  
Approved By:           Special Events Coordinator      X City Council of Park City  
Approval Date:        August 3, 2017

The Park City Council has approved the Level Three Special Event Permit for the 2018 Sundance Film Festival as part of the current City Services Agreement that was executed on October 30, 2013. The 2018 Sundance Film Festival is to be held at various locations throughout Park City and will be held January 18 – 28, 2018, with set up and break down of the event will occur between January 15 and 31, 2018. This Level Three Special Event Permit has been issued under the authority described within the Park City Municipal Code Section 4-8-4(C) based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

#### Findings of Fact:

1. The 2018 Sundance Film Festival will operate from Thursday, January 18 through Sunday, January 28<sup>th</sup>, 2018. Set up and break down of the event will occur between January 8<sup>th</sup> and February 2nd , 2018. A list of venues is included as Attachment I in this permit.
2. The permittee will organize venue load-in and load-out plans, as well as, work with staff to create transportation and parking plans. The permittee is responsible for working to establish and help promote transportation and parking plans. The applicant will have volunteers as well as the help of Park City Police Department to ensure that efficiency of traffic, transportation and public safety.
3. The permittee has secured permission from the school district to allow the use their parking areas at the Schools around Kearns Blvd. (Hwy. 248). The permittee will enhance the City's current transit schedule for festival attendees.
4. The applicant has established weather and emergency plans. The applicant has established these plans to maximize the safety of event attendees, volunteers, staff, and general public. There are no weather dates for the event, but the applicant is aware that weather could interfere with the possibility of the event's proposed activities. In the case that the event were to be cancelled due to dangerous weather conditions, they would notify the general public as well as participants in the event. The applicant understands that Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel or postpone the event or portions of the event at any time due weather or emergency conditions.
5. The events associated with the 2018 Sundance Film Festival will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
6. The concentration of persons, vehicles, or animals will not unduly interfere with the movement



of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.

7. There are other no other Special Event Permits that are currently proposed or that have been granted for January 18 – 28, 2018
8. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
9. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.
10. Staff finds the 2018 Sundance Film Festival is consistent with the measures as outlined in the City Services Agreement as entered into on October 30, 2013 and promotes the City Council's Goals of creating a sense of place. The international event furthers Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community. Sundance helps to support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Furthermore, Sundance allows Park City to grow as an arts and culture hub encouraging creative expression.

#### Conclusions of Law:

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

#### Conditions of Approval:

1. The permittee, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. The permittee shall adhere to the Park City Municipal Noise Ordinance. The permittee will work with City Staff to orient the activities so as to minimize sound impacts to the neighborhood and the applicant shall monitor the following:
  - (A) The permittee, or his/her designee, shall provide on-site management for each aspect of the event.
3. The permittee shall return with a final plan update for the 2018 Sundance Film Festival, which includes final site plans, transportation, security/public safety and parking/traffic management plans.
4. In addition to minimum insurance as required by state law or applicable regulation (for example worker's compensation, auto, and liquor liability as applicable), Applicants shall provide proof of public liability insurance in an amount as determined by the City Attorney's Office, and shall further name Park City Municipal Corporation as an additional insured.
5. All plans for tents, stages and other temporary structures as well as flammable materials shall be submitted to the Building Department for review and permitting no later than Wednesday, January 17th.
6. The permittee is responsible for working with City Staff to create an Operational, Parking and Pedestrian Management Plan in a form approved by the Park City Municipal's Economic Development Program Manager and by the Chief of Police.



7. The permittee is responsible for maintaining a staff and volunteers plan.
8. The applicant use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
9. All third party approvals including the Park City School District, Summit County and State of Utah, permit approvals required for this event shall be secured by Thursday, January 18<sup>th</sup>, 2018 and submitted to Park City Municipal Corporation.
10. The Park City Special Events, Police, Fire, Building Official/Fire Marshal and Emergency Management have the right to cancel event upon or part there of any condition, violation or weather that jeopardizes the life, safety or property of the residents or visitors of Park City.
11. The Applicant will provide an official Sundance Venue and Sponsor list and sign plan for the event. All handouts, flyers, banners and other signage, shall comply with the Park City Municipal sign code and be approved by the Planning Department.
12. The 2018 Sundance Film Festival will operate for ten (10) days, Sundance Institute reserves the right to review and make recommendations regarding the approval of any other Special Event Permit during this time.
13. Sundance shall report sustainability statistics in the debrief of the event.
14. Sundance shall have exclusive use of the areas as outlined in Exhibit A.
15. Sundance estimates overall attendance in 2018 will be 50,000. Sundance shall modify operations as directed by Staff to address any substantive change in conditions created by the growth in attendance to the event with regards to maintaining public safety, traffic and transportation impacts to the City.
16. Sundance will address any requirements from the Fire Marshall, and Public Safety Personnel regarding placement of emergency staff and equipment. Sundance will submit an Emergency Operations Plan to be coordinated with Park City Police, Emergency Management and Park City Fire District.

PASSED AND APPROVED this Thursday, the 3rd of August, 2017.

PARK CITY MUNICIPAL CORPORATION

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City Manager, Diane Foster

Attest:

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, City Recorder

Approved as to form:

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Mark D. Harrington, City Attorney



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

The Lilac Hill Subdivision was approved by the Park City Council on October 20, 2016, as [Ordinance 16-32 <http://www.parkcity.org/Home/ShowDocument?id=33848>](http://www.parkcity.org/Home/ShowDocument?id=33848). The property has since been sold to Lilac Hill LLC, and the new owner is requesting to subdivide the parcel in order to create two (2) legal lots of record. The historic house at 632 Deer Valley Loop will be located on Lot 1A of the proposed subdivision. Two new duplex dwellings will be constructed-one duplex on each of the proposed lots.

**Respectfully:**

Anya Grahn, Planner II



## City Council Staff Report

**Subject:** Lilac Hill Subdivision—First Amended at 632 Deer Valley Loop  
**Author:** Anya Grahn, Historic Preservation Planner  
**Department:** Planning Department  
**Date:** August 3, 2017  
**Type of Item:** Legislative—Subdivision

### Summary Recommendation

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

### Description

**Applicant:** Lilac Hill LLC, a Delaware limited liability company  
**Location:** 632 Deer Valley Loop  
**Zoning:** Residential-Medium Density (RM)  
**Adjacent Land Uses:** Residential—Single family, duplex, and multi-family dwellings  
**Reason for Review:** Plat Amendments require Planning Commission review and City Council review and action

### Executive Summary

The Lilac Hill Subdivision was approved by the Park City Council on October 20, 2016, as [Ordinance 16-32](#). The property has since been sold to Lilac Hill LLC, and the new owner is requesting to subdivide the parcel in order to create two (2) legal lots of record. The historic house at 632 Deer Valley Loop will be located on Lot 1A of the proposed subdivision. Two new duplex dwellings will be constructed—one duplex on each of the proposed lots.

### Acronyms

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

### Background

On March 13, 2017, the City received a Subdivision application for the Lilac Hill

Subdivision—First Amended located at 632 Deer Valley Loop; the application was deemed complete on March 15, 2017. The property is in the Residential Medium (RM) District.

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

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

On August 21, 2013, the Park City Building Department issued a Notice and Order to Vacate and Demolish the structure due to fire damage and the dilapidated state of the structure.

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

The Bertagnoles finalized their sale of the property to 632 DVL, LLC in February 2016. On April 26, 2016, the City received a subdivision application for the Lilac Hill Subdivision. It was approved by the Park City Council on October 20, 2016, as [Ordinance 16-32](#).

The property was then sold to the current owners, Lilac Hill LLC in March 2017. The current owner is proposing to subdivide the property into two (2) lots that will be developed separately.

The Park City Planning Commission reviewed this subdivision request on July 12, 2017. There was significant public comment regarding the placement of a driveway accessing Lot 1-B off of Rossie Hill Drive, including safety concerns from the neighbors regarding

existing traffic patterns, congestion, and parking along Rossie Hill Drive that created unsafe situations for pedestrians and drivers. The Planning Commission debated ways that the neighbor's concerns for safety could be mitigated. In the end, the Planning Commission unanimously forwarded a positive recommendation to City Council to approve this plat amendment with a vote of 4-0 (the Chair does not vote), and recommended that City Council direct the City Engineer put up additional "No Parking" signs along Rossie Hill Drive. The Planning Commission felt that this would best address the neighbor's concerns and mitigate any impacts of the proposed driveway. [See [Planning Commission Report](#) (starting page 332) and [Draft Minutes](#) (starting page 71).]

## Analysis

The applicant located the proposed lot line to subdivide the property based on the assumption that the rear addition of the historic house could be removed. The rear addition was constructed in c.1969 and was severely damaged in a fire in 1999. Prior to removal of the addition, the Historic Preservation Board (HPB) will need to find that the addition is not historic and does not contribute to the historical significance of the house through their Material Deconstruction Review. The applicant submitted a Historic District Design Review (HDDR) application on March 26, 2017 and the Material Deconstruction of the house has been scheduled for August 2, 2017.

Staff added Condition of Approval #8 in order to address this issue: The plat amendment shall not be recorded unless the south (rear) addition has been removed based on the approval of the Historic Preservation Board through their Material Deconstruction Review.

The purpose of this application is to subdivide Lot 1 of the Lilac Hill Subdivision into two legal lots of record. Following the subdivision, the following conditions will exist:

	LMC Requirements for RM Zoning District:	Lot 1A:	Lot 1B:
Lot Size:	Single Family: 2,812 SF Duplex: 3,750 SF	7,616 SF	6,703 SF
Lot Width:	Minimum 37.50 ft. measured 15 ft. back from Front Lot Line.	128 ft.	116 ft.
Setbacks:			
Front Yard:	15 ft.	35 ft.	15 ft.
Rear Yard:	10 ft.	10 ft.	10 ft.
Side Yard:	5 ft.	17 ft. (west), 66 ft. (east)	5 ft.
Height:	28 ft. from existing grade	19.5 ft. (Historic House)	28 ft.

When the Lilac Hill Subdivision was recorded on January 31, 2017, it included several plat notes, including:

- Any Development on this lot or future subdivided lots within this lot shall provide a transition in scale between the historic structures in the neighborhood,

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

6. Any new development on this lot or future subdivided lots within this lot shall not block the view of the historic house from the 632 Deer Valley Loop and Deer Valley Drive rights-of-way.

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

8. Driveway access to any development to this one-lot subdivision shall be limited from Deer Valley Loop Road. Should the future subdivision of this lot result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of-way.

9. Any future access off of Rossie Hill shall have a slope of no more than 5% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines.

These conditions will remain in effect for the Lilac Hill Subdivision- First Amended and shall be noted on the plat. These conditions have not yet been met because the applicant has not started construction on the redevelopment of the site. The applicant has submitted two (2) separate HDDR applications for the construction of separate duplex dwellings on both proposed lots—staff has required that the new development comply with the plat notes of the first Lilac Hill Subdivision.

In particular, staff finds that the subdivision will actually create more open space square footage than if the site were to remain a single lot. The following definitions apply to the plat note:

- **Open Space, Landscaped.** Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hardscape plazas, and public pedestrian amenities, but excluding Buildings or Structures.
- **Open Space, Natural.** A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge Line Area, Slopes over thirty percent (30%), wetlands, Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.

As a single lot, the 14,319 square feet lot would require 5,727.6 square feet of open space due to the plat note. Based on the setback required for each of the two lots, there will be approximately 3,623 square feet of open space on Lot 1A (about 48% of

the total lot) and 4,110 square feet of open space on Lot 1B (about 61.3% of the total lot) within the setback areas. The total amount of open space, based on the setbacks alone, will equate to 7,733 square feet. Driveways in the setbacks will not count as open space, and staff finds that additional open space will be provided within the building pad of the house.

Access restrictions are based on feedback from the City Engineer during the Lilac Hill Subdivision, and a plat note was added in order to restrict the location of any new driveway access off of Rossie Hill Drive as well as the slope of the driveway. There is a gap between the City's right-of-way and the applicant's property on the western side of the lot that is owned by the BLM; for this reason, the City Engineer limited access off of Rossie Hill to the east side of the property. He also provided limitations on driveway slope to ensure visibility from the driveway and road. The City Engineer does not find that two additional units off of Rossie Hill Drive will significantly add to the existing limitations of Rossie Hill Drive.

The only existing encroachments on site are the gravel driveway and parking area that extends beyond the property lines along Deer Valley Loop.

### **Good Cause**

Staff finds good cause for this Plat Amendment as the proposed subdivision complies with the Land Management Code, a public snow storage easement will be provided along Rossie Hill, and a utility easement will be dedicated for the waterline in Deer Valley Loop Road. Staff has also worked with the applicant to require any future development of these lots to comply with the Historic Site Design Guidelines and provide a minimum of 40% open space on this lot.

As proposed, the two duplexes (total of four units) are an allowed use in the RM zone on lots 3,750 square feet or larger. Should the subdivision not be approved, the applicant would need to redesign the project in order to limit access from Deer Valley Loop Road to meet Condition of Approval #8 of the Lilac Hill Subdivision for the single lot.

Condo plat(s) will be required prior to the individual sale of the proposed units.

### **Process**

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

### **Department Review**

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

### **Notice**

On June 28, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public

Notice Website on June 24, 2017, according to requirements of the Land Management Code.

### **Public Input**

Public input from the neighborhood has been submitted in opposition of the proposed subdivision. It is included as Exhibit E.

### **Alternatives**

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

### **Significant Impacts**

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

### **Consequences of Not Taking Recommended Action**

Consequences of not taking the Planning Department's recommendation are that the Site would remain as is—a single lot of record. The applicant would not be able to pursue his plans to redevelop the site with four (4) units as currently proposed.

### **Summary Recommendation**

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

### **Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)

Exhibit B – Survey

Exhibit C – Aerial Photographs with 500' Radius

Exhibit D – Site Photographs

Exhibit E – Public Comment

**Ordinance No. 2017-41**

**AN ORDINANCE APPROVING THE LILAC HILL SUBDIVISION- FIRST AMENDED AT 632 DEER VALLEY DRIVE, PARK CITY, UTAH**

WHEREAS, the owner of the property (tax id LILACH-1) located at 632 Deer Valley Drive have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on June 28, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 24, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on July 12, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on July 12, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 3, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lilac Hill Subdivision- First Amended at 632 Deer Valley Drive.

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

**SECTION 1. APPROVAL.** The Lilac Hill Subdivision- First Amended, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 632 Deer Valley Loop.
2. The property consists of all of the Lilac Hill Subdivision. The applicant is proposing to subdivide the property into two (2) lots.
3. The property is located in the Residential-Medium Density (RM) District.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.

5. The proposed subdivision will create two (2) lots of record: Lot 1A will contain 7,616 SF and Lot 1B will contain 6,703 SF.
6. Single-family, duplex, and triplex dwellings are allowed uses in this zone.
7. Lot 1A, along with the three historic cottages 555, 560, and 577 Deer Valley contribute to Park City's history and provide a density of historic structures that largely retain their relationship with one another and the hillside.
8. The purpose statements of the RD zoning district include (B) encouraging new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area, and (C) encouraging the rehabilitation of existing Historic Structures.
9. The proposed lot width of Lot 1A is 109.46 feet along the north property line (facing Deer Valley Drive) and the proposed lot width of Lot 1B is 130.43 along the south property line (facing Rossie Hill Drive). The minimum lot width required is 37.50 feet, and both proposed lots meet the minimum lot width requirement.
10. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures. The applicant is not proposing to relocate the historic house.
11. The minimum front yard setbacks are 15 feet and rear yards are 10 feet.
12. The minimum side yard setbacks are 5 feet.
13. An addition to the historic house encroaches over the proposed lot line between Lots 1A and 1B.
14. Existing access to the Lot 1A is limited to a driveway from Deer Valley Loop.
15. The City Engineer finds that only the eastern half of the lot directly abuts the City's right-of-way along Rossie Hill Drive and there are poor sight lines along Rossie Hill Drive.
16. The utilities were disconnected from this property on May 26, 1999.
17. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance)
18. The Planning Commission requested that City Council direct the City Engineer to install "No Parking" signs along Rossie Hill Drive.
19. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

**Conclusions of Law:**

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

**Conditions of Approval:**

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

2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Any development on this lot or future subdivided lots within this lot shall provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort. Any new development on this lot or future subdivided lots within this lot shall comply with Park City's Design Guidelines to ensure that the new development is compatible with the Historic Structure on this lot and the Historic Structures in the surrounding area.
4. Any new development on this lot or future subdivided lots within this lot shall not block the view of the historic house from the 632 Deer Valley Loop and Deer Valley Drive rights-of-way.
5. New construction on this lot or future subdivided lots within this lot shall provide a minimum of 40% of the site to be Open Space, Landscaped and/or Open Space, Natural as defined by the Park City Land Management Code.
6. A ten foot (10') wide public snow storage easement is required along the Rossie Hill frontage of the property.
7. Driveway access to any development of these lots shall be limited from Deer Valley Loop Road and Rossie Hill Drive. The new lot facing Rossie Hill Drive shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of-way. The slope of the access off of Rossie Hill Drive shall be no more than 5% for the first 20 feet of driveway off of the right-of-way to maintain sight lines.
8. The plat amendment shall not be recorded unless the south (rear) addition has been removed based on the approval of the Historic Preservation Board through their Material Deconstruction Review. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.
9. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
10. All conditions of the Lilac Hill Subdivision, approved as Ordinance 16-32, continue to apply and shall be noted on this plat.

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

PASSED AND ADOPTED this 3rd day of August 2017.

PARK CITY MUNICIPAL CORPORATION

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Jack Thomas, MAYOR

ATTEST:

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City Recorder

APPROVED AS TO FORM:

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Mark Harrington, City Attorney

**Attachment 1** – Proposed Plat

## SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold certificate No. 4928729, as prescribed by the laws of the State of Utah, and that by authority of the owner, this plot of LILAC HILL SUBDIVISION—FIRST AMENDED has been prepared under my direction and that the name has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

[illegible]

all of Lot 1, LILAC HILL SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

## OWNER'S DEDICATION AND CONSENT TO RECORD

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

In witness whereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Todd Franklin Watanabe, Manager**  
ILAC HILL LLC, a Delaware limited liability company

## ACKNOWLEDGMENT

State Of \_\_\_\_\_  
County of \_\_\_\_\_

In this day of \_\_\_\_\_ 2017, Todd Franklin Watanabe personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by my duly sworn/Affirmed, did say that he is the manager of LLAC HILL LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its operating agreement and he acknowledged to me that he executed the LLAC HILL ADDENDUM-FIRST AMENDED.

**Notary Public**

**Printed Name**

**Residing in:**

**My commission expires:**

**Commission No.**

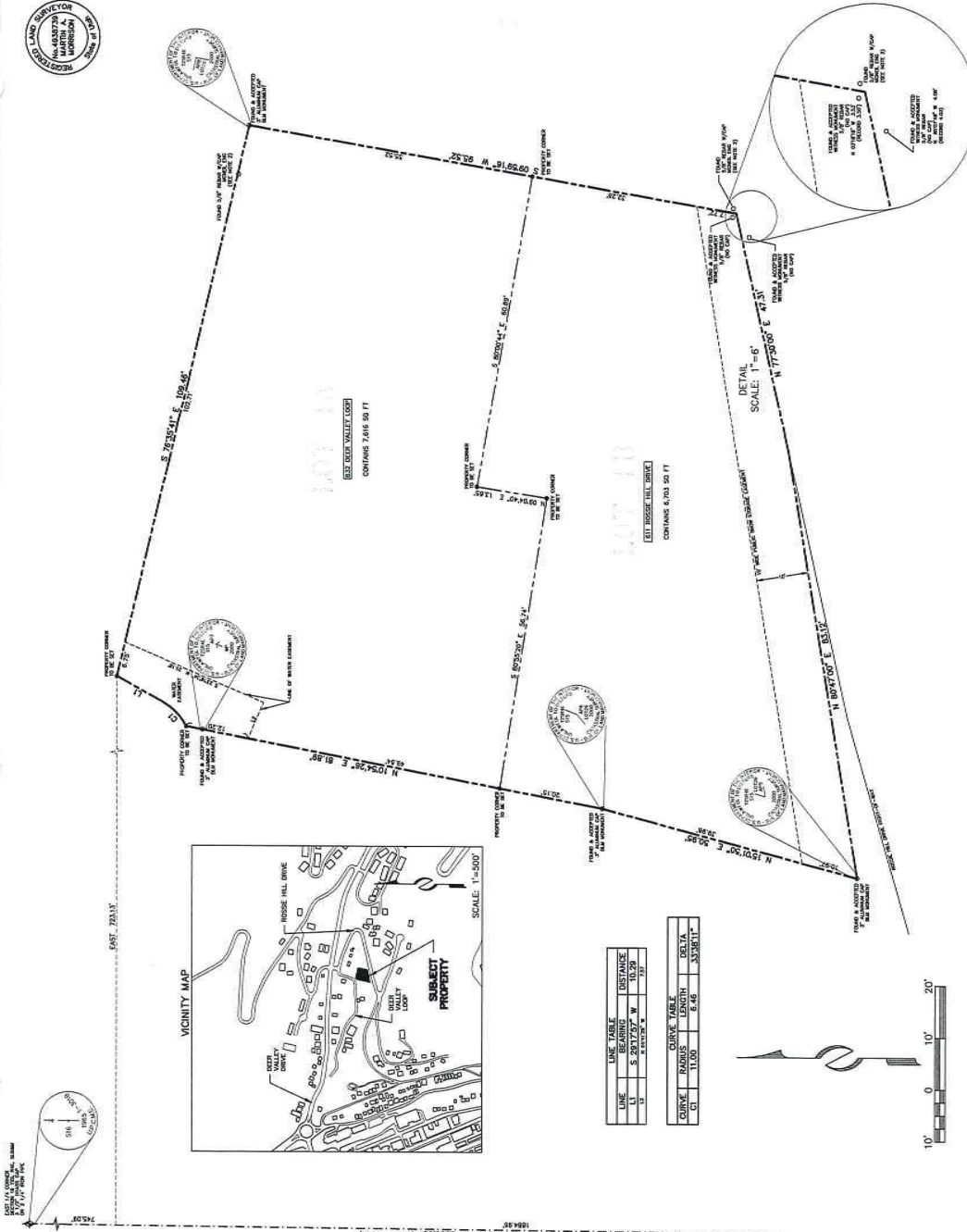
## NOTES

- This subdivision is subject to the Conditions of Approval in Ordinance 17-\_\_\_\_\_. See recorded survey of adjacent property 5-4627 in the Summit County Recorder's Office.
- See recorded survey of this property 5-4853 in the Summit County Recorder's Office.
- The record bookings and releases shown on this survey are from the original field notes of the Surveyor of Townships 25S and 26S, completed on November 21, 1927.
- Any proposed development on this property shall be consistent with historic structures in this neighborhood, the historic Danby House, and Deer Valley Farm. Any new development on these lots shall comply with Park City's Design Guidelines for Historic Structures on Lot A and the historic structures in the surrounding area.
- Any new development on these lots shall not block the view of the historic house from the 622 Deer Valley Road and Deer Valley Drive rights-of-way.
- So long as the zone remains RM, new construction on these lots shall provide a minimum of 10 feet of side yard setback and shall be consistent with the historic character of the property by the Park City Land Management Code. If it is rezoned, open space requirements may be re-established at that time.
- Access to any development on this property shall be limited from Deer Valley Road and Deer Valley Drive. Any new development on these lots shall be consistent with the historic trail drive frontage where the property lies directly across the City right-of-way.
- Any future access off of Baseline Drive shall have a slope of no more than 5% for the first 20 feet of the driveway off the right-of-way to maintain sight ability.
- The property is located across the Park City Landscaping and Maintenance of Sidewalks Ordinance. If the property owner does encounter minor waste or water waste impeding access, they must notify the municipal in accordance with title and internal law.
- Modified 13-10-2018. A permit shall be required for new construction by the Chief Building Official.



