PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 14, 2010

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, October 14, 2010.

Closed Session
12:30 p.m. Personnel, property and litigation – lunch will be served

Work Session
4:00 p.m. Council questions/comments
4:10 p.m. Guidelines for conducting City Council meetings P. 4 - 8
4:30 p.m. *Budgeting for Outcomes* and Pay Plan philosophy P. 9 - 89

- Service level performance measures
- Park City Municipal Corporation team and accountability culture
- Pay Plan implementation questions

5:50 p.m. Break

Regular Meeting
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III PUBLIC INPUT *(Any matter of City business not scheduled on agenda)*

IV WORK SESSION NOTES AND MINUTES OF MEETING OF SEPTEMBER 23 AND 30, 2010 P. 90 - 110

V NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

1. Consideration of a Contract with Design Workshop for Phases III – V of the Lower Park Avenue Redevelopment Authority Action Plan to be shared with the Park City Redevelopment Agency, in the amount of $57,618, in a form approved by the City Attorney P. 112 - 134

2. Consideration of an Ordinance for The Deer Valley Place Condominiums Record of Survey Plat located at 601-603 Deer Valley Drive, Park City Utah P. 135 - 163
   (a) Public hearing
   (b) Action

3. Consideration of an Ordinance for The Retreat on Deer Valley Drive Condominiums Record of Survey Plat located at 605-607 Deer Valley Drive, Park City, Utah P. 164 - 192

(a) Public hearing
(b) Action

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
OCTOBER 14, 2010

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 17, 2010 P. 111

IV NEW BUSINESS

Consideration of a Contract with Design Workshop for Phases III – V of the Lower Park Avenue Redevelopment Authority Action Plan, to be shared with Park City Municipal Corporation, in the amount of $57,618, in a form approved by the City Attorney P. 112 - 134

V 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 available in Marsac Building on Wednesdays and Thursdays – 4 p.m. to 9 p.m.

Posted: 10/11/10
See www.parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

October 2010

21 **Mark gone**
Comstock Tunnel Ribbon-Cutting
Quarterly Goals Update 3rd Quarter
Special service contracts - NR
In-Active Permit System – RE
PSSM wrap-up – work - TY
Parameters resolution – RDA refinancing - NR
Resolution – Pancreatic Cancer Awareness Month
Appointment to the Board of Adjustment for a term expiring July 2015

28 **No meeting**
Cindy gone

29 Quarterly management team meeting

November 2010

4 RAB Visioning
Community Carbon Mitigation Projects - TP
Affordable housing update
1251 Kearns Ave plat amendment – FA
2700 Deer Valley Drive ROS amendment – KW
PC Heights co-tenancy agreement
Facility leases

11

18 **Liza gone**
PAAB interviews (45 min)
Final resolution – RDA refinancing - NR

25 Thanksgiving

December 2010

2

9 2011 Insurance Placement - CL

16

23 **Christmas Holiday**

30

Pending Items:

Debrief of Bonanza Road construction – *things learned*
Board and commission training
Review of two year special event policy
Open space maintenance
U S Postal Service gang boxes in Old Town - MC
Wild land interface issues

City Council
Staff Report

Subject: Guidelines for Conducting City Council Meetings
Author: Tom Bakaly, City Manager
Department: Executive
Date: October 14, 2010
Type of Item: Information and Direction

Summary Recommendations:
City Council should discuss possible written guidelines for conducting City Council meetings and provide direction for any necessary adjustments or additions.

Topic/Description:
Guidelines for Conducting City Council meetings

Background:
In an effort to have efficient City Council meetings, and consistent with City Council Goal #7 “Open and Responsive Government to the Community”, the Mayor and City Council adhere to informal guidelines on conducting the City Council meeting. Guidelines have included:

1. No eating during the public City Council meetings
2. Mayor will announce at the meeting if and where they are meeting socially
3. No cell phones (Offending party buys after meeting drinks as a consequence)
4. City Manager has to also buy appetizers if his phone rings
5. If you are going to be late to the meeting, call ahead of time
6. Council members should request the Mayor to speak by raising their hands
7. Mayor will try to call on Council by name in the order their hand was raised
8. People speaking to Council should address the Council and not the audience
9. Mayor may ask for public input on items even if there is no public hearing
10. There is not a hard and fast time limit for people making comments to Council, but comments must be relevant to the matter discussed.
11. Mayor will ask for individuals to not be overly repetitive when commenting
12. Mayor and Council will attempt to handle routine items on consent agenda
13. If discussion occurs on a consent item, it should be moved to new business
14. Council will try to take items in order on the work session/regular agendas
15. The Council may return to items at the end of the meeting under the title of: Additional Discussion – Agenda Items
16. Work Session items are usually reserved for discussion and possible direction
17. Council should be clear when they are discussing an item or giving direction
18. A decision is made when Council votes on an item during regular session
19. Council should continue items or remand to boards if not ready to decide
20. A majority of Council can direct staff to place an item on work session

Analysis:

Having written guidelines, while somewhat formal, creates clarity and reduces the opportunity for missed expectations. Staff suggests that in addition to the guidelines written above, Council consider the following:

1) The Mayor and Council should consider only asking technical questions on items prior to hearing public input or testimony. These technical clarifications may also benefit the public who is there to listen or make comments. If the Mayor or Council comment on policy issues or ask questions that may point to a policy position prior to receiving public input, people may get the impression that the Mayor and Council have already made up their mind on the matter.

2) If the Mayor or City Council would like to have additional discussion on an item on the agenda at the end of their meeting, they should be cognizant that members of the public or staff interested or involved in that item may have already left thinking the item had already been addressed.

Rules for the meeting and public participants.

The City Attorney advises that several recent cases have illustrated the increased necessity to address written rules for the meeting decorum generally, just not for the Council, in the event the Mayor ever needs to order someone out of the meeting in accordance with Utah Code Section 52-4-301 ***Disruption of Meetings***. Accordingly, we recommend that you also consider the attached Meeting Rules for adoption at a subsequent meeting.

Department Review:
The City Manager and City Attorney have reviewed this report.

Alternatives:

A. Approve:
This item is informational. Council may provide direction for future discussion as needed.

B. Deny:

C. Modify:

D. Continue the Item:

E. Do Nothing:

Significant Impacts:
This item is informational. Council may provide direction for future discussion as needed.

Consequences of not taking the recommended action:
This item is informational.

Summary Recommendation:
City Council should discuss possible written guidelines for conducting City Council meetings and make any necessary adjustments or additions

Attachments
    Meeting Rules

PARK CITY COUNCIL MEETING RULES (DRAFT)

While any meeting of the City Council is in session, the following rules of decorum shall be observed.

- Public comments should be directed to the agenda item under consideration. The Mayor or mayor pro tem shall rule on the germaneness of the citizen comments.

- All remarks shall be addressed to the Council as a whole and not to any single member, unless in response to a question from a member.

- In order to afford all persons an opportunity to speak regarding an agenda item, the Mayor or mayor pro tem may impose a reasonable limit upon comments made by members of the public, and/or may limit the number of times a member of the public may speak regarding an agenda item.

- Persons addressing the Council shall not make personal, impertinent, unduly repetitive, slanderous or profane remarks to the Council, any member of the Council, staff or general public, nor utter loud, threatening, personal or abusive language, nor engage in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Council meeting.

- Persons addressing the Council shall not interrupt the Mayor or Council members while they are asking questions or otherwise addressing the speaker.

- Members of the public shall be courteous to their fellow citizens and the proceedings while the Council is in session by avoiding conversations within the Council Chambers and the entrance hallway into the Chambers.

- No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

- Signs, placards, banners, or similar items shall not be permitted at any time in the Council Chamber. Exhibits, displays and visual aids used in connection with presentations for matters on the agenda are permitted.

- Unless addressing the Council or entering or leaving the Council Chamber, all persons in the audience should remain sitting in the seats provided, or when necessary, standing in the rear in a manner which does not block exits.

- A time may be established for public comments for citizens to address the Council on any item which is not on the agenda for that meeting. A time limit may be imposed and citizens are subject to the same rules of conduct as described above. If a prepared statement is available, a copy should be given to the City Recorder. Generally, members of the Council will not comment upon the comments made by a member of the public. If they are administrative issues, the Council will typically refer them to the City Manager's Office for a response.

- At the discretion of the Mayor or mayor pro tem or upon a majority vote of the Council, the Mayor or mayor pro tem may order removed from the Council Chamber any person who fails to observe these rules of decorum, including committing any of the acts defined herein as disruptive conduct in respect to a regular, adjourned regular or special meeting of the City Council.

- Disobedience of any lawful order of the Mayor or mayor pro tem, which shall include an order to be seated or to refrain from addressing the Council and any other unlawful interference with the due and orderly course of that meeting is grounds for removal.

- Any person removed at the direction of the Mayor or mayor pro tem shall be excluded from further attendance at the meeting from which he/she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Council, and such exclusion shall be executed by any peace officer and/or police upon being so directed by the Mayor or mayor pro tem.

- Any person removed on the basis of disruptive conduct described above may not be allowed to address the Council for up to a maximum of ten (10) meeting days of the Council during which the Council has convened in regular session. The period of prohibition from addressing the Council will be determined by the Mayor or mayor pro tem, or the Council upon a vote, based on the number and severity of prior incidents of disruptive conduct.

- If a speaker is removed from the meeting for disorderly conduct, the Council may elect to postpone voting on the issue being discussed at the time of removal in order to avoid the appearance of retaliatory action.

City Council
Staff Report

Subject:	**Budgeting for Objectives Follow-Up**
Author:	**Bret Howser, Budget Officer**
	Brooke Moss, Human Resources Coordinator
	Linda Galindo, Organizational Consultant
Department:	**Budget, Debt, & Grants – Human Resources**
Date:	**October 14, 2010**
Type of Item:	**Informational**

Summary Recommendations:
Staff seeks direction to affirm current plan to proceed with an off-year pay plan (2% across the board increase for staff to be considered during the FY 2011-2012 process in the spring) and to continue with discussion on the City's pay philosophy within the context of service level prioritization following the Budgeting for Outcomes (BFO) prioritization exercise (likely March 2011).

Topic/Description:
Pay Plan Follow-up, Performance Measurement, and Team & Accountability Culture

Background:
Staff gave a presentation September 2 (see attachment E) outlining the timeline and mechanics of the Budgeting for Outcomes (BFO) process, which culminates in a service level prioritization exercise which should be completed by the end of Council Visioning. As the City's pay philosophy is inherently linked to service levels, staff recommended that the pay plan discussion be had as part of the broader BFO process. Staff presented the pay plan from an historical and technical perspective to Council on the September 2nd, and broader policy discussion on the topic was deferred. Council did not give specific direction about staff's recommendation to not do a revised pay plan this year, focus on service levels and pay plan philosophy in March and consider a 2% across the board increase as part of the upcoming budget process.

On September 23, Councilperson Kernan delivered a list of pay plan implementation questions he would like addressed immediately. This list has been reproduced and attached to this report along with staff analysis presenting some of the facts and options related to Kernan's questions. Staff believes these questions are a vital piece of the discussion but continues to recommend that they be handled within the context of a service level discussion. Please see the attached schedule which shows this happening within 5 months (March, 2011).

Staff is now returning to Council with an update on the BFO process, in particular the progress made on the performance measurement and benchmarking aspects of BFO, as well as a discussion on Team & Accountability Culture to give further context to the broader service level discussion. In addition, staff seeks direction concerning the timing of the pay plan philosophy discussion and staff's recommendation to explore an off-year

2% pay plan increase as opposed to a full market-benchmarked pay plan increase in the upcoming budget.

Analysis:

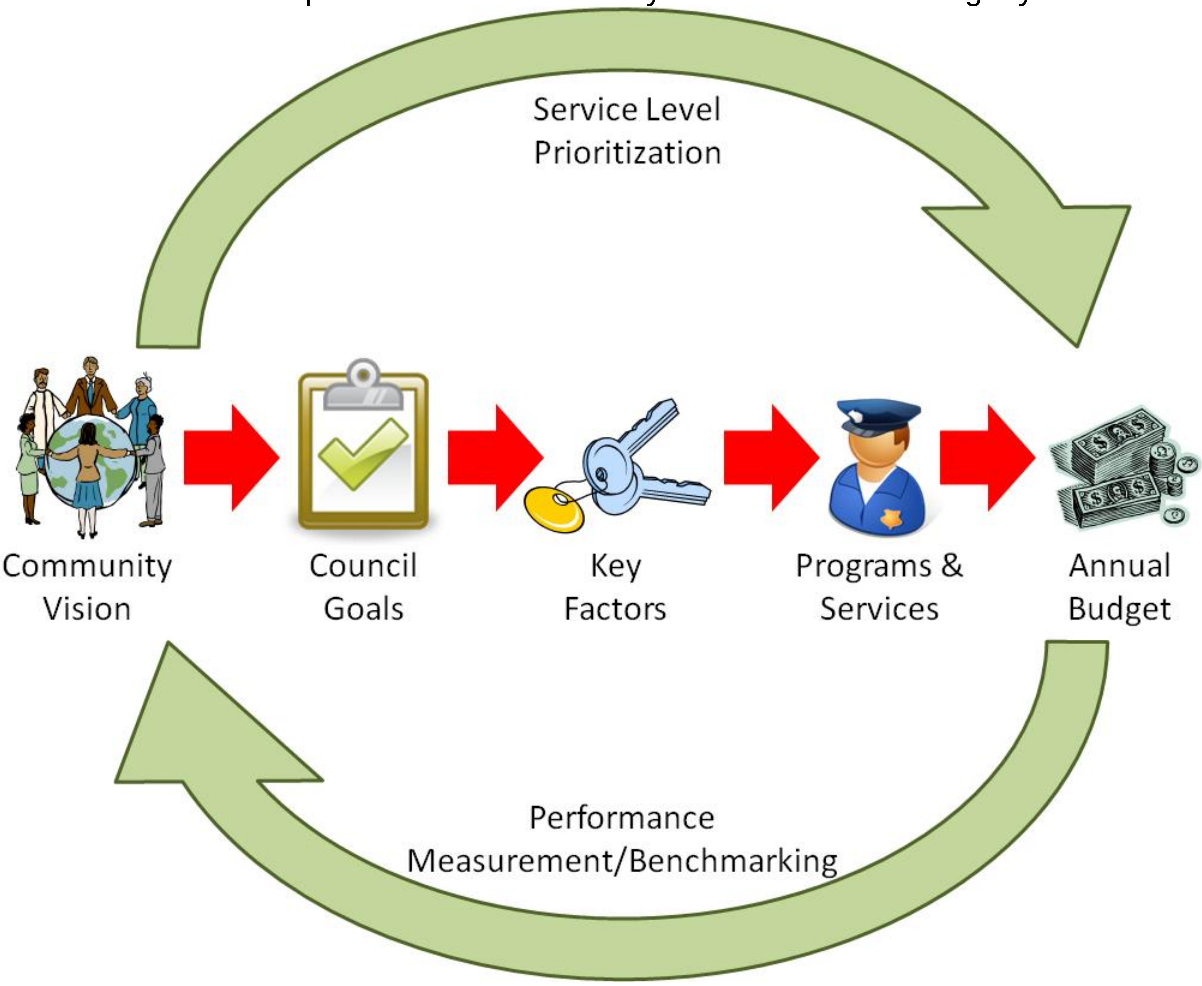
Performance Measurement & BFO

The City has long pursued a reliable program for performance measurement and comparison to other communities. For the past several years, staff has gathered and reported performance measurement data along with the annual budget. This past spring, Council requested and received a simplified report of performance measurement data during the budget hearings. Previous Council direction has been to not provide them with detailed performance measures. This summary report has been reproduced and attached here for reference purposes. While much of this data is informative and useful for administrative and management decisions, staff notes that it is often proved unwieldy and therefore unhelpful for the average resident or even for Council from a policy perspective. The link between the largely input-related measures and the output focused policy questions that Council deals with regularly is fairly weak. For this purpose, staff recommends adjusting how we think about performance measurement by weaving this issue into the BFO process. The following details the link between performance measurement, benchmarking, Council goals, and the community vision via the BFO process.