## LILAC HILL SUBDIVISION—FIRST AMENDED

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



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 29°17'57" W	10.29
L2	N 85°41'28" W	9.57

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	11.00	6.46	33.6°11"

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

BY \_\_\_\_\_ CHAIR

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

BY \_\_\_\_\_ CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

BY \_\_\_\_\_ DARYL C. CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

BY \_\_\_\_\_ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

BY \_\_\_\_\_ MAYOR

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAN WAS APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

BY \_\_\_\_\_ PARK CITY RECORDER

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

RECORDED

FILE: A:\Enter\02down\dep\plan\pds017A\200317.dwg

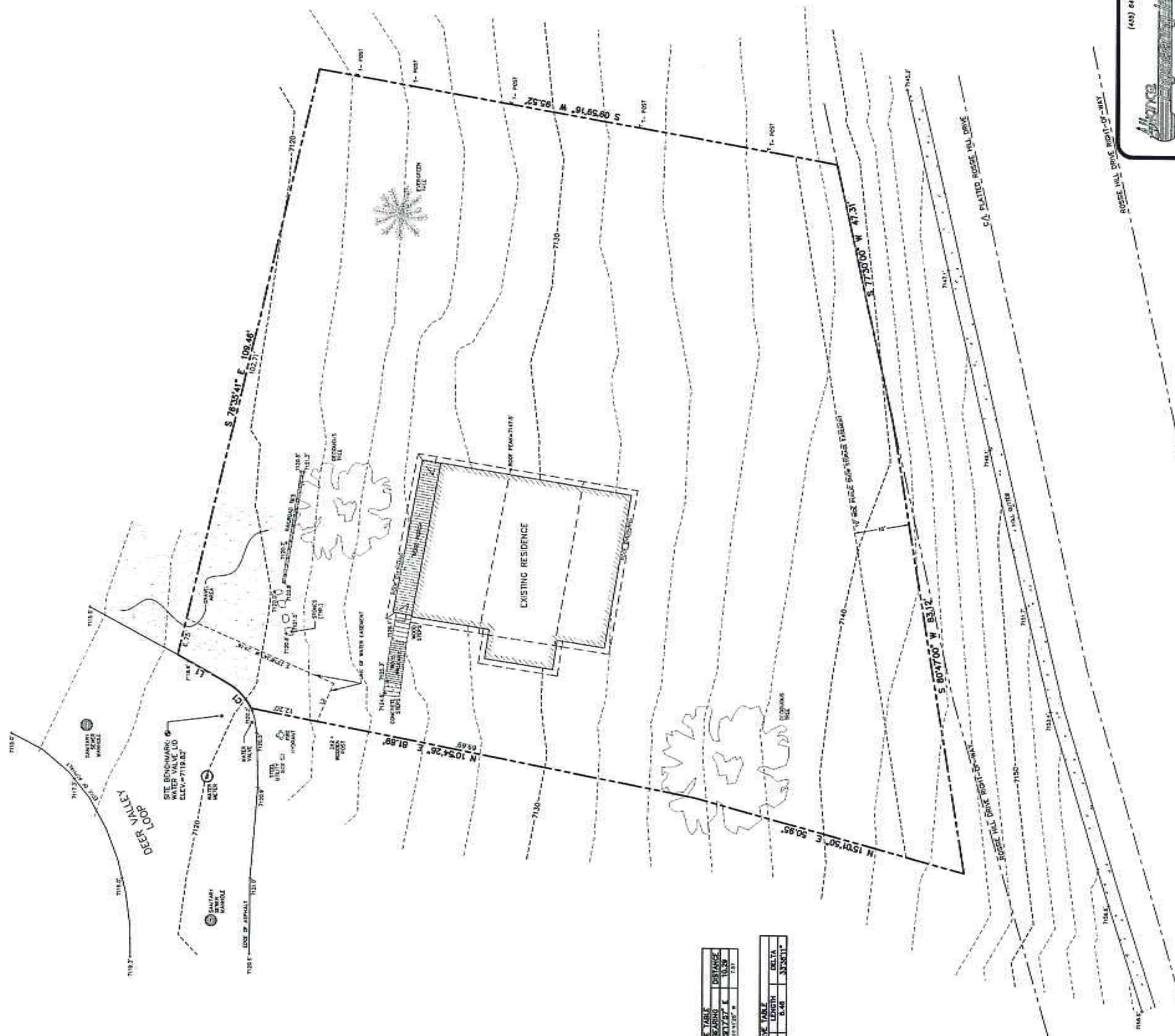
## SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that, on a registered land survey and that I hold certificate no. 4638739 as prescribed under the Surveyors Act, 1991, I have surveyed the land shown on the attached map and that the same is a true and correct representation of the land surveyed at the time the field work was completed and that the same is in compliance with generally accepted industry standards for accuracy.



## NOTES

1. Site Benchmark: Water view (id) Elevation=718.82
2. The plat is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on October 6, 2015.
4. Property corners were found or set.
5. Due to a plotted boundary revision, this survey supersedes the previous survey completed by Alliance Engineering dated 11-2-11.



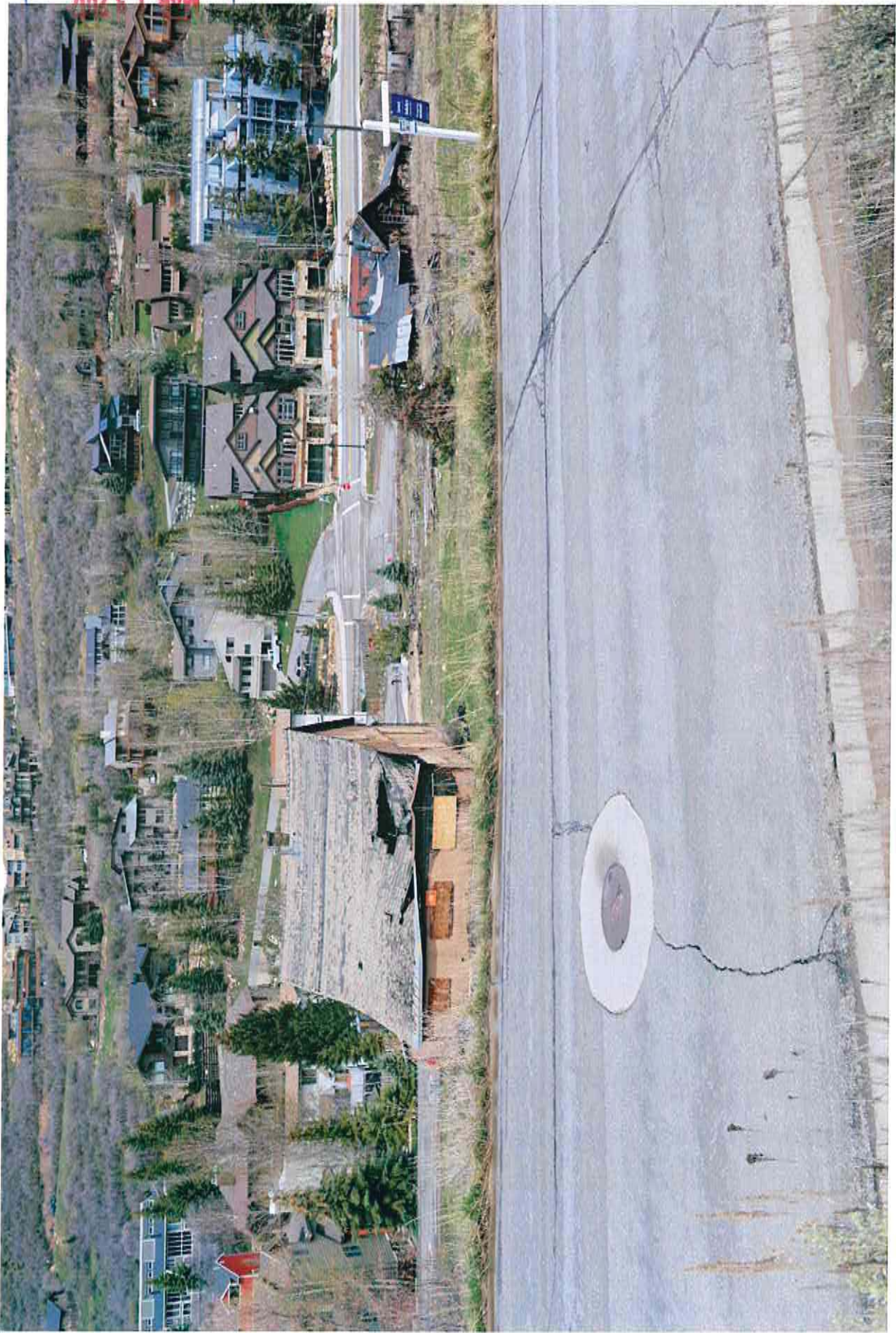
LINE	DATE	BY	REVISION
1	11/2/11	AM	1
2	11/2/11	AM	2
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5	11/2/11	AM	5
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RECEIVED  
MAR 13 2017  
PARK CITY PLANNING DEPT.

EXISTING CONDITIONS & TOPOGRAPHIC MAP LILAC HILL SUBDIVISION 632 DEER VALLEY LOOP FOR: LILAC HILL LLC JOB NO.: 2-3-17 FILE: A:\GIS\GISData\Topo\Map\Topo2017\020317.dwg		SHEET 1 OF 1
STAFF: MARSHALL KING JESSIE GORDON RYAN BETZ		DATE: 3/13/17



	<small>(970) 865-8600</small>	STAFF: MARSHALL KING RYAN BEITZ	SHEET 1 OF 1
		DATE: 3/8/17	
		FOR: LILAC HILL LLC	
		JOB NO.: 2-3-17	
FILE: K:\Construction\Draws\LandPlan\Hill Subdivision-ortho.dwg			



Lilac Hill Subdivision – looking north

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Lilac Hill Subdivision – looking south



Lilac Hill Subdivision – looking east

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PARK CITY  
PLANNING DEPT.



Lilac Hill Subdivision – looking west

## **Anya Grahn**

---

**From:** Robert Gurss <robert.gurss@gmail.com>  
**Sent:** Tuesday, April 25, 2017 2:53 PM  
**To:** Anya Grahn  
**Cc:** Jennifer Gurss  
**Subject:** 632 Deer Valley Loop

Thank you for the opportunity to review the HDDR applications for 632 Deer Valley Loop. Unfortunately, we will not be able to attend the public hearings [on April 26](#) or [May 8](#). However, we do have the following concerns regarding the applications. We understand that some of our neighbors will also be submitting written comments and/or attending the hearing.

First and foremost, the applications need to be considered together. Otherwise, decisions regarding the initial buildings could limit options for the subsequent structures.

Second, the City previously raised concerns regarding the safety and feasibility of a driveway from the north side of the property to Rossie Hill Drive. The angle of the proposed driveway appears to pose exactly the safety concerns raised by the City. We are also concerned about the additional traffic and parking on Rossie Hill Drive, a substandard roadway with significant drainage problems that have cause major icing and recent road buckling, and a dangerous hairpin turn at its eastern edge.

Third, the proposed height of the home to be located directly behind the current historic home raises concerns as it would overwhelm the much smaller historic structure. It is also much larger and taller than the historic homes on the adjacent BLM land.

Fourth, the previously approved Plat Amendment for 632 Deer Valley Loop included an important condition that at least 40% of the property would be open space. This needs to be examined carefully, as the condition does not appear to us to have been satisfied.

Fifth, the HDDR application proposes an addition on the west side of the reconstructed historic home. The addition was obviously not part of the original design, and diminishes the historic value of the property. We also note that, absent the addition, the space could possibly be used for driveway access from Deer Valley Loop to the two planned uphill structures, thus eliminating the need for access to Rossie Hill Drive.

Sixth, the modern windows on the new building to the east of the historic home appear to be quite different than the windows that were presumably on the historic home.

Seventh, the new building to the east of the historic home features a two-car garage, something we understand is not usually allowed under the HDDR.

Eighth, the proposed outdoor stairway for the reconstructed historic home appears to be a significant departure from the original design.

Ninth, while this may not be part of the HDDR process, we are concerned about potential light pollution from the new development, and would appreciate further information on this from the applicant.

Thank you again for the opportunity to address these issues, which we hope will be part of your consideration of the HDDR application.

Bob Gurss and Jennifer Gurss

[654 Rossie Hill Drive](#)

[PO Box 3764](#)

[Park City, UT 84060](#)

[robert.gurss@gmail.com](mailto:robert.gurss@gmail.com)

[202-236-1743](tel:202-236-1743)

[Straussgurss@gmail.com](mailto:Straussgurss@gmail.com)

[301-467-5778](tel:301-467-5778)

## **Anya Grah**

---

**From:** matthew shier <mshier@shierkatz.com>  
**Sent:** Thursday, March 09, 2017 11:41 AM  
**To:** planning; Matt Cassel; Bruce Erickson; Anya Grah  
**Cc:** Diane Bernhardt; Sydney Reed; Mary Wintzer; Jeff Camp; Sloane Reed; John Mason; Morgan Hole; Matey Erdos; Howard Klein; Christina Shiebler; Jennifer Camp; Patti Kitching; Allison Kitching; Jennifer Strauss; Robert Gurss; Jason Parker; Leonardo Trautwein; Linda Mason; Lance Anderson; Rania Anderson; Rosilyn Petersen; David Trimble; Kelly Stankiewicz; Katie Noble; Amy Heitman; Beth; Bob Martin  
**Subject:** RE: Subdivision of 632 Deer Valley Loop

Hello, all –

I live at 630 Coalition View Ct just above the 632 DVL parcel.

I am extremely appreciative of the hard work and strong effort of the City Council and Staff in helping to preserve the historical integrity of BLM Parcel 18 when, as and if it becomes a part of Park City.

In the meantime, I would like to concur with Diane's sentiments below concerning 632 DVL and hope that any subdivision approved addresses the concerns and conforms with the findings, analysis and conditions indicated below.



---

Matthew J. Shier  
930 Montgomery Street 6th Floor  
San Francisco, CA 94133  
Direct: 415.691.7027  
Fax: 415.520.5879  
[mshier@shierkatz.com](mailto:mshier@shierkatz.com)  
[www.shierkatz.com](http://www.shierkatz.com)

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**From:** Diane Bernhardt <[diane.a.bernhardt@gmail.com](mailto:diane.a.bernhardt@gmail.com)>  
**Date:** March 8, 2017 at 5:43:19 PM MST  
**To:** [planning@parkcity.org](mailto:planning@parkcity.org), [matt.cassel@parkcity.org](mailto:matt.cassel@parkcity.org), Bruce Erikson <[bruce.erickson@parkcity.org](mailto:bruce.erickson@parkcity.org)>, Anya Grah <[anya.grahn@parkcity.org](mailto:anya.grahn@parkcity.org)>  
**Subject:** Subdivision of 632 Deer Valley Loop

Matt, Bruce and Anya,

As 632 Deer Valley Loop recently sold, my assumption is that the current owners are in front of the City executing planning for its development. As the City considers future requests to subdivide 632 Deer Valley Loop, I'd like to reiterate that there is continued and strong resistance from neighbors in the greater Rossie Hill area to any new driveway cut on Rossie Hill Drive for 632 DVL. If the property is subdivided creating a northern and southern lot, it forces a driveway on Rossie Hill Drive. In the October 20, 2016 City Council Packet, the city engineer requested that the driveway for DVL site be limited to Deer Valley Loop. Expressed concern was regarding slope and sight lines on Rossie Hill Drive and that BLM property is blocking a majority of the access to 632 via Rossie Hill Drive.

It is widely acknowledged that Rossie Hill Drive is substandard. The residents of the greater Rossie Hill area have already expressed concern that because of its substandard condition no development promoting additional traffic above the hairpin turn should be permitted. Rossie Hill Drive hosts a variety of perils:

- A blind, hairpin turn
- A non-standard, asymmetrical, steep 4-way intersection which posts an array of controls: 2 stop signs, 1 yield sign, and 1 through traffic
- A wide variety of traffic: pedestrian traffic, bike traffic, construction traffic, haphazard parking and children walking to/from the bus stop often in the hours of darkness
- Added peril in winter conditions due to its pitch, snow, ice, relatively low plowing priority, and additional temporary blind turns due to snow berms

**Residents maintain and agree with Matt's recommendation that access to 632 Deer Valley Loop should remain on Deer Valley Loop.**

Respectfully,

Diane Bernhardt  
630 Coalition View Ct  
530.575.0899

Please find below a link to and excerpts from the October 20, 2016 City Council Packet containing the agenda item ***Consideration to Approve Ordinance 2016-32*** beginning on page 108.

[City Council Meeting Packet 10/20/2016](#)

### **Finding of Fact**

*"17.Existing access to the site is limited to a driveway from Deer Valley Loop."*

*"18.The City Engineer finds that only the eastern half of the lot directly abuts the City's right-of-way along Rossie Hill Drive and there are poor sight lines along Rossie Hill Drive."*

### **Analysis**

*“Due to the poor sight lines along Rossie Hill Drive, the City Engineer has also requested that the current driveway on the site be limited to Deer Valley Loop. Should any future development result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible along the eastern half of the Rossie Hill frontage and shall have a slope of no more than 5% for the first twenty feet (20’) to maintain sight lines. This is reflected in Conditions of Approval #8 and #9.”*

### **Conditions of Approval**

*“8. Driveway access to any development to this one-lot subdivision shall be limited from Deer Valley Loop Road. Should the future subdivision of this lot result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of- way.”*

*“9. Any future access off of Rossie Hill shall have a slope of no more than 5% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines.”*

## **Anya Grahn**

---

**From:** matthew shier <mshier@shierkatz.com>  
**Sent:** Tuesday, April 25, 2017 5:30 PM  
**To:** Council\_Mail; Anya Grahn; Bruce Erickson  
**Cc:** Jeff Camp; Diane Bernhardt; Mary Wintzer; Katie Noble; Allison Kitching; Mark Kaire; Howard Klein; Jennifer Strauss; Dennis Wong; Jennifer Camp; Matey Erdos; Sydney Reed; Jordan Pynes; John and Linda Mason; Morgan Hole; Robert Gurss  
**Subject:** RE: PL-17-03450 632 Deer Valley Loop - HDDR II

Members of the Park City - City Council –

I own and reside at 630 Coalition View Ct, just above the subject property.

I have expended a considerable amount of time following the recent history of this parcel including efforts to develop the same. I concur in all respects with the views of Bob Gurss and Jennifer Strauss, sent to you previously and set forth below. Thank you for the opportunity to provide input on this application.

Sincerely,

Matthew Shier

---

Matthew J. Shier  
630 Coalition View Ct.  
Park City, UT 84060  
Direct: 415.691.7027  
Fax: 415.520.5879  
[mshier@shierkatz.com](mailto:mshier@shierkatz.com)

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---

**From:** Robert Gurss [mailto:robert.gurss@gmail.com]  
**Sent:** Tuesday, April 25, 2017 1:57 PM  
**To:** Jordan Pynes <jordan@tsahousing.com>  
**Cc:** Jeff Camp <jeff@jeffcamp.com>; Diane Bernhardt <diane.a.bernhardt@gmail.com>; Mary Wintzer <wintzermc@aol.com>; Katie Noble <katie.noble@gmail.com>; Allison Kitching <allison\_kitching@mac.com>; Mark Kaire <Mark@kairelaw.com>; Howard Klein <howard.klein@outlook.com>; Jennifer Strauss <straussgurss@gmail.com>; Dennis Wong <parkcitybliss@gmail.com>; Jennifer Camp <jennifer@jeffcamp.com>; Matey Erdos <matey\_erdos@hotmail.com>; matthew shier <mshier@shierkatz.com>; Sydney Reed <sydreed@msn.com>; John and Linda Mason <johnbmas@gmail.com>; Morgan Hole <morgansh@msn.com>  
**Subject:** Re: PL-17-03450 632 Deer Valley Loop - HDDR II

Thank you for the opportunity to review the HDDR applications for 632 Deer Valley Loop. Unfortunately, we will not be able to attend the public hearings [on April 26](#) or [May 8](#). However, we do have the following concerns regarding the applications. We understand that some of our neighbors will also be submitting written comments and/or attending the hearing.

First and foremost, the applications need to be considered together. Otherwise, decisions regarding the initial buildings could limit options for the subsequent structures.

Second, the City previously raised concerns regarding the safety and feasibility of a driveway from the north side of the property to Rossie Hill Drive. The angle of the proposed driveway appears to pose exactly the safety concerns raised by the City. We are also concerned about the additional traffic and parking on Rossie Hill Drive, a substandard roadway with significant drainage problems that have caused major icing and recent road buckling, and a dangerous hairpin turn at its eastern edge.

Third, the proposed height of the home to be located directly behind the current historic home raises concerns as it would overwhelm the much smaller historic structure. It is also much larger and taller than the historic homes on the adjacent BLM land.

Fourth, the previously approved Plat Amendment for 632 Deer Valley Loop included an important condition that at least 40% of the property would be open space. This needs to be examined carefully, as the condition does not appear to us to have been satisfied.

Fifth, the HDDR application proposes an addition on the west side of the reconstructed historic home. The addition was obviously not part of the original design, and diminishes the historic value of the property. We also note that, absent the addition, the space could possibly be used for driveway access from Deer Valley Loop to the two planned uphill structures, thus eliminating the need for access to Rossie Hill Drive.

Sixth, the modern windows on the new building to the east of the historic home appear to be quite different than the windows that were presumably on the historic home.

Seventh, the new building to the east of the historic home features a two-car garage, something we understand is not usually allowed under the HDDR.

Eighth, the proposed outdoor stairway for the reconstructed historic home appears to be a significant departure from the original design.

Ninth, while this may not be part of the HDDR process, we are concerned about potential light pollution from the new development, and would appreciate further information on this from the applicant.

Thank you again for the opportunity to address these issues, which we hope will be part of your consideration of the HDDR application.

Bob Gurss and Jennifer Gurss  
[654 Rossie Hill Drive](#)  
[PO Box 3764](#)  
[Park City, UT 84060](#)  
[robert.gurss@gmail.com](mailto:robert.gurss@gmail.com)  
[202-236-1743](tel:202-236-1743)

[Straussgurss@gmail.com](mailto:Straussgurss@gmail.com)  
[301-467-5778](tel:301-467-5778)

## **Anya Grahm**

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**From:** Linda Mason <lindamas@msn.com>  
**Sent:** Friday, March 10, 2017 10:40 AM  
**To:** planning; Matt Cassel; Bruce Erickson; Anya Grahm  
**Cc:** Linda Mason  
**Subject:** 632 Deer Valley Loop Property

My husband and I live at 650 Rossie Hill Drive directly above the old miners' cabins. We were not in town for City Council and Planning meetings regarding the 632 Deer Valley Loop Property. However, we were kept informed by neighbors since development of this parcel will directly impact us. I understand the property has been sold and may be coming to the City with plans for development.

My greatest concern is further subdivision into a northern and southern lot requiring a driveway on Rossie Hill Drive. My concerns include:

1. Increased traffic on Rossie Hill Drive will be a safety issue for pedestrians. We frequently walk to Old Town using one of two routes: up and over to Shorty's Steps or down the hill to Deer Valley Drive. We also walk down Rossie Hill Drive to catch the buses that stop near the intersection of Deer Valley Drive and Deer Valley Loop. We also have a dog and walk early in the morning, at night and other times of the day. I also see many others walking along Rossie Hill Drive, often families carrying skis, or mothers walking with strollers.  
Since there are no sidewalks on Rossie Hill Drive, this can be a hazardous walk, especially when rounding the hairpin turn. This turn is particularly dangerous for pedestrians (and drivers) because it is steep, narrow, and has limited visibility. I encourage you to walk this turn from below. You will see that it is blind: neither drivers nor pedestrians can see each other until they are in the sharpest part of the turn.  
Rossie Hill Drive has more traffic than one might expect from the number of residences above. At busy times of the day (e.g., when traffic is leaving Deer Valley Resort), it is often used as a short cut between Marsac Avenue and Deer Valley Drive.  
Walking in winter is particularly hazardous. In January, February and March, Rossie Hill Drive is often snow covered, icy and narrow. As a pedestrian, I find myself climbing on snow banks or hurrying to find a driveway when cars are going up or down.
2. Backing onto Rossie Hill Drive. Our driveway is oriented in a way that we need to back our car out onto Rossie Hill Drive. There is a blind maneuver because of a high retaining wall on the uphill side of our driveway. Increased traffic, so close to our drive, increases the risk of an accident.

We attended Planning Committee and City Council meetings in February and March and appreciate everyone's dedication to preserving Park City's history and environmental conservation. I was particularly impressed by the diversity of questions raised and questions asked about unintended consequences. So now, I am asking you to consider the impact on Rossie Hill Drive if the 632 Deer Valley Loop Property is subdivided and the impact of a driveway on Rossie Hill Drive.

Thank you for your consideration.

Linda Mason

650 Rossie Hill Drive

[lindamas@msn.com](mailto:lindamas@msn.com)

## Anya Grahm

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**From:** Leonardo Trautwein <trautwein@gmail.com>  
**Sent:** Tuesday, July 11, 2017 7:51 AM  
**To:** Anya Grahm  
**Cc:** planning; Kelly Stankiewicz  
**Subject:** Re: Comments: PL-17-03512 632 Deer Valley Loop

Hello again Anya,

My neighbors informed me there will be a meeting tomorrow to review the proposed design for 632 Deer Valley Loop. I am trying to move some meetings around so I can attend the meeting in person, but I am not sure if I will be able to do it. In this case, I would like to voice my concerns again through email.

As previously mentioned, I am worried that the property to be located at 632 Deer Valley Loop would transform a reserved low-density neighborhood into a cramped high-density neighborhood. The addition of a driveway to Rosie Hill is even more troublesome. We have a 2.5 year old boy and we always expected for him to have a lovely childhood in the neighborhood, but the probable increase on vehicle and people traffic in our surroundings may not give him the same level of freedom that we assumed he would have. Overall, we love how secluded, reserved and safe the neighborhood feels and that is why we intend to make it our long-term house.

Feel free to reach us if you have any question. I am already working in Farmington. Kelly (my wife), Caio (my son) and I will move officially from Chicago to Park City on August 2nd.

Hope all is well and thanks for your support.

Leo

On Sun, Apr 30, 2017 at 3:33 PM, Anya Grahm <[anya.grahm@parkcity.org](mailto:anya.grahm@parkcity.org)> wrote:

Thanks so much, Leo, for sharing your concerns.

Anya

**From:** Leonardo Trautwein [mailto:[trautwein@gmail.com](mailto:trautwein@gmail.com)]  
**Sent:** Sunday, April 30, 2017 2:10 PM  
**To:** planning; Anya Grahm  
**Cc:** Kelly Stankiewicz  
**Subject:** Comments: PL-17-03512 632 Deer Valley Loop

Hello Anya,

My name is Leo Trautwein and we own a property at 668 Coalition View Court. We recently purchased it from Sydney Reed so we can move to Park City. Park City will be our primary residence and our move is scheduled for the 1st week of August. My wife, Kelly Stankiewicz, is opening a dermatology practice in Kimball Junction and I will be working for Vista Outdoor, a sporting goods company headquartered in Farmington-UT.

One of the key reasons why we purchased the property from Sydney is its location. We felt that it was located in a residential area surrounded by single family homes, but not far from Main St. This would allow our son (two years old) to safely enjoy the neighborhood. Overall, we love how secluded and reserved it feels and that is why we intend to make it our long-term house.

Having said that, I am worried that the property to be located at 632 Deer Valley Loop (PL-17-03512 632) goes against this assumption. It would transform a reserved low-density neighborhood into a cramped high-density neighborhood. For instance, if I am not wrong, this lot size is 0.33 acres, which seems to be significantly smaller than the other lots in the area, and leaves 0.08 acres per home. This seems cramped quarters, even for Old Town standards. What I am trying to say is.... it feels weird to add four units in such a small lot, which will ultimately change the living dynamics of those already in the neighborhood. In addition, it sets a dangerous precedent for the remaining lots in the area. Therefore, we are not in favor of the proposed construction and changes.

Feel free to reach us if you have any question. I start my job in Farmington this week (May 1) and I will be commuting from Chicago to Utah until our family moves permanently (1st week of August) so I will be around for any questions/meetings.

Thanks, Leo

**Leonardo Trautwein**

| Mobile: [+1 646 306 1597](tel:+16463061597)

| Skype: leonardo.trautwein

| e-mail: [trautwein@gmail.com](mailto:trautwein@gmail.com)

| 852 N Rockwell, Chicago, IL, 60622, USA

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**Leonardo Trautwein**

| Mobile: +1 646 306 1597

| Skype: leonardo.trautwein

| e-mail: [trautwein@gmail.com](mailto:trautwein@gmail.com)

| 852 N Rockwell, Chicago, IL, 60622, USA

## **Anya Grahn**

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**From:** Jordan Pynes <jordan@tsahousing.com>  
**Sent:** Tuesday, April 25, 2017 6:09 PM  
**To:** Council\_Mail; Anya Grahn; Bruce Erickson  
**Subject:** RE: PL-17-03450 632 Deer Valley Loop - HDDR II

Dear Members of the Park City Council:

I first want to thank you for the recent zone changes you made to the area. You have made a significant difference for the long-term planning of our community and we appreciate it.

My family owns and resides at 645 Coalition View Court, right next to the subject property. I won't be able to attend the public hearings on 4/26 or 5/8 but I share the same concerns as Bob Gurss and Jennifer Strauss and ask the Council to work through these important issues before approving the subject site. We know something will be built there but we hope you will consider the logistics and impact to the street and neighborhood.

Many thanks for all your effort.  
--Jordan Pynes

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**From:** Robert Gurss [<mailto:robert.gurss@gmail.com>]  
**Sent:** Tuesday, April 25, 2017 1:57 PM  
**Subject:** Re: PL-17-03450 632 Deer Valley Loop - HDDR II

Thank you for the opportunity to review the HDDR applications for 632 Deer Valley Loop. Unfortunately, we will not be able to attend the public hearings [on April 26](#) or [May 8](#). However, we do have the following concerns regarding the applications. We understand that some of our neighbors will also be submitting written comments and/or attending the hearing.

First and foremost, the applications need to be considered together. Otherwise, decisions regarding the initial buildings could limit options for the subsequent structures.

Second, the City previously raised concerns regarding the safety and feasibility of a driveway from the north side of the property to Rossie Hill Drive. The angle of the proposed driveway appears to pose exactly the safety concerns raised by the City. We are also concerned about the additional traffic and parking on Rossie Hill Drive, a substandard roadway with significant drainage problems that have caused major icing and recent road buckling, and a dangerous hairpin turn at its eastern edge.

Third, the proposed height of the home to be located directly behind the current historic home raises concerns as it would overwhelm the much smaller historic structure. It is also much larger and taller than the historic homes on the adjacent BLM land.

Fourth, the previously approved Plat Amendment for 632 Deer Valley Loop included an important condition that at least 40% of the property would be open space. This needs to be examined carefully, as the condition does not appear to us to have been satisfied.

Fifth, the HDDR application proposes an addition on the west side of the reconstructed historic home. The addition was obviously not part of the original design, and diminishes the historic value of the property. We also note that, absent the addition, the space could possibly be used for driveway access from Deer Valley Loop to the two planned uphill structures, thus eliminating the need for access to Rossie Hill Drive.

Sixth, the modern windows on the new building to the east of the historic home appear to be quite different than the windows that were presumably on the historic home.

Seventh, the new building to the east of the historic home features a two-car garage, something we understand is not usually allowed under the HDDR.

Eighth, the proposed outdoor stairway for the reconstructed historic home appears to be a significant departure from the original design.

Ninth, while this may not be part of the HDDR process, we are concerned about potential light pollution from the new development, and would appreciate further information on this from the applicant.

Thank you again for the opportunity to address these issues, which we hope will be part of your consideration of the HDDR application.

Bob Gurss and Jennifer Gurss

[654 Rossie Hill Drive](#)

[PO Box 3764](#)

[Park City, UT 84060](#)

[robert.gurss@gmail.com](mailto:robert.gurss@gmail.com)

[202-236-1743](tel:202-236-1743)

[Straussgurss@gmail.com](mailto:Straussgurss@gmail.com)

[301-467-5778](tel:301-467-5778)

## **Anya Grahn**

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**From:** Jeff Camp <jeff@jeffcamp.com>  
**Sent:** Thursday, April 27, 2017 12:46 PM  
**To:** Anya Grahn  
**Cc:** Christina Shiebler (christina@shiebler.com); Diane Bernhardt; Jennifer Strauss; Jeff Camp  
**Subject:** PL-17-03450 632 Deer Valley Loop

Thank you for your time yesterday. I wanted to send you a note to put all the most important issues we discussed in writing.

First and foremost is the 40% open space requirement, as you stated yesterday "the owners need to comply with a 40% open space requirement, and that does not include private driveways, sidewalks and patios." The other area of concern is the driveway access on the Rossie hill side of the lot. The neighborhood is vary concerned with another driveway cut on that road. Most people don't realize they are pulling out (likely backing out) on a road with a 35mph speed limit, a hairpin turn, and a steep Icey (6 months out of the year) hill just above the proposed driveway cut. Even the mayor and several council members made note that there should not be a driveway accessing Rossie hill rd. So, in closing please make sure they adhere to the 40% open space without hardscape being included, and don't let them put a driveway on an already hazardous road. Thanks again for your time.

Jeff and Jennifer Camp  
590 coalition view ct.



**HIGH COUNTRY  
PROPERTIES**

**Jeff Camp** OWNER/BROKER  
[Jeff@HCPTeam.com](mailto:Jeff@HCPTeam.com)  
[HCPRealEstate.com](http://HCPRealEstate.com) or [JeffCamp.com](http://JeffCamp.com)

PO Box 1090 Park City, Utah 84060  
Direct 435.776.7760  
Follow us on Facebook 

## Anya Grahm

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**From:** Diane Bernhardt <diane.a.bernhardt@gmail.com>  
**Sent:** Wednesday, March 08, 2017 5:43 PM  
**To:** planning; Matt Cassel; Bruce Erickson; Anya Grahm  
**Subject:** Subdivision of 632 Deer Valley Loop

Matt, Bruce and Anya,

As 632 Deer Valley Loop recently sold, my assumption is that the current owners are in front of the City executing planning for its development. As the City considers future requests to subdivide 632 Deer Valley Loop, I'd like to reiterate that there is continued and strong resistance from neighbors in the greater Rossie Hill area to any new driveway cut on Rossie Hill Drive for 632 DVL. If the property is subdivided creating a northern and southern lot, it forces a driveway on Rossie Hill Drive. In the October 20, 2016 City Council Packet, the city engineer requested that the driveway for DVL site be limited to Deer Valley Loop. Expressed concern was regarding slope and sight lines on Rossie Hill Drive and that BLM property is blocking a majority of the access to 632 via Rossie Hill Drive.

It is widely acknowledged that Rossie Hill Drive is substandard. The residents of the greater Rossie Hill area have already expressed concern that because of its substandard condition no development promoting additional traffic above the hairpin turn should be permitted. Rossie Hill Drive hosts a variety of perils:

- A blind, hairpin turn
- A non-standard, asymmetrical, steep 4-way intersection which posts an array of controls: 2 stop signs, 1 yield sign, and 1 through traffic
- A wide variety of traffic: pedestrian traffic, bike traffic, construction traffic, haphazard parking and children walking to/from the bus stop often in the hours of darkness
- Added peril in winter conditions due to its pitch, snow, ice, relatively low plowing priority, and additional temporary blind turns due to snow berms

**Residents maintain and agree with Matt's recommendation that access to 632 Deer Valley Loop should remain on Deer Valley Loop.**

Respectfully,

Diane Bernhardt  
630 Coalition View Ct  
530.575.0899

Please find below a link to and excerpts from the October 20, 2016 City Council Packet containing the agenda item ***Consideration to Approve Ordinance 2016-32*** beginning on page 108.

[City Council Meeting Packet 10/20/2016](#)

### Finding of Fact

*"17.Existing access to the site is limited to a driveway from Deer Valley Loop."*

*“18.The City Engineer finds that only the eastern half of the lot directly abuts the City’s right-of-way along Rossie Hill Drive and there are poor sight lines along Rossie Hill Drive.”*

### **Analysis**

*“Due to the poor sight lines along Rossie Hill Drive, the City Engineer has also requested that the current driveway on the site be limited to Deer Valley Loop. Should any future development result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible along the eastern half of the Rossie Hill frontage and shall have a slope of no more than 5% for the first twenty feet (20’) to maintain sight lines. This is reflected in Conditions of Approval #8 and #9.”*

### **Conditions of Approval**

*“8. Driveway access to any development to this one-lot subdivision shall be limited from Deer Valley Loop Road. Should the future subdivision of this lot result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of- way.”*

*“9. Any future access off of Rossie Hill shall have a slope of no more than 5% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines.”*

## **Anya Grahn**

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**From:** Christina Marie Shiebler <christina@shiebler.com>  
**Sent:** Wednesday, July 12, 2017 4:49 PM  
**To:** Anya Grahn; planning; Bruce Erickson; Matt Cassel  
**Cc:** Allison Kitching; Jennifer Strauss Gurss; Bob Gurss (robert.gurss@gmail.com); Jeff Camp; Jennifer Camp; Mark Kaire (mark@kairelaw.com); Jennifer Kaire; Diane Bernhardt; matthew shier; Kelly Stankiewicz; Leonardo Trautwein; Jason Parker; Jordan Pynes; Mary Wintzer  
**Subject:** PL-17-03494 632 Deer Valley Loop- Plat Amendment  
**Attachments:** RossieHillRoads.tiff

Hello Anya and the Park City Planning Commission:

I am writing on behalf of the Save Rossie Hill Historic Open Space Group and Rossie Hill neighbors to formally go on record regarding the PL-17-03494 632 Deer Valley Loop- Plat Amendment.

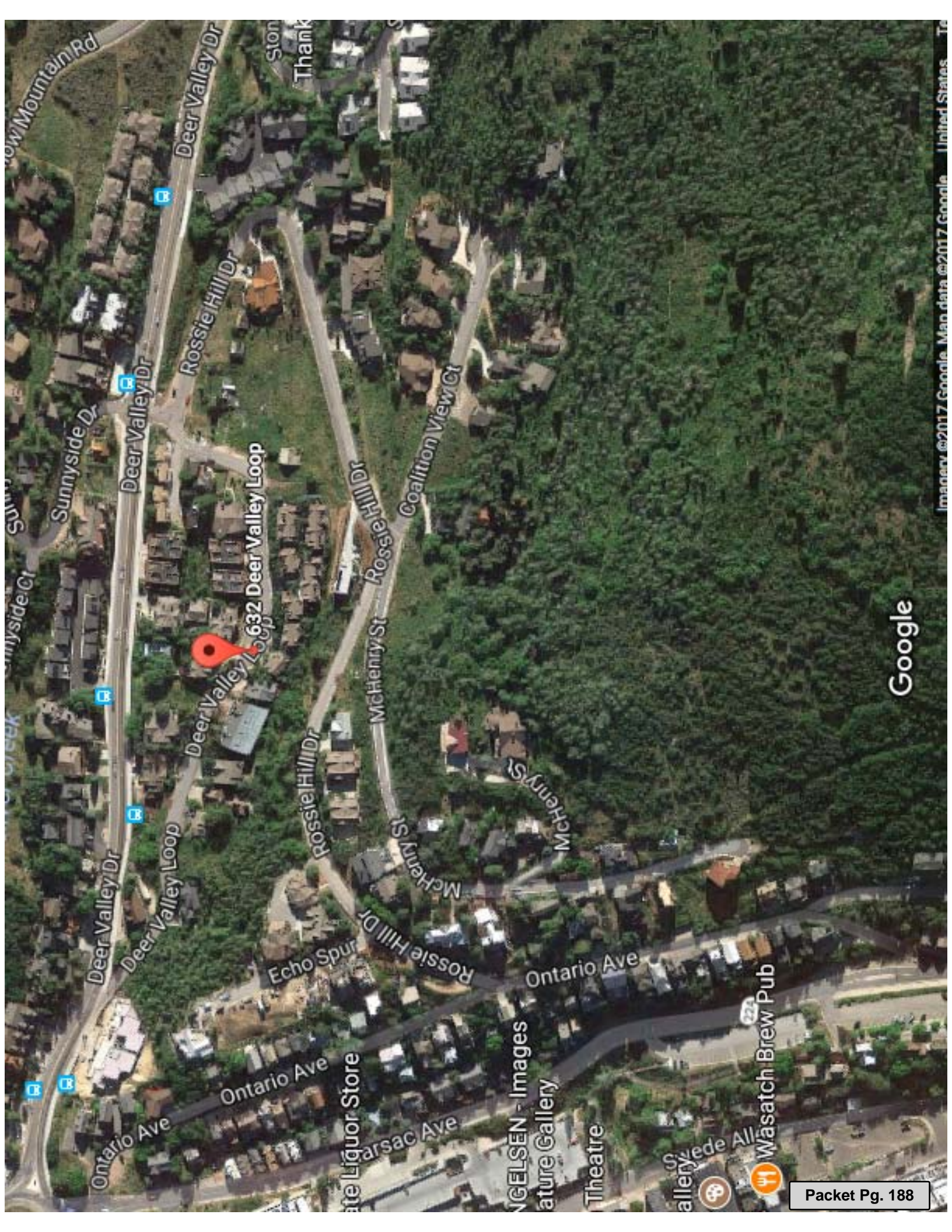
We are collectively opposed to Rossie Hill driveway access for several reasons. Our reasons for opposing a driveway on Rossie include but are not limited to: high traffic flow and congestion from the neighborhood residents and people using our recreations trails; lack of guest / secondary / maintenance and other vehicle parking; sub-par roadways; a poorly engineered road design which includes 3 / 4 blind corners at the top and one blind hairpin in the middle; an intersection where four roads intersect with one right of way as well as two stop signs and a yield; year round and heavy pedestrian and bicycle usage; wildlife migration and passage to water sources and unforgiving seasonal conditions which reduce Rossie Hill from a sub-par two way road to a treacherous one way road.

I have attached a map to show you the aerial view of the neighborhood. During the majority of the winter season as well as the bulk of the traditional off season, now known as building season, the primary neighborhood access is in and out of Rossie Hill. The upper Rossie, McHenry and Coalition View Court use Rossie for trips in and out of the neighborhood. Our Ontario neighbors are often in a position where they too must use Rossie for trips in and out due to weather or construction / parking blocks.

We will not oppose the subdivision of the lot provided driveway access be limited solely to Deer Valley Loop.

Thank you for your time.

Christina



Google

## **Anya Grahn**

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**From:** Christina Marie Shiebler <christina@shiebler.com>  
**Sent:** Tuesday, July 11, 2017 11:04 AM  
**To:** Anya Grahn  
**Cc:** planning; Bruce Erickson; Matt Cassel  
**Subject:** PL-17-03494 632 Deer Valley Loop- Plat Amendment

Hello Anya -

I hope my note finds your well and enjoying your summer.

I wanted to send a quick note in advance of the planning meeting scheduled for Wednesday, July 12. I would like to make additional and formal record of my opposition to the subdivision. My concern is directly related to a potential driveway cut on Rossie Hill.

As a 13 year Rossie Hill neighborhood property owner I am well versed in the year round road and safety conditions we face when traveling Rossie Hill. When I say "we" I refer to: residents; guests; people on a touring drive about; people driving to the neighborhood to utilize our trail system; delivery drivers; service providers; maintenance crews; construction crews; the many whom have come to consider Rossie Hill as an extension of China Bridge and utilize our roads as a free unrestricted 24/7 (x many) parking zone; the residents of Fox Glove and the Line (and other) who consider our neighborhood as their auxiliary parking; our neighbors on Ontario whom utilize Rossie as their primary path in and out of the neighborhood; hikers; bikers; walkers; companion and wildlife animals and the most concerning... children traveling the road to catch the school bus during the school year or the city bus during the summer to enjoy the community recreation activities. The "we" of Rossie Hill encompasses a large cross section of vehicle, pedestrian, bicycle travelers and animals - year round.

The winter season is the most obvious and publicly noted season for traffic impact and safety issues. The snow removal, snow storage, slippery conditions and ice damming pose exceptional challenges for vehicle and pedestrian navigation. Our road quickly becomes a season long near Olympic level sliding track. The nature of the road, from the steepness to the curves, make for a year round navigation challenge. The added winter elements, including but not limited to the inevitable narrowing of the road, take Rossie Hill road travel and navigation from a deliberate and challenging process to down right dangerous - season long.

There is an exceptional gravitational pull to the neighborhood. I get it - it brought me from a curious passerby to resident. I could not resist the idyllic charm. The gravitational pull I refer to as it relates to the community and tourist base is the remarkable urge to utilize Rossie Hill as a formal, long term, careless parking solution. We are the old town sweet spot. The Rossie Hill sweet spot encompasses: narrow roadways; curves; seasonal ice damming; less-than-ideal engineering; deteriorated road conditions; vehicle; pedestrian; bicycle; companion animal and wildlife traffic - as noted above.

A group of neighbors as well as the land owner and future developer of the Lilac Hill parcel stood on the street on Monday, July 10 from noon until 1:15pm to discuss the proposed plans. During this 75 minute stretch I counted 13 cars driving by our group as we stood on the top of the parcel. Two of the vehicles were neighbors, I did not recognize the other 11 vehicles - and after 13 years I am well versed in what vehicles people drive. This leads me to believe that the additional 11 cars fall into the large bucket of non-residents utilizing our already congested and poorly engineered roadway. During this time I also counted two separate groups of bikers making their way up Rossie Hill. The noon - 1:15pm stretch is not a typical commuter peak hour furthering my point that the neighborhood is ill equipped to handle any additional vehicle congestion.

While we know the Lilac Hill development is inevitable, we have an exceptional opportunity to make a positive impact on the neighborhood, the residents and visitors by eliminating an additional road cut on our already congested throughway. I have exceptional faith that architectural team hired by the developer will be able to design and engineer a functional and undoubtedly profitable mechanism by which they can utilize Deer Valley Loop as the only vehicle access to the top section of the parcel.

Thank you for taking the time to read my email and for considering the entirety of the neighborhood when making decisions that will impact us in perpetuity.

Regards,  
Christina Shiebler  
638 Coalition View Court

## **Anya Grahm**

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**From:** Christina Marie Shiebler <christina@shiebler.com>  
**Sent:** Friday, March 10, 2017 11:27 AM  
**To:** planning; Matt Cassel; Bruce Erickson; Anya Grahm  
**Subject:** Subdivision of 632 Deer Valley Loop

Good morning and thank you for your time.

I have received notification that 632 Deer Valley Loop recently sold and that current owners are speaking with the City regarding their plans for a future development. It is assumed that the proposal will include driveway access from Rossie Hill. I would like to remind the City that the neighborhood (collective Rossie Hill including: Rossie; Coalition View Court; McHenry; Ontario and Deer Valley Loop) as well as other neighbors in the area are vehemently opposed to any driveway access / driveway cuts on Rossie. In the October 20, 2016 City Council Packet, the city engineer requested that the driveway for the 632 DVL site be limited to Deer Valley Loop. He articulated his concern regarding slope and sight lines on Rossie Hill Drive and that BLM property is blocking a majority of the access to 632 via Rossie Hill Drive.

Rossie Hill Drive is substandard at best. Each year we see greater deterioration in the condition of the road. It is alarming, at best. Local / full time residents have learned to navigate cracks, potholes, narrowing drive space and other obstacles on any given day. We are accustomed to navigating our routes to and from our homes and have respect for one another - whether in a car, on foot or on a bike. However, second homeowners and renters whom occupy neighborhood properties, either short or long term, are unfamiliar with the roads and they add an increased liability to the neighborhood. Rossie in particular is not only substandard based on current condition but also by design. And certainly by use as a parking lot, old town cut through or autobon.

Our wonderful proximity to town comes with its pitfalls. We have been discovered and over the years have become a very popular tourist destination - not only to rent, but also simply to park. We are an extension of Swede Alley and China Bridge and it is creating a tremendous impact on the roads and mostly on our safety. I first became a part of the neighborhood in 2004. At that time we had four seasons: winter, shoulder season, summer and shoulder season. Now it appears as though we have one season: tourist season. And while I see the value on the local economy, we must grow in a way that we do not cause irrevocable damage to our community.

This winter has been pretty epic. As residents of Rossie Hill it has also been taxing. We have spend a great deal of time pulling new-to-snow or poorly equipped drivers out ditches and driveways. We narrowly pass one another on seasonal one lane roads. We motion to drivers to SLOW DOWN when approaching the hair pin at excessive speeds, especially knowing any one of our neighbors may be walking their dog or dogs or our local children may be climbing the hill after a long day of school. We have watched our neighborhood turn from a sanctuary to a year round parking lot.

I would like to encourage each of you to drive, or ideally walk through the neighborhood at various times during any given day to experience our road. You will encounter:

- A blind, hairpin turn
- A non-standard, asymmetrical, steep 4-way intersection which posts an array of controls: 2 stop signs, 1 yield sign, and 1 through traffic
- A wide variety of traffic: pedestrian traffic, bike traffic, construction traffic, haphazard parking and children walking to/from the bus stop often in the hours of darkness, people walking animals and of course wildlife

- Added danger in winter conditions due to its pitch, snow, ice, relatively low plowing priority, and additional temporary blind turns due to snow berms

Thank you for taking the time to read my note. I would like to reiterate that **residents maintain and agree with Matt Cassel, City Engineer's, recommendation that access to 632 Deer Valley Loop should remain on Deer Valley Loop.**

Fondly,  
Christina Shiebler  
638 Coalition View Court  
Park City, UT 84060

435/640/2862

Please find below a link to and excerpts from the October 20, 2016 City Council Packet containing the agenda item ***Consideration to Approve Ordinance 2016-32*** beginning on page 108.

[City Council Meeting Packet 10/20/2016](#)

### **Finding of Fact**

*"17.Existing access to the site is limited to a driveway from Deer Valley Loop."*

*"18.The City Engineer finds that only the eastern half of the lot directly abuts the City's right-of-way along Rossie Hill Drive and there are poor sight lines along Rossie Hill Drive."*

### **Analysis**

*"Due to the poor sight lines along Rossie Hill Drive, the City Engineer has also requested that the current driveway on the site be limited to Deer Valley Loop. Should any future development result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible along the eastern half of the Rossie Hill frontage and shall have a slope of no more than 5% for the first twenty feet (20') to maintain sight lines. This is reflected in Conditions of Approval #8 and #9."*

### **Conditions of Approval**

*"8. Driveway access to any development to this one-lot subdivision shall be limited from Deer Valley Loop Road. Should the future subdivision of this lot result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of- way."*

*"9. Any future access off of Rossie Hill shall have a slope of no more than 5% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines."*

## **Anya Grah**

---

**From:** Christina Marie Shiebler <christina@shiebler.com>  
**Sent:** Wednesday, April 26, 2017 9:20 AM  
**To:** Anya Grah  
**Cc:** Bruce Erickson  
**Subject:** 632 Deer Valley Loop

Hi Anya -

To the best of my knowledge the 632 Deer Valley Loop has not been formally subdivided. If the lot has been formally subdivided, there is concern that property owners within the notification boundary have not been notified.

My feedback assumes it has not been subdivided.

It is my hope that it is determined it should remain in tact as one lot. Chopping an already tiny parcel up in to two lots continues to dilute the neighborhood even more. The notion that we are looking at the front two home sites in advance of the back two seems to indicate that the developer assumes a foregone conclusion with Rossie Hill (top) access. Our neighborhood (Rossie, Deer Valley Loop, McHenry and Ontario - I assume minus Mullin, the original developer) is collectively opposed to Rossie Hill access. It is on record that the city engineer agrees that there should be no access. The 2016/17 winter proved to be hazardous at best for homeowners and renters having to navigate upper Rossie after the hair pin and before the rally car intersection. Our road is currently in a state of near disrepair. I encourage members of the city staff to drive Rossie this week to see the current road conditions. And they are only getting worse.

I would like to encourage the city to keep the lot in tact and to look at the top / back two home sites first or at all four together. It is imperative that access come off of Deer Valley Loop and not Rossie. It is imperative that the developer be held to the standard in which our community fought so hard to protect. There were many issues with the front two houses as shown on the drawing. The widows, deck, garage and transition from historic home to new do not fit. In my opinion they have a lot more work to do.