In short, the BFO process is modeled to mimic the purchasing and contracting procedures involved in a Request for Proposals (RFP). A committee of staff, called the Results Team, has created several Requests for Results (RFR) – one for each Council goal. Those RFRs delineate various key factors in achieving the desired outcome for each Council goal and create linkages between the key factors, the Council goals, and the community vision (see attachment D). Then departments are expected to respond to these RFRs and submit "bids" (which will eventually be annual budgets) for each of their programs under a specific key factor and Council goal. In this way, every dollar in the budget is linked to a specific program or service (or ongoing capital expense or debt service payment) which is linked to a key factor, which is linked to a Council goal, which is derived from the community vision.

The "bids" submitted by departments have three critical features: 1- What will be achieved (scope), 2- How we'll know we achieved it (performance measures), and 3- How much it will cost (budget). These are some of the most common features or addendums to the City's standard service provider contract. Similarly, City departments would be "under contract" to perform the service, at the level specified and budgeted for, and the verification of this performance is tied to predetermined measures.

In this fashion, BFO presents an opportunity for increased organizational accountability. At the end of each year, Council, staff, and the public can review performance measures in the context of their impact on Council goals and the community vision. When contracting with the private sector, failure to perform to the level specified in the contract could impact other terms of the contract, such as compensation. It could also impact decisions regarding future contracts. Similarly, failure of department to live up to the performance level specified in a BFO bid could lead to administrative performance review consequences, such as withholding all or some of a lump merit pay. It could also feed in to service level prioritization decisions by Council in future budget years.



In order to facilitate this new way of thinking about performance measurement, the Budget Dept has begun to design a new report. While much of the performance measurement data already exists, the new report would be more simplistic in presentation and would emphasize the linkage between the measures and the Council goal that the program or service supports. The report would also incorporate comparisons with other cities where possible. Sources of these comparisons (or benchmarks) could include International City/County Management Association (ICMA) Center for Performance Measurement data, ICMA Resort Consortium data (which Park City is trying to generate support for at this time), and comparisons established by individual departments and managers. Attachment C displays a sample of how this report may ultimately look (the data is made up in some cases, and is meant to give an idea of what the report could include).

Team & Accountability Culture

Staying at the top – as one of the most affluent and successful resort towns in the country was a journey furthered by the Olympics in 2002. Much of what putting on the Olympics required has been carried forward as a deliberate and codified culture of teamwork and accountability. PCMC has been through the refiner's fire, a situation that cannot be duplicated by other resort towns in order to replicate our success. Every other resort town has not had an opportunity to experience what it takes to deliver through an event like the Olympics. PCMC chose to learn from and take forward the most relevant practices of teamwork and accountability, in the face of "not the norm" to capitalize on the success such a culture delivers.

The TEAMWORK experienced to manifest a world class Olympic venue focused on service prioritization, non-traditional organizational role flexibility and accountability for results. During the discussion on Thursday, staff will provide comparisons with other cities and businesses that demonstrate the high levels of responsibility and accountability our culture has fostered.

PCMC staff is accountable for ALIGNMENT WITH COUNCIL GOALS and maximizing resources within defined service levels and Budgeting for Outcomes.

The current culture of teamwork and accountability that is now integrated and internalized is also sensitive to the necessity for pay plan discussions. In this culture, unlike others, that discussion is best begun with identification of service level expectations versus short-term personnel cost containment.

Pay Plan Implementation Questions

Staff has reviewed the questions submitted to us as well as concerns raised by all Council Members and would like to discuss any changes in philosophy/practice as needed, in order to better form and follow a recommendation as the council directs. The City's pay philosophy is a vital part of the local government's accountability to its citizens, the implementation of City Council's goals, and the organization's overall performance. A periodic and public review is organizationally and fiscally responsible. And in the end, the philosophy is instrumental to the City's ability to attract and retain engaged and talented public servants, qualified to deliver the service levels demanded by our residents and visitors.

Accordingly, staff recommends that the City Council confirm the following policy matters with regard to the Pay Plan:

1. Pay for performance
2. Exceeding expectations bonus potential
3. Six month review periods
   (Current policy will change to one comprehensive review annually)
4. Fixed percentage generally given in off pay plan years (1%-2%)

Staff has outlined the remaining issues raised by Councilmember Kernan as an attachment to this report. Staff recommends that the Council defer in-depth discussion on the remaining issues to enable sufficient data exchange in accordance to the Budgeting for Outcomes process. Staff is sensitive to the fact that some individual Councilmember's reliance on staff data is higher than others and suggests that this recommended course of action will ensure a broader exposure by all to the facts and data by which to thoroughly debate and respond to Councilmember Kernan's individual questions. Otherwise, we fear the dialogue may be dominated by the perception or reality of staff defending the status quo versus an objective debate of the data, policy implications and connection to the City's team approach. Councilmember Kernan deserves answers to his questions. Staff simply suggests that the Council will be better positioned to address the narrower issues with the additional information that is expected from the recommended service level process.

In upcoming months, the City will begin the Budgeting for Outcomes process, which will illustrate in detail current City programs and services Citywide. This will allow Council to best understand what services are currently available from the City, both the Citywide philosophy and outcomes, and be best able to decide both on a department and Citywide level a standard for service for the Community to expect from City employees. A decision on pay philosophy and practice is intimately tied to this standard of service, and staff feels the Council will be best able to address Councilmember Kernan's remaining questions and any others that Council may have once the process is completed.

Staff's recommendation is to maintain the current pay plan cycle, which would indicate a 2% increase to be proposed in the upcoming budget rather than a full market benchmarking process, and hold the discussion on pay philosophy until after Council finishes service level prioritization exercise (likely during Council Visioning). Though this would delay the discussion until February or March, it would allow the Council the background they need to look critically at desired service levels prior to making specific pay plan implementation decisions or a broad decision on City pay philosophy which could heavily impact those service levels in the long term.

Budgeting for Outcomes Proposed Schedule

8-Oct	Results Team Finalizes RFR's *Completed*
5-Nov	Teams/Depts Submit Proposals
26-Nov	Results Team Finalizes Draft Prioritization
2-Dec	Council Holds First Prioritization Work Session
18-Dec	Council Holds Second Prioritization Work Session
6-Jan	Council Visioning
	- Service Level Prioritization Finalized
	- Revenue/Taxation Policy Discussion Held
February	Staff Begins Budget Preparation
March	Continuation of Pay Philosophy Discussion
May	Council Presented with FY 2012 Budget
	Prepared in Line with Direction Received During
	Budgeting for Outcomes Process

The preceding proposed schedule shows the sequence of events and discussions which staff believes is the best approach to making informed policy decisions. Staff strongly feels it would be premature to decide on the administrative mechanisms related to the pay plan prior to having a broad level of service discussion. This level of service discussion involves prioritization and culminates in the three prioritization work sessions which terminate in January at Council Visioning. The additional pay philosophy discussion could be held soon thereafter (perhaps March), and staff is committed to ensuring such occurs early enough so that Council can make the appropriate changes in the budget process.

Department Review:
Budget, Debt, & Grants, Human Resources, Legal, and the City Manager reviewed this report.

Alternatives:

A. Approve:
Staff recommends that Council provide direction as requested above and defer the other matters for future discussion as needed.

B. Deny:
Council may wish to debate all the matters raised in Councilmember Kernan's letter. Staff attached a brief summary to outline such a potential discussion but suggests that Council allow us to return with a comprehensive report should you decide to review these matters in detail.

C. Modify:
Direct staff to return with a discussion as specified by Council.

D. Continue the Item:
Request additional information from staff and provide direction as appropriate.

E. Do Nothing:
The current budget and pay plan shall remain in place.

Significant Impacts:
Impacts of Council's decisions and direction related to this item may include implications related to employee morale, team goals and organizational culture. However, if individual inequities are perceived in the pay plan, Council action could address those in different ways.

Consequences of not taking the recommended action:
Employee pay is often a defining characteristic of any corporate entity or organization. Despite common sense inclinations to tackle employee pay issues narrowly, staff believes that a broader approach will best avoid negative consequences that may unnecessarily tremor throughout both the community and our dedicated personnel.

Recommendation:
Staff seeks direction to affirm current plan to proceed with an off-year pay plan (2% across the board increase for staff to be considered during the FY 2011-2012 process in the spring) and to continue with discussion on the City's pay philosophy within the context of service level prioritization following the Budgeting for Outcomes (BFO) prioritization exercise (likely March 2011).

Attachments:
A – Pay Plan questions submitted by Councilperson Kernan & Related Staff Analysis
B – Performance Measurement Report
C – Sample: Revamped Performance Measure Report
D – Community Vision
E – Pay Plan History Presentation

1. Is the Council ok with our current pay plan policies and implementation?

<u>Current policies and practice</u>

- Pay for performance
- Exceeding expectations bonus potential
- Current six month review policy will change to one comprehensive review annually and a check up every six months
- Fixed percentage generally given in off pay plan years (2%)

<u>Options</u>

- Step and Grade Pay
  - Predetermined increases
  - Pay determined by longevity not performance
  - Bonus potential could be eliminated
- Forced distribution
  - Fixed percentage given to overall pay plan for distribution by City Manager or across the board
  - Bonus potential could be eliminated
- Independent Labor Market/Salary Analysis

2. Is Council ok with the "average of the top 5 cities" as our target for current City policy of paying employees at the top of the market? If not what alternative is desired? Are there other concerns with the current policy or market analysis parameters?

<u>Current policies and practice</u>

- Positions more than 5% outside the average of the top five midpoints are recommended for reclassification consideration
- Survey 36 cities including the Wasatch Compensation Group and Colorado ski resorts

<u>Options:</u>

- Lead market
- Meet market
- Lag market
- Change comparisons
  - Average of top 5,7,10
  - Increase percentage a position must be outside the average of the top five midpoints to be considered for a re-class from 5% to a higher percentage
- Change Market
- Independent Labor Market/Salary Analysis

3. Is the Council ok with the number of pay grades? We currently have 13 with an average increase of 10.50% per grade when jumping one level. If not, what percent jump per grade is desired?

Current policies and practice

- The current exempt (salaried) pay plan has 13 grades with an average increase between grades (working levels) of 11.3% The current non-exempt (hourly) pay plan has 12 grades with an average increase between grades (working levels) of 11.4%

Options

- Consolidation of pay grades while being sensitive to compression issues
- Set additional limits on the percentage of increase allowed when moving between grades
- Decrease spread between working levels of grade ranges
- Independent (external) job classification audit to determine if current grades are appropriate

4. Is Council ok with our policy of paying employees at the top (100%) of the pay grade when competent (usually occurring within 2 years)? If not, what percentage of the pay grade range is appropriate for competency, and what factors should be considered to pay at 100% of pay grade range.

Current policies and practice

- Revisions in Policies and Procedures adopted July 1, 2010; state an employee whose current salary is below the working level of his/her salary range may receive a salary or wage increase up to 5% per 6 month period. This is only upon completion of a positive performance evaluation or release from initial employment probation. An employee may move through their grade range to working level as their performance dictates. Employees who are performing the critical functions of their job descriptions and receive favorable performance evaluations my be paid at 100% of the working level

Options

- Increase the time it takes for an employee to move to working level
- Decrease maximum percentage employee's are eligible to receive

5. Is Council ok with performance review methodology and bonus pay procedures?

Current policies and practice

Revisions to current performance review methodology for upcoming review periods include:

Review period May 1st – October 31, 2010

- Full review done on all employees

- Eligible for up to a maximum of 5% increase in pay if meeting job duties and standards
    - If there has been no other increase in pay since July 1, 2010
    - If not at working level
- Eligible for up to 2% lump merit (bonus) for exceeding expectations in remaining review categories

Review Check-In – Six Month November 1, 2010 – April 31, 2011

- Streamlined review/goals check in
- Eligible for up to a maximum of 5% increase in pay if meeting job duties and standards
    - If there has been no other increase in pay since January 1, 2011
    - If not at working level
- No Lump merit (bonus) eligibility

Options

- Decrease percentage employees are eligible to receive
- Increase timeline employees are eligible for pay increases
- Decrease lump merit (bonus) eligibility

6. Are the current caps and/or pay policies adequate for controlling growing compensation costs?

Current policies and practice

- Eligible for up to a maximum 5% increase in pay if meeting job duties and standards per review period
    - If there has been no other increase in pay since July 1, 2010
    - If not at working level
- Eligible for up to 4% lump merit (bonus) annually for exceeding

Options

- Place a cap on salary and bonus increase
- Decrease percentages available per review period
- Decrease lump merit percentages for exceeding expectations
- Eliminate lump merit for exceeding expectations

7. Is the 5% maximum increase for individuals per 6 months and 10% increase per year ok?

Current policies and practice

- Eligible for up to a maximum 5% increase in pay if meeting job duties and standards per review period
    - If there has been no other increase in pay since July 1, 2010
    - If not at working level
    -

Options

- Place a cap on salary and bonus increase
- Decrease maximum percentages available per review period
- Decrease maximum annual percentages available

8. Do we need to establish an overall inflation cap for aggregate employee compensation growth? (Cost/FTE: average of all employees – not individual positions? If yes, what index or percentage should be used to determine the maximum growth rate? Is the Employment Cost Index appropriate? If not what alternative(s) should be considered

Current policies and practice

- No hard percentage cap in "on" year for budget changes for positions. These are based purely on market data with a cap on the number of grades a position can change in a two-year cycle (3 grades).
- 2% cap in place for "off" year. This is intentionally set at a low-end of the typical inflationary range and is intended solely to keep the pay plan from falling too far behind the market.

Options

- Maintain existing implementation strategy, which does not focus on hard input caps, but rather service level outcomes based on policy direction
- Adjust the existing grade change cap (e.g.: no more than 1 grade increase per year per position)
- Implement an across the board percentage cap (ie: no individual position can increase more than X% in a year)
- Implement an aggregate compensation growth cap (ie: total employee compensation cannot exceed X%, but individual position increases may exceed or fall below this metric)
    - Any number of inflationary figures may serve as the threshold including (listed in order of more broad to more tailored)
        - Consumer Price Index (CPI)
        - Implicit Price Deflator for Governmental Expenditures (IPD)
        - Employment Cost Index (ECI)
        - Employees on Nonfarm Payrolls in Utah (UTNA - % Change)

Performance Measures

City Manager Office

Community Support

As the chief administrative officer of the City, the City Manager is charged by the Mayor and City Council with policy development, management of daily operations, support of governance process, communications, working relationships with Council and Mayor, financial management, organizational leadership, policy, vision and goal implementation, working with the community and innovation and creativity in the discharge of his responsibilities.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of Community Events that the City Manager attends.	40	40	40	40	**45**
Number of electronic newsletters published - Changed to quarterly publication schedule in 2010.	10	1	11	6	**4**
Number of months that Interagency Task meeting is held each year	11	11	11	0	**11**
Number of press releases issued to inform the public of Council Actions or City's achievements	26	28	34	25	**30**
Percent of weeks that City Manager, or his designee, is interviewed on KPCW regarding City Council meetings	90%	90%	100%	100%	**100%**

Council Support

As the chief administrative officer of the City, the City Manager is charged by the Mayor and City Council with policy development, management of daily operations, support of governance process, communications, working relationships with Council and Mayor, financial management, organizational leadership, policy, vision and goal implementation, working with the community and innovation and creativity in the discharge of his responsibilities.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of biweekly one on one meetings with Council Members and Mayor	100%	100%	100%	100%	**100%**
Percentage of weekly updates provided to Council and Mayor	90%	90%	95%	95%	**95%**
Percentage of weeks that City Manager includes a Managers Report providing miscellaneous updates with Council packets	90%	90%	90%	90%	**90%**
Weekly Council Meeting: E-packets and Website - Posted by Tuesday Morning	100%	100%	100%	100%	**100%**
Weekly Council Meeting: Packets - Distributed by Monday Afternoon	100%	100%	100%	100%	**100%**
Weekly Council Meetings: Minutes - Two week turnaround	98%	98%	98%	98%	**100%**

Policy Implementation

As the chief administrative officer of the City, the City Manager is charged by the Mayor and City Council with policy development, management of daily operations, support of governance process, communications, working relationships with Council and Mayor, financial management, organizational leadership, policy, vision and goal implementation, working with the community and innovation and creativity in the discharge of his responsibilities.

Meets the following Council Goals:
Preservation of Park City Character; World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
City-wide goal-oriented performance measures updated and presented for Council's review semi-annually.	85%	90%	90%	90%	**90%**
Status reports updated by staff and presented to Mayor and Council for review and comment on a quarterly basis.	100%	100	100%	100%	**100%**

Staff Support/Administration

As the chief administrative officer of the City, the City Manager is charged by the Mayor and City Council with policy development, management of daily operations, support of governance process, communications, working relationships with Council and Mayor, financial management, organizational leadership, policy, vision and goal implementation, working with the community and innovation and creativity in the discharge of his responsibilities.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of direct-report staff performance reviews completed within 7 days of due date.	100%	100%	100%	100%	**100%**
Percent of weeks City Manager visits with two city departments outside Marsac	100%	100	100%	100%	
Percent of weeks that departmental budgets are monitored each year.	100%	100	100%	100%	**100%**

Performance Measures

Legal

Federal Grant and Contract Oversight

Advise staff of necessary procedures and requirements for grant and contract procurement. Provide legal review and approval of RFPs, contracts, and agreements.

Meets the following Council Goals:
Quality & Quantity of Water; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Regional Collaboration and Partnerships; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Annually conduct manager training on RFP/BID and contract administration.			100%	100%	**100%**
Average number of contracts and agreements processed and reviewed in detail on an annual basis, approximately 150.	67	100	165	97	**50-60**
Average turn around time for contract review and processing two to seven days.	4	3	3	1 to 3	**2 to 7**
Review all contracts, agreements, legal forms, plats, staff reports, and insurance requirements and annually review and modify standard forms and documents.	100%	100%	100%	100%	**100%**

Litigation

(1) Review Incident Reports and Claims against the City; (2) Risk Management Fund Evaluation

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average time dedicated to resolve city claims, approximately 20%; including consulting with outside counsel.	100%	100%	100%	100%	**95%**

Mayor, City Council, Boards & Commissions

Provide objective, accurate and timely legal advice that facilitates appropriate and effective decision making.

Meets the following Council Goals:
Preservation of Park City Character; World Class, Multi-Seasonal/Resort Community; Recreation, Open Space, and Trails

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
95% of requests for legal opinion completed within three days; some requests may be considered complex and immediate attention is required.	95%	95%	95%	95%	**95%**
Approximately 95% of meetings attended and/or covered by attorney(s).	99%	99%	99%	99%	**95%**
Average turnaround time on staff reports review one to three days.	1 to 3	1 to 4	1 to 3	1 to 3	**1 to 3**
Conduct annual training with all Boards, Commissions and Council in accordance with Master Training Calendar.		100%	100%	100%	**100%**

Mayor/City Manager Support

(1) Municipal Code Amendments; Contracts/City Documents; GRAMA;

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average length of time to review and approve GRAMA Requests to other City Departments for satisfying.	7; 2; 8	2	2	2	**1 to 2**
Average numbers of days to provide department assistance from Attorneys on City documents; some approvals may be considered complex and immediate attention is required.	2	2	3	2	**2 to 5**

Personnel

(1) Maintain current base of employment law materials; (2) Ongoing continuing legal education in employment law; and (3) Monitor City compliance with employment law matters.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Average response time to answer legal questions from Human Resources and other departments one to three days, unless extenuating circumstances	1 to 3	1 to 3	1 to 3	1 to 3	**1 to 3**
Average turn-around of employee contracts one to three days.	1 to 3	1 to 3	1 to 3	1 to 3	**1 to 3**

Prosecutor

Provide prosecution representation for the City; prosecute infractions and misdemeanors occurring within the City limits and violation of City ordinances.

Meets the following Council Goals:
Preservation of Park City Character

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
30%-40% Assistant City Attorney (Gaines) 5% Deputy City Attorney (Daley) time spent as prosecutor.	30%; 7%	35%	35%	35%	**30-40%**
50-75% clerical time assigned to prosecutor (two paralegals).	50-60%	50%	60%	50%	**50-60%**
Attend police department quarterly meetings, conduct trainings and present law related information to police staff.				100%	**100%**
Minimum 80-95% conviction rate of criminal misdemeanor charges.	80%	80%	90%	85%	**80 to 95%**
Requests for information/charges screening completed within 3 to 7 days.	7	3 to 7	3 to 7	5 to 7	**3 to 7**

Water Rights/City Water Projects

Acquire water rights and develop water source and infrastructure to meet the City's long-term water demand.

Meets the following Council Goals:
Quality & Quantity of Water; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
40% of Deputy City Attorney's time spent on water issues and projects.	40%	40%	40%	50%	**40%**
95% water meetings attended by attorney.	95%	95%	95%	95%	**95%**
Fully executed agreements, approved change applications, environmental requirements satisfied, water quality concerns addressed, projects built, water flowing to customers.	Same	Same	100%	100%	**100%**

Performance Measures

Budget, Debt, and Grants

Analysis Resource

Provide direct staff and analytical resources to City Council, the City Manager, and other City departments for various projects and needs.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of City Departments satisfied with analysis (based on Internal Service Survey).	95%	89%	91%	93.5%	**95%**
Percent of City departments satisfied with turnaround time (based on internal service survey).	92%	0	0	0	**92%**
Quality of department as an information resource (ISS - percent of 'Satisfactory' and 'Above Expectations').			97%	90.2%	**95%**
Quality of policy analysis (ISS - percent of 'Satisfactory' and 'Above Expectations').			96%	89.1%	**95%**

Budget Preparation, Coordination, and Monitoring

Assist the City Manager with all aspects of the budget process (ie: budget document preparation, budget adjustments, Citizen's Budget, weekly/monthly budget monitoring, etc.) for the benefit of the City Council, City departments, and the general public.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Budget Document completed/distributed before end of 1st quarter (# of days before end of quarter)	-20	30	25	27	**30**
Budget, Debt, and Grants Departmental Budget within alloted expenditures (yes/no).	Yes	Yes	Yes	Yes	**Yes**
City is within budget			Yes	Yes	**Yes**
Departments over budget			6	7	**5**
GFOA Distinguished Budget Presentation Award received (yes/no)	N/A	Yes	N/A	Yes	**N/A**
Overall percentage of weekly monitoring reports distributed per week.			90%	95%	**100%**
Percent of satisfaction for budget monitoring (ISS).			92%	86.8%	**90%**
Percent of satisfaction for budget preparation (ISS).			94%	88.7%	**90%**

Capital Budgeting

Assist the City Manager with all aspects of the capital budget process (e.g., monthly monitoring reports, capital budget process, prioritization committee, ISS, etc.) for the benefit of the City Council, City departments, and the general public.

Meets the following Council Goals:
Quality & Quantity of Water; Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Recreation, Open Space, and Trails; Regional Collaboration and Partnerships

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Percent of months in which CIP budget monitoring was completed			100%	100%	**100%**
Percentage of those who rated Capital Project Monitoring as 'Useful' and 'Very Useful' (ISS).			92%	86.7%	**90%**
Percentage of those who rated Capital Project Monitoring quality of service as 'satisfactory' and 'above expectations' (ISS).			95%	86.7%	**90%**

Debt Issuance

Administer existing debt and issue additional debt as directed by City Council.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
At least $5 million kept in reserve to keep bond rating.			Yes	Yes	**0**
Bond issuances completed in time for project.			Yes	Yes	**Yes**
Debt Service as percent of net operating expenditures	30%	20%	30%	35%	**30%**
GO Bond Rating (Fitch)	AA-	AA-	AA	AA+	**AA+**
GO Bond Rating (Moody's)	Aa2	Aa2	Aa2	Aa1	**Aa1**
GO Bond Rating (S & P)	AA-	AA-	AA	AA	**AA+**

Grants Administration

Serve as a resource for City Departments in researching, procuring, and monitoring grants. Also, administer the City's Special Service Contract program.

Meets the following Council Goals:
Quality & Quantity of Water; Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Recreation, Open Space, and Trails; Regional Collaboration and Partnerships; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Intergovernmental Revenue as a percent of Gross Operating Revenue	6.3%	2.4%	5.5%	9.8%	**10**
Percent of grants coordination rated as 'Satisfactory' and 'Above Expectations' (ISS)			87%	89.5%	**90%**
Percent of quarterly reporting completed on time	100%	100%	100%	100%	**100%**
Special Service Contract turnaround time (days between receiving performance measures and POs processed)	2	10	9	7	**14**

Performance Measures and Benchmarking

Maintain a system of performance measures for internal use self-improvement. Maintain a set of measures to compare against other similar cities for citywide improvement.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of Communities participating in benchmarking group.	10	7	0	0	**10**
Percent of internal service survey respondents who rate the Performance Measurement program as useful.	80%	74%	88%	81.6%	**85%**
Percentage quality of service for performance measurement database rated 'satisfactory' and 'above expectations.'			92%	84.3%	**90%**
Semi-annual database update by Jan 31 and Jul 31 (days +/ -)	-14	+15	+60	+55	**+5**

Revenue/Resource Management

Assist the City Manager with all aspects of the capital budget process (e.g., monthly sales tax report, property tax rate calculation, forecasting sales tax, etc.) for the benefit of the City Council, City departments, and the general public.

Meets the following Council Goals:
Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Days after receiving property tax information from counties that property tax rate calculation sheets are filled out and returned.			2	10	**7**
Is City coming in under 18% of revenue surplus in General Fund?			Yes	Yes	**Yes**
Percent of those who rated the quality of service of Financial/Fee Analysis as 'satisfactory' and 'above expectations' (ISS).			95%	93.5%	**94%**
Percent of those who rated the quality of service of Revenue Forecasting and Analysis as 'satisfactory' and 'above expectations' (ISS).			98%	90.2%	**91%**
Percentage of time sales tax reports distrubuted to City Manager, Council, and Budget Officer within a week of receiving sales tax info from State			100%	100%	**100%**

Pay and Benefits

Attract and retain qualified personnel

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# New hire orientations annually	43	25	35	22	**40**
# Of pay and benefits manuals or articles distributed annually	28	26	32	25	**25**
% of City employees who would "most likely" or "definitely" re-hire us in a private sector situation.	78.3%	86%	85%	n/a	**75%**
% of employees judging quality of products as "satisfactory" or "above expectations"	84.1%	89%	92%	n/a	**85%**
% of employees who think HR's customer service is "satisfactory" or "above expectations"	84.3%	89%	89%	n/a	**82%**
PCMC provides attractive rewards and opportunities to retain talent and expertise.	4.03	3.67	3.72	3.83	**3.5**
Percentage of turnover citywide	11%	6.4%	3.3%	7.3%	**5%**

Personnel Policies

Provide policy and procedure information & in house consultation for employees and management. Insure Federal, State, IRS, etc. compliance.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# of information & compliance training opportunities annually	5	6	4	5	**5**
# of management training sessions annually	2	2	2	2	**2**
# of personnel actions processed (by calendar year)	1503	1676	1681	TBD	**N/A**
# of policy changes annually	1	1	1	1	**1**
# of violation inquiries received annually (IRS, INS, OSHA, Labor Commission, DOL, WC)	0	0	0	0	**0**
# of work related injuries	9	7	11	0	**0**

Recruitment

Attract qualified applicant pools for City recruitments

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of acknowledge letters sent to applicants within 5 working days of receipt of application	90%	100%	100%	100%	**90%**
Percentage of citywide recruitments interviewing more than 30 days after ad opening	25%	0	43%	0%	**25%**
Percentage of citywide recruitments interviewing within 30 days after ad opening	88%	75%	57%	100%	**75%**
Percentage of internal job announcements posted within 2 working days of ad approval by department unless otherwise negotiated	90%	100%	98%	100%	**100%**
Perentage of external job ads listed no later than 7 days after ad approval by department	100%	100%	100%	100%	**100%**

Performance Measures

Finance and Accounting

Accounting/Audit

To maintain a governmental accounting system that presents accurately the financial operations of the City's funds in conformity with Generally Accepted Accounting Principles; and to respond professionally and promptly to customers' accounting inquiries in order to give outstanding customer service.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Effectiveness: Number of general ledger adjustments required by outside auditors during the year-end audit.	0	0	0	0	**0**
Outputs: Number of journal entries prepared and posted for City departments; number of journal entries prepared and posted for Finance; and number of bank statement transactions reconciled.	183, 1956, 13213	155, 960, 3203, 13786	2128, 4111, 13263	2005, 3346, 14257	**2005, 3346, 14257**

Accounting/Audit (fixed assets)

To maintain a governmental accounting system that presents accurately the financial operations of the City's funds in conformity with Generally Accepted Accounting Principles; and to respond professionally and promptly to customers' accounting inquiries in order to give outstanding customer service.

Meets the following Council Goals:

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Effectiveness: Percentage of capital asset expenditures and disposals accurately entered in the Fixed Asset System each quarter.	100%	100%	100%	100%	**100%**
Efficiency: Cost per fixed asset item entered in the Fixed Asset System.	56.70	29.06	25.75	32.25	**32.25**
Output: Number of fixed asset additions and disposals entered in the Fixed Asset System.	160	251	460	503	**503**
Quality: Number of fixed asset corrections to total fixed asset entries.	0	.8%	0%	0	**0%**

Business License

To process all business license applications promptly, issuing licenses to business owners after all City approvals are obtained; and to handle all business license inquiries professionally.

Meets the following Council Goals:

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Effectiveness: Percentage of business licenses processed within one day of receipt of all fees and approvals.	93.73%	93.9	95.29%	93.22%	**93.22%**
Efficiency: Cost to process each business license.	$3.46	3.46	3.86	3.97	**3.97**
Output: Number of business licenses processed.	319	426	1853	4291	**4291**
Quality: Average response time for giving a business their license after receipt of all fees and approvals (days).	1.56	3.07	3.13	3.29	**3.29**

Financial Services: Accounts Payable

To produce accurate vendor payments each week in order to qualify for all vendor discounts; and to respond to vendor inquiries promptly and professionally.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Efficiency: Total cost per check prepared and mailed.	3.99	5.88	3.08	3.14	**3.14**
Output: Number of checks processed.	7500	7322	5642	5557	**5557**
Quality: Number of check corrections to total checks processed.	.53%	.53%	.83%	.22	**.22%**

Financial Services: Accounts Receivable

To record all customer payments accurately each day and deposit payments within one day of receipt; to follow up on all delinquent payments owed the City; and to treat each customer making payment with friendliness and courtesy.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Effectiveness: Percentage of customer payments recorded and deposited in the bank within one (1) day of receipt.	99.66%	100%	100%	100	**100%**
Efficiency: Average cost to record and deposit a customer payment.	.45	.47	.46	.42	**.42**
Output: Number of payments recorded and deposited in the bank.	57,929	58,011	58689	47,288	**47,288**
Quality: Average time to deposit a payment after receipt. Number of recorded payments needing account coding corrections (days).	0, 357	0, 127	0, 221	0, 0	**0, 0**

Financial Services: Payroll

To produce accurate employee payroll checks from department time sheets in order to meet City payroll deadlines and federal and state payroll regulations.

Meets the following Council Goals:

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Effectiveness: Number of check errors and percent of error-free checks paid timely.	36, 99.66%	17, 99.84%	8, 99.92%	8, 99.93%	**8, 99.93%**
Efficiency: Cost per payroll check/direct deposit issued.	2.56	2.80	2.71	2.66	**2.66**
Output: Number of paychecks/bonus checks and direct deposits processed.	10465	10737	10567	12200	**12200**

Treasury

Services of the Treasury include cash position management and banking service management, including review of the monthly account analyses provided by the depository bank, to assure contract compliance on behalf of the depository bank. The program also manages the investment of available funds in accordance with State law and the City=s Investment Policy, utilizing the priorities of safety, liquidity and yield, in that order.