Thank you for all you do on behalf of our community.

Christina Shiebler

## **Anya Grahn**

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**From:** Allison Kitching <allison\_kitching@me.com>  
**Sent:** Monday, May 08, 2017 11:52 PM  
**To:** Anya Grahn; Council\_Mail  
**Cc:** Mary Wintzer; Jennifer Strauss Gurss; Jeff Camp; robert.gurss@gmail.com; Diane Bernhardt; Christina Shiebler  
**Subject:** PL-17-03450 632 Deer Valley Loop - HDDR II

Hi Anya and Park City Council Members,

I appreciated the opportunity to view the plans for renovation of 632 Deer Valley Loop historic home and other future structures on this property. I own and live full time at 670 Deer Valley Loop Unit #19. The 632 Deer Valley Loop property is located just across the trail from my patio.

I request the access to the historic home and the new structures be limited to Deer Valley Loop. Before any development plans are approved for this lot, the access must be defined. Rossi Hill Drive is known to be a dangerous road. The city engineer has also noted the difficulties associated with a driveway coming down from the steep slope of Rossi Hill Drive. Access can be limited to Deer Valley Loop and therefore limiting the overall impact of this development. There will already be a natural driveway access point from Deer Valley Loop. Let's request this small concession from the developer to create goodwill for the overall project. If the developer does not support this idea, please note my request to have only one access point off Deer Valley Loop.

I'm also hopeful there will be some focus on minimizing the evening light pollution from this new development. Light pollution interferes with wildlife migratory and breeding patterns. This lot is located adjacent to land that has been set aside to provide animals a migratory path to the creek. Please request the developer use reflectors instead of using a row of lights on the driveway. Motion sensing lights will reduce energy consumption as well as only turn on when needed. Full cutoff light fixtures can also be used to shine light down vs. traveling across property lines.

Our town carefully approves renovations and additions to historic homes. Even with substantial additions to historic homes, the front facade usually remains intact. A 600 square foot home can turn into a 2,500 square foot home and still retain its historic character if done the right way. Additions to the homes seem to be generally built behind the original facade.

After viewing some drawings of the proposed renovation and development on this lot, I am concerned the original facade of the historic home will be amended with an addition on the west side. The additional structures to be built will contribute to the overall feel of this special area of our town. I am hopeful the structures will somewhat match the size and scale of the historic home. The drawings I viewed showed tall structures behind the historic home which would change the character of the property and dwarf the historic home.

I appreciate the opportunity to comment on the future plans for 632 Deer Valley Loop.

Sincerely,

Allison Kitching  
670 Deer Valley Loop #19



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Due to recent changes in the state law that went into effect on May 9, 2017, staff is proposing to amend the LMC in order to comply with State Code.

**Respectfully:**

Anya Grahn, Planner II



## City Council Staff Report

**Subject:** LMC Amendments  
**Author:** Anya Grahn, Historic Preservation Planner  
Hannah Tyler, Planner II  
Bruce Erickson, AICP, Planning Director  
**Department:** Planning Department  
**Date:** August 3, 2017  
**Type of Item:** Legislative—Land Management Code Amendment

### Summary Recommendation

Staff recommends City Council hold a public hearing and consider approving the proposed administrative and substantive amendments to the Land Management Code (LMC) regarding LMC Section 15-1-18 Appeals and Reconsideration Process, Title 15 Chapter 11 Section 10 Park City Historic Sites Inventory; LMC 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites, and LMC 15-13 Design Guidelines.

### Description

**Project Name:** LMC Amendments  
**Location:** Citywide  
**Proposal:** Administrative and substantive amendments to the Park City Development Code regarding Land Management Code Chapter 15 Section 1-18 Appeals and Reconsideration Process; Chapter 15 Section 11-10 Park City Historic Sites Inventory (legislatively adopting the list of designated properties on the Historic Inventory); Chapter 15 Section 11-11 Design Guidelines for Park City's Historic Districts and Historic Sites; and Chapter 15-13 Design Guidelines (adopting new chapter in the Land Management Code which codifies the existing guidelines)  
**Reason for Review:** LMC Amendments require Planning Commission review and City Council review and action.

### Executive Summary

Due to recent changes in the state law that went into effect on May 9, 2017, staff is proposing to amend the LMC in order to comply with State Code.

### Acronyms

HPB Historic Preservation Board  
HSI Historic Sites Inventory  
LMC Land Management Code

## Background

Due to recent changes in the state law that went into effect on May 9, 2017, staff is proposing to amend the LMC in order to comply with State Code. Staff is proposing to:

- **Amend Section 15-1-18 Appeals and Reconsideration Process** as the appellant now has the ability to choose for appeals on Historic Preservation related applications to be reviewed by either the Board of Adjustment (current appeal body) or City Council.
- **Amend Section 15-11-10 Park City Historic Sites Inventory**
- **Amend Section 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites**
- **Adopt Chapter 15-13 Design Guidelines** as we propose inserting new chapter for the existing guidelines specifically into the Land Management Code

The Park City Planning Commission reviewed the LMC revisions on June 28, 2017. The Planning Commission unanimously forwarded a positive recommendation to City Council for the LMC changes with a four-to-zero vote; the Planning Commission Chair does not vote. [See [Planning Commission Report](#) (starting page 395) and [Minutes](#) (starting page 40).]

## Analysis

### **1. Section 15-1-18 Appeals and Reconsideration Process**

Based on the current state legislation which amended Utah Code 10-9a-701 that came into effect on May 9, 2017, the appellant now has the option to appeal any administrative decisions related to application of historic preservation regulations to either the Board of Adjustment (BOA) or the City Council. Thus, appeals of staff decisions on Historic District Design Review (HDDR) application for compliance with the Design Guidelines for Historic Districts and Historic Sites) and appeals of Historic Preservation Board decisions shall now go either to the BOA or City Council. In addition, Utah Code 10-9a-704 was amended which allows for 30 days to appeal Historic Preservation Board decisions. Lastly, Utah Code 10-9a-707 added language regarding interpretation of land use regulations by the appeal authority. Staff is proposing the following revisions to LMC 15-1-18:

### **15-1-18 Appeals And Reconsideration Process**

- A. **STAFF.** Any decision by either the Planning Director or Planning Staff regarding Application of this LMC to a Property may be appealed to the Planning Commission. Appeals of decisions regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board of Adjustment or City Council at the request of the appellant. If the appellant chooses to have the City Council hear the appeal, the appellant must do so in writing at the time the appellant submits the appeal.
- B. **HISTORIC PRESERVATION BOARD (HPB).** The City or any Person with standing adversely affected by any decision of the Historic Preservation Board

may be appealed to the Board of Adjustment or City Council at the request of the appellant.

...

- E. **TIMING.** All appeals must be made within ten (10) calendar days of the Final Action except for an appeal from a decision by the historic preservation authority which is Staff regarding the Design Guidelines for Historic Districts and Historic Sites or a decision by the Historic Preservation Board regarding a land use application, the applicant may appeal the decision within 30 days after the day on which the historic preservation authority issues a written decision. The reviewing body, with the consultation of the appellant, shall set a date for the appeal. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

...

- G. **BURDEN OF PROOF AND STANDARD OF REVIEW.** The appeal authority shall act in a quasi-judicial manner even if the appeal authority is the City Council. The appellant has the burden of proving that the land use authority erred. The appeal authority shall review factual matters de novo, without deference to the land use authority's determination of factual matters, and it ~~The appeal authority~~ shall determine the correctness of the ~~decision of the land use authority in its interpretation and application of the land use ordinance~~ land use authority's interpretation and application of the plain meaning of the land use regulations, and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application. All appeals must be made in writing. Review of petitions of appeal shall include a public hearing and shall be limited to consideration of only those matters raised by the petition(s), unless the appeal authority grants either party approval to enlarge the scope of the appeal to accept information on other matters. New evidence may be received so long as it relates to the scope of the appeal. City Council, when acting as an appeal body for appeals of Historic Preservation decisions may exercise only administrative authority.

## **2. Chapter 15-11-10 Park City Historic Sites Inventory**

Staff is proposing to codify the adoption of properties designated on the Historic Sites Inventory and the process by which determinations of significance are made. Staff is proposing the following revisions:

### **15-11-10 Park City Historic Sites Inventory**

The ~~Historic Preservation Board~~ City Council may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community. City Council shall make the final determination on all Determination of Significance applications considering the criteria below, with the recommendation of the Historic Preservation Board.

**A. CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.**

1. **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the City Council, with a recommendation from the Historic Preservation Board, finds it meets considers all the criteria listed below:

- a. It is at least fifty (50) years old or if the Site is of exceptional importance to the community; and
- b. It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and
- c. It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:
  - 1. An era that has made a significant contribution to the broad patterns of our history; or
  - 2. The lives of Persons significant in the history of the community, state, region, or nation; or
  - 3. The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman.

2. **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the City Council, with a recommendation from the Historic Preservation Board ~~finds it meets~~ considers all the criteria listed below:

- a. It is at least fifty (50) years old or the Site is of exceptional importance to the community; and
- b. It retains its Essential Historic Form as may be demonstrated but not limited by any of the following:
  - 1. It previously received a historic grant from the City; or
  - 2. It was previously listed on the Historic Sites Inventory; or
  - 3. It was listed as Significant on any reconnaissance or intensive level survey of historic resources; and
- c. It has one (1) or more of the following:
  - 1. It retains its historic scale, context, materials in a manner and degree which can be restored to its Essential Historic Form even if it has non-historic additions; or

2. It reflects the Historical or Architectural character of the site or district through design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District even if it has non-historic additions; and
  - d. It is important in local or regional history architecture, engineering, or culture associated with at least one (1) of the following:
    1. An era of Historic Importance to the community, or
    2. Lives of Persons who were of Historic importance to the community, or
    3. Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.
3. **CONTRIBUTORY SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Contributory Site if the City Council, with a recommendation from the Planning Department ~~finds it meets~~ considers all the criteria listed below:
  - a. The structure is forty (40) years old or older (this includes buildings not historic to Park City that were relocated to prevent demolition); and
  - b. Meets one of the following:
    1. Expresses design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District; or
    2. It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:
      1. An era of Historic importance to the community; or
      2. Lives of Persons who were of Historic importance to the community, or
      3. Noteworthy methods of construction, materials, or craftsmanship used during the Historic Period
  - c. Contributory structures may be eligible for Historic District Grant funding. Contributory structures are eligible for demolition.
4. Any Development involving the Reassembly or Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Sections 15-11-14 or 15-11-15 of this code shall remain on the Park City Historic Sites Inventory. Following Reassembly or Reconstruction, the City Council, with a recommendation from the Historic Preservation Board will review the project to determine if the work has required a change in the site or structure's historic designation from Landmark to Significant.

## B. PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.

The Planning Department shall maintain an inventory of Historic Sites which reflects the Historic Sites Inventory adopted herein. It is hereby declared that all Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures within Park City, which City Council considers to be in compliance with ~~comply with~~ the criteria found in Sections 15-11-10(A)(1) or 15-11-10(A)(2) are determined to be on the Park City Historic Sites Inventory.

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

1. **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning staff shall schedule a hearing before the Historic Preservation Board within ninety (90) days.
2. **NOTICE.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.
3. **HEARING AND DECISION.** The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be recommended to the City Council to be added to the Historic Sites Inventory.  
~~a. The HPB shall forward a copy of its written findings to the Owner and/or Applicant.~~

## C. REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY.

The City Council, with a recommendation from the Historic Preservation Board may remove a Site from the Historic Sites Inventory. Any Owner of a Site listed on the Park City Historic Sites Inventory may submit an Application for the removal of his/her Site from the Park City Historic Sites Inventory. The Planning Department may submit an Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and procedures for removing a Site from the Park City Historic Sites Inventory are as follows:

1. **CRITERIA FOR REMOVAL.**

- a. The Site no longer meets the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) because the qualities that caused it to be originally designated have been lost or destroyed; or
- b. The Building (main, attached, detached, or public) Accessory Building, and/or Structure on the Site has been demolished and will not be reconstructed; or
- c. Additional information indicates that the Building, Accessory Building, and/or Structure on the Site do not comply with the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2).

## 2. **PROCEDURE FOR REMOVAL.**

- a. **Complete Application.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning staff shall schedule a hearing before the Historic Preservation Board within ninety (90) days.
- b. **Notice.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.
- c. **Hearing and Decision.** The Historic Preservation Board will hear testimony from the Applicant and public and will review the Application for compliance with the “Criteria for Designating Historic Sites to the Park City Historic Sites Inventory.” The HPB shall review the Application “de novo” giving no deference to the prior determination. The Applicant has the burden of proof in removing the Site from the inventory. The HPB will make a recommendation to City Council, if the HPB City Council will consider and determine whether the proposal complies ~~finds that the Application does not comply~~ with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure to be removed from the Historic Sites Inventory. ~~The HPB shall forward a copy of its written findings to the Owner and/or Applicant.~~

D. Properties identified on the Historic Sites Inventory are hereby designated by Ordinance as Landmark or Significant. These properties include:  
*(Staff has included the full list of Landmark, Significant, and Contributory properties as part of Exhibit A—Attachment 2 .)*

## 3. **Chapter 15-11-11 Design Guidelines for Park City’s Historic Districts and Historic Sites**

The state legislature has amended the State Code (10-9a-103 (28)) to clarify the definition of a “land use regulation” to includes any “rule that governs the use or development of land.” The State Code (10-9a-501) also now requires that only the City Council may enact a land use regulation. Therefore, staff has proposed

codifying the Design Guidelines in order to strengthen their enforceability through the land use code. Currently, the Design Guidelines for Historic Sites (Design Guidelines) are described generally in LMC 15-11-11. Staff is proposing relocating the Design Guidelines to Chapter 15-13, a new chapter that will specifically outline and adopt by Ordinance the Design Guidelines. The existing Design Guidelines were adopted by Resolution (23-09) by City Council in 2009.

Staff has been working with the Historic Preservation Board since 2016 to revise and reorganize the Design Guidelines, and bringing those changes to City Council for approval. At this time, the HPB has only reviewed and revised the Historic District Design Guidelines for Historic Commercial and Historic Residential Buildings. Staff began working on revisions to the Design Guidelines for new Infill Commercial and Infill Residential Buildings starting in 2017.

Staff proposes adopting the existing 2009 Design Guidelines as part of the LMC. Staff anticipates repealing and replacing these guidelines, based on the feedback of the HPB, Planning Commission, and City Council starting in fall 2017.

For now, staff recommends the following amendments to LMC 15-11-11:

#### **15-11-11 Design Guidelines For Park City's Historic Districts And Historic Sites**

The HPB shall promulgate and update as necessary Design Guidelines for Use in the Historic District zones and for Historic Sites which shall be reviewed by the City Council. These guidelines shall, upon adoption of the City Council, be used by the Planning Department staff in reviewing Historic District/Site design review Applications. The Design Guidelines for Park City's Historic Districts and Historic Sites shall address rehabilitation of existing Structures, additions to existing Structures, and the construction of new Structures. The Design Guidelines are incorporated into this Code ~~by reference in Chapter 15-13~~. From time to time, the HPB may recommend changes in the Design Guidelines for Park City's Historic Districts and Historic Sites to Council, provided that no changes in the guidelines shall take effect until adopted by ~~a resolution~~ an ordinance of the City Council.

#### **4. Chapter 15-13 Design Guidelines**

This is also a new chapter proposed for the LMC. In response to changes in the State Code, staff proposes creating a new chapter that will specifically outline the Design Guidelines. Staff has been working with the HPB since January 2016 to update and revise the Design Guidelines. Staff anticipates completing this review in late-summer 2017. Staff will then repeal and replace this section with the new Design Guidelines.

Because the existing Design Guidelines were meant to be guidelines and not code, there may be some difficulties that occur when the guidelines become mandated as code. Staff has worked to revise these in our Design Guideline revisions; however,

in the meantime, staff finds that it would be appropriate for the Planning Director to make minor adjustments when issues arise.

Staff is proposing the following be included in this chapter:

### **15-13 Design Guidelines for Historic Districts and Historic Sites**

#### **15-13-1 Purpose and Policy**

#### **15-13-2 Design Guidelines for Historic Districts and Historic Sites**

#### **15-13-1 Policy and Purpose**

The Design Guidelines for Park City's Historic Districts and Historic Sites (referred to throughout the document as the "Design Guidelines") is intended to fulfill the policy directives provided in the General Plan and the Land Management Code.

The goal of the Design Guidelines is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs. For property owners, design professionals, and contractors, it provides guidance in planning projects sympathetic to the unique architectural and cultural qualities of Park City. For the Planning Department staff and the Historic Preservation Board, it offers a framework for evaluating proposed projects to ensure that decisions are not arbitrary or based on personal taste. Finally, it affords residents the benefit of knowing what to expect when a project is proposed in their neighborhood.

The Design Guidelines are not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction booklet for completing the Historic District/Site Design Review Application. Instead, they provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations.

### **15-2.25-2 Design Guidelines for Historic Districts and Historic Sites**

The Design Guidelines for Historic Districts and Historic Sites are hereby adopted and incorporated herein.

### **Process**

LMC amendments are processed according to LMC § 15-1-7. Amendments to the LMC require Planning Commission review and recommendation and City Council review and adoption. City Council final action may be appealed to a court of competent jurisdiction per LMC § 15-1-18. A public hearing is required by both the Planning Commission and City Council, with proper notice.

### **Notice**

On Saturday, June 9, 2017 a legal notice was published in the Park Record and placed on the City's website as well as on the Utah Public Notice website.

### **Public Input**

No public input has been received at the time of writing this report.

### **Alternatives**

- The City Council may approve Amendments related to LMC Section 15-1-18 Appeals and Reconsideration Process, Title 15 Chapter 11 Section 10 Park City Historic Sites Inventory; LMC 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites, and LMC 15-13 Design Guidelines; or
- The City Council may deny these Amendments; or
- The City Council may continue the public hearing and discussion to a date certain.

### **Significant Impacts**

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

### **Consequences of Not Taking Recommended Action**

The Land Management Code would not reflect the changes made by the

### **Summary Recommendation**

Staff recommends City Council hold a public hearing and consider approving the proposed administrative and substantive amendments to the Land Management Code (LMC) regarding LMC Section 15-1-18 Appeals and Reconsideration Process, Title 15 Chapter 11 Section 10 Park City Historic Sites Inventory; LMC 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites, and LMC 15-13 Design Guidelines.

### **Exhibits**

Exhibit A – Draft Ordinance with corresponding Attachments

Attachment 1 – LMC Chapter 15-1-18 Appeals and Reconsideration Process

Attachment 2 – LMC Chapter 15-11-10 Park City Historic Sites Inventory

Attachment 3 – LMC Chapter 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites

Attachment 4 – LMC Chapter 15-13 Design Guidelines

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE CHAPTER 15 SECTION 1-18 APPEALS AND RECONSIDERATION PROCESS; CHAPTER 15 SECTION 11-10 PARK CITY HISTORIC SITES INVENTORY (INSERTING LIST OF DESIGNATED PROPERTIES); CHAPTER 15 SECTION 11-11 DESIGN GUIDELINES FOR PARK CITY'S HISTORIC DISTRICTS AND HISTORIC SITES (INSERTING THE EXISTING GUIDELINE SPECIFICALLY INTO THE LAND MANAGEMENT CODE); AND ADOPTING CHAPTER 15-13 DESIGN GUIDELINES.**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Utah state legislature recently made changes that impact the treatment of historic resources; and

WHEREAS, the Land Management Code seeks to preserve the City's unique Historic character and to encourage compatible design and construction through the creation of comprehensive Design Guidelines for Park City's Historic Districts and Historic Resources; and

WHEREAS, it is a benefit to the community to safeguard the heritage of the City in protecting Historic Sites, Buildings, and/or Structures; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meetings on June 28, 2017, and forwarded a positive recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on August 3, 2017; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the State of Utah Code and the Park City General Plan and to be consistent with the values and goals of the Park City community and City Council, to protect health and safety, to maintain the quality of life for its residents, to preserve and protect the residential neighborhoods, to ensure compatible development, to preserve historic resources, to protect environmentally sensitive lands, and to preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 1 Section 18 (Appeals and Reconsideration Process). The recitals above are incorporated herein as findings of fact. Chapter 15-1-18 of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1).

SECTION 2. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 11 Section 10 (Park City Historic Sites Inventory). The recitals above are incorporated herein as findings of fact. Chapter 15-11-10 of the Land Management Code of Park City is hereby amended as redlined (see Attachment 2).

SECTION 3. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 11 Section 11 (Design Guidelines for Park City's Historic Districts and Historic Sites). The recitals above are incorporated herein as findings of fact. Chapter 15-11-11 of the Land Management Code of Park City is hereby amended as redlined (see Attachment 3).

SECTION 4. AMENDMENTS TO TITLE 15 – adoption of Land Management Code Chapter 13 (Design Guidelines). The recitals above are incorporated herein as findings of fact. Chapter 15-13 of the Land Management Code of Park City is hereby added as redlined (see Attachment 4).

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, Mayor

Attest:

\_\_\_\_\_  
Michelle Kellogg, Recorder

Approved as to form:

\_\_\_\_\_  
Mark Harrington, City Attorney

**Attachments (Redlines of specific LMC Sections)**

Attachment 1 – LMC Chapter 15-1-18 Appeals and Reconsideration Process

Attachment 2 – LMC Chapter 15-11-10 Park City Historic Sites Inventory

Attachment 3 – LMC Chapter 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites

Attachment 4 – LMC Chapter 15-13 Design Guidelines

## Attachment 1 – LMC Chapter 15-1-18 Appeals and Reconsideration Process

### 15-1-18 Appeals And Reconsideration Process

- A. **STAFF.** Any decision by either the Planning Director or Planning Staff regarding Application of this LMC to a Property may be appealed to the Planning Commission. Appeals of decisions regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board of Adjustment or or City Council at the request of the appellant. If the appellant chooses to have the City Council hear the appeal, the appellant must do so in writing at the time the appellant submits the appeal.
- B. **HISTORIC PRESERVATION BOARD (HPB).** The City or any Person with standing adversely affected by any decision of the Historic Preservation Board may be appealed to the Board of Adjustment or City Council at the request of the appellant.
- C. **PLANNING COMMISSION.** The City or any Person with standing adversely affected by a Final Action by the Planning Commission on appeals of Staff action may petition the District Court in Summit County for a review of the decision. Final Action by the Planning Commission on Conditional Use permits and Master Planned Developments (MPDs) involving City Development may be appealed to the Board of Adjustment at the City Council's request. All other Final Action by the Planning Commission concerning Conditional Use permits (excluding those Conditional Use permits decided by Staff and appealed to the Planning Commission; final action on such an appeal shall be appealed to the District Court) and MPDs may be appealed to the City Council. When the City Council determines it necessary to ensure fair due process for all affected parties or to otherwise preserve the appearance of fairness in any appeal, the City Council may appoint an appeal panel as appeal authority to hear any appeal or call up that the Council would otherwise have jurisdiction to hear. The appeal panel will have the same scope of authority and standard of review as the City Council. Only those decisions in which the Planning Commission has applied a land Use ordinance to a particular Application, Person, or Parcel may be appealed to an appeal authority.
  1. **APPEAL PANEL MEMBERSHIP AND QUALIFICATIONS.** The appeal panel shall have three (3) members. The decision to appoint and the appointment of an appeal panel shall be made by the City Council at a duly noticed public meeting after publicly noticed request for qualifications. Qualifications shall include a weighted priority for the following: Park City or Area residency, five years or more of prior experience in an adjudicative position, and/or a legal or planning degree. Each member of the appeal panel shall have the ability to:
    - A. Conduct quasi-judicial administrative hearings in an orderly, impartial and highly professional manner.

- B. Follow complex oral and written arguments and identify key issues of local concern.
  - C. Master non-legal concepts required to analyze specific situations, render findings and determinations.
  - D. Absent any conflict of interest, render findings and determinations on cases heard, based on neutral consideration of the issues, sound legal reasoning, and good judgment.
- 2. **PROCESS.** Any hearing before an appeal panel shall be publicly noticed, include a public hearing, and meet all requirements of the Utah Open and Public Meetings Act. The appeal panel shall have the same authority and follow the same procedures as designated for the "City Council" in this section 15-1-18 (G-I). The City Council may decide to appoint an appeal panel for a particular matter at any time an application is pending but the appointment of the individual members of the panel shall not occur until an actual appeal or call up is pending.
- D. **STANDING TO APPEAL.** The following has standing to appeal a Final Action:
  - 1. Any Person who submitted written comment or testified on a proposal before the Planning Department, Historic Preservation Board or Planning Commission;
  - 2. The Owner of any Property within three hundred feet (300') of the boundary of the subject site;
  - 3. Any City official, Board or Commission having jurisdiction over the matter; and
  - 4. The Owner of the subject Property.
- E. **TIMING.** All appeals must be made within ten (10) calendar days of the Final Action except for an appeal from a decision by the historic preservation authority which is Staff regarding the Design Guidelines for Historic Districts and Historic Sites or a decision by the Historic Preservation Board regarding a land use application, the applicant may appeal the decision within 30 days after the day on which the historic preservation authority issues a written decision. The reviewing body, with the consultation of the appellant, shall set a date for the appeal. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.
- F. **FORM OF APPEALS.** Appeals to the Planning Commission, Board of Adjustment, or Historic Preservation Board must be filed with the Planning Department. Appeals to the City Council must be filed with the City Recorder. Appeals must be by letter or petition, and must contain the name, address, and telephone number of the petitioner; his or her relationship to the project or subject Property; and must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken. The Appellant shall pay the applicable fee

established by resolution when filing the appeal. The Appellant shall present to the appeal authority every theory of relief that it can raise in district court. The Appellant shall provide required envelopes within fourteen (14) days of filing the appeal.