Meets the following Council Goals:
Open and Responsive Government to the Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Efficiency: Investment management cost divided into portfolio size as a percentage.	.01%	.01%	.01%	.01%	**.01%**
Outcome: Percent of semi-annual deposit and investment monitoring reports in compliance with the Utah Money Management Act.	100%	100%	100%	100%	**100%**
Output: Percent of quarterly monitoring reports submitted to City Council.	100%	100%	100%	100%	**100%**
Output: Portfolio average monthly balance.	$78,761,412	$88,497,551	$84,415,027	$76,453,643	**$76,453,643**

Computer

To provide, maintain and support a data network; complete with all hardware and software to all city employees.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average time in hours to resolve trouble tickets tracked in Mouse Tracks	5.26	5.93	5.2	5.82	**16**
Average time in hours to respond to trouble tickets tracked in Magic	1.24	2.52	1.88	n/a	**2**
Percent of departments able to make their own update	100%	100%	100%	100%	**100%**
Percent of infrastructure uptime	99.71	99.98%	99.91	99.99	**98%**
Percent of server/systems uptime	99.90	99.74%	99.91%	99.84%	**98%**

Front Desk and Customer Services

To provide front desk services at Marsac.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of negative customer comment cards	0	0	0	0	**=<1**
Percent of phone covergae Monday - Friday (8 a.m. to 5 p.m.)	99%	100%	100%	99%	**99%**
Percent of physical coverage Monday - Friday (8 a.m. to 5 p.m.)	99%	99.9%	99.9%	98%	**98%**

Phone Systems

To provide, maintain and support a PBX based phones and cellular phones to city employees

Meets the following Council Goals:
Preservation of Park City Character

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average time in hours to respond to trouble tickets tracked in Magic	1.24	.5	1	n/a	**2**
Base Plan Price per cell phone	36.89	36.89	36.89	31.53	**=<42.50**
Percent of phone system uptime	99.93%	99.96%	99.86%	99.9%	**98%**

Records Management

To provide digitization and storage of city records to all city departments.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average time in hours to fulfill records request	23	1	2		**24**
Number of E-size scanner pages scanned per month (average)	1359	3583	198	67.2	**1500**
Number of letter-size scanner pages scanned per month (average)	3793	3768	12314	5098	**4000**

Performance Measures

Building Maintenance

Building Repairs and Maintenance

Provide routine, proactive maintenance practices which will reduce capital costs and possible inconvenience to customers. Respond to complaints or requests for service in the most timely, least conflicting and cost effective fashion.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of building repairs made within 30 days of receiving a complaint or request for service.	90%	93%	93%	94%	**93%**
Percentage of all city buildings inspected weekly.	92%	90%	92%	90%	**90%**
Percentage of structural surveys conducted on city buildings annually.	20%	20%	20%	20%	**20%**

Inspections and contract supervision

Administer bid, RFP and proposal process for building maintenance service providers. Provide contract management of service providers, professional trade contractors and conduct inspections on all city owned Alarm systems and fire protection equipment.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of alarm and fire protection systems inspected in City buildings yearly.	100%	100%	100%	100%	**100%**
Percentage of costumer complaints responded to within 72 hours, 24 hours for minor emergencies and 2 hours for major emergencies after receiving a service request.	95%	95%	95%	95%	**95%**
Percentage of elevators certified monthly.	100%	100%	100%	100%	**100%**

Janitorial services and cleaning supplies

Provide clean City buildings with in the budget provided. Order and store janitorial supplies for all 17 City buildings.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of City buildings cleaned based on weekly schedule.	100%	100%	100%	100%	**100%**

Performance Measures Recreation

Adult Recreation Programs

The city operates a wide variety of recreation programs to the community

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Increase the revenue in each adult program from one year to the next.	2.875%	13.93%	7%	-3.8%	**1%**
Measure the percentage of survey respondents who rate the program/tournament as “good” or better.	92%	91.45%	90.4%	86.23%	

Children and Youth Recreation programs

The City operates a wide variety of youth rec programs for the community.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Measure the percentage of survey respondents who rate the program/tournament as “good” or better.	96%	88.24%	91	88.15%	
Track percentage of registration that occur on line.	43%	44.66%	39%	38%	**40%**

Racquet Club

The city owns and operates a multi use recreation facility consisting of 11 tennis courts, 2 pools, group fitness, cardio, weights, and a gymnasium.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Increase number of Racquet Club visits as tracked through the "people counter".	12%	21%	11%	8%	**0% Due to renovation**
Track pass sales on a monthly basis through the registration system.	5.4% Decrease	7% Increase	12%	2%	**0% due to renovation**

Recreation Facility

The City owns and operates Park City Racquet Club.

Meets the following Council Goals:
Quality & Quantity of Water; Preservation of Park City Character; World Class, Multi-Seasonal/Resort Community; Regional Collaboration and Partnerships

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Log each problem with date and time. Measure the time required to resolve each problem. Quarterly report showing percentage of time that problems were solved: Goal is 1 day for minor repairs and 5 days for major repairs.					

Performance Measures Tennis

Tennis

Provide tennis programing and facility for the community and visitors. Offer a wide range of programmiong from instructional clinics to tournaments.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of court hours booked during hours of operation	48%	48	47	48	**70%**

Performance Measures

Ice Facility

Budget/Subsidy

Track the General Fund subsidy for the Ice Facility.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Operating subsidy amount per fiscal year. (Does not include capital expenditures)		$362000	$351596	$231000	**$210000**

Operations/Programs

Increase usage at arena by providng and advertising quality programs.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Increase participant hours in rink run classes, camps and leagues (# of participants x program hours)		n/a	6490	16000	**17500**
Increase pass sales including season passes and punch cards.		$16908	39218	43378	**$46000**
Increase percent of usable ice time that is scheduled for public and private programming (hours used divided by total available hours).		78%	81%	80%	**85%**
Increase the number of special events hosted by the Sports Complex		24	26	28	**28**
Monitor percentage of usable ice time being used for programmig that is open to the general public, versus time rented for private groups.			81% public	64% public	**60% public**
Satisfaction levels combining satisfied and very satified on satisfacion surveys.		84%	88.5	89%	**90%**

Staffing

Hire, train and retain a motivated and engaged staff that provides exceptional customer service.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1. Develop role clarity thruogh updated job descriptions.		complete			
2. Design development plan.					
Customer Service ratings of Good or Excellent on program surveys.			87	91	**90%**
Percentage of staff retained during the fiscal year. Includes Full-Time and Part-Time staff.		0	78%	92%	**85%**

Performance Measures

Community & Environment

Affordable Housing

Programs and initaitives that expand affordable housing opportunities

Meets the following Council Goals:
Preservation of Park City Character

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# of Affordable Housing units added to City-wide housing stock annually		25	9	15	**10**
% of deed restricted affordable housing units compared to total residential units.		5.9	6.1	6.3	**6.5**

Civic Engagement & Public Affairs

Programs and initiatives that create meaningful opporunites for community dialog, education and public participation

Meets the following Council Goals:
Preservation of Park City Character; World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# of community meetings, presentations & training sessions		6	5	0	**8**
# of PSAs and Press Releases		50	78	68	**50**
Number of persons receiving City electronic newsletter				912	**800**
Number of regional/national media interviews conducted				2	**2**
Percentage of press releases picked up for publication				100%	**80%**

Enviromental Sustainability

Initiatives that provide long-term environmental health for the region through efficient use of resources, protection of the quality and diversity of the local environment upon which the community depends.

Meets the following Council Goals:
Quality & Quantity of Water; Recreation, Open Space, and Trails; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Acres of protected open space		183	680	479	**0**
Percent Reduction in Municipal Electricity Use - 'Actual' Column Reflects kWh Consumed - Values Are Based on Calendar Year		9,231,092	9,779,165	8,984,623	**TBD**
Percent Reduction of Municipal Natural Gas Use - 'Actual' Column Reflects Therms Consumed - Values Are Based on Calendar Year	231,305	225,226	274,256	294,088	**TBD**
Percent Reduction of Municipal CO2 Emissions - 'Actual' Column Reflects the Short Tons of CO2-equivalent Emitted by Park City Municipal - Values Are Based on Calendar Year	NA	15,764	17,173	15,939	**17,870**

Performance Measures

Economy

CIP

TBD

Meets the following Council Goals:
Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Recreation, Open Space, and Trails

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Impacts of construction are mitigated Number of complaints are kept to a minimum		0			

Economic Development

TBD

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# Strategies/action steps/ projects of the Economic Development Plan that were developed and advanced.					

Special Events

TBD

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Sundance- Impacts of event are mitigated and minimized Number of complaints		0			

Performance Measures Police

Administration Section

Administration Section encompasses the functions of the department related to Investigation, Records, Dispatch, Special Event Planning, Budget and providing support to the Operations Section, striving to operate the department in an efficient and cost effective manner.

Meets the following Council Goals:
Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
100% of calls dispatched within five minutes of receipt to officers.	95%	95%	100%	95%	**0**
100% of cases given with disposition code.	0	100%	100%	100%	**100%**
100% of requests met within ten days	100%	100%	100%	100%	**100%**
100% of state required forms submitted within the 10 day time frame required by state statute.	100%	100%	100%	100%	**100%**
100% of victims contacted within ten working days	85%	95%	95%	98%	**100%**
Number of calls for service received annually by dispatch	0		25,336	26,599	**25,000**
Total number of cases referred to investigations	0	0	138	96	**100**
Total number of Part I crimes reported	0	0	533	442	**400**

Operations Section

Operation Section encompasses the majority of the enforcement functions of the police departement, such as; patrol, traffic enforcement and community policing efforts. Detectiion and prevention of crime and preservation and enhancement of the communities quality of life are the major points of our mission statement.

Meets the following Council Goals:
Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
% of calls responded to within 15 minutes		98.4%	98.1%	90%	**90%**
% of Operations Staff with viable Problem Oriented Policing projects	100%	100%	100%	100%	**100%**
Average number of calls per day	61	88	88	73	**70**
Average response time (minutes)		6.55 minutes	6.32	6:11	**<10 minutes**
Total DUI arrests	58	51	53	136	**100**
Total number of citations issued	1042	1294	1509	2546	**2000**
Total number of Community meetings/contacts per year	43	70	91	138	**90**
Total number of directed foot and bike patrol incidents initiated by officers assigned sectors	609	390	334	676	**450**
Total number of of directed traffic enforcement incidents initiated	611	405	409	882	**750**
Total number of school zone enforcement incidents initiated	334	75	80	176	**200**
Total number of speed trailers deployed	157	39	40	186	**200**
Total number of students completing DARE Program	525	700	380	375	**350**
Total number of students processed for truancy	58	38	56	150	**125**
Total number of traffic stops conducted	4883	2065	2355	10,539	**7,000**
Total number of youth programs receiving officer participation	45	30	30	138	**100**

Budgeting, Supervision, and Administration

Perform evaluations, supervision, and purchasing. Prepare annual operating budgets. Help prepare Capital Improvements Budget and prioritization of City capital projects. Evaluate private and public projects during ordinance-mandated processes. Review and/or prepare staff reports.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Monitor budget expenses and revenues monthly.	100%	0	100%	0	
Submit departmental budget information for inclusion in budget document on time.	100%	0	100%	0	

Ongoing Review and Coordination

Perform numerous growth-management and construction-management functions for Park City and its citizens without the need for specific direction from the Community Development Director or elected officials. projects, including the Redevelopment Agency and the MBA. Examples include the Flagstaff development and Old Town streets construction such as King Road and Woodside Avenue.

Meets the following Council Goals:
Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Regional Collaboration and Partnerships

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# of Private Development Reviews per year within 2 weeks of submittal	94.22%	0	90%	0	
Act on Permits Plus-routed applications within three weeks. Record number of signed-off permits per year.	89%	0	85%	0	
Review staff reports on completed CUP applications involving public improvements within 2 weeks. Timeframe does not reflect ongoing major projects.	91.5%	0	95%	0	

Projects

The City Engineer provides technical expertise as the City's representative for the review of plans for private-sector-built public improvements and inspection of the private-sector construction projects. The City Engineer also provides design expertise and project management for City capital improvement projects, including the Redevelopment Agency and the MBA. Examples include the Empire Pass development and Old Town streets construction such as Park Avenue and Woodside Avenue.

Meets the following Council Goals:
Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Regional Collaboration and Partnerships

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Attend City Council and Planning Commission meetings where traffic calming is discussed	88%	0	100%	0	
Coordinate the engineering approvals on all large private-sector projects within 30 days of submittal of each approvable construction phase.	100%	0	100%	0	

Planning Department development and permit review

Planning Department review of all development and building permit review for residential and commercial construction (including within the Historic District), as well as administrative and Planning Commission conditional use permits, Master Planned Development Permits, subdivision and plat amendment applications, Historic District Design Review applications, Determinations of Historic Significance and Demolition applications, telecommunication applications, Outdoor Event applications, limits-of-disturbance plans, and landscape plans for compliance with all necessary General Plan, Land Management Code, Design Guidelines, Subdivision Code, Sensitive Lands Ordinance, Construction Mitigation Ordinance, Lighting Code, and Sign Code in timely manner with accuracy. Planning Department reviews include pre-application meetings with applicants, post-application compliance discussions with applicants, meetings with affected neighborhood residents., and coordination with other affected/stake-holder departments.

Meets the following Council Goals:
Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Recreation, Open Space, and Trails; Regional Collaboration and Partnerships

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Number and type of applications received per Planning Department's monthly ACCESS activity log.	0	0	0	0	
Number of Permits issued as tracked in Monthly ACCESS report.					
Percentage (%) of Action Letters issued with 5 working days of final Action					
Percentage (%) of application completion cards sent out within 48 hours of project manager assignment.					
Percentage (%) project comment letters within 5 working days of staff review/Commission meetings.					

Staff Support to City Council & Commissions

The Planning Department provides research, analysis, design review, design alternatives, and weekly staff report preparation for the City Council, Planning Commission, Historic District Commission, Board of Adjustments, and Council-sponsored task forces. Staff reports involve research and analysis for compliance with the General Plan, Land Management Code, Subdivision Code, Design Guidelines, and Municipal Code. All staff reports are presented to the Council, commissions, and task forces by the Planing Department Staff. The Planning Department is also responsible for noticing all required public hearings via legal notices and mailed courtesy notices. The Planning Department formally notifies all applicants of final actions in writing, as well as processes all appeals per the required Land Management Code and Municipal Code procedures.

Meets the following Council Goals:
Preservation of Park City Character; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community; Recreation, Open Space, and Trails; Regional Collaboration and Partnerships

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of Staff presentations before Council, commissions, boards, and task forces.	0	0	0	0	
Number of staff reports written.					
Percentage (%) of staff reports completed by Thursdays at 5 PM.					
Percentage (%) of staff reports provided to applicants by 5 PM Friday prior to meeting.					