- G. **BURDEN OF PROOF AND STANDARD OF REVIEW.** The appeal authority shall act in a quasi-judicial manner even if the appeal authority is the City Council. The appellant has the burden of proving that the land use authority erred. The appeal authority shall review factual matters de novo, without deference to the land use authority's determination of factual matters, and it The appeal authority shall determine the correctness of the decision of the land use authority in its interpretation and application of the land use ordinance land use authority's interpretation and application of the plain meaning of the land use regulations, and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application. All appeals must be made in writing. Review of petitions of appeal shall include a public hearing and shall be limited to consideration of only those matters raised by the petition(s), unless the appeal authority grants either party approval to enlarge the scope of the appeal to accept information on other matters. New evidence may be received so long as it relates to the scope of the appeal. City Council, when acting as an appeal body for appeals of Historic Preservation decisions may exercise only administrative authority.
- H. **NON-ADVERSARIAL PROCESS.** For all appeals before City Council, and any Board or Commission, the following shall apply:
1. The procedural hearings and reviews established by the City's regulatory procedures does not adopt or utilize in any way the adversary criminal or civil justice system used in the courts.
  2. The role of City staff, including legal staff, is to provide technical and legal advice and professional judgment to each decision making body, including City Council, as they are not advocates of any party or position in a dispute, notwithstanding the fact that their technical and legal advice and professional judgment may lead them to make recommendations concerning the matter.
  3. In the absence of clear evidence in the record that a staff member has lost his or her impartiality as a technical adviser, the City's need for consistent, coherent and experienced advisers outweighs any claims of bias by the applicant.
- I. **WRITTEN FINDINGS REQUIRED.** The appeal authority shall direct staff to prepare detailed written Findings of Fact, Conclusions of Law and the Order.
- J. **CITY COUNCIL ACTION ON APPEALS.**
1. The City Council, with the consultation of the appellant, shall set a date for the appeal.
  2. The City Recorder shall notify the Property Owner and/or the Applicant of the appeal date. The City Recorder shall obtain the findings, conclusions and all other pertinent information from the Planning Department and shall transmit them to the Council.

3. The City Council may affirm, reverse, or affirm in part and reverse in part any properly appealed decision of the Planning Commission. The City Council may remand the matter to the appropriate body with directions for specific Areas of review or clarification. City Council review of petitions of appeal shall include a public hearing and be limited to consideration of only those matters raised by the petition(s), unless the Council by motion, enlarges the scope of the appeal to accept information on other matters.
  4. Staff must prepare written findings within fifteen (15) working days of the City Council vote on the matter.
- K. **CITY COUNCIL CALL-UP**. Within fifteen (15) calendar days of Final Action on any project, the City Council, on its own motion, may call up any Final Action taken by the Planning Commission or Planning Director for review by the Council. Call-ups involving City Development may be heard by the Board of Adjustment at the City Council's request. The call-up shall require the majority vote of the Council. Notice of the call-up shall be given to the Chairman of the Commission and/or Planning Director by the Recorder, together with the date set by the Council for consideration of the merits of the matter. The Recorder shall also provide notice as required by Sections 15-1 -12 and 15-1-18 (K) herein. In calling a matter up, the Council may limit the scope of the call-up hearing to certain issues. The City Council, with the consultation of the Applicant, shall set a date for the call-up. The City Recorder shall notify the Applicant of the call-up date. The City Recorder shall obtain the findings, and all other pertinent information and transmit them to the Council.
- L. **NOTICE**. There shall be no additional notice for appeals of Staff determination other than listing the matter on the agenda, unless notice of the Staff review was provided, in which case the same notice must be given for the appeal. Notice of appeals of Final Action by the Planning Commission and Historic Preservation Board; notice of all appeals to City Council, reconsiderations, or call-ups shall be given by:
1. Publishing the matter once at least fourteen (14) days prior to the first hearing in a newspaper having general circulation in Park City;
  2. Mailing courtesy notice at least fourteen (14) days prior to the first hearing to all parties who received mailed courtesy notice for the original action.
  3. Posting the Property at least fourteen (14) days prior to the first hearing; and
  4. Publishing notice on the Utah Public Notice Website at least fourteen (14) days prior to the first hearing.
- M. **STAY OF APPROVAL PENDING REVIEW OF APPEAL**. Upon the filing of an appeal, any approval granted under this Chapter will be suspended until the appeal body, pursuant to this Section 15-1-18 has acted on the appeal.
- N. **APPEAL FROM THE CITY COUNCIL**. The Applicant or any Person aggrieved by City action on the project may appeal the Final Action by the City Council to a court of competent jurisdiction. The decision of the Council stands, and those affected by the decision may act in reliance on it unless and until the court enters an interlocutory or final order modifying the decision.

- O. **RECONSIDERATION**. The City Council, and any Board or Commission, may reconsider at any time any legislative decision upon an affirmative vote of a majority of that body. The City Council, and any Board or Commission, may reconsider any quasi-judicial decision upon an affirmative vote of a majority of that body at any time prior to Final Action. Any action taken by the deciding body shall not be reconsidered or rescinded at a special meeting unless the number of members of the deciding body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.
- P. No participating member of the appeal panel may entertain an appeal in which he or she acted as the land Use authority.

## Attachment 2 – LMC Chapter 15-11-10 Park City Historic Sites Inventory

### 15-11-10 Park City Historic Sites Inventory

The ~~Historic Preservation Board~~ City Council may designate Sites to the Historic Sites Inventory as a means of providing recognition to and encouraging the Preservation of Historic Sites in the community City Council shall make the final determination on all Determination of Significance applications considering the criteria below, with the recommendation of the Historic Preservation Board.

#### **D. CRITERIA FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.**

1. **LANDMARK SITE.** Any Buildings (main, attached, detached, or public), Accessory Buildings, and/or Structures may be designated to the Historic Sites Inventory as a Landmark Site if the City Council, with a recommendation from the Historic Preservation Board, finds it meets ~~considers~~ all the criteria listed below:
  - a. It is at least fifty (50) years old or if the Site is of exceptional importance to the community; and
  - b. It retains its Historic Integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places; and
  - c. It is significant in local, regional or national history, architecture, engineering or culture associated with at least one (1) of the following:
    1. An era that has made a significant contribution to the broad patterns of our history; or
    2. The lives of Persons significant in the history of the community, state, region, or nation; or
    3. The distinctive characteristics of type, period, or method of construction or the work of a notable architect or master craftsman.
2. **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Significant Site if the City Council, with a recommendation from the Historic Preservation Board ~~finds it meets~~ considers all the criteria listed below:
  - a. It is at least fifty (50) years old or the Site is of exceptional importance to the community; and
  - b. It retains its Essential Historic Form as may be demonstrated but not limited by any of the following:

1. It previously received a historic grant from the City; or
  2. It was previously listed on the Historic Sites Inventory; or
  3. It was listed as Significant on any reconnaissance or intensive level survey of historic resources; and
- c. It has one (1) or more of the following:
1. It retains its historic scale, context, materials in a manner and degree which can be restored to its Essential Historic Form even if it has non-historic additions; or
  2. It reflects the Historical or Architectural character of the site or district through design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District even if it has non-historic additions; and
- d. It is important in local or regional history architecture, engineering, or culture associated with at least one (1) of the following:
1. An era of Historic Importance to the community, or
  2. Lives of Persons who were of Historic importance to the community, or
  3. Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.
3. **CONTRIBUTORY SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures may be designated to the Historic Sites Inventory as a Contributory Site if the City Council, with a recommendation from the Planning Department ~~finds it meets~~ considers all the criteria listed below:
- a. The structure is forty (40) years old or older (this includes buildings not historic to Park City that were relocated to prevent demolition); and
  - b. Meets one of the following:
    1. Expresses design characteristics such as mass, scale, composition, materials, treatment, cornice, and/or other architectural features as are Visually Compatible to the Mining Era Residences National Register District; or
    2. It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:
      1. An era of Historic importance to the community; or
      2. Lives of Persons who were of Historic importance to the community, or

3. Noteworthy methods of construction, materials, or craftsmanship used during the Historic Period
- c. Contributory structures may be eligible for Historic District Grant funding. Contributory structures are eligible for demolition.
4. Any Development involving the Reassembly or Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Sections 15-11-14 or 15-11-15 of this code shall remain on the Park City Historic Sites Inventory. Following Reassembly or Reconstruction, the City Council, with a recommendation from the Historic Preservation Board will review the project to determine if the work has required a change in the site or structure's historic designation from Landmark to Significant.

**E. PROCEDURE FOR DESIGNATING SITES TO THE PARK CITY HISTORIC SITES INVENTORY.**

The Planning Department shall maintain an inventory of Historic Sites which reflects the Historic Sites Inventory adopted herein. It is hereby declared that all Buildings (main, attached, detached or public), Accessory Buildings, and/or Structures within Park City, which City Council considers to be in compliance with ~~comply with~~ the criteria found in Sections 15-11-10(A)(1) or 15-11-10(A)(2) are determined to be on the Park City Historic Sites Inventory.

Any Owner of a Building (main, attached, detached or public), Accessory Building, and/or Structure, may nominate it for listing in the Park City Historic Sites Inventory. The Planning Department may nominate a Building (main, attached, detached or public), Accessory Building, and/or Structure for listing in the Park City Historic Sites Inventory. The nomination and designation procedures are as follows:

1. **COMPLETE APPLICATION.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for designation, the Planning staff shall schedule a hearing before the Historic Preservation Board within ninety (90) days.
2. **NOTICE.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.
3. **HEARING AND DECISION.** The Historic Preservation Board will hold a public hearing and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." If the Historic Preservation Board finds that the Application complies with the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached or public), Accessory Building, and/or Structure will be recommended to the City Council to be added to the Historic Sites Inventory.

- a. ~~The HPB shall forward a copy of its written findings to the Owner and/or Applicant.~~

**F. REMOVAL OF A SITE FROM THE PARK CITY HISTORIC SITES INVENTORY.**

The City Council, with a recommendation from the Historic Preservation Board may remove a Site from the Historic Sites Inventory. Any Owner of a Site listed on the Park City Historic Sites Inventory may submit an Application for the removal of his/her Site from the Park City Historic Sites Inventory. The Planning Department may submit an Application for the removal of a Site from the Park City Historic Sites Inventory. The criteria and procedures for removing a Site from the Park City Historic Sites Inventory are as follows:

**1. CRITERIA FOR REMOVAL.**

- a. The Site no longer meets the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2) because the qualities that caused it to be originally designated have been lost or destroyed; or
- b. The Building (main, attached, detached, or public) Accessory Building, and/or Structure on the Site has been demolished and will not be reconstructed; or
- c. Additional information indicates that the Building, Accessory Building, and/or Structure on the Site do not comply with the criteria set forth in Section 15-11-10(A)(1) or 15-11-10(A)(2).

**2. PROCEDURE FOR REMOVAL.**

- a. **Complete Application.** The Application shall be on forms as prescribed by the City and shall be filed with the Planning Department. Upon receiving a Complete Application for removal, the Planning staff shall schedule a hearing before the Historic Preservation Board within ninety (90) days.
- b. **Notice.** Prior to taking action on the Application, the Planning staff shall provide public notice pursuant to Section 15-1-21 of this Code.
- c. **Hearing and Decision.** The Historic Preservation Board will hear testimony from the Applicant and public and will review the Application for compliance with the "Criteria for Designating Historic Sites to the Park City Historic Sites Inventory." The HPB shall review the Application "de novo" giving no deference to the prior determination. The Applicant has the burden of proof in removing the Site from the inventory. The HPB will make a recommendation to City Council. #The HPB City Council will consider and determine whether the proposal complies finds that the Application does not ~~comply with~~ the criteria set forth in Section 15-11-10(A)(1) or Section 15-11-10(A)(2), the Building (main, attached, detached, or public) Accessory Building, and/or Structure to be removed from the Historic Sites Inventory. ~~The HPB shall forward a copy of its written findings to the Owner and/or Applicant.~~

D. Properties identified on the Historic Sites Inventory are hereby designated by Ordinance as Landmark or Significant. These properties include:

A. Landmark

- |                          |                          |
|--------------------------|--------------------------|
| 1. 44 Chambers Street    | 33.221 Main Street       |
| 2. 64 Chambers Street    | 34.305 Main Street       |
| 3. 732 Crescent Tram     | 35.306 Main Street       |
| 4. 61 Daly Avenue        | 36.309 Main Street       |
| 5. 118 Daly Avenue       | 37.312 Main Street       |
| 6. 131 Daly Avenue       | 38.322 Main Street       |
| 7. 142 Daly Avenue       | 39.328 Main Street       |
| 8. 145 Daly Avenue       | 40.350 Main Street       |
| 9. 162 Daly Avenue       | 41.361-363 Main Street   |
| 10.166 Daly Avenue       | 42.368 Main Street       |
| 11.243 Daly Avenue       | 43.402 Main Street       |
| 12.279 Daly Avenue       | 44.405 Main Street       |
| 13.314 Daly Avenue       | 45.419 Main Street       |
| 14.830 Empire Avenue     | 46.427 Main Street       |
| 15.835 Empire Avenue     | 47.430 Main Street       |
| 16.911 Empire Avenue     | 48.434 Main Street       |
| 17.939 Empire Avenue     | 49.436 Main Street       |
| 18.270 Grant Avenue      | 50.438 Main Street       |
| 19.27 Hillside Avenue    | 51.440 Main Street       |
| 20.3000 Highway 224      | 52.447 Main Street       |
| 21.2780 Kearns Boulevard | 53.508 Main Street       |
| 22.33 King Road          | 54.509 Main Street       |
| 23.45 King Road          | 55.511 Main Street       |
| 24.69 King Road          | 56.523 Main Street       |
| 25.74 King Road          | 57.528 Main Street       |
| 26.1400 Lucky John Drive | 58.540 Main Street       |
| 27.125 Main Street       | 59.541 Main Street       |
| 28.140 Main Street       | 60.550 Main Street       |
| 29.150 Main Street       | 61.562 Main Street       |
| 30.151 Main Street       | 62.573 Main Street       |
| 31.170 Main Street       | 63.586 Main Street       |
| 32.176 Main Street       | 64.660 Main Street       |
| 65.252 Marsac Avenue     | 76.823 Norfolk Avenue    |
| 66.334 Marsac Avenue     | 77.824 Norfolk Avenue    |
| 67.342 Marsac Avenue     | 78.843 Norfolk Avenue    |
| 68.412 Marsac Avenue     | 79.902 Norfolk Avenue    |
| 69.416 Marsac Avenue     | 80.933 Norfolk Avenue    |
| 70.445 Marsac Avenue     | 81.945 Norfolk Avenue    |
| 71.243 McHenry Avenue    | 82.946 Norfolk Avenue    |
| 72.2414 Monitor Drive    | 83.955 Norfolk Avenue    |
| 73.143 Norfolk Avenue    | 84.962 Norfolk Avenue    |
| 74.802 Norfolk Avenue    | 85.1002.5 Norfolk Avenue |
| 75.811 Norfolk Avenue    | 86.1003 Norfolk Avenue   |

87. 1101 Norfolk Avenue  
 88. 1102 Norfolk Avenue  
 89. 264 Ontario Avenue  
 90. 316 Ontario Avenue  
 91. 323 Ontario Avenue  
 92. 355 Ontario Avenue  
 93. 413 Ontario Avenue  
 94. 417 Ontario Avenue  
 95. 44 Ontario Canyon Street  
 96. 121 Park Avenue  
 97. 139 Park Avenue  
 98. 157 Park Avenue  
 99. 161 Park Avenue  
 100. 259 Park Avenue  
 101. 323 Park Avenue  
 102. 325 Park Avenue  
 103. 343 Park Avenue  
 104. 351 Park Avenue  
 105. 363 Park Avenue  
 106. 401 Park Avenue  
 107. 402 Park Avenue  
 108. 416 Park Avenue  
 109. 421 Park Avenue  
 110. 424 Park Avenue  
 111. 445 Park Avenue  
 112. 455 Park Avenue  
 113. 463 Park Avenue  
 114. 502 Park Avenue  
 115. 517 Park Avenue  
 116. 525 Park Avenue  
 117. 527 Park Avenue  
 118. 528 Park Avenue  
 119. 539 Park Avenue  
 120. 543 Park Avenue  
 121. 553 Park Avenue  
 122. 606 Park Avenue  
 123. 610 Park Avenue  
 124. 614 Park Avenue  
 125. 638 Park Avenue  
 126. 651 Park Avenue  
 127. 690 Park Avenue  
 128. 698 Park Avenue  
 129. 703 Park Avenue  
 130. 943 Park Avenue  
 131. 959 Park Avenue  
 132. 1021 Park Avenue

133. 1049 Park Avenue  
 134. 1062 Park Avenue  
 135. 1063 Park Avenue  
 136. 1119 Park Avenue  
 137. 1124 Park Avenue  
 138. 1125 Park Avenue  
 139. 1128 Park Avenue  
 140. 1141 Park Avenue  
 141. 1150 Park Avenue  
 142. 1209 Park Avenue  
 143. 1215 Park Avenue  
 144. 1255 Park Avenue  
 145. 1280 Park Avenue  
 146. 1301 Park Avenue  
 147. 1304 Park Avenue  
 148. 1328 Park Avenue  
 149. 1354 Park Avenue  
 150. 1503 Park Avenue  
 151. 14 Prospect Street  
 152. 22 Prospect Street  
 153. 36 Prospect Street  
 154. 51 Prospect Street  
 155. 57 Prospect Street  
 156. 59 Prospect Street  
 157. 68 Prospect Street  
 158. 101 Prospect Street  
 159. 622 Rossie Hill  
 Drive  
 160. 652 Rossie Hill  
 Drive  
 161. 660 Rossie Hill  
 Drive  
 162. 41 Sampson  
 Avenue  
 163. 222 Sandridge  
 Road  
 164. 39 Seventh Street  
 165. 41 Seventh Street  
 166. Glenwood  
 Cemetery  
 167. 147 Swede Alley  
 168. 1895 Three Kings  
 Drive  
 169. 109 Woodside  
 Avenue

170. 232 Woodside Avenue  
171. 335 Woodside Avenue  
172. 564 Woodside Avenue  
173. 655 Woodside Avenue  
174. 817 Woodside Avenue  
175. 839 Woodside Avenue  
176. 901 Woodside Avenue  
177. 951 Woodside Avenue  
178. 1010 Woodside Avenue

179. 1026 Woodside Avenue  
180. 1057 Woodside Avenue  
181. 1060 Woodside Avenue  
182. 1100 Woodside Avenue  
183. 1110 Woodside Avenue  
184. 1127 Woodside Avenue  
185. 1162 Woodside Avenue  
186. 1167 Woodside Avenue

B. Significant

1. 5 Daly Avenue  
2. 10 Daly Avenue  
3. 24 Daly Avenue  
4. 71 Daly Avenue  
5. 81 Daly Avenue  
6. 97 Daly Avenue  
7. 124 Daly Avenue  
8. 161 Daly Avenue  
9. 167 Daly Avenue  
10. 172 Daly Avenue  
11. 173 Daly Avenue  
12. 180 Daly Avenue  
13. 187 Daly Avenue  
14. 199 Daly Avenue  
15. 239 Daly Avenue  
16. 255 Daly Avenue  
17. 257 Daly Avenue  
18. 269 Daly Avenue  
19. 291 Daly Avenue  
20. 297 Daly Avenue  
21. 309 Daly Avenue  
22. 360 Daly Avenue  
23. 555 Deer Valley Drive  
24. 560 Deer Valley Drive  
25. 577 Daly Avenue

26. 595 Deer Valley Loop Road  
27. 632 Deer Valley Loop Road  
28. 2465 Doc Holiday Drive  
29. 841 Empire Avenue  
30. 844 Empire Avenue  
31. 901 Empire Avenue  
32. 920 Empire Avenue  
33. 923 Empire Avenue  
34. 963 Empire Avenue  
35. 964 Empire Avenue  
36. 1004 Empire Avenue  
37. 1011 Empire Avenue  
38. 1013-1015 Empire Avenue  
39. 250 Grant Avenue  
40. 262 Grant Avenue  
41. 304 Grant Avenue  
42. 199 Heber Avenue  
43. 201 Heber Avenue  
44. 9 Hillside Avenue  
45. 37 Hillside Avenue  
46. 114 Hillside Avenue  
47. 3000 HWY 224  
48. 80 King Road  
49. 81 King Road  
50. 109 Main Street

51. 115 Main Street  
52. 122 Main Street  
53. 133 Main Street  
54. 148 Main Street  
55. 158 Main Street  
56. 186 Main Street  
57. 227 Main Street  
58. 268 Main Street  
59. 347-357 Main Street  
60. 354 Main Street  
61. 355-357 Main Street  
62. 359 Main Street  
75. 220 Marsac Avenue  
76. 338 Marsac Avenue  
77. 402 Marsac Avenue  
78. 508 Marsac Avenue  
79. 257 McHenry Avenue  
80. 2245 Monitor Drive  
81. 164 Norfolk Avenue  
82. 668 Norfolk Avenue  
83. 713 Norfolk Avenue  
84. 803 Norfolk Avenue  
85. 827 Norfolk Avenue  
86. 835 Norfolk Avenue  
87. 901 Norfolk Avenue  
88. 915 Norfolk Avenue  
89. 1002 Norfolk Avenue  
90. 1009 Norfolk Avenue  
91. 1021 Norfolk Avenue  
92. 1055 Norfolk Avenue  
93. 1063 Norfolk Avenue  
94. 1135 Norfolk Avenue  
95. 1259 Norfolk Avenue  
96. 1302 Norfolk Avenue\*  
97. 308 Ontario Avenue  
98. 317 Ontario Avenue  
99. 341 Ontario Avenue  
100. 405 Ontario Avenue  
101. 422 Ontario Avenue  
102. 104 Park Avenue  
103. 145 Park Avenue  
104. 263 Park Avenue  
105. 305 Park Avenue  
106. 339 Park Avenue  
107. 364 Park Avenue  
108. 411 Park Avenue

63. 361.5 Main Street  
64. 408 Main Street  
65. 412 Main Street  
66. 442-444 Main Street  
67. 449 Main Street  
68. 450 Main Street  
69. 461-463 Main Street  
70. 510 Main Street  
71. 515 Main Street  
72. 556 Main Street  
73. 558 Main Street  
74. 591 Main Street  
109. 435 Park Avenue  
110. 450 Park Avenue  
111. 526 Park Avenue  
112. 527 Park Avenue  
113. 557 Park Avenue  
114. 561 Park Avenue  
115. 569 Park Avenue\*  
116. 575 Park Avenue  
117. 581 Park Avenue  
118. 602 Park Avenue  
119. 628 Park Avenue  
120. 657 Park Avenue  
121. 801 Park Avenue  
122. 811 Park Avenue  
123. 817 Park Avenue  
124. 819 Park Avenue  
125. 820 Park Avenue  
126. 909 Park Avenue  
127. 915 Park Avenue  
128. 923 Park Avenue  
129. 929 Park Avenue  
130. 937 Park Avenue  
131. 949 Park Avenue  
132. 1015 Park Avenue  
133. 1043 Park Avenue  
134. 1059 Park Avenue  
135. 1060 Park Avenue  
136. 1101 Park Avenue  
137. 1102 Park Avenue  
138. 1108 Park Avenue  
139. 1109 Park Avenue  
140. 1114 Park Avenue  
141. 1129 Park Avenue  
142. 1135 Park Avenue

143. 1149 Park Avenue  
 144. 1160 Park Avenue  
 145. 1266 Park Avenue  
 146. 1274 Park Avenue  
 147. 1323 Park Avenue  
 148. 1326 Park Avenue  
 149. 1333 Park Avenue  
 150. 1359 Park Avenue  
 151. 1420 Park Avenue  
 152. 1450 Park Avenue  
 153. 1460 Park Avenue  
 154. 1488 Park Avenue  
 155. 9 Prospect Street  
 156. 52 Prospect Street  
 157. 60 Prospect Street  
 158. 147 Ridge Avenue  
 159. 16 Sampson Avenue  
 160. 40 Sampson Avenue  
 161. 60 Sampson Avenue  
 162. 115 Sampson Avenue  
 163. 135 Sampson Avenue  
 164. 130 Sandridge Road  
 165. 152 Sandridge Road  
 166. 164 Sandridge Road  
 167. 218 Sandridge Road  
 168. 228 Sandridge Road  
 169. 224 Sandridge Road  
 170. 175 Snows Lane  
 171. 205 Snows Lane  
 172. 601 Sunnyside Avenue  
 173. 115 Woodside Avenue  
 174. 133 Woodside Avenue  
 175. 139 Woodside Avenue  
 176. 149 Woodside Avenue  
 177. 311 Woodside Avenue  
 178. 316 Woodside Avenue  
 179. 332 Woodside Avenue  
 180. 347 Woodside Avenue  
 181. 359 Woodside Avenue  
 182. 401 Woodside Avenue  
 183. 405 Woodside Avenue  
 184. 424 Woodside Avenue  
 185. 429 Woodside Avenue  
 186. 481 Woodside Avenue  
 187. 501 Woodside Avenue

188. 505 Woodside Avenue  
 189. 543 Woodside Avenue  
 190. 563 Woodside Avenue  
 191. 605 Woodside Avenue  
 192. 615 Woodside Avenue  
 193. 627 Woodside Avenue  
 194. 633 Woodside Avenue  
 195. 664 Woodside Avenue  
 196. 733 Woodside Avenue  
 197. 805 Woodside Avenue  
 198. 823 Woodside Avenue  
 199. 827 Woodside Avenue  
 200. 835 Woodside Avenue  
 201. 905 Woodside Avenue  
 202. 909 Woodside Avenue  
 203. 919 Woodside Avenue  
 204. 1002 Woodside Avenue  
 205. 1007 Woodside Avenue  
 206. 1013 Woodside Avenue  
 207. 1020 Woodside Avenue  
 208. 1027 Woodside Avenue  
 209. 1045 Woodside Avenue  
 210. 1053 Woodside Avenue  
 211. 1062 Woodside Avenue  
 212. 1103 Woodside Avenue  
 213. 1107 Woodside Avenue  
 214. 1120 Woodside Avenue  
 215. 1147 Woodside Avenue  
 216. 1158 Woodside Avenue  
 217. 1323 Woodside Avenue  
 218. 1439 Woodside Avenue

219. 1445 Woodside  
Avenue

220. 1455 Woodside  
Avenue

221. Mining Sites

- a) California Comstock Mine Site—Mill Building and Cabin
- b) Jupiter Mine—Ore Bin and Frame
- c) Daly West Mine—Head Frame and Fire Hydrant Shacks
- d) Alliance Mine – Office/Dwelling, Change Room, and Power House
- e) Silver King Consolidated Spiro Tunnel Complex—Foundry Building, Ivers Tunnel Structure, Spiro Tunnel Portal, Machine Shop Building, Sawmill Building, Water Tank A, and Coal Hopper/Boiler Structure
- f) Judge Mine Site—Assay Office and Change Room Building, Shed Structure, Explosives Bunker Portal, Mine Complex Ruins
- g) Judge Mine Aerial Tramway Towers
- h) Little Bell Mine—Ore Bin
- i) Silver King Tramway Towers
- j) Silver King Mine Site—Boarding House, Boarding House Vault, Change House, Hoist House, Mill Building, Fire Hose Shacks, Stone Wall, Stores Department Building, Transformer House, and Water Tanks
- k) Silver King Consolidated Mine—Ore bin and Counterweight
- l) Thaynes Mine—Conveyor Gallery, Hoist House, Conveyor Gallery, Fire Hydrant Shack, Boarding House Ruins, Accessory Buildings 1 and 2

C. Contributory

*Reserved for future designations*

*\*These properties are currently under appeal for Determination of Significance.*

### **Attachment 3 – LMC Chapter 15-11-11 Design Guidelines for Park City's Historic Districts and Historic Sites**

#### **15-11-11 Design Guidelines For Park City's Historic Districts And Historic Sites**

The HPB shall promulgate and update as necessary Design Guidelines for Use in the Historic District zones and for Historic Sites. These guidelines shall, upon adoption by resolution of the City Council, be used by the Planning Department staff in reviewing Historic District/Site design review Applications. The Design Guidelines for Park City's Historic Districts and Historic Sites shall address rehabilitation of existing Structures, additions to existing Structures, and the construction of new Structures. The Design Guidelines are incorporated into this Code by ~~by reference~~ as Chapter 15-13. From time to time, the HPB may recommend changes in the Design Guidelines for Park City's Historic Districts and Historic Sites to Council, provided that no changes in the guidelines shall take effect until adopted by ~~a resolution~~ an ordinance of the City Council.

## **Attachment 4 – LMC Chapter 15-13 Design Guidelines**

### **15-13 Design Guidelines for Historic Districts and Historic Sites**

#### **15-13-1 Purpose and Policy**

#### **15-13-2 Design Guidelines for Historic Districts and Historic Sites**

#### **15-13-1 Policy and Purpose**

The Design Guidelines for Park City's Historic Districts and Historic Sites (referred to throughout the document as the "Design Guidelines") is intended to fulfill the policy directives provided in the General Plan and the Land Management Code.

The goal of the Design Guidelines is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs. For property owners, design professionals, and contractors, it provides guidance in planning projects sympathetic to the unique architectural and cultural qualities of Park City. For the Planning Department staff and the Historic Preservation Board, it offers a framework for evaluating proposed projects to ensure that decisions are not arbitrary or based on personal taste. Finally, it affords residents the benefit of knowing what to expect when a project is proposed in their neighborhood.

The Design Guidelines are not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction booklet for completing the Historic District/Site Design Review Application. Instead, they provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations.

#### **15-2.25-2 Design Guidelines for Historic Districts and Historic Sites**

The Design Guidelines for Historic Districts and Historic Sites are hereby adopted and incorporated herein.



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

City Council will consider approval of the Level Three Special Event, Park City Shot Ski. While according to Park City Municipal Code 4-8, staff has the authority to approve returning Level Three events with minimal changes; staff is returning this evening for the following reasons:

- At the time the event was approved in 2016, it was not clear that this would become an annual event; and
- The 2017 event includes an increase in participation of the Shot on Main Street to 1250 from 1064 in 2016, The activity in the Brew Pub Lot will be the same as in 2016 with a beer garden, food vendor and music with a maximum ticketed attendance of 600 people
- The event has been given a 50% reduction in city service fees, estimated to be \$8,967, through the Council approved Fee Reduction Program
- Due to the success of the event in 2016, the applicant would like to be able to conduct this event annually with proceeds donated to the Park City Sunrise Rotary Club. The proceeds will be used for grant programs for many local non-profit organizations. Sunrise Rotary is planning on being the applicant/organizer for this event beginning in 2018.

**Respectfully:**

Tommy Youngblood, Events Coordinator

## City Council Staff Report



**Subject:** Park City Shot Ski Event Review & Approval – A Level Three Special Event  
**Principal Author:** Tommy Youngblood, Special Events Coordinator  
**Department:** Special Events  
**Date:** Thursday, August 3, 2017  
**Type of Item:** Administrative

### Summary Recommendation

Review the Level Three Special Event Permit, conduct a public hearing, and approve the Level Three permit for Park City Shot Ski, as conditioned, on the following date: Saturday, October 14, 2017.

### Executive Summary

City Council will consider approval of the Level Three Special Event, Park City Shot Ski. While according to Park City Municipal Code 4-8, staff has the authority to approve returning Level Three events with minimal changes; staff is returning this evening for the following reasons:

- At the time the event was approved in 2016, it was not clear that this would become an annual event;
- The 2017 event includes an increase in participation of the Shot on Main Street to 1,250 people from 1,064 in 2016, The activity in the Brew Pub Lot will be the same as in 2016 with a beer garden, food vendor and music with a maximum ticketed attendance of 600 people;
- The estimated city services fees for the 2017 event are \$8,967.00; Through the Council approved Fee Reduction Program the organizers were granted a 50% reduction of those fees totaling a waiver of \$4483.50. The total estimated fees out-of-pocket for the organizers will be \$4,483.50.
- Due to the success of the event in 2016, the applicant would like to be able to conduct this event annually with proceeds donated to the Park City Sunrise Rotary Club. The proceeds will be used for grant programs for many local non-profit organizations. Sunrise Rotary is planning on being the applicant/organizer for this event beginning in 2018.

### Acronyms/ Definitions

HPCA – Historic Park City Alliance  
SEAC – Special Events Advisory Committee  
UDABC – Utah Department of Alcohol and Beverage Control  
VMS – Variable Message Board

### The Problem and the Opportunity

The Park City Shot Ski event was approved as a new Level Three event in 2016. At the time the event was approved, it was unclear if the organizers would continue the event

in future years. The inaugural event was held as a way to celebrate the 30 year anniversary of Wasatch Brewing Company and as a friendly competition against rival ski town Breckenridge for Longest Shot Ski.

Due to the success of the event, the applicant would like to continue to conduct this event annually. The success of the event has created impacts that need to be mitigated for specifically in the Old Town neighborhood and Main Street Areas including:

- Expected attendance
  - Shot Ski - Increase participation with 1250 participants maximum
  - Brew Pub Activity – 600 attendees maximum
- Parking Removal;
- Street Closures, including Main Street (Swede to Heber);
- Traffic and circulation impacts; and
- Environmental Sustainability.
  
- Lastly, Council has been considering ways to minimize the effect of (fee waiver) for events on departmental budgets, in particular for public safety which resulted in the creation of the Fee Reduction process. In 2016 this event received a \$6,057.00 fee reduction from Council outside of the Fee Reduction Program. Upon the approval of the event in 2016 Council waived of all city service fees except for Public Safety Fee totaling \$2250.00. The estimated city services fees for the 2017 event are \$8,967.00; Through the Council approved Fee Reduction Program the organizers were granted a 50% reduction of those fees totaling a waiver of \$4483.50. The total estimated city service fees out-of-pocket for the organizers will be \$4,483.50.

## **Background**

On [September 15, 2016](#), City Council unanimously approved the Park City Shot Ski Event. At that time the event organizers, Salt Lake Brewing Company was uncertain if they would be the applicants any of the following years. However the events success the inaugural event the applicant would like to conduct this annually with proceeds donated to the Park City Sunrise Rotary. Beginning in 2018 the Park City Sunrise Rotary will be the applicant/organizer for the entire event and bring in sponsors to help meet their fundraising goals.

In accordance with Park City Municipal Code, 4-8-4C, City Council shall review and approve, approve with conditions or deny applications for any event Level Three Event with substantial changes.

The applicant realizes the futility of trying to keep up with the record where we will soon run out of space to accommodate and the necessity of keeping Heber Ave open to traffic. The organizers have decided to maintain the footprint used in 2016 and create U-Shaped or double line for the activity. This could possibly mean an increase in the size of the event participants on the shot ski in the future, with the necessary operational increases and adjustments as well.

All proceeds from ticket sales will go back to Park City community non-profits through the Sunrise Rotary, who will be receiving proceeds from the event. In 2016 that donation was \$10,000. Shot Ski tickets are available publicly. The applicant will be making a conscious effort to focus their marketing on Park City exclusively and found this approach was successful last year. The HPCA reported that the majority of input from their membership was in favor of the event. Other specific input from HPCA was to shorten the closure of Main Street and include more expansive advertising to promote early 'holiday shopping' during the event or possibly move the event later in the day.

SEAC scheduled discussion on this item on November 16, 2016, however this discussion never took place due to lack of meeting time. We have a SEAC meeting scheduled on August 16 where this event will be scheduled for discussion.

## **Analysis**

No other events are currently scheduled for October 14, 2017

### 2017 Shot Ski Event Plan

As in 2016, the Shot Ski event will take place on Main Street and the Wasatch Brew Pub Parking Lot. Changes to this year's event include:

- Increase in the number of participants in the shot to 1,250 people from 1,086 in 2016.

### Shot Ski Event

The Shot Ski portion of the event will take place on Main Street. The organizer will be setting up an area with controlled access starting at 10am. Once set up, the area will be monitored by volunteers and security provided by the Sunrise Rotary. Participants will check in at one of the designated check in stations starting at noon. They will be assigned their designated location and be wrist banded once proper identification is provided to the T.I.P.S certified check in volunteer. The attempt will be at 2pm. No alcohol will allowed to be consumed on the street outside of the designated area.

### Beer Garden

In addition to the shot ski event, the Brew Pub Parking Lot will become a ticketed beer garden with music and a food truck from noon to 6:30pm. The event organizer has worked closely with staff from both the city and the Utah Department of Alcohol and Beverage Control (UDABC) to ensure that all state and local regulation will be adhered to. In accordance with the regulations of the UDABC, no one under 21 will be allowed within the beer garden The Brew Pub Parking Lot will reopen to public parking by 9:30 pm.

### Road and Parking Removals

The event requires a full closure and removal of parking on Main Street from the top of Main Street at Swede Alley to Heber Ave; as well as the Brew Pub Parking Lot.

- Closure of the Brew Pub Parking Lot will occur at 6am the day of the event;
- Parking will be removed from Main Street starting at 6am; and
- A full closure removing traffic and parking from the Main Street will occur at 10am.
- Main Street will reopen to traffic by 3:00 p.m.

Heber Ave will remain open for transit and normal traffic.

#### Traffic and Parking Mitigation

The organizer has secured use of the Park City High School for parking for the event and has coordinated with City staff to have VMS signage directing participants to park there. The specifics of those operational plans continue to be worked on by Staff and the event organizer.


Staff is working Transportation Planning to formulate a notification and access plan for those Main Street adjacent residents and businesses that will be affect by the traffic and parking restrictions.

#### Event Fees & Fee Reduction

The Park City Shot Ski Event applied for Fee Reduction as according to section 4-8-9 of the Park City Municipal Code. In 2016 this event received a \$6,057.00 fee reduction from Council outside of the Fee Reduction Program. Upon the approval of the event Council limited the waiver of all city service fees except for Public Safety Fee totaling \$2250.00

The estimated city services fees for the 2017 event are \$8,967.00; Through the Council approved Fee Reduction Program the organizers were granted a 50% reduction of those fees totaling a waiver of \$4483.50. The total estimated city service fees out-of-pocket for the organizers will be \$4,483.50.

The City Manager has approved that request. The chart below indicates the anticipated City Service Costs and Fees to be paid for the event. Such fees included the proposed changes to the footprint of the event.

Special Events and Facilities Department					
Shot Ski - Park City Saturday, October 14, 2017		Please remit payment within 30 days to: Park City Municipal Corporation - Special Events and Facilities Dept. P.O. Box 1480 Park City, UT 84060 DATE: 4/14/2017 			
Fee Estimate for 2017					
SERVICE DESCRIPTION	COST	# OF ITEMS OR HOURS	# OF DAYS	FEES	
<b>Special Event Department</b>					
Application Fee - Level Three	\$160.00			\$160.00	
<b>Parking Services</b>					

Main Street Park Spaces- Swede Alley to 7th Street - 126 Spaces	\$16.00	126		\$2,016.00	
Brew Pub Parking Lot 51 Spaces	\$16.00	51		\$816.00	
<b>Building Department</b>					
Permit & Inspection Fees	\$500.00			\$500.00	
<b>Police Department</b>					
Patrol & Traffic Officers - 11 officers at - 73 Hours	\$75.00	73		5475.00	
	<b>Total Fees</b>			<b>\$8967.00</b>	
	<b>Total Fees Waived by Fee Reduction Process</b>			\$4,483.50	
	<b>Total Due</b>			<b>\$4,483.50</b>	

## Alternatives for City Council to Consider

### 1. Recommended Alternative:

Staff recommends that City Council review and approve the Level Three Special Event Permit for the Park City Shot Ski as conditioned.

#### Pros

- Benefits a local Not for profit organization, Sunrise Rotary
- Is consistent with Council goals of a diverse event calendar, which allows for both economic and cultural opportunities, as well as helps create a world class, multi-seasonal destination.
- Supports HPCA's goals of promoting targeted Main Street Events.
- HPCA has expressed general support for the event.

#### Cons

- Parking will be removed from Main Street from Swede Alley to Heber Ave and from the Brew Pub parking lot for the duration of the event.
- The closure of the street disrupts normal service and activities.

### 2. Modification Alternative:

City Council could ask that additional mitigation efforts are implemented in order to proceed with approval and/or change the amount of the requested fee reduction

#### Pros:

- Additional mitigation efforts or restrictions could further reduce impacts to the Main Street core including those to traffic and congestion, residential impacts and safety during the event.

#### Cons:

- a. Additional mitigation may increase the amount of Staff time, resources and fees associated with the event as well as effect the possible charitable contribution planned by the applicant.

### **3. Denial of Approval Alternative:**

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

### **Department Review**

Departments consisting of Special Events, Executive, and Legal have reviewed the report and application for the Park City Shot Ski and their comments have been incorporated.

The following departments have not reviewed this report but are coordinating with the Special Events Department on the parameters of the application: Police, Building, Building Maintenance, Public Works, Parking Services, Transit, Transportation Planning, Recreation, Parks,

### **Funding Source**

The Park City Shot Ski Event applied for Fee Reduction as according to section 4-8-9 of the Park City Municipal Code.

The estimated city services fees for the 2017 event are \$8,967.00; Through the Council approved Fee Reduction Program the organizers were granted a 50% reduction of those fees totaling a waiver of \$4483.50. The total estimated city service fees out-of-pocket for the organizers will be \$4,483.50, approved by the City Manager.

### **Attachments**

Exhibit A - Park City Shot Ski Application

Exhibit B – Park City Shot Ski DRAFT Findings of Fact and Conditions of Approval

## Park City Municipal Corporation

## Special Event Permit Application

Special Events Department  
City Hall, Third Floor  
445 Marsac Avenue  
P.O. Box 1480  
Park City, Utah 84060  
[specialevents@parkcity.org](mailto:specialevents@parkcity.org)

## APPLICATIONS DO NOT CONSTITUTE AS A PERMIT.

**PERMITS ARE APPROVED BY THE SPECIAL EVENTS DEPARTMENT OR CITY COUNCIL IN WRITING AFTER COMPLETE APPLICATIONS ARE REVIEWED UNDER PARK CITY MUNICIPAL CODE 4-8.**

Applications for Special Event Permits are due no later than 90 days (Level 3), 60 days (Level 2), or 30 days (Level 1) prior to an event. Incomplete applications cannot be reviewed. Applications submitted after the deadlines as described above may be denied. More information can be found at [www.parkcity.org](http://www.parkcity.org) or by contacting [specialevents@parkcity.org](mailto:specialevents@parkcity.org).

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

Tommy Youngblood

[tommy.youngblood@parkcity.org](mailto:tommy.youngblood@parkcity.org)

435.615.5187

Jenny Diersen

[jenny.diersen@parkcity.org](mailto:jenny.diersen@parkcity.org)

435.615.5188

## APPLICATION FEES &amp; EXPENSES

Level Three Special Event Permit \$160.00

Level Two Special Event Permit \$80.00

Level One Special Event Permit \$40.00

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

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

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

**APPLICANT AND SPONSORING ORGANIZATION INFORMATION**

NAME OF EVENT: 2nd Annual Park City Shot Ski

FIRST TIME  
EVENT:

Yes

✓

No

ANNUAL EVENT:

✓

Yes

No

IF ANNUAL, HOW MANY YEARS:

2

ANNUAL EVENT THAT WILL BE THE SAME AS LAST YEAR:

Yes

No

ANNUAL EVENT THAT WILL HAVE CHANGES FROM LAST YEAR:

✓

Yes

No

NAME OF APPLICANT (FIRST &amp; LAST): Lauren Boyack

TITLE / POSITION: Marketing Manager

BUSINESS / ORGANIZATION NAME: Salt Lake Brewing Co. DBA Wasatch Brew Pub

IS BUSINESS / ORGANIZATION A REGISTERED NON-PROFIT

Yes, a copy of IRS paperwork is attached

✓

No

MAILING ADDRESS OR BUSINESS / ORGANIZATION: 1735 South 300 West

CITY, STATE, ZIP: Salt Lake City, UT 84115

# Park City Municipal Corporation

## Special Event Permit Application

Special Events Department  
City Hall, Third Floor  
445 Marsac Avenue  
P.O. Box 1480  
Park City, Utah 84060  
[specialevents@parkcity.org](mailto:specialevents@parkcity.org)

PHYSICAL ADDRESS OF BUSINESS / ORGANIZATION: 250 Main Street	
CITY, STATE, ZIP: Park City, UT 84060	
PHONE (PRIMARY): 435-649-0900	PHONE (SECONDARY): 801-664-2360
EMAIL: lauren@squatters.com	
BUSINESS / ORGANIZATION WEBSITE: www.wasatchbeers.com	
SOCIAL MEDIA LINKS: www.facebook.com/wasatchbeers	
<b>DAY OF EVENT PRIMARY CONTACT</b>	
ON-SITE DAY OF PRIMARY CONTACT NAME (FIRST & LAST): Connie Nelson	
ON-SITE DAY OF PRIMARY CONTACT CELL PHONE: 435-602-2612	
ON-SITE DAY OF PRIMARY CONTACT EMAIL: cnelson@uolf.org	
<b>PUBLIC EVENT INFORMATION</b>	
WEB SITE FOR PUBLIC EVENT INFORMATION: www.wasatchbeers.com/shotski	
PHONE NUMBER FOR PUBLIC EVENT INFORMATION: 801-328-2329 x248	
EMAIL ADDRESS FOR PUBLIC EVENT INFORMATION: lauren@squatters.com	
Overall event description is attached as a separate document, with the contingency plan and is submitted with the application.	
<b>EVENT LEVEL DETERMINATION</b>	
<b>THE EVENT WILL INCLUDE THE FOLLOWING ACTIVITIES: (Check all that apply)</b>	
<input checked="" type="checkbox"/> FESTIVAL / FAIR	<input type="checkbox"/> PARADE
<input type="checkbox"/> SKI / SNOW BOARD	<input type="checkbox"/> RUN
<input type="checkbox"/> BIKE	<input type="checkbox"/> WALK
<input type="checkbox"/> TRAIL USE	<input type="checkbox"/> CONCERT
<input type="checkbox"/> CULINARY	<input type="checkbox"/> FILMING
<input type="checkbox"/> ARTS & CULTURE EVENT	<input type="checkbox"/> HOLIDAY CELEBRATION
<input type="checkbox"/> RECREATION / SPORTING EVENT	<input type="checkbox"/> OTHER:
<b>THE EVENT WILL INVOLVE THE USE OF: (Check all that apply)</b>	
<input checked="" type="checkbox"/> MAIN STREET	<input type="checkbox"/> RESORT PROPERTY
<input type="checkbox"/> SCHOOL DISTRICT PROPERTY	<input type="checkbox"/> PRIVATE PROPERTY
<input type="checkbox"/> CITY PARKS	<input type="checkbox"/> CITY FIELDS
<input type="checkbox"/> CITY FACILITY RENTAL	<input type="checkbox"/> RESIDENTIAL AREAS
<input type="checkbox"/> PARK CITY LIMITS	<input type="checkbox"/> MULTI-JURISDICTION
<input type="checkbox"/> AMPLIFIED SOUND	
<b>THE TARGET MARKET FOR THIS EVENT IS: (Check all that apply)</b>	
<input type="checkbox"/> YOUTH / FAMILIES	<input checked="" type="checkbox"/> ADULTS
<input type="checkbox"/> LOCAL	<input type="checkbox"/> STATE-WIDE
<input type="checkbox"/> REGIONAL	<input type="checkbox"/> NATIONAL
<input type="checkbox"/> INTER NATIONAL	<input checked="" type="checkbox"/> SPECTATORS
<input checked="" type="checkbox"/> PARTICIPANTS	<input type="checkbox"/> OTHER:
<b>THIS EVENT WILL: (Check all that apply)</b>	
<input checked="" type="checkbox"/> LIMIT # OF PARTICIPANTS	<input checked="" type="checkbox"/> BE FREE FOR SPECTATORS
<input type="checkbox"/> BE FREE FOR PARTICIPANTS	<input checked="" type="checkbox"/> INCLUDE VENDORS OR SPONSOR
<input type="checkbox"/> BE FREE AND OPEN TO THE PUBLIC	<input type="checkbox"/> LIMIT # OF SPECTATORS
<input type="checkbox"/> CHARGE ADMISSION FOR SPECTATORS	<input checked="" type="checkbox"/> CHARGE PARTICIPANTS
<input type="checkbox"/> NOT INCLUDE VENDORS OR SPONSOR	<input type="checkbox"/> BE A PRIVATE EVENT
<b>THIS EVENT WILL BE HELD: (Check all that apply)</b>	
EVENT DATE(S): October 21st, 2017	
<input type="checkbox"/> MONDAY	<input type="checkbox"/> TUESDAY
<input type="checkbox"/> WEDNESDAY	<input type="checkbox"/> THURSDAY
<input type="checkbox"/> FRIDAY	<input checked="" type="checkbox"/> SATURDAY
<input type="checkbox"/> SUNDAY	
<input type="checkbox"/> WEEKLY	<input type="checkbox"/> MONTHLY
<input type="checkbox"/> SERIES	<input checked="" type="checkbox"/> ONE DAY
NUMBER OF EVENT(S): 2; Shot Ski and beer garden	# OF CONSECUTIVE DAYS: 1

## Special Event Permit Application

## ONE DAY EVENT HOUR(S)

EVENT HOUR(S): 12 PM - 6 PM	OPENING TIME: 12 PM	EVENT ENDS: 6 PM
EVENT SET-UP DATE: October 21st, 2017	BREAK-DOWN DATE: October 21st, 2017	
SET-UP TIME(S): 8 AM - 11 AM	BREAK-DOWN TIME(S): Main reopen: 3 PM; Brew Pub lot: 8 PM	

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

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

## INCLIMATE WEATHER INFORMATION:

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

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

## EVENT ATTENDANCE (Complete all that apply)

IF ANNUAL EVENT: 1,086 participants in augural year	
TOTAL EVENT ATTENDANCE OF PREVIOUS YEAR:	TOTAL DAILY EVENT ATTENDANCE OF PREVIOUS YEAR:

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

ESTIMATED # OF PARTICIPANTS: 1,250	ESTIMATED # OF VENDORS: 2
ESTIMATED # OF SPECTATORS: 400	ESTIMATED # OF VOLUNTEERS: 75
ESTIMATED # OF STAFF: 15	ESTIMATED DAILY ATTENDANCE: 1,250-1,750
ESTIMATED HIGHEST TOTAL ATTENDANCE AT ONE TIME: 1,750	ESTIMATED TOTAL ATTENDANCE OF ENTIRE EVENT: 1,750

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



# Park City Municipal Corporation

## Special Event Permit Application

Special Events Department  
City Hall, Third Floor  
445 Marsac Avenue  
P.O. Box 1480  
Park City, Utah 84060  
[specialevents@parkcity.org](mailto:specialevents@parkcity.org)

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

### THE EVENT WILL HAVE:

#### STREETS

<input checked="" type="checkbox"/>	STREET CLOSURE MAP IS ATTACHED		CLOSURE SIGN / MARKING	
	ROLLING CLOSURE	PARTIAL CLOSURE	FULL CLOSURE	NO CLOSURE
NAMES OF STREETS TO BE CLOSED:			TIMES: (START / END OF CLOSURE)	
Main Street (from Swede to Heber - will not be crossing Heber Avenue nor blocking the intersection of Swede and Main)			START: 6 AM	END: 3 PM
			START:	END:
			START:	END:
			START:	END:

REASON FOR CLOSURE: Full Main Street closure for a 1,250 person "shot ski" event @ 2 PM with tear-down to immediately follow. Main Street is anticipated to be reopened at 3 PM (based on 2016).