Performance Measures

Building

Business License Review

To assure compliance of new and existing businesses with applicable City ordinances, and to regulate nightly rentals of dwelling units.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Track the number of license inspections	333	827	812	1,149	**400**

Code Development

Assure that building codes (including mechanical, plumbing, etc) are appropriate for protection of and use by Park City residents by being involved in the development of statewide and national codes which apply in Park City.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Track the code changes that succeed and assess their value to the City	17	11	10	7	**6**

Education and Training

To meet all state requirements for certification, licensing, and continuing education for building department employees; and to qualify for the highest possible ISO ratings for the building department, thereby assuring reasonable insurance rates for City residents and businesses.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Track the number and percent of employees receiving training each year.	15	15	14	16	**12**
Track the number of training events, both state and national, in which city employees participate.	31	60	58	55	**35**

Environmental

To assure that the City's environmental quality is maintained or improved through implementation and enforcement of ordinances for all construction activity, and to minimize public liability by assuring compliance with the Resource Conservation and Recovery Act (RCRA), Comprehensive Environmental Response, Compensation and Liability Act, and the Clean Water Act NPDES Program Phase II Rule.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Track the number of violations reported and the average time to respond to each.	141	118	120	142	**125**

Field Inspections – New Construction

To assure that life, property, health, and public welfare are protected and preserved by the effective inspection of all new construction.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Follow-up quality control inspections are conducted on a regular basis to identify the number of violations missed by inspectors.	43,016	61,040	62,035	65,758	**32,000**

Fire Marshal Functions

Protect life and property by assuring that businesses, both permanent and temporary, comply with applicable fire codes, and that fire causes are identified so that corrections in processes or codes can be identified.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of business inspections are tracked monthly.	n/a	n/a	n/a	n/a	**n/a**
Review and inspect for each major event	9	8	8	9	**3**
The time to complete a fire/arson investigation is monitored.	n/a	n/a	n/a	n/a	**n/a**

Housing and Dangerous Building Code Inspection anc

a) respond to citizen complaints regarding housing and dangerous building issues, and b) proceed with enforcement of confirmed violations until compliance is obtained.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Determine the time required to conduct the initial inspection, and to respond to complainant.	1 day	1 day	1 day	1 day	**1 day**
Track the percentage of complaints which result in identified code violations.	92%	91%	90%	85%	**85%**

Land Management Code Enforcement

Assist the Land Management team with field observations to determine compliance with the Land Management Code, and provide support as necessary to obtain compliance with observed violations of signs, building heights, land use, and outside lighting.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Track the number of violations investigated by each code enforcement officer.	125	292	288	187	**190**
Track the percent change in reported violations.	42%	112%	115%	65%	**5%**

Ordinance Enforcement

To assure that unsightly and dangerous conditions do not exist on City streets or private property as a result of construction work, or as a result of weed growth or surface erosion.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Track the response time for each complaint or observed violation	24 hrs	24 hrs	24 hrs	24 hrs	**24 hrs**
Track the time to achieve correction on each notice of violation.	14 days	14 days	14 days	14 days	**14 days**

Plan review and permit issuance

To assure that all plans submitted for review a) comply with applicable building codes and City ordinances; b) have fees accurately calculated to avoid over-charge, while assuring that fees are assessed as required by ordinance; c) are completed in a timely manner, minimizing delays to applicants; and d) comply with interagency agreements and Home Owner Association requirements.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Every plan is checked for flood plain proximity.	184	104	105	101	**90**
Over the counter plan reviews & permit issuance	1060	292	289	631	**600**
Plan check turnaround time is checked daily. 90% of initial plan reviews are completed within 2 weeks.	137	95	93	90	**82**
Quarterly spot checks of fee calculations are made by another reviewer. All fees are 100% accurately calculated and collected.	6	7	6	5	**4**
Weekly staff meetings are held to allow field inspectors to identify weaknesses in the process.	45	47	45	44	**42**

Public Works Administration

Provide for the efficient and effective delivery of Public Works services with a high level of Customer Service.

Meets the following Council Goals:
Quality & Quantity of Water; Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of responses to service/information requests within 24 hours	92%	97%	97%	0	

Performance Measures

Parks and Cemetery

Cemetery

PROVIDE CEMETERY SERVICES FOR THE COMMUNITY

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average number of staff hours per burial	9.5	12	9	10	

Exterior planting; flowers, planters, tree program

BEAUTIFICATION OF PARK CITY THROUGH PLANT MATERIAL

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of hanging baskets and planters displayed during season	250	250	225	150	**150**
Number of trees planted or replaced per season	140	54	44	36	**20**

Park Amenities and infrastructure, turf and athletic fi

PARKS AND PLAYGROUND SAFETY INSPECTIONS

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of mowing contracted versus in house	15	15	15	15	**15**
Percentage of acres mowed as per mowing schedule	92	100	100	100	**100**
Percentage of park amenities checked daily.	92	90	90	90	**90**

Public safety

PROVIDE SNOW REMOVAL SERVICES TO DESIGNATED BIKE PATHS, SIDE WALKS, CITY OWNED BUILDINGS AND OLD TOWN STAIRS.

Meets the following Council Goals:
Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of Sidewalks and stairs cleared of ice and snow within 10 hours following the end of a storm.	95	85	92	95	

Trash clean-up / special events & decorations

PROVIDE CLEAN, FESTIVE ENVIRONMENT FOR RESIDENT AND VISITORS OF PARK CITY

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of staff hours allocated for events.	4,284	3848	3760	3560	
Number of times banners were changed throughout the year.	16	15	18	16	**14**
Percentage of trash containers checked daily.	90	93	90	90	

Performance Measures

Street Maintenance

City Support & Events

Provide event support and assistance.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage electronic signs are operational per event.	100%	100%	100%	100%	**100%**
Percentage of barricades set up completed within 2 hours of event(s).	100%	100%	100%	100%	**100%**

Clean-up Maintenance

Provide clean streets, efficient storm drainage and flood control.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of flood control devices inspected weekly from April 15 to June 15.	100%	100%	100%	100%	**100%**
Percentage of residential streets swept every 30 days.	97%	95%	96%	90%	**100%**
Percentage of storm drain boxes and storm drain ditches cleaned annually.	90%	80%	80%	80%	**85%**

Graffiti Removal

Remove graffiti to present a neat and clean appearance.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of graffiti removed within one week of receiving a complaint or service request.	100%	100%	100%	95%	**98%**

Street Maintenance

Provide safe roads and walkways maintaining a pavement quality index of at least 7.0

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of road patches required per year due to utility cuts.	24	35	32	18	**15**
Number of street overlays and slurry seals applied as determined by the bi-annual survey.	35	32	18	23	**24**
Percentage of potholes filled within 72 hours of receiving a complaint or service request.	100%	100%	100%	100%	**100%**
Percentage of sidewalk repairs made within 30 days of receiving a complaint or service request.	100%	100%	100%	100%	**100%**

Winter Snow Operations

Provide safe roads and walkways in all weather conditions.

Meets the following Council Goals:
Effective Transportation and Parking System; World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of roads plowed within 16 hours after a storm.	98%	96%	99%	99%	**100%**

Performance Measures — Streets, Lights, and Signs

Street Light Maint. & Electrical

Maintain street lighting in good working condition to provide safety and security to residents and guests.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of city street lights operating.	96%	97%	98%	97%	**96%**
Percentage of city street lights repaired within 30 days of receiving a complaint or requests for service.	80%	90%	90%	90%	

Traffic Control & Sign Repair

Provide legible, consistent traffic control devices and signs.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of signs inspected per year.	100%	100%	100%	100%	**100%**
Percentage of traffic control devices repaired within 30 days.	100%	100%	100%	100%	**100%**

Performance Measures — Swede Alley Parking Structure

China Bridge/Gateway Parking Structures

Maintain structural integrity, fire suppression system and lighting at China Bridge and Gateway parking structures. Gateway is joint owned with Gateway.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of monthly inspections conducted on lighting systems	100%	100%	90%	100%	**90%**
Percentage of structural surveys conducted every 3 years.	30%	33%	33%	33%	**33%**

Performance Measures — Water Operations

Customer Service / Water Conservation

Service Connection Leak Detection

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Annual Percentage of leaks detected within 38 days.	100%	100%	100%	100%	**100%**

Emergency Service

Reduce response time to emergency main line breaks

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Annual Average time to begin dig / repair on mainline breaks. (hours)	2	2	4	4	**4**
Annual Percentage of emergency main line repairs that are started within 4 hours	100%	100%	100%	100%	**100%**

Meter Maintenance

Proper operation of water meters

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Annually - Percentage of faulty meters repaired / replaced within two weeks of identification.	98%	92%	96%	97%	**95%**

Meter Reads

Reduce the number of man-days required to read the whole city. (Note: This goal is tied to approval of budget for upgrading meters to radio read. 51-45048)

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
Average man days to complete initial meter reads each month	7	10	10	8	**1**

Safety

Safe Work Environment

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Annual lost work time hours directly related to work related accidents.	0	0	0	0	**0**
Number of work related accidents per year.	0	1	0	0	**0**

System Maintenance - Preventative

Monthly Pressure Relief Valve (PRV)/regulator checks and adjustments

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Annual - Percentage of PRV / regulator checks completed in the first week of each month.	100%	88%	96%	100%	**100%**

Training / Certification

Treatment and Distribution System Training

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Annually - Percentage of water operators certified in distribution and treatment.	91%	91%	91%	100%	**100%**

Water Quality

Implementation of Backflow Prevention Program.

Meets the following Council Goals:
Quality & Quantity of Water

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Compliance with State/EPA water quality requirements	100%	100%	100%	99%	**99%**

Fleet Services

Fleet Services

Provide for high level customer satisfaction with fleet services provided

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
A customer satisfaction survey will be designed and distributed using a ranking system. The individuals surveyed will rank their experience on a scale of 1-5 (5=Great, 1=Terrible)	3.95	4.99	4.53	4.77	**4**
Effectiveness Measure Vehicle availability (Downtime vs Total time - this will be the measure as an average for each vehicle).	95%	95%	95%	95%	**95%**
Percentage of Preventive Maintenance services completed on schedule.	95%	90%	90%	95%	**95%**

Performance Measures **Transit**

Main Street Parking Program

Effective and efficient Old Town parking program

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) Revenue per space	$1,596	$1,536	$1,253	$1,198	**$1,500**
2) Average meter downtime (minutes)	N/A	N/A			
3) Ticket collection rate	88%	79%	80%	79%	**88%**
4) Complaint mitigation (hours)	meeting	meeting	meeting	30	**24**

Parking Appeals Program

Mitigate unintended impacts of the parking program through a consistent and just appeals program

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) Ratio of appeals to tickets	2.40%	3.77%	3.0%	4.95%	**3.00%**
2) Appeals processing time (days)	20.60	29.69	34.18	36.40	**14.00**

Parking Enforcement

Effective management of parking to assure efficient use of existing resources

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
1) Paid Zones: Total paid vehicles to total parked vehicles	85%	91.0%	92%	89%	**90.0%**
2) Residential Zones: Total permitted vehicles to total parked vehicles	85%	81%	95%	92%	**90.0%**

Transit - Elderly/Seniors/Para-transit.

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
1) Cost per passenger for Elderly/Seniors/Para-tranist.	$24.48	$20.78	$22.13	23.76	**$23.00**
2) Passengers per year for Elderly/Seniors/Para-tranist.	5393	6350	6235	9276	**8000**

Transit - Fall Service

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	**2007 Actual**	**2008 Actual**	**2009 Actual**	**2010 Actual**	**2011 Target**
1) Cost per revenue hour	$51.74	$75.96	$56.62	$61.45	**$60.00**
2) Passengers per revenue hour.	14.71	12.67	12.00	12.00	**13.00**
3) Cost per passenger	$3.52	$5.99	$4.03	$5.12	**$5.10**
4) Passengers per route mile.	1.31	1.25	.89	.78	**1.00**
5) Passenger trips per employee.	4441	2726	3134	2111	**2300**
6) Accident Free Miles measured by dividing number of revenue miles by number of preventable accidents.	76,329	73,867	93,352	38,719	**70,000**

Transit - Special Events

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) Cost per passenger	.32	.36	.68	.68	**.63**
2) Passengers per year	223,814	194,419	173,597	175,176	**190,000**

Transit - Spring Service

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) Cost per revenue hour	$53.12	$51.55	$52.11	$68.59	**$59.00**
2) Passengers per revenue hour.	11.38	11.83	11.13	13.59	**12.50**
3) Cost per passenger	$4.67	$4.35	$4.68	$5.05	**$4.75**
4) Passengers per route mile.	.71	1.34	.72	.88	**.89**
5) Passenger trips per employee.	2241	1790	2340	2451	**2350**
6) Accident Free Miles measured by dividing number of revenue miles by number of preventable accidents.	119,280	61,556	146,150	65,481	**70,000**

Transit - Summer Service

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) Cost per revenue hour	$51.74	$57.12	$44.93	$67.22	**$60.00**
2) Passengers per revenue hour.	18.47	23.22	19.11	19.99	**21.00**
3) Cost per passenger	$2.80	$2.46	$2.35	$3.36	**$3.00**
4) Passengers per route mile.	1.37	1.35	1.24	1.30	**1.30**
5) Passenger trips per employee.	5194	5380	5249	4970	**5,000**
6) Accident Free Miles measured by dividing number of revenue miles by number of preventable accidents.	75,655	87,414	93,049	43,059	**77,000**

Transit - System Analysis

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) System analysis cost per passenger.	$.015	$.016	$.020	$.037	**.040**

Transit - Winter Service

Provide an efficient and responsive public transit system.

Meets the following Council Goals:
Effective Transportation and Parking System

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
1) Cost per revenue hour	$45.53	$40.81	$51.40	$61.44	**$60.10**
2) Passengers per revenue hour.	40.00	44.72	36.86	30.65	**34.00**
3) Cost per passenger	1.09	1.10	1.39	2.00	**1.90**
4) Passengers per route mile.	2.78	2.76	2.61	2.81	**2.80**
5) Passenger trips per employee.	20,132	21,926	16,970	14,998	**18,000**
6) Accident Free Miles measured by dividing number of revenue miles by number of preventable accidents.	76,119	36,317	61,653	91,859	**60,000**

Performance Measures

Library

Adult Services

Provide a collection of reading materials, reference service, and programming tailored to the adult library community.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Regional Collaboration and Partnerships

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Collection Size-Items (books, tapes, CD's, etc.) per capita	6.56	7.56	8.08	8.3	**8.5**
Percentage of program attendees who report being satisfied to highly satisfied.	100%	100%	NA*	100%	**90%**

Circulation Services

Promote library use by increasing the number of patron cards issued and circulation (checkouts).

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Circulation per capita *annual measure only	9.4	10.08	10.46	10.53	**11**

Technical Services

To provide access to electronic resources, catalog and process materials, and re-shelve materials in a timely manner.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of users per day.	143.5	122	113	99	**105**

Youth and Hispanic Services

To provide a selection of reading materials, programming and reference/readers= advisory services to juveniles, young adults, and the Hispanic community. To collaborate with the Park City School District and the Summit County Library on projects.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community; Regional Collaboration and Partnerships; Open and Responsive Government to the Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Checkout Rate of Children's Collection-Circulation per item	2.13	1.8	1.81	1.84	
Percentage of program attendees who report being satisfied to highly satisfied	100%	100%	100%	100%	

Performance Measures

Golf Maintenance

Bunkers and Fairways

Provide fairways and bunkers that meet or exceed our customers' expectations.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of days bunkers groomed per week	2.8	2.7	2.9	2.8	**2.5**
Number of days fairways were groomed each week	3.1	3.0	3.0	3.0	**2.5**

Equipment Replacement and Maintenance

Maintain a Reliable Fleet of Equipment

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of staff hours spent on routine maintenance and set of equipment per week	1.1	1.1	1.2	1.1	

Lakes, Streams and Irrigation System

The Upkeep and Maintenance of Lakes, Streams and Irrigation System

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percent of mainline irrigation repairs made within 72 hours	100	100	100	100	**100**
Percentage of water tests performed to monitor differential in nutrient levels performed quarterly	100	100	100	100	**100**
Water usage recorded in acre feet per year	175	196	164	0	**<225**

Miscellaneous

Improving and maintaining areas other than turf.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of times restrooms cleaned per week	3	3	3	3	**3**

Tree Care

Properly care for all trees

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Percentage of Trees Pruned per Season	<5	10	30	30	

Turf Care

Provide tees and greens that meet or exceed our customers' expectations.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Number of days greens groomed per week	5.9	5.9	6.3	6.2	
Number of days tees groomed per week	2.8	2.8	2.9	2.8	**2.5**

Performance Measures Golf Pro Shop

General Administration

To participate in task forces and Citywide training facilitation.

Meets the following Council Goals:

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
# of programs or task force involvement	3	4	3	4	**3**

Golf Course operations

Provide resort level service to our guests. Build golf course fund for future capital expenditures to current or future golf facility.

Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Average cost per round (End of Season)	$30.38	$31.69	32.20	0	
Average cost per round (Fiscal Year) includes maintenance costs.	37.12	37.10	36.16	42.15	**35**
Percentage change in lodging. (seasonal)	28%	12%	-47%	0	
Percentage change in net revenues from previous year (Fiscal Year including depreciation)	5.2%	4.5%	-2%	-24%	**10%**
Percentage change in number of golfers from previous year (Fiscal Year)	2%	-2.3%	5%	-14%	**3%**
Percentage change in number of non-resident golfers. (sesonal)	28%	-20%	-25%	0	
Percentage change in number of resident golfers. (seasonal)	12.6%	-4%	12%	0	
Percentage of guests surveyed who rate program good or better. (seasonal)	98%	94%	98%	0	
Revenues per round (end of season)	45.37	44.44	33.44	0	

Inventory for Resale

Provide quality retail for our guests, with a return on investment.

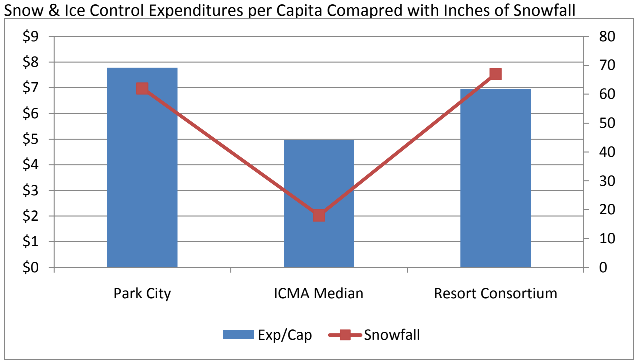
Meets the following Council Goals:
World Class, Multi-Seasonal/Resort Community

Measures:	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Target
Achieve a return on investment of 25-40%. (End of Season)	35%	38%	33%	0	
Achieve a return on investment of 25-40%. (Fiscal Year)	43%	48%	46%	52%	**45%**
Gross retail revenue per customer by rounds played to be within national average for municipal courses ($3-$6). (seasonal)	$7.40	$7.18	$5.68	0	

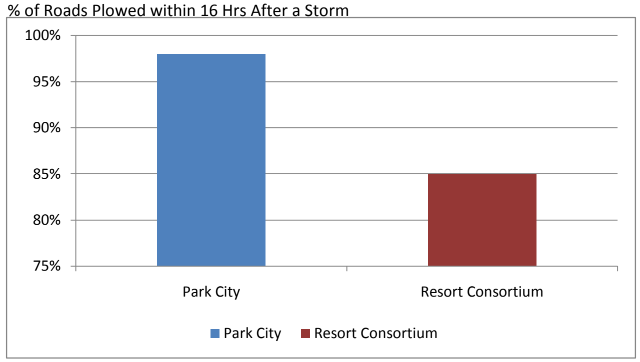
Council Goal: Effective Transportation
Key Factor: Streets & Roads
Service/Program: Winter Snow Operations

Benchmarked Measures

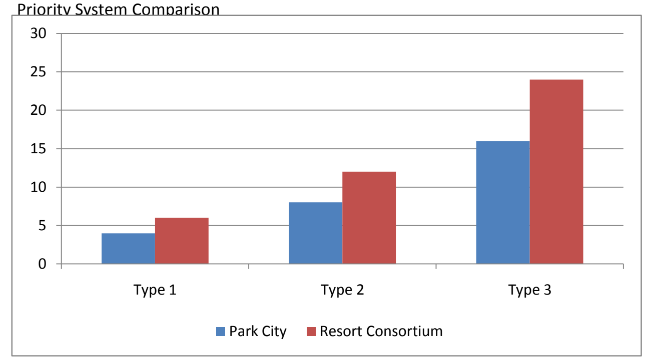
Snow & Ice Control Expenditures per Capita Comapred with Inches of Snowfall



% of Roads Plowed within 16 Hrs After a Storm

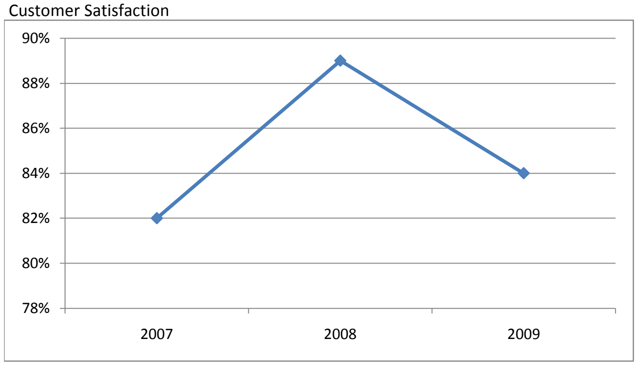


Priority System Comparison

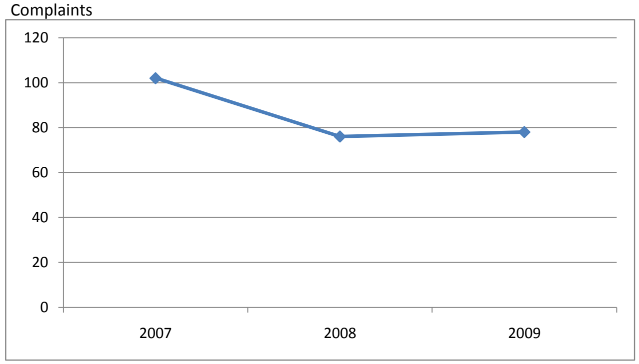


Other Measures

Customer Satisfaction



Complaints



Vision Park City asked Parkites what they value about their community and want to preserve for the future. They had some great ideas and strong opinions!

Community Ideals

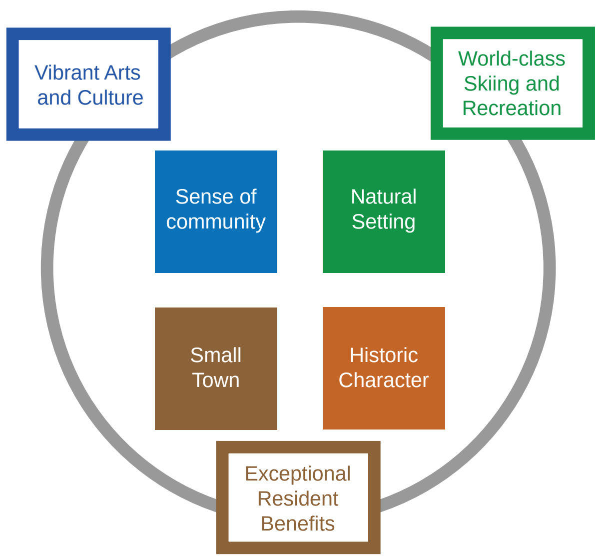
- *Respect and conserve the natural environment*
- *Promote balanced, managed and sustainable growth*
- *Preserve a strong sense of place, character and heritage*
- *Foster a strong sense of community vitality and vibrancy*
- *Support and promote diversity in people, housing and affordability*
- *Advance a thriving, diverse and sustainable economic base*

Environment

How will the proposed activity demonstrate responsible environmental stewardship?

Quality of Life

How will the proposed activity contribute to "keeping Park City, Park City"?



Social Equity

How will the proposed activity foster community diversity?

Economy

How will the proposed activity contribute to a sustainable economy, and increase our ability to provide public services?

Our community ideals are harmonious

Working together to retain those signature qualities that make Park City the place we choose to call home. Our challenge, as a government and a community, is to balance what sometimes can be competing ideals to ensure a vibrant, healthy, sustainable community. Park City is putting Vision Park City into action through a new framework that broadens our evaluation criteria so that the range of consequences for any possible activity is considered in concert with our community ideals.

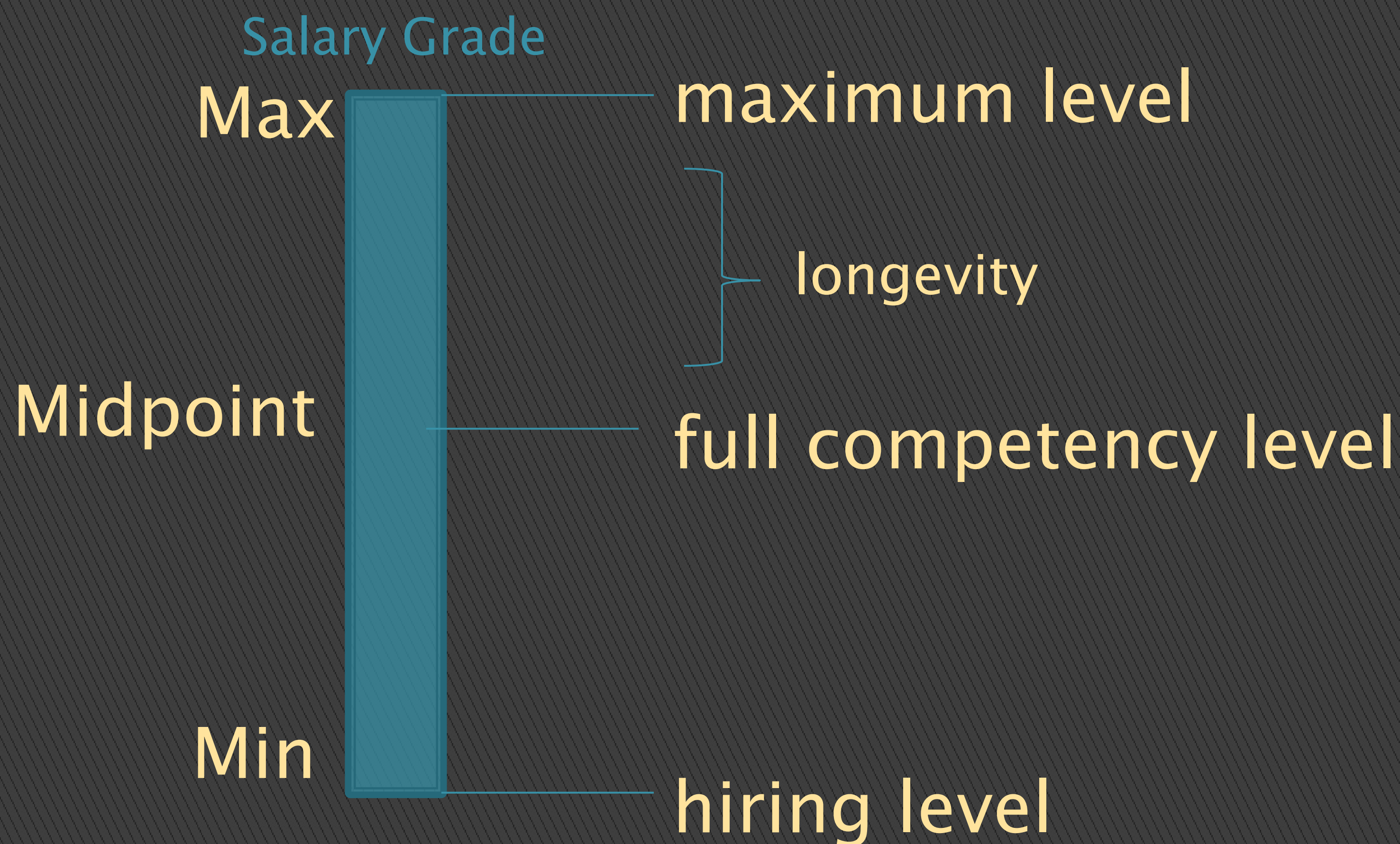
For more information about Vision Park City visit www.parkcity.org

PCMC Pay Plan History

A historical review of
Pay Plan Philosophy and Practice

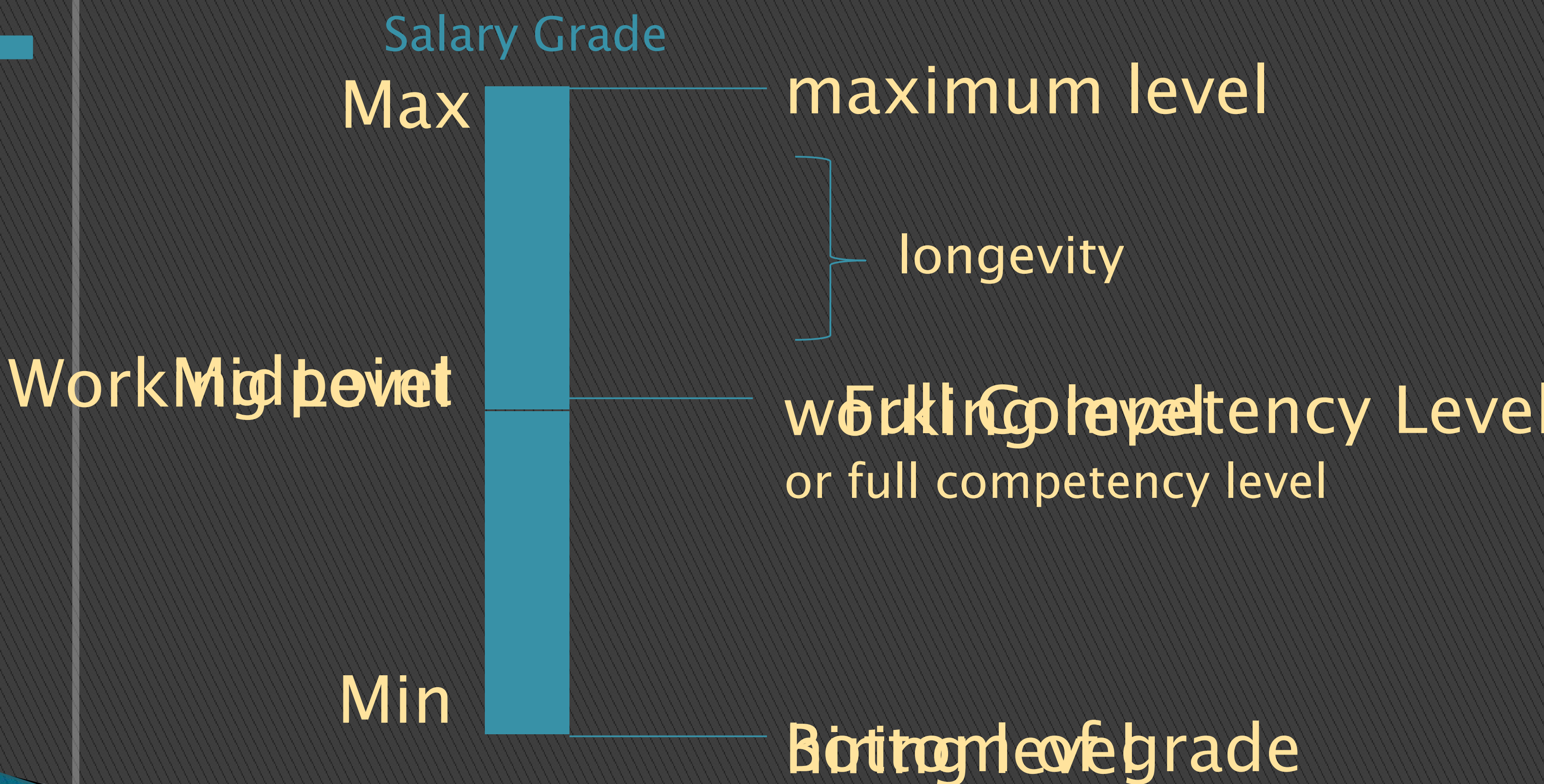
1986

Step and Grade Pay Philosophy



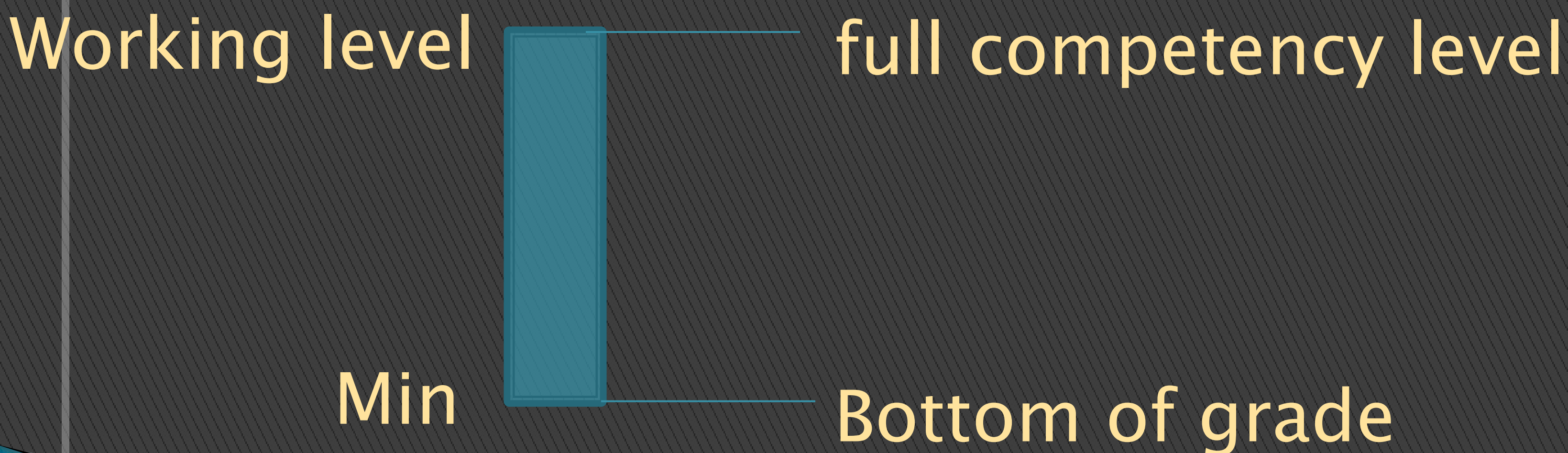
1986

Step and Grade Pay Philosophy



1986

Step and Grade Pay Philosophy



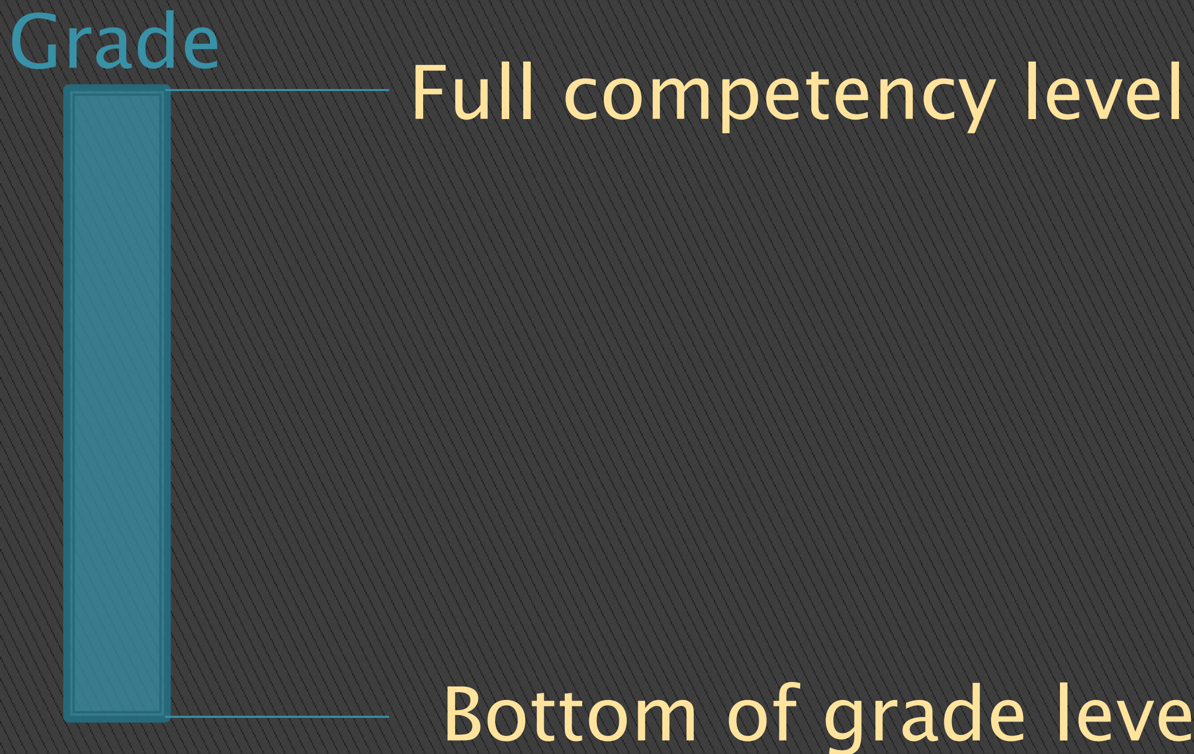
1986

Results of Step and Grade Pay Philosophy

- Inflexible
- No equal pay for equal work
- Longevity based
- Not performance based
- Depart Heads placed in same salary range

1987

Pay for Performance Pay Plan



1987

Pay for Performance Transition

- Emphasis on Performance
- Employees performing at working level but not paid at new working level were brought up to top level
- Employees at working level or above were given a one time lump sum
- Pay for performance

1987

New Standards

- Salary surveys using Wasatch Compensation data and Colorado Ski Towns
- 75th percentile of market and working levels set for next 8 years

1987

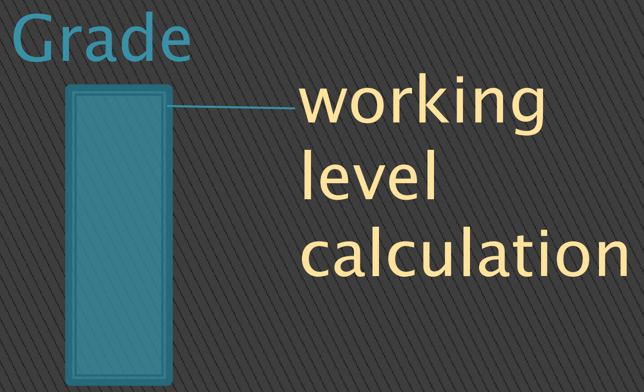
New Standards

- Anniversary date review
- Review Process and Lump merit bonus program created based on "Meeting Expectations"

1995

Market Philosophy Update

- New working levels calculation changed to midpoint of the average of the top 5 of market comparison

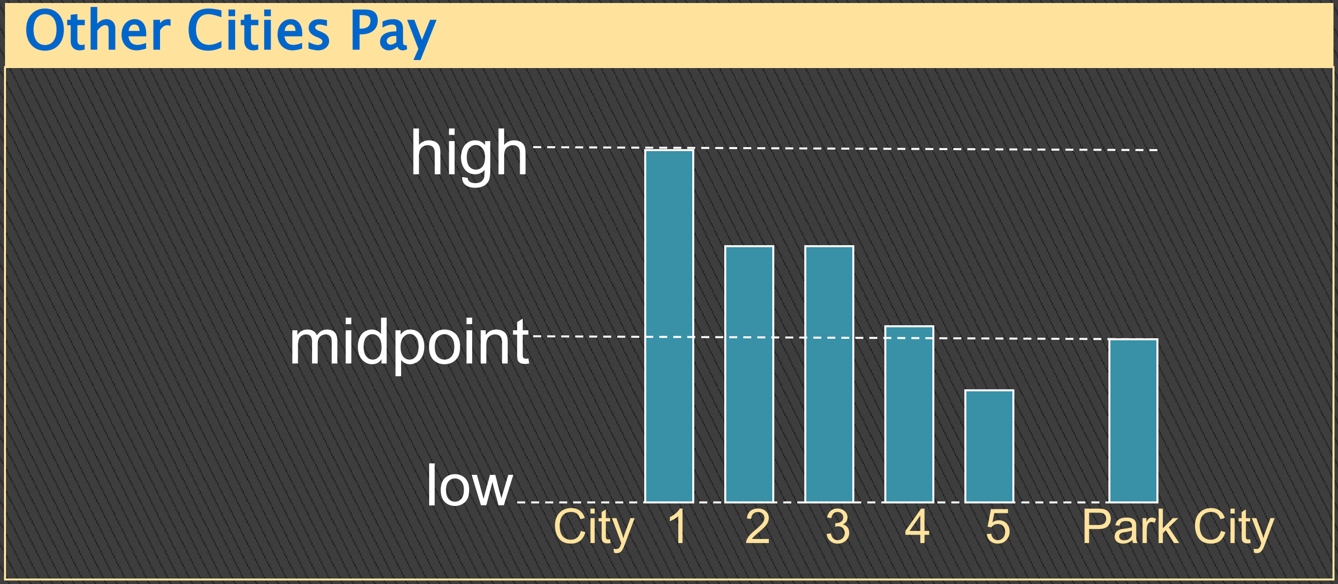


- 10-12% difference required for reclass

1995

Reclass Eligibility

- 10–12% difference required for reclass



- Department Managers Risk/Bonus Pool

1998

Changes

Policies and Procedures (P&P)
Pay Plan Committee revisions

- Pay plan committee can present it's recommendations directly to Council
- Equal pay for equal work

2000-2001

Changes

Lowest unemployment rates in 40 years
Recruitment and retention is major issue

- 5% to 6% for non-exempt
- 7% to 8% for exempt
- 12% merit pool for Depart Heads
- 2% increase for non-exempt

Re-Evaluation

Depart Heads paid in same grade and salary not set by market

- "Compression" of lower grades
- Positions became out of the market
- 1% additional increase for non exempt

2002

Changes

- Comprehensive pay plan philosophy review
- Technical & Philosophical Committees formed
- Committees tasked with researching and making recommendations

2002

Changes

6 Topics to address:

- How to solicit employee feedback?
- How to attract/retain talent?
- Different philosophies for different positions?
- Benchmarking using comparable Cities/Counties?
- Internal equity approach on education, experience, supervision, etc.?
- Connection to pay, quality and amount of service, morale, resources, etc.?

2002

Committee Mandates

- Employee input: benefits, pay, recognition and quality of life
- Attract and retain top talent
- Pay for performance vs COLA's
- Benchmarks
- Internal equity assessments
- Pay plan affect on quality of service
  - amount of service provided
  - employee morale and
  - available City resources

2002

Committee Recommendations

- Not revert to step and grade or COLA's
- Market based pay added to P&P
- More transparency
- Maintain benchmarks
- Include counties in market research
- Include Depart in Committee
- Internal equity process

2003

Adopted recommendations

- New “Team Management” approach
- 360 degree review process
- Evaluation =
  - Job Duties and Standards
  - Team and Leader competencies
  - Values & Employee Engagement
  - Individual & Department Goals
- 1% increase non-exempt

2004

Changes

- 12% risk pool eliminated
- Managers move according to market data
- 4% hold on bonuses non-exempt
- 6% hold on bonuses for exempt

2005

- Positions at 8% below average reclassified

Changes

2006

- 6% bonuses non-exempt & exempt

2007

- “Exceed Expectations” required for bonuses
- “Meeting” Job Duties and Standards min required for salary increases

Changes

2009

- Pay plan years flipped
- Medical/Dental increased cost to employees

2010

- 2009 pay plan adopted
- 5% max hold on merit increases
- 3% to 2% decrease on lump merit bonuses

Conclusion

Future Pay Plans

PCMC pay plan practices must continuously be adjusted with the changing times

Pay Plan philosophy must maintain its core values

PCMC must strive to attract an retain the needed talent to provide its citizens with excellent service

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 23, 2010

Present: **Mayor Dana Williams; Council members, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Linda Tillson, Library Director; Jasmina Jusic, Adult Services Librarian; Pat Ball, Library Board Chair; Chris Youngblood, Library IT Analyst,

1. Council questions/comments. Candace Erickson commented on the progress of the Holiday Ranch Road project which is going very well. Alex Butwinski attended the HPCA and the Planning Commission meetings. The Park City Heights MPD was reviewed and he believed a lot of progress was made. Joe Kernan commented on business discussed at the interagency meeting which was held during the week. He distributed a written request for information on the pay plan which is scheduled for discussion on October 14.

Cindy Matsumoto suggested holding a briefing on the Bonanza Drive reconstruction to discuss things learned from the project which can be considered for future construction projects. Mayor Williams commented on the City Council responding to requests from the district on phasing, so rather than completing the project in one year, it was a two year inconvenience. He congratulated the IHC Hospital on its first anniversary.

2. Library Annual Report and Facility Needs Committee Report. Linda Tillson introduced staff and board members in attendance. Chairman Pat Ball relayed statistics detailed in the Annual Report dealing with increased use, collection growth, and distribution of Summit County student cards. Yasmina Jusic, Adult Services, described the popularity of exhibits displayed during the year. Four basic computer classes were offered and although turnout was not great, she felt attendees benefitted from learning these basic skills. Ms. Jusic suggested offering classes at different times of the day to encourage better attendance and discussed survey feedback from the public.

Chris Youngblood described a *real time inventory* approach which can be applied when the Library is open. The inventory project began in February and is close to being completed. The Library quarterly newsletter is new and the first issue was introduced on-line in June. Linda Tillson described some Youth Programs conducted by Heather Reynolds who is out of town this week. Liza Simpson suggested that the Library newsletter be added to the e-notify feature on our website. Ms. Matsumoto asked the purpose of the inventory and Ms. Youngblood relayed that it appears this was the first inventory ever conducted. Often missing items are found. Alex Butwinski felt the statistics page in the report is well done and helpful.

Ms. Matsumoto asked if other cities identified in the comparison are part of library systems. Ms. Tillson relayed that Aspen is in a county system and Steamboat and

Telluride are in library districts serving a larger population. The library most like us is Vail because it is a city library. Park City's low number for books checked-out per capita by comparison was discussed. Joe Kernan pointed out that Park City Library's statistics are more important to him than comparisons and a cost per user would be helpful for him. Liza Simpson suggested that the report be refined so that comparison information is *apples to apples*, especially since this information may well apply to future discussions on service levels.

Ms. Tillson stated that an expansion to the Library was done in 2004 which was expected to meet the public's needs for seven to nine years. In 2008, the Library Board formed a subcommittee to analyze the issue and to survey the community. The survey revealed that the community likes the current location and 82% of the public wants hard copy books. A staff committee was also formed who worked on actual statistics of library use, physical measurement of the collection, etc. She described the method for measuring the library collection to estimate growth.

A Library expansion into the second floor space, depicted on the concept drawing, would likely meet needs until 2020 based on current projections. She addressed suggested changes to the first floor including moving the public meeting room to provide better access to the public, freeing up the children's area for more books and relocating the cataloging and processing function to the second floor, providing needed storage space. She referred to a concept for the use of the second floor and a redesign to maximize space and accommodate more uses. The outdoor reading plaza is a wish list element and not incorporated in this plan. The Mayor asked about the availability of the Museum storage area and she indicated that the Historical Society has a lot stored there.

Alex Butwinski commented that that is very valuable storage space. He suggested delaying expansion for one year because of other competing priorities and waiting one year would not be impactful in his opinion. Prioritizing staff time and service levels should be addressed first. He felt that as a practical matter, the money is probably not available to design the project so why invest the time now. Liza Simpson agreed with waiting a year but for slightly different reasons. She felt a broader analysis should be conducted of what the building should ultimately be. Reciprocal borrowing should continue to be explored as well as regional systems. Ms. Simpson stated that she is supportive of expanding the Library and using all of the building, but would like to look at this from a long-term perspective. She agreed with Mr. Butwinski that staffing and service level discussions should be completed before considering the Library expansion.

Cindy Matsumoto believed that the current tenants can find other space and storage, and is concerned about Sundance, especially now that the Racquet Club is not an option. For this reason, it may be a good idea to wait a year or perhaps Sundance could be programmed into the new design. Joe Kernan expressed that he would like to learn about the capacity of areas and levels of capacity for each of the areas. He agreed that it is important to consider County resources in any discussion and the *whole* *building* discussion is a good one. He is also interested in what types of uses and services might be displaced and the technology available to maximize space while accommodate growing collections. He felt the size of the collection should relate to the number of check-outs or some other variable and information on patron satisfaction should be considered. Mr. Kernan stated that he is comfortable delaying the project for a year as service levels need to be examined first.