#### SIDEWALKS

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

ADDRESS:

ADDRESS OF CLOSURE: (FROM / TO)		TIMES: (START / END OF CLOSURE)	
FROM:	TO:	START:	END:
FROM:	TO:	START:	END:
FROM:	TO:	START:	END:
FROM:	TO:	START:	END:

REASON FOR CLOSURE:

#### TRAILS

<input type="checkbox"/> TRAIL COURSE MAP IS ATTACHED	<input type="checkbox"/> COURSE / SIGN MARKING INFORMATION IS ATTACHED
---	--

NAMES OF TRAILS TO BE USED:

#### PARADE

ASSEMBLY AREA:	DISBANDING AREA:	# OF PARADE ATTENDEES:
PARADE IS:		
<input type="checkbox"/> WALKING ONLY	<input type="checkbox"/> VEHICLES & WALKING	<input type="checkbox"/> VEHICLES ONLY
<input type="checkbox"/> WILL HAVE ANIMALS		

OTHER PARADE INFO:



# Park City Municipal Corporation

## Special Event Permit Application

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[specialevents@parkcity.org](mailto:specialevents@parkcity.org)

### CITY PARKING FACILITIES REQUEST

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

HOW MANY PARKING SPACES DOES THE EVENT NEED?		AT HIGHEST POINT? 1,000	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MAIN STREET	CHINA BRIDGE	FLAGPOLE LOT	BREW PUB LOT
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SANDRIDGE PARKING LOTS	PARK AVENUE	CITY PARK	MAWHINNEY LOT
<input type="checkbox"/>	<input type="checkbox"/>	OTHER: PCHS lot, Deer Valley lot 6	
QUINNS LOT	RICHARDSON FLATS		

WILL THE EVENT PROVIDE TRANSPORTATION SERVICES TO THE EVENT FROM PARKING AREAS?:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ADA PARKING AVAILABLE?:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
THE EVENT WILL REQUIRE PARKING REMOVAL?:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

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

NAME OF AREA OR STREETS: Brew Pub Lot	BETWEEN:
TIME - START / END: 6 AM - 8 AM	REASON (what/who): to begin event set-up @ 8 AM
NAME OF AREA OR STREETS: Main Street	BETWEEN: Swede and Heber
TIME - START / END: 6 AM - 8 AM	REASON (what/who): to begin set-up
NAME OF AREA OR STREETS:	BETWEEN:
TIME - START / END:	REASON (what/who):
NAME OF AREA OR STREETS:	BETWEEN:
TIME - START / END:	REASON (what/who):

### TRANSPORTATION

#### WILL THE EVENT PROVIDE ALTERNATIVE TRANSPORTATION OPTIONS?

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

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

NAME OF TRANSPORTATION PROVIDER / COMPANY:

PHONE: EMAIL:

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

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

ADDITIONAL TRANSPORTATION INFORMATION: We are encouraging participants and spectators to utilize public transportation but are not requesting any change to normal bus routes and schedules.

### PUBLIC FACILITY USE

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



# Park City Municipal Corporation

## Special Event Permit Application

Special Events Department  
City Hall, Third Floor  
445 Marsac Avenue  
P.O. Box 1480  
Park City, Utah 84060  
[specialevents@parkcity.org](mailto:specialevents@parkcity.org)

### TEMPORARY STRUCTURES & FLAMMABLE MATERIALS

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

<input type="checkbox"/>	TEMPORARY BLEACHERS	<input type="checkbox"/>	INFLATABLES	<input checked="" type="checkbox"/>	CANOPIES	<input type="checkbox"/>	TEMPORARY BADGES	<input type="checkbox"/>	TEMPORARY LIGHTING	
<input checked="" type="checkbox"/>	TENTS 10X10 OR UNDER	HOW MANY: 5								
<input checked="" type="checkbox"/>	TRAILER	HOW MANY: 2								
<input checked="" type="checkbox"/>	STRUCTURES OVER 6 FEET TALL	PURPOSE: only shade canopies listed above						HOW MANY: 5		
DOES EVENT HAVE ELECTRICAL NEEDS?:		<input checked="" type="checkbox"/>	YES	NO	DOES EVENT REQUIRE USE OF GENERATORS		YES	<input checked="" type="checkbox"/>	NO	
WILL YOU BE REQUESTING PERMITS FOR FIREWORKS?:								YES	<input checked="" type="checkbox"/>	NO
WILL THE EVENT REQUIRE THE USE OF FLAMMABLE MATERIALS, FUELS OR GASSES?:								YES	<input checked="" type="checkbox"/>	NO
NAME SUCH MATERIALS: <div style="text-align: center; font-size: 2em;">N/A</div>										

### WASTE MANAGEMENT AND RECYCLING

<input checked="" type="checkbox"/>	THE EVENT WILL PROVIDE ITS OWN GARBAGE CANS AND WASTE MANAGEMENT.												
<input checked="" type="checkbox"/>	THE EVENT WILL PROVIDE ITS OWN DUMPSTERS, WHICH IS INDICATED ON THE SITE MAP.												
<input type="checkbox"/>	THE EVENT WILL USE THE CITY'S GARBAGE CANS AND WASTE MANAGEMENT, REQUIRING ADDITIONAL FEES.												
<input type="checkbox"/>	THE EVENT WILL USE THE CITY'S DUMPSTERS, REQUIRING ADDITIONAL FEES.												
<input checked="" type="checkbox"/>	THE EVENT WILL HIRE A COMPANY AND PROVIDE RECYCLING SERVICES FOR THE FOLLOWING MATERIALS:												
<input checked="" type="checkbox"/>	PLASTIC	<input checked="" type="checkbox"/>	PAPER	<input checked="" type="checkbox"/>	ALUMINUM	<input type="checkbox"/>	GLASS	<input type="checkbox"/>	CARDBOARD	<input type="checkbox"/>	COMPOST	<input type="checkbox"/>	OTHER
<input type="checkbox"/>	THE EVENT WILL UTILIZE CITY RESTROOM FACILITIES (List areas of city restroom facilities below:												
<input checked="" type="checkbox"/>	THE EVENT WILL BRING ITS OWN RESTROOMS AND SANATARY STATIONS. (May be required by Summit County Health Department or Park City Building Department)												
WILL ANIMALS BE AT THE EVENT?:		YES	<input checked="" type="checkbox"/>	NO	IF YES, PLEASE DESCRIBE TYPE OF ANIMALS AND WASTE PLANS								
TYPES OF ANIMALS:													
<input type="checkbox"/>	I HAVE INCLUDED THE PLACEMENT OF THE ANIMALS IN THE SITE MAP OR LINE UP IN THE CONTINGENCY PLAN												
WILL DOGS BE ALLOWED AT THE EVENT?:		YES	<input checked="" type="checkbox"/>	NO	LEASHED		UNLEASHED						
<input type="checkbox"/>	WASTE MANAGEMENT PLAN HAS BEEN DESCRIBED IN THE CONTINGENCY PLAN ATTACHED TO THIS APPLICATION.												

### FOOD & MERCHANDISE SALES

<input checked="" type="checkbox"/>	I UNDERSTAND THAT ALL VENDORS MUST OBTAIN A PARK CITY BUSINESS LICENSE. ALL VENDORS SERVING FOOD OR DRINKS MAY BE REQUIRED TO OBTAIN A FOOD SERVICE OR FOOD HANDLERS PERMIT FROM SUMMIT COUNTY.												
WILL THERE BE SALE OF MERCHANDISE?:								YES	<input checked="" type="checkbox"/>	NO			
WILL THERE BE COMPLIMENTARY FOOD?:								YES	<input checked="" type="checkbox"/>	NO			
WILL THERE BE SALE OF FOOD?:								<input checked="" type="checkbox"/>	YES	NO			
WILL THERE BE ALCOHOL FOR SALE?:								<input checked="" type="checkbox"/>	YES	NO			
<input checked="" type="checkbox"/>	BEER	<input type="checkbox"/>				WINE	<input type="checkbox"/>				LIQUOR		
<input checked="" type="checkbox"/>	I HAVE CONTACTED THE PARK CITY FINANCE DEPARTMENT REGARDING REQUIREMENTS FOR BEER & LIQUOR LICENSES.												



# Park City Municipal Corporation

## Special Event Permit Application

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<input checked="" type="checkbox"/>	I UNDERSTAND THAT THE UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (UDABC) MAY REQUIRE OTHER PERMITS.		
WILL FOOD ITEMS BE PRE-PACKAGED?:		YES	<input checked="" type="checkbox"/> NO
WILL FOOD ITEMS BE COOKED ON SITE?:		<input checked="" type="checkbox"/> YES	NO
<input checked="" type="checkbox"/>	I UNDERSTAND THAT IF COOKING IS ONSITE, A PARK CITY BUILDING/FIRE PERMIT MAY BE REQUIRED.		
WILL FOOD ITEMS BE PREPARED OFFSITE?:		YES	<input checked="" type="checkbox"/> NO
DESCRIBE ITEMS: We'll have a food truck, Silver Moon Taqueria, in the Brew Pub Lot for the Beer Garden after the Shot Ski. They worked it last year.			
<b>TEMPORARY SIGNS</b>			
WILL THERE BE TEMPORARY SIGNS AT THE EVENT?:		<input checked="" type="checkbox"/> YES	NO
<input checked="" type="checkbox"/>	I HAVE ATTACHED A SIGN PLAN DESCRIBING THE CONTENT, SIZES AND LOCATIONS IN THE CONTINGENCY PLAN.		
<b>SAFETY - SECURITY</b>			
<input checked="" type="checkbox"/>	THE EMERGENCY AND SECURITY PLAN HAS BEEN ATTACHED IN THE OPERATIONS PLAN, INCLUDING CROWD CONTROL, ACCESS, FIRST AID. AFTER REVIEW OF THIS APPLICATION, REQUIREMENTS FOR EMTS, FIRE AND POLICE SERVICES WILL BE DETERMINED AS PART OF THE CONDITIONS OF APPROVAL OF THIS EVENT. THE SPECIAL EVENTS DEPARTMENT WILL BE ABLE TO GIVE THE APPLICANT AN ESTIMATE OF SUCH CITY SERVICE REQUIREMENTS.		
<input checked="" type="checkbox"/>	THE EVENT WILL REQUIRE LAW ENFORCEMENT SERVICES BEYOND ROUTINE PERIODIC PATROL.		
<input type="checkbox"/>	THE EVENT WILL NOT REQUIRE LAW ENFORCEMENT SERVICES BEYOND ROUTINE PERIODIC PATROL.		
<b>COMMUNICATION NEEDS</b>			
WILL THERE BE INSTALLATION OF AN ANTENNA FOR COMMUNICATION NEEDS?:		YES	<input checked="" type="checkbox"/> NO
<input type="checkbox"/>	INSTALLATION OF AN ANTENNA FOR COMMUNICATION IS INDICATED IN THE SITE PLAN WITH SPECIFICATIONS.		
<b>MARKETING OF EVENT</b>			
PROPER MARKING OF YOUR EVENT IS VITAL TO ITS SUCCESS. PLEASE CONTACT THE PARK CITY CHAMBER FOR ADDITIONAL INFORMATION AND ASSISTANCE: <a href="http://www.visitparkcity.com">www.visitparkcity.com</a>			
<input checked="" type="checkbox"/>	I HAVE CHOSEN TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.		
<input type="checkbox"/>	I HAVE CHOSEN NOT TO LIST INFORMATION REGARDING MY EVENT ON THE PARK CITY CHAMBER'S WEBSITE.		
WHO IS THE TARGET MARKET FOR THIS EVENT?:		locals over 21 and media	
WHERE IS THE TARGET MARKET FOR THIS EVENT?: (choose all that apply)			
<input checked="" type="checkbox"/> LOCAL	<input type="checkbox"/> REGIONAL	<input type="checkbox"/> NATIONAL	<input type="checkbox"/> INTERNATIONAL
WILL THIS EVENT BE FILMED AND TELEVISED?: (choose all that apply)		YES	NO
<input type="checkbox"/> LOCAL	<input type="checkbox"/> REGIONAL	<input type="checkbox"/> NATIONAL	<input type="checkbox"/> INTERNATIONAL
PLEASE LIST ALL ADVERTISEMENT INCLUDING MEDIA COVERAGE, NEWSPAPER AND MAGAZINES:			
MEDIA (RADIO/TV): KPCW			
NEWSPAPER: Park Record			
MAGAZINES:			
OTHER: Social Media			
PLEASE SELECT RANGE OF MARKETING BUDGET:			
<input type="checkbox"/> \$100 OR UNDER	<input type="checkbox"/> \$100 - \$500	<input checked="" type="checkbox"/> \$500 - \$1,000	<input type="checkbox"/> \$1,000 - \$2,500
		<input type="checkbox"/> ABOVE \$2,500	



# Park City Municipal Corporation

## Special Event Permit Application

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### APPLICANT AGREEMENT & SIGNATURE

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

Name (Printed):

Lauren Boyack

Signature:

Lauren Boyack

Date: 07.10.17



PARK CITY MUNICIPAL CORPORATION  
Special Event Hold Harmless and Indemnification Agreement

**This Hold Harmless and Indemnification Agreement must be completed and returned to the Special Event Manager ten (10) working days prior to the event or the event will be cancelled.**

PLEASE PRINT

Lauren Boyack  
Name of Applicant

2nd Annual Shot Ski  
Name of Special Event

October 21, 2017  
Date(s) of Event

Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each party represents and warrants to Park City Municipal Corporation that the execution and delivery of the Agreement and the performance of such party's obligations hereunder have been duly authorized and that the Agreement is a valid legal agreement and binding on such party and enforceable in accordance with its terms.

The person signing this Agreement represents and warrants to Park City Municipal Corporation that it has insurance coverage in place that covers the scope of activities associated with this event. This person further represents and warrants that the insurance coverage limits meet or exceed the coverage required to obtain this permit.

For and in consideration of Park City Municipal Corporation (PCMC) issuing a permit permitting the use of City streets and/or City owned/public property for the conducting of an event to be held as reported above, hereby agrees to defend, hold harmless, and indemnify PCMC, its officers, agents, servants, employees, and their successors, from and against all claims, loss, or demands for damages, including claims for loss of life, personal injury or wrongful death and/or damage to property arising out of the conduct of said Special Event as defined by Title 4 of the Park City Municipal Code, and further agrees that Applicant is indemnifying and holding harmless PCMC irrespective of whether the scope or limits of Applicant's insurance policies adequately cover any of the aforementioned claims or demands.

Lauren Boyack  
Name of Applicant

L Boyack  
Signature

Lauren Boyack  
Name Printed

Marketing Manager  
Title

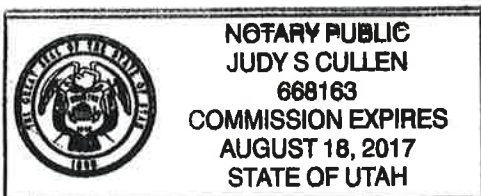
1735 S 300 W SLC, UT 84115  
801-328-2329 x248

Applicant Address and Phone Number

STATE OF UTAH       )  
                                  )ss.  
COUNTY OF SUMMIT )

On this 10TH day of JULY, 20 17, before me, the undersigned notary, personally appeared LAUREN BOYACK, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she signed it voluntarily for its stated purpose as EVENT REPRESENTATIVE for SHOT SKI.

Judy S Cullen  
Notary Public





### SPECIAL EVENT PERMIT

Level of Permit:         Level 1                 Level 2              X   Level 3  
Event Name:            Park City Shot Ski  
Event Date(s):        Saturday, October 14, 2017  
Event Location:       Main Street from Heber Ave to Swede Alley & the Brew Pub  
                                Parking Lot  
Licensee:               Salt Lake Brewing Co. DBA. Wasatch Brew Pub  
Contact Person:       Lauren Boyack  
Approved By:               Special Events Coordinator      X   City Council of Park City  
Approval Date:        Thursday, August 3, 2017

The City Council of Park City has approved the Special Event Permit for the Park City Shot Ski on Saturday, October 14, 2017. This Special Event License has been issued under the authority described within the Park City Municipal Code Section 4-8-4(C) based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Park City Shot Ski will be held on Saturday, October 14, 2017. The event will last from 12:00pm to 6:30pm. There will be a Beer Garden area located in the Brew Pub Parking Lot from 12:00pm to 6:30pm with a live band and a food truck. Access to the Beer Garden area as well as participation in the Shot Ski event on Main Street is limited to persons 21 years of age and over.
2. Main Street - Parking will be removed from Main Street starting at 6am and a full closure of the street will begin at 10:00am. Heber Ave will remain open to transit and normal traffic. The affected portion of Main Street will reopen by 3:00pm.
3. Brew Pub Lot / Beer Garden – Setup will begin at 6:00am; Activities will take place from 12:00pm – 6:30pm. The Brew Pub lot will be reopened to regular parking activity by 9:00pm
4. All consumption of alcohol shall be in defined areas and in accordance with permits and approvals issued by the Utah Department of Alcohol and Beverage Control.
5. Parking for the anticipated crowd of 1250 participants for the shot portion of

the event on Main Street and 600 people for the activity in the Brew Pub Lot can be accommodated within China Bridge and the adjacent public parking areas. Mitigation efforts will be made to reduce possible traffic in neighboring residential areas.

6. The events associated with the Park City Shot Ski will not require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the City.
7. The concentration of persons, vehicles, or animals will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets or with the provision of other public health or safety services.
8. There are no other Special Event Permits that have been granted for October 14, 2017.
9. The size of the crowd and nature of the event will not create an imminent possibility of violent disorderly conduct likely to endanger public safety or cause significant property damage.
10. The applicant has been working with City Staff and applicable departments to address all event concerns. The Applicant demonstrates an ability and willingness to conduct the event pursuant to the terms and conditions of this Chapter and has not failed to conduct a previously authorized event in accordance with the law or the terms of a license, or both.

#### Conclusions of Law:

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

#### Conditions of Approval:

1. The applicant, at its' cost, shall incorporate such measures as directed by Staff in order to ensure that any safety, health, or sanitation equipment, and services or facilities reasonably necessary to ensure that the event will be conducted with due regard for safety are provided and paid for by the applicant.
2. The applicant will orient the activities so as to minimize sound impacts to the neighborhood and the applicant shall monitor the following, as approved by Special Events staff:
  - (A) The program manager, or his/her designee, shall provide on-site management for each aspect of the event.
  - (B) The program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty-five feet (25') in front of the stage. No amplified sound is permitted before 10:00 a.m. or after 10:00 p.m.
  - (C) All events, except shot entry, shall be open to the public and free of charge.
3. Applicants shall provide proof of liability insurance in the amount of four million dollars (\$4,000,000) or more as may be required by the Special Events

## Exhibit C – 2017 Park City Shot Ski Findings & Conditions of Approval

Manager or the City Attorney's Office, and shall further name Park City Municipal Corporation as additional insured. All Applicants shall further indemnify the City from liability occurring at the event except for any claim arising out of the sole negligence or intentional torts of the City or its employees.

4. All plans for tents, stages and other temporary structures shall be submitted to the Building Department for review and permitting by Friday, October 13, 2017.
5. The applicant is responsible for a Parking and Pedestrian Management Plan in a form approved by the Park City Municipal Event Manager and Chief of Police.
6. The applicant use of barricade and signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) for the duration of the event.
7. All Summit and Wasatch County and State of Utah permit approvals required for this event shall be secured by Friday, October 13, 2017 and submitted to Park City Municipal.

APPROVED this Thursday, the 3<sup>rd</sup> day of August, 2017

PARK CITY MUNICIPAL CORPORATION

---

City Manager, Diane Foster

Attest:

---

Michelle Kellogg, City Recorder

Approved as to form:

---

Mark Harrington, City Attorney



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

This is a request to continue the Woodside Park Subdivision - Phase I plat approval to a date uncertain.

**Respectfully:**

Hannah Tyler, Planner II



PLANNING DEPARTMENT

## City Council Staff Report

**Subject:** Woodside Park Subdivision - Phase I (1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue)  
**Author:** Hannah M. Tyler, Planner  
**Project Number:** PL-17-03439  
**Date:** August 3, 2017  
**Type of Item:** Legislative – Plat Amendment

### **Summary Recommendations**

Staff recommends the City Council conduct a public hearing and continue the item to a date uncertain pending further internal review.

### **Description**

**Applicant:** Park City Municipal Corporation, Represented by Craig Elliot of Elliot Work Group  
**Location:** 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue  
**Zoning:** Historic Residential-Medium Density District (HRM)  
**Adjacent Land Uses:** Single-Family, Multi-Family, Municipal Uses  
**Reason for Review:** Plat Amendments require Planning Commission review and City Council review and action



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

As part of Park City's water system, the City uses the Judge and Spiro Tunnels as water supplies to meet both culinary and secondary demands. Combined, water draining from the Judge and Spiro Tunnels makes up 34% of Park City's total reliable water supply. Outlined in this report is a recommendation for approval of a professional services agreement for engineering consulting services to assess the condition of both tunnels, our mine maintenance program, and provide recommendations for remediation work in the tunnels and improvement to our maintenance and safety program.

**Respectfully:**

Kyle MacArthur, Water Operations Team Leader



## City Council Staff Report

**Subject:** Mine Tunnel Condition Assessment  
Professional Service Agreement  
Golder Associates  
**Author:** Kyle MacArthur, Water Distribution Manager  
**Department:** Public Utilities, Water  
**Date:** 8/3/2017  
**Type of Item:** Administrative

### Summary Recommendation

Staff recommends Council authorize the City Manager to execute a Professional Service Agreement, in a form approved by the City Attorney, with Golder Associates for the Mine Tunnel Condition Assessment project in an amount of \$72,672.

### Executive Summary

As part of Park City's water system, the City uses the Judge and Spiro Tunnels as water supplies to meet both culinary and secondary demands. Combined, water draining from the Judge and Spiro Tunnels makes up 34% of Park City's total reliable water supply. Outlined in this report is a recommendation for approval of a professional services agreement for engineering consulting services to assess the condition of both tunnels, our mine maintenance program, and provide recommendations for remediation work in the tunnels and improvement to our maintenance and safety program.

### Acronyms

CIP	Capital Improvements Program
PCMC	Park City Municipal Corporation
JSSD	Jordanelle Special Services District
MIW	Mine Influenced Waters

### The Problem

Park City has access and maintenance agreements in both the Spiro and Judge Tunnels in order to maintain them to preserve water quality and volume. Currently we employ two employees part time to periodically inspect and provide direction on work prioritization on a regular basis. We also contract with JSSD to provide labor for the maintenance of the tunnels. However, we do not have any mining engineers on staff who can provide expert guidance on the condition and longevity of the drain tunnels.

### Background

In addition to our routine inspections and maintenance work, the City has historically also performed periodic in depth condition assessments of the tunnels and related side drifts and shafts. We have performed this work with mining engineers in 2001, 2006, and 2011. Staff also desires to identify current stability issues and major water inflow locations. The consultant will provide recommended remediation and prioritization of

needed repairs, and any recommended site improvements such as additional safe zones, lighting or forced air. They will also provide an evaluation of our current work/safety practices and our mine maintenance program.

Park City is under contract with consultants to implement water treatment solutions related to MIW, and the condition of the tunnels is critical to understanding how we might pursue additional means within the tunnels themselves to potentially reduce long term costs and alleviate water quality and volume issues.

### **Proposed Consultant Services**

A summary of engineering services included in the proposed PSA for Golder Associates is listed in Exhibit A. The detailed fees are provided in Exhibit B.

### **Alternatives for City Council to Consider**

#### **1. Recommended Alternative**

##### Pros

- Continued water source redundancy in alignment with City Council's Top Priority of Conservation of Natural Resources
- Increased understanding of the tunnels' hydrogeology and how it may relate to MIW

##### Cons

- Short term impact to water production at Spiro Water Treatment Plant
- Budget impact to Tunnel Maintenance CIP

#### **1. Null Alternative**

##### Pros:

- No impact to water production at Spiro Water Treatment Plant
- No impact to Tunnel Maintenance CIP

##### Cons:

- Risk of loss of volume or change in quality of source water from the tunnels
- Loss of opportunity to better understand the tunnels' hydrogeology
- Safety program will not benefit from recommendations from consultant.

### **Department Review**

This report has been reviewed by representatives from Public Utilities, Executive and Legal and their comments have been integrated.

### **Funding Source**

Engineering services for this project are to be funded from the approved Tunnel Maintenance CIP.

### **Attachments**

Exhibit A      Proposed Project Scope  
Exhibit B      Fee Summary, Golder Associates

## Exhibit A

The project consists of the following main tasks:

1. Inspect both tunnels and associated side drifts and shafts for stability. Evaluate condition of timbers, lagging, steel sets, rails, sills and runners. Document conditions including pictures based on footage from portals. Rate each need with respect to priority.
2. Inspect the bulkhead inside the Spiro Tunnel for stability and general structural condition. Evaluate how long the structure may last and potential effects of removing it such as the release of built up sediment. Provide recommendations for remediation of deficiencies.
3. Inspect the Thaynes and Daly West shafts at the surface for stability and timber support effectiveness. Ascertain whether the shafts can be relied upon long term to provide fresh air for the tunnels.
4. Identify major water inflow locations in each tunnel and potential surface area contributions to major inflows.
5. Identify costs associated with recommended work.
6. Provide a review of current worksite safety and best practices. Evaluate whether changes and/or improvements should be made.
7. Evaluate the scope of our current mine maintenance program and evaluate whether changes and/or improvements should be made considering proposed future treatment of both Tunnel flows.

***Deliverables*** - Hardcopy and digital copies of all work products, technical memoranda, etc. and the following:

- Report including maps and locations of existing conditions and recommended remediation, as well as suggested improvements to our maintenance and safety programs.

## Exhibit B

Task	Total
Project Management and Health and Safety Plan	\$6,487
Inspection and Documentation	\$33,709
Bulkhead Assessment	\$1,251
Shaft Inspection	\$9,238
Water Inflow Assessment	\$1,823
Cost Estimate	\$2,459
Safety Review	\$7,306
Maintenance Program Review	\$2,502
Reporting	\$7,897
<b>Total</b>	<b>\$72,672</b>



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Staff recommends Council adopt the Interlocal Agreement with Summit County to govern the “Wasatch Back Commissioner” nomination process, as well as provide for the combined oversight of the Central Wasatch Commission (CWC) (formerly, the Mountain Accord). Specifically, the Agreement will:

1. Set forth the process by which Summit County and PCMC will nominate a commissioner to represent the both Parties (the “Wasatch Back Commissioner”);
  - a. Each term shall be two (2) years (a “Term”);
  - b. The initial Term for the Wasatch Back Commissioner shall begin on July 1, 2017, and shall terminate on June 30, 2019.
  - c. Succeeding Terms shall run for two (2) year periods thereafter, beginning on July 1 of a given odd numbered year and ending on June 30 of the next odd numbered year, and so forth.
  - d. At least thirty (30) days prior to the expiration of a Term, the Authorized Officials (as defined in the attached Interlocal Agreement) shall jointly notify the Commission in writing of the nominee for Wasatch Back Commissioner for the next Term
2. Establish some general working conditions and obligations of Summit County and PCMC as to the conduct of the Wasatch Back Commissioner, such as meeting attendance, quarterly reporting requirements, and working with various Summit County and PCMC staff.

**Respectfully:**

Matt Dias, Asst City Manager



## City Council Staff Report

**Subject: Interlocal Agreement between Park City Municipal and Summit County setting forth the Process to Nominate a “Wasatch Back Commissioner” to the Central Wasatch Commission**

**Author: Matthew Dias**

**Department: Executive**

**Date: August 3, 2017**

**Type of Item: Administrative**

### Summary Recommendation

Adopt the Interlocal Agreement between Summit County and Park City Municipal Corporation (PCMC) that will 1) govern the bi-annual process to nominate a “Wasatch Back Commissioner” to the Central Wasatch Commission and 2) coordinate Summit County and PCMC representation on the Central Wasatch Commission.

### Executive Summary

Staff recommends Council adopt the Interlocal Agreement with Summit County to govern the “Wasatch Back Commissioner” nomination process, as well as provide for the combined oversight of the Central Wasatch Commission (CWC) (formerly, the Mountain Accord). Specifically, the Agreement will:

1. Set forth the process by which Summit County and PCMC will nominate a commissioner to represent the both Parties (the “Wasatch Back Commissioner”);
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  - b. The initial Term for the Wasatch Back Commissioner shall begin on July 1, 2017, and shall terminate on June 30, 2019.
  - c. Succeeding Terms shall run for two (2) year periods thereafter, beginning on July 1 of a given odd numbered year and ending on June 30 of the next odd numbered year, and so forth.
  - d. At least thirty (30) days prior to the expiration of a Term, the Authorized Officials (as defined in the attached Interlocal Agreement) shall jointly notify the Commission in writing of the nominee for Wasatch Back Commissioner for the next Term
2. Establish some general working conditions and obligations of Summit County and PCMC as to the conduct of the Wasatch Back Commissioner, such as meeting attendance, quarterly reporting requirements, and working with various Summit County and PCMC staff.

### Background and Analysis

As the Mountain Accord process moved from a visioning phase to an implementation phase, one result was the formation of the Central Wasatch Commission. This enabled the Accord to become a separate legal entity and a duly authorized political subdivision of the State of Utah. In many respects, this change was perceived as a positive step in

order to provide better adherence and accountability with State governance regulations, oversight, and open meeting laws.

Another result from the newly formed CWC was the creation of a “Wasatch Back Commissioner.” Accordingly, the Interlocal Agreement between Summit County and PCMC will formally prescribe a process by which the Wasatch Back seat is nominated and selected, as well as other working processes to ensure collective and collaborative representation.

PCMC adopted the CWC ILA during the June 8, 2017, City Council Meeting. In addition, City Council nominated Councilman Andy Beerman to represent the Wasatch Back.

<http://parkcityut.igm2.com/Citizens/FileOpen.aspx?Type=1&ID=2259&Inline=True>

Summit County adopted the CWC ILA at their June 14, 2107, Meeting.

<http://www.co.summit.ut.us/AgendaCenter/ViewFile/Agenda/ 06142017-1221?html=true>

### **Alternatives for City Council to Consider**

#### **1. Recommended Alternative:** Adopt the Interlocal Agreement between Summit County and PCMC.

##### Pros

- a. The Agreement supports joint initiatives to allow PCMC and Summit County to collaboratively plan for, and protect, the interests of the Wasatch Back at the CWC.
- b. The Agreement supports joint efforts to ensure equal representation.
- c. Continues to support City Council’s existing policy position that the CWC is an important tool for regional collaboration and planning.
- d. Continues to support Council’s existing policy position that having a “seat at the CWC table” and playing an active role in the CWC process is favorable to protecting PCMC’s interests, as well as the interests of the Wasatch Back.

##### Cons

- a. Despite the improved and more regulated legal standing of the CWC, Summit County and PCMC are, ultimately, not the entity with formal appointment authority – that lies with the CWC.
- b. The Accord and CWC has its fair share of opposition and critics – this Agreement continues our involvement and support.

#### **2. Decline Interlocal Agreement:** Despite not having an Interlocal Agreement, the joint collaboration and collective efforts of Summit County and PCMC could still be achieved. However, without a formal process, more room is created for apprehension between the two entities about equal representation.

##### Pros

- a. The CWC ILA does not require a formal nominating process. There are many different ways Summit County and PCMC could mutually agree to CWC representation without an interlocal agreement.

Cons

- a. A formal process, particularly for those skeptical of the CWC, may relieve some anxiety regarding equal representation moving forward.

3. **Null Alternative:** Same as Decline above.

**Department Review**

Executive and Legal Department

**Funding Source**

No additional funding necessary. The City's financial commitments (\$200K remains) were approved at the June 8, 2017 City Council meeting and being paid out of the Transit Department.

**CENTRAL WASATCH COMMISSION INTERLOCAL AGREEMENT  
BETWEEN PARK CITY MUNICIPAL CORPORATION AND SUMMIT COUNTY**

THIS AGREEMENT (the “Agreement”) is made and entered into this \_\_\_\_\_ day of August, 2017 (the “Effective Date”), by and between **PARK CITY MUNICIPAL CORPORATION**, a municipal corporation of the State of Utah, whose address is 445 Marsac Avenue, Post Office Box 1480, Park City, Utah (hereinafter “Park City”) and **SUMMIT COUNTY**, a political subdivision of the State of Utah, whose address is 60 N. Main Street, P.O. Box 128, Coalville, Utah 84017, (hereinafter “Summit County”). Each is individually referred to as a “Party” and collectively as the “Parties.”

**RECITALS**

**WHEREAS**, Sandy City, Cottonwood Heights, Salt Lake City and Salt Lake County entered into that certain Central Wasatch Commission Interlocal Agreement, dated May 30, 2017 (the “Interlocal Agreement”), which has as its foundational document the Mountain Accord dated July 13, 2015 (the “Mountain Accord”); and,

**WHEREAS**, the primary purpose of the Interlocal Agreement was the formation of the Central Wasatch Commission (the “Commission”), whose primary purpose is to implement the principles of the Mountain Accord; and,

**WHEREAS**, the Interlocal Agreement provides that the Commission through its member entities “shall appoint a [c]ommissioner to represent the interests of the portion of the Project Area located to the East of the Wasatch Range (ie., the so-called “Wasatch Back”). Park City and Summit County may jointly nominate an elected or appointed public official for appointment by the Board for this [a]ppointed [c]ommissioner”; and,

**WHEREAS**, the Project Area includes portions Park City’s municipal boundaries and portions of the Snyderville Basin in un-incorporated Summit County; and,

**WHEREAS**, Park City and Summit County desire to set forth the process by which they will nominate a commissioner to the Commission (the “Wasatch Back Commissioner”) and establish the conditions and obligations of the Parties as to the conduct of the Wasatch Back Commissioner; and,

**WHEREAS**, this Agreement is in the best interests of both Summit County and Park City in that it provides for the combined oversight of the Wasatch Back Commissioner to the Commission.

**NOW THEREFORE, BE IT RESOLVED**, that Summit County and Park City enter into this Agreement under the provisions of the *Interlocal Cooperation Act*, Utah Code Ann. (“UCA”) §11-13-101, et. seq. to foster the legitimate interests of the Parties actively working together with respect to the implementation of the Mountain Accord by the Commission. The

Parties recognize that decisions and actions of the Commission transcend political jurisdictional boundaries, and intergovernmental coordination is essential for protecting the greater Park City resort community. The Parties therefore agree as follows:

1. **PURPOSE.** To jointly nominate and oversee the Wasatch Back Commissioner to the Commission and to ensure that the best interests of the Parties is represented as the Commission implements the Mountain Accord.

2. **AUTHORIZED OFFICIAL.** For Summit County, the Authorized Official shall be the County Manager or his/her designee. For Park City, the Authorized Official shall be the Mayor or his/her designee.

3. **WASATCH BACK COMMISSIONER.**

a. **Term.** Each term of the Wasatch Back Commissioner shall be two (2) years (a “Term”). The initial Term for the Wasatch Back Commissioner shall begin on July 1, 2017, and shall terminate on June 30, 2019. Succeeding Terms shall run for two (2) year periods thereafter, beginning on July 1 of a given odd numbered year and ending on June 30 of the next odd numbered year, and so forth.

b. **Nomination.** The Authorized Officials shall meet and confer regarding nominees for the position of Wasatch Back Commissioner. For the initial Term, the Park City Council shall propose an elected or appointed public official to be the initial nominee for Wasatch Back Commissioner, subject to ratification by the Summit County Council. At least sixty (60) days prior to the expiration of the initial Term for the Wasatch Back Commissioner, the Summit County Council shall propose an elected or appointed public official to be the next nominee for Wasatch Back Commissioner for the next Term, subject to ratification by the Park City Council. The nomination of subsequent nominees for subsequent Terms shall follow this practice of alternating between Park City and Summit County proposing a nominee at least sixty (60) days prior to the end of such Terms, subject to the ratification by the Council of the other Party. At least thirty (30) days prior to the expiration of a Term, the Authorized Officials shall jointly notify the Commission in writing of the Parties’ recommended nominee as Wasatch Back Commissioner for the next Term.

b. **Duties of the Wasatch Back Commissioner.**

- i. The Wasatch Back Commissioner shall quarterly (or more frequently if there are major actions or issues before the Commission) report to the Task Force (defined below).
- ii. The Wasatch Back Commissioner shall take direction from the Task Force as to his or her participation in the Commission.
- iii. The Wasatch Back Commissioner shall not have any authority to bind Park

City or Summit County without the prior written consent of their respective Councils.

- iv. In the event that the Wasatch Back Commissioner is unable to attend Commission meeting, he or she shall arrange for a non-voting designee to attend such Commission meeting as provided for in Section D(1) of the Interlocal Agreement.

4. **MOUNTAIN ACCORD TASK FORCE.** The Parties shall form and participate in a Mountain Accord Task Force (the “Task Force”). The Task Force shall consist of the following members: the Park City Manager, the Park City Mayor, a Park City Councilmember, the Summit County Manager, the Summit County Council Chair, and a Summit County Council member. The Task Force may invite their respective staff members, which may include representatives of planning, legal, engineering, and economic development and other representatives from the state and other effected entities to participate in the Task Force, as the Parties mutually agree. The Task Force shall be dedicated to vetting issues pertinent to the Commission and providing oversight of the Wasatch Back Commissioner. The Task Force shall periodically report to both the Park City Council and Summit County Council.

5. **HOLD HARMLESS AND INDEMNITY.** Each Party agrees to indemnify, defend, and hold harmless each other Party from and against any claims, lawsuits, liability, damages, loss, costs or expense, including attorney’s fees incurred as a result of bodily injury, death, personal injury or damage to property caused by or arising out of the intentional, wrongful, or negligent acts or omissions of the responsible Party. Notwithstanding the foregoing sentence, no Party waives any defenses or immunity available under the Governmental Immunity Act of Utah, Utah Code Ann. Title 63G, Chapter 7 (the “Act”), nor does any Party waive any limits of liability currently provided by said Act.

6. **NO WAIVER OF GOVERNMENTAL IMMUNITY: INSURANCE.** Nothing herein shall be deemed a waiver by any Party of any immunity provided by law to such Party or an extension of any limits of liability applicable to such Party nor shall this Agreement be construed as an agreement to indemnify, hold harmless, or in any way to assume liability for personal injury, death or property damage caused by the negligence of the other Party. Each Party agrees to make provision for insurance coverage, through independent contact or self-insurance, to meet such liability as may be imposed upon it through statutory waiver of immunity or as otherwise provided by law.

7. **DURATION OF AGREEMENT.** The term of this Agreement shall commence on the Effective Date and shall continue so long as a Wastach Back Commissioner is allowed under the Interlocal Agreement, unless earlier terminated by the mutual consent of the Parties.

8. **NONDISCRIMINATION.** The Parties will not discriminate against any recipient of any services or benefits provided for in this Agreement on the grounds of race, creed, color, national origin, sex, marital status, gender identification, sexual orientation, age or the presence of any

sensory, mental or physical handicap.

9. **NO SEPARATE ENTITY.** This Agreement does not create a separate legal or administrative entity and no third party rights are created by the enactment of this Agreement. As allowed in UCA §11-13-201, both Parties are cooperating jointly together to exercise their individual powers and privileges.

10. **NO THIRD PARTY BENEFICIARIES.** There are no intended third party beneficiaries to this Agreement. It is expressly understood that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties, and nothing contained in this Agreement shall give or allow any claim or right of action by any third person under this Agreement. It is the express intention of the Parties that any person, other than the Party who receives benefits under this Agreement, shall be deemed an incidental beneficiary only.

11. **RESERVATION OF LEGISLATIVE AND EXECUTIVE POWERS.** The Parties recognize and agree that this Agreement does not obligate either Party to limit their legislative or executive powers with respect to any of the subject matter of this Agreement including, without limitation, land use decisions, taxation, open space, transportation, traffic mitigation, transit, and economic development

12. **INTERLOCAL COOPERATION ACT REQUIREMENTS.**

In satisfaction of the requirements of the *Interlocal Cooperation Act*, the Parties agree as follows:

A. This Agreement shall be conditioned upon the approval and execution of this Agreement by the Parties pursuant to and in accordance with the provisions of the *Interlocal Cooperation Act*, as set forth in UCA Title 11, Chapter 13, including the adoption of resolutions of approval, but only if such resolutions of the legislative bodies of the Parties are required by the *Interlocal Cooperation Act*.

B. In accordance with the provisions of UCA §11-13-202.5(3), this Agreement shall be submitted to the attorney authorized to represent each Party for review as to proper form and compliance with applicable law before this Agreement may take affect.

C. A duly executed copy of this Agreement shall be filed with the keeper of records of each Party, pursuant to UCA §11-13-209 of the *Interlocal Cooperation Act*.

D. No real or personal property shall be acquired jointly by the Parties as a result of this Agreement unless this Agreement has been amended to authorize such acquisition. To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner

that it deals with other property of such Party.

13. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and no statements, promises, or inducements made by any Party or agents of any Party that are not contained in this Agreement shall be binding or valid. Alterations, extensions, supplements or modifications to the terms of this Agreement shall be agreed to in writing by the Parties, incorporated as amendments to this Agreement, and made a part hereof. To the extent of any conflict between the provisions of this Agreement and the provisions of any later agreements, the later agreements shall be controlling.

14. **SEVERABILITY.** If any provision of this Agreement is construed or held by a court of competent jurisdiction to be invalid, the remaining provisions of this Agreement shall remain in full force and effect.

15. **AUTHORIZATION.** The individuals executing this Agreement on behalf of the Parties confirm that they are duly authorized representatives of the Parties and are lawfully enabled to execute this Agreement on behalf of the Parties.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

**PARK CITY MUNICIPAL CORPORATION**

\_\_\_\_\_  
Jack Thomas, Mayor

Attest:

\_\_\_\_\_  
City Recorder

Approved as to Form:

\_\_\_\_\_  
Mark D. Harrington, City Attorney

**SUMMIT COUNTY**

\_\_\_\_\_  
Christopher F. Robinson  
County Council Chair

Attest:

Kent Jones  
County Clerk

Approved as to Form:

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David L. Thomas, Chief Civil Deputy



**DATE: August 3, 2017**

**TO HONORABLE MAYOR AND COUNCIL**

Over the years since the first deed restricted properties were put in place in 1996, the basic documents have changed as housing staff learned about best practices for the City's Housing Resolution. The Deed restriction template has been amended a number of times, while leaving in place older versions that can be less restrictive. As stewards of these affordable units, the City can intervene during at the time of sale to amend and update the recorded deed restrictions to account for current Housing Resolutions and income targeting policies.

Deed restrictions can only be amended by current owners and all affordable housing deed restrictions stipulate that the City has a first option for purchase of any unit being sold. This provides an opportunity for the City to exercise its option to buy units, update/amend deed restrictions and then sell the units to qualified individuals.

There is currently an opportunity to exercise the City's option to purchase. Two deed restricted units are for sale as follows:

1. A two bedroom unit at 1225 West Black Rock Trail, #306-P in Wasatch County with a maximum resale value of \$204,676; and
2. A studio unit at Silver Star, 1835 Three Kings Drive, #25-6 in Park City with a maximum resale value of \$139,398.

**Respectfully:**

Rhoda Stauffer, Housing Specialist



## Redevelopment Agency Staff Report

**Subject:** Purchase of Black Rock Trail and Silver Star Deed Restricted Properties  
**Author:** Rhoda Stauffer, Affordable Housing Program  
**Department:** Community Development  
**Date:** August 3, 2017  
**Type of Item:** Purchase of Real Property

### Summary Recommendation

Staff recommends that City Council direct staff to exercise the City's option (as per deed restrictions) to purchase 1225 Black Rock Trail, #306-P and 1835 Three Kings Drive, #25-6, amend the deed restrictions to align with current program guidelines and goals and then sell the units to qualified households.

### Executive Summary/Background

Over the years since the first deed restricted properties were put in place in 1996, the basic documents have changed as housing staff learned about best practices for the City's Housing Resolution. The Deed restriction template has been amended a number of times, while leaving in place older versions that can be less restrictive. As stewards of these affordable units, the City can intervene during at the time of sale to amend and update the recorded deed restrictions to account for current Housing Resolutions and income targeting policies.

Deed restrictions can only be amended by current owners and all affordable housing deed restrictions stipulate that the City has a first option for purchase of any unit being sold. This provides an opportunity for the City to exercise its option to buy units, update/amend deed restrictions and then sell the units to qualified individuals.

There is currently an opportunity to exercise the City's option to purchase. Two deed restricted units are for sale as follows:

1. A two bedroom unit at 1225 West Black Rock Trail, #306-P in Wasatch County with a maximum resale value of \$204,676; and
2. A studio unit at Silver Star, 1835 Three Kings Drive, #25-6 in Park City with a maximum resale value of \$139,398.

### Acronyms

RDA                Redevelopment Agency

### The Problem

Deed restrictions have changed over the years, tightening up as issues arise and best practices are learned helping to create an ever better template for compliance and enforcement. Some older deed restrictions have one or more of the following loop-holes:

- Allows owners to rent their units (long-term and at an affordable rate);
- Have income targets, but do not require income qualifications;
- Do not include net-worth limits;
- Do not include place of employment requirements;
- Do not define “primary residency”;
- No limits on income for renting to roommates; and/or
- Do not protect units from being passed to family members through inheritance or deeding the property over.

Some current known issues include:

- One property owner also owns many other properties both locally and internationally while utilizing the deed restricted property as a primary residence here in town.
- Another property owner who has a very high income is able to maintain the property as a primary residence in Park City even while traveling extensively for the majority of the year.
- One property owner has deeded their property to another family member who happens to be a qualified household, but did not get approval from City Housing program staff since deeding properties is not addressed in the deed restriction language.

Amendments to the recorded deed restrictions in each of these instances would allow the units to be leased and/or sold and maintained by qualified households, Park City’s workforce. For instance, using the examples above:

- Instituting language that doesn’t allow deed restricted property owners to own other property would encourage households with increasing personal worth to sell their deed restricted unit and move on.
- Providing a more detailed definition of full-time employment within the Park City School District Boundaries such as is done in more recent deed restriction templates would avoid a self-employed consultant who works only periodically while living off significant personal wealth, and instead would require them to sell the deed restricted unit.
- Instituting language that doesn’t allow deed restricted units to be transferred via family trusts or by signing over a deed to a family member or another person without prior review and approval by the City would prevent units from being utilized by non-qualified households.

### **Analysis:**

In order to make sure all the units have the same requirements and to close any existing loopholes, staff is recommending that the City utilize its right of first refusal to purchase, amend (tighten) deed restrictions and then resell the units to qualified households. Two units are currently for sale:

- A two bedroom condominium at 1225 West Black Rock Trail, #306 or P in Wasatch County. The deed restrictions need to be updated to include stronger language about not allowing rental of the units and defining “primary residency”. Also, staff suggests instituting income restrictions into the qualifications to not

allow over-income households to purchase the unit. And finally, staff is reviewing the possibility of adding language about not allowing ownership of other property. If other property is purchased, the household would no longer be qualified to own the deed restricted unit and would be required to sell. Also add language that does not allow the deed restricted unit to be passed to family or friends as inheritance or to a Trust. The purchase price for the unit is \$204,676 plus closing costs. Originally sold for \$185,750 on May 5, 2014, appreciation of three percent per year has been added in accordance with the deed restriction and no capital improvements authorized for inclusion.

- A studio unit at Silver Star located at 1835 Three Kings Drive, #25-6: As above, staff is reviewing the possibility of adding language about not allowing ownership of other property. If other property is purchased, the household is no longer qualified to own the deed restricted unit and must sell. Also add language that does not allow the deed restricted unit to be passed to family or friends as inheritance or to a Trust. The purchase price for the unit is \$139,398 plus closing costs. Originally sold for \$125,000 on December 5, 2013, appreciation of three percent per year has been added in accordance with the deed restriction and no capital improvements authorized for inclusion.

### **Alternatives for City Council to Consider**

1. **Recommended Alternative:** City should exercise its option to purchase a two bedroom condo at 1225 Black Rock Trail, #306-P and a studio at 1835 Three Kings Drive, #25-6, amend the deed restrictions and then sell both to qualified households.

#### Pros

- a. Ensures that the City's target households are being served.
- b. Increases the sustainability and affordability of the City's affordable housing program further into the future.
- c. There is little net cost and all but \$1,000-\$2,000 dollars will be reimbursed to the housing fund.

#### Cons

- a. Staff time.
- b. May lose money per transaction in closing costs up to \$2,000 depending on the sale price of the unit.

#### Consequences of Selecting This Alternative

This alternative will strengthen the sustainability and affordability of these deed restricted units as well as ensure that qualified target households are the beneficiaries in the resale of the units.

2. **Null Alternative:** The City could choose to not exercise the right of first refusal and leave current deed restrictions as is.

#### Pros

- a. Does not require staff action or use of housing funds.

### Cons

- a. Allows future sellers to skirt the intent of the affordable housing program by renting units that are intended for owner-occupancy as well as future issues where deed restrictions do not directly address situations that are currently being incorporated into the template.
- b. Fewer units are serving the housing needs of the Council's target households.

### **Department Review**

This report has been reviewed by the Budget, Community Development, and Executive departments and the City Attorney's Office.

### **Funding Source**

Purchase of these two units will be allowable through funding from the Lower Park Avenue RDA Capital Asset Fund (033). Funding for affordable housing may occur outside the boundaries of the RDA. The total for these first two units will be \$344,074 and the process will likely take 60 to 90 days.