Candace Erickson expressed her support of the Library occupying the whole building with the auditorium remaining available for events. At some point, all of the space will be needed as hard copy books remain to be in demand. She felt it will be necessary to expand the computer area. Unfortunately, there are no discretionary funds available this year but Ms. Erickson felt that shelving should be purchased if it is feasible to accommodate more of our collection in the current space. Ms. Tillson pointed out that the pillars and ADA requirements limit space but shelving may be able to be installed in the display area. Ms. Tillson relayed that construction is roughly estimated at $628,000 and architectural services at $62,000. Ms. Simpson reiterated her desire to look at the whole building.

In response to a comment from Cindy Matsumoto, Linda Tillson indicated that she spoke with Sara Pearce of Sundance recently about the potential of using the relocated meeting room by the main entry which could be blocked off during the Festival for exclusive use. The third floor is most convenient and of most interest to Sundance. Ms. Matsumoto asked that plans for Sundance be worked on and to be conscious of the timing of the construction.

Alex Butwinski emphasized that valuable and useful space for the Library is being used for storage by the Historical Society. There was a huge addition to the Museum and it seems reasonable to ask them to find other storage space. Linda Tillson advised that the storage lease expires after 2012, but is not sure of the exact year and Ms. Matsumoto understood that they are currently looking for storage space. In consideration of the project delay, Tom Bakaly suggested short term extensions on existing leases to 2013 if the tenants are willing. He indicated that funding for this project is not identified in the upcoming budget and the work session is intended to introduce members to this potential project.

<u>Planning Commission interviews</u> – Members interviewed applicants Charles Neal, Elizabeth Shaffer, Mark Walker, Roger Armstrong, Mick Savage and Julia Petit.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 23, 2010

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 23, 2010. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Dave Gustafsen, Project Manager; Matt Twombly, Project Manager; Max Paap, Special Events Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

<u>Expanded Transit Center Project – subcontractor payment issue</u> - Dave Gustafsen, Project Manager, reported that the City has filed a notice of claim to the bond company and Jacobsen in regard to outstanding payment due some subcontractors because of contractor Matt Stevens not meeting his obligations and leaving the job.

III PUBLIC INPUT *(Any matter of City business not scheduled on agenda)*

<u>Protecting Old Town</u> - Mary Wintzer, 320 McHenry Avenue, referred to the significance of the Rossie Hill subdivision and rezone which occurred last week. She noted that people value Old Town and she spoke about the history of the application restricting properties from being subdivided. Last week, four properties on Rossie Hill were down-zoned by allowing only one house per lot and restricting size. The residents felt that quality of life is why they live here and they desired to exert their power to protect the neighborhood. In her opinion *less is more* and open space and gardens make their land just as valuable as density. Maximization is a practice that must stop if Old Town is to survive. Last week was a victory for Old Town and a score for Park City's sustainability. The neighborhood is hoping that other citizens will follow.

IV SPECIAL MEETING NOTES OF JOINT MEETING WITH THE HISTORIC PRESERVATION BOARD ON JUNE 15, 2010

Liza Simpson, "<u>I move we approve the minutes from the special joint meeting with the HPB</u>". Candace Erickson seconded. <u>Motion unanimously approved</u>.

V NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

1. <u>Consideration of a construction contract with Alpine Trails, Inc. in the amount of $42,800, in a form approved by the City Attorney</u> – Matt Twombly explained that the proposed Armstrong Trail is approximately four miles long connecting Silver Spur development through the Armstrong Parcel up to the Mid-Mountain Trail. The trail will

help alleviate some of the heavy use on the Spiro Trail, adding a second connection. He pointed out that this is part of a greater connection to Porcupine Ridge at a future date. He clarified the location and degree of difficulty of the trail. The Mayor invited public input; there was none. The project is contemplated to begin this fall. Alex Butwinski, "I move we proceed with the Armstsrong Trail Project and authorize the City Manager to enter into a construction contract, in a form approved by the City Attorney, with Alpine Trails in the amount of $42,800". Cindy Matsumoto seconded. Motion unanimously carried.

2. Consideration of a Master Festival License for the Viper Owners Invitational "11" to be held on Main Street on October 1 – 2, 2010 – Max Paap referred to his staff report and explained that the application is for a car show of roughly 125 to 150 Vipers on Main Street on Friday and Saturday. There is more interest in Vipers this year as this is the last year of production and National Geographic will be covering the event. He discussed a cooperative Main Street gift card program for participants. This is being reviewed as a master festival license because of the request for amplified music, attraction of large crowds, partial street closures, and use of City property. The Mayor disclosed that his band is performing at the event. Organizer Rob Walsh added that every participant will receive a booklet detailing all of the restaurants on Main Street.

Andy Beerman, HPCA, stated that the membership feels this is a good event because it is an off-season attraction and because the organizer is providing pre-purchased gift cards for Main Street businesses.

Liza Simpson felt the duration of the event seems appropriate. Max Paap commented that the display will be south of 5th Street so there is parking and circulation on the rest of Main Street. Mr. Beerman indicated that he has not heard any negative feed-back from businesses. The Mayor opened the public hearing; there was none and the hearing was closed. Candace Erickson, "I move we approve the Master Festival License for the Viper Owners Invitational "11" to be held October 1 and 2". Joe Kernan seconded. Motion unanimously carried.

3. Consideration of a modification of the contract with Summit Land Conservancy to provide a Letter of Credit to the Summit Land Conservancy in an amount of $40,000, in a form approved by the City Attorney – Tom Bakaly pointed out that SLC is the steward of the City's conservation easements and included with its obligations is maintenance and monitoring. The stewardship requires a legal defense fund. The City currently pays $48,000 annually for the first part of the monitoring and the baseline work. SLC is working on obtaining its accreditation from the Land Trust Alliance and a requirement is that a legal defense fund for easements that are held is established. He relayed that staff struggled with the potential of the fund being used to sue the City and the Legal and Finance Departments are recommending denial. Accounting practices with regard to letters of credit varies in the private and public sectors as the City is required to encumber the funds. Mr. Bakaly believed the accreditation of SLC may increase its ability to raise funds for conservation easements. Funding for a legal defense fund will

come from open space monies. The letter of credit would only be used if the City was sued and if there is Council's support, ratification will occur next week.

Mark Harrington stated that no one is disputing the need for a legal defense fund and it is in everyone's best interest to secure the public's trust by protecting these lands. His angst is twofold. The Council should be very aware of what it is doing and he illustrated his point by reading an excerpt from the Clissold conservation easement agreement *the cost of such corrections, including Grantee's (SLC) expenses, court costs, attorneys fees shall be paid by the Grantor (City). In the event Grantor is found not in violation of this agreement, then Grantor's attorney's fees shall be paid by Grantee.* He emphasized that payment of legal fees is coming from the same source, the taxpayers. He stated that all open space is not equal and conservation values are not the same in every easement. There may be disagreements over the degree of use by SLC or other groups. The concept is pure, in terms of SLC's enforcement ability, but it is complicated.

Liza Simpson suggested that when the City purchases open space, funding be set aside for monitoring costs. Cheryl Fox, Executive Director, pointed out that the accreditation requires that monitoring costs and the legal fund be separated out. Renewal of the letter of credit was discussed and the option of giving SLC cash. Mark Harrington added that stewardship is a service Council has requested and paid for and members should be conscious of changing the cost to facilitate a third party demand for accreditation.

The City Attorney added that there are also issues relating to the condemnation process and valuations. There is no value in the transaction between the City and SLC because the density was already gone but for instance, if the Air Force condemned an easement property to build a hotel, the value of the land should go to the citizens open space fund to reimburse the purchase but not also to SLC. He feared that there is not a meeting of the minds on this issue. Discussion ensued on best practices for SLC. Mr. Harrington stated that the bond language details uses and although the goals of the City and SLC may appear to be the same, the properties involve millions of dollars and an opportunity for a disconnect is very real.

In response to a question from Alex Butwinski about paying SLC in cash, Mark Harrington recommended a change order to the monitoring agreement or a separate agreement. Cheryl Fox interjected that the award could be conditioned for the legal defense of solely City-owned easements. She stated that the LTA has never seen a letter of credit as a funding mechanism for a legal defense fund and SLC is hoping it is acceptable.

Liza Simpson commented that if the City decided to pay cash at $3,000 per easement, the total would be lower than $40,000. Ms. Fox explained that the LTA has a minimum of $3,000 per easement if there are more than 15 easements in a pool. SLC has 19 easements and after the pool is established, the money can be used to defend any easement. The City has 10.5 easements. If SLC were seeking to fund this simply on a cash basis to meet the minimum requirements for 19 easements, it would need to demonstrate $57,000 in a legal defense fund, available for defense of any of the 19 easement. The LTA stipulates that if there are 15 easements or fewer, there needs to be a minimum of $50,000. Ms. Fox acknowledged the challenges in this accreditation effort but expressed the importance to be as professional and effective as possible. The legal fund has been the biggest hurdle in the process and she is hopeful that LTA will accept a letter of credit. Tom Bakaly clarified that if Council agrees to pay $40,000, the funding will relate only to the City's conservation easements.

Cindy Matsumoto felt that accreditation is valuable for SLC and it is reassuring to our citizens who want more open space. She is supportive of either the letter of credit or cash donation. Joe Kernan preferred cash because there is the benefit of interest but does not support approving the funding. He discussed the potential for disagreements over interpretation of use. Ms. Fox explained that LTA looks at everything, including the ethics of a group and ultimately SLC is bound by the terms of the conservation easement. This is a joint process negotiated between both parties. Mayor Williams felt it critically important that SLC has a legal defense fund and the whole reason for SLC is to provide checks in the system, acknowledging that it is a complicated matter. Tom Bakaly stated that if Council approves the funding, it could be contingent on accreditation.

Candace Erickson stated that she hates the context of the award, but agreed that it provides protection and a check and balance. All other land owners are required to do this and the City should not be treated differently. Ms. Simpson stated that the City is simply paying for the accreditation and nothing more. Mr. Kernan expressed that the City's intent is to protect the land is demonstrated by placing it in a conservation easement and he felt potential disagreements will be on degree of use. Ms. Matsumoto again discussed the benefits of accreditation and spoke about potential changes in leadership and the City's relationship with SLC in the future. Liza Simpson reiterated that the City will not receive extra protection or other services for City-owned conservation easements because of the additional funding.

Mark Harrington stated that it may be possible that an alternative funding mechanism is identified and acceptable to the LTA accreditation panel. Ms. Simpson suggested that this comment be included in the agreement and Ms. Fox pointed out the benefits of a letter of credit to the City.

Liza Simpson, "I move that we authorize the City Manager to issue a letter of credit to SLC in the amount of $40,000 and that in that agreement two stipulations be made: (1) that the letter of credit is not formalized unless accreditation is received, and (2) if a future funding mechanism is found that is acceptable to Land Trust Alliance, that the letter of credit will be withdrawn". Joe Kernan seconded. Cheryl Fox pointed out that the City could decide not to renew the letter of credit at a time of pending litigation and SLC would have no legal defense fund. Motion unanimously carried. The City Manager stated that an agreement will return to Council next week memorializing the action tonight and a letter will be sent to LTA on behalf of SLC tomorrow.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 7:15 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Joan Card, Consultant; Tom Daley, Deputy City Attorney; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss personnel, property and litigation". Candace Erickson seconded. Motion carried. The meeting adjourned at approximately 8 p.m.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 30, 2010

Present: **Mayor Dana Williams; Council members, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Matt Cassel, City Engineer; Shelly Hatch, Finance Analyst; and Kent Cashel, Transportation Manager

Matt Ripken, InterPlan

1. Council questions/comments. Several members commented on the Summit Land Conservancy breakfast. Candace Erickson invited the public to the Scarecrow Festival now on display at the Farm. The Friends of the Farm will hold its annual retreat on Saturday morning. She discussed being liaison to Mountainlands Community Housing Trust and becoming familiar with related financing and tax credit methods which can be quite complicated. Alex Butwinski reported on attending the SLC breakfast and KAIST meetings. The Art Advisory Board met on the selection process for artwork for the Marsac Building entrance; the number of submittals was unprecedented. Cindy Matsumoto pointed out the quality of the SLC fund-raiser which gave her more confidence in the organization. Liza Simpson stated she attended the affordable housing committee meeting at the Park City Board of Realtors. She understood that a draft of the housing needs report will be distributed to Council in the next few weeks. Ms. Simpson encouraged staff to get the home owner meetings on the City's website.

Mayor Williams explained that KAIST stands for the Korean Institute of Technology who is a partner in the electric trolley demonstration project. He suggested exploring ways to offset the impacts of coal to generate electricity. There was a suggestion that Park City establish a sister-city relationship with our Korean counterpart, but the Mayor felt that a technological relationship would be more appropriate. Alex Butwinski felt this is a great opportunity for the community.

2. Traffic and Transportation Master Plan. Matt Cassel explained that the master plan project has been in the works for five months and staff wants to ensure it reflects Council's direction with regard to goals and objectives. He pointed that some numbers in the draft document have not been finalized. Consultant Matt Ripkin interjected the importance that goals are able to be measured. A public open house will be held Tuesday night at Eccles at 4:30 p.m. to 6:30 p.m. where staff is hoping to receive feed-back on the goals, cross-sections, and alternatives. Liza Simpson referred to the street cross-section standards and asked that there be some detail on Old Town streets as built regardless of the right-of-way. Matt Cassel discussed creating a prioritization list and a list of improvements relating to the space available on the street.

Matt Ripken displayed a video and explained the zones in the model. The animation showed a bird's eye view of moving vehicles traveling to and from different zones in the City and Basin under existing conditions on a peak day. The model allows the viewer to sense what would happen if capacity, an HOV lane or more transit were added. Mr. Ripken acknowledged that more work can be done on the model so it is better calibrated but the prototype is close. Matt Cassel pointed out that the model does not show the impact of pedestrians which will be added. The model is based on the number of people, jobs, houses, and parking spaces at the ski resorts and identifying flows to destinations. Mr. Cassel pointed out that rather than interpreting a sheet of numbers, the model mimics the experience on the road without building improvements that may or may not work. Mr. Ripken referred to objectives, targeting levels of activities. Mayor Williams discussed the potential impact of the KAIST project and Mr. Ripken commented on recalibrating the model if there are more hybrid vehicles on the road or if other technology is in place. Mr. Cassel emphasized that this is a good starting point.

Joe Kernan requested information on the success of transit and a comparison of the time it takes to use a car or take the bus, be it in town or Salt Lake, and the percentage of trips using transit and how that changes over time. This would reveal if the use of transit is growing. Mr. Ripken noted that they have some measures and Matt Cassel relayed that people start using transit when it is more convenient than driving a car but this will be difficult to evaluate. Mat Ripken pointed out that this is the first time this has been presented to Council and these comments will be incorporated in the objectives to ensure that the information is meaningful.

In response to a comment from Alex Butwinski about adjusting the model, Mr. Ripken explained that a proposed development could be added to the model to decipher car trips, transit trips, walk trips and the flow of traffic. Mr. Butwinski asked how sophisticated the model is in terms of anticipating time of flows. Mat Ripken relayed that it is their hope that the model will be helpful in the planning process but over time, it may be good to update it every five years to refine and recalibrate. Mr. Kernan felt that this will be an exceptional tool for the Planning Commission in reviewing projects and their impacts on traffic. Matt Cassel addressed Mr. Butwinski's comment. The model reflects life style and spreads the trip patterns over the day with six different trip purposes which may change over time. Nightly rentals and second homes are considered and occupancies are estimated. The Mayor suggested modeling Treasure.

Matt Ripken pointed out that Salt Lake City spent $1 million in 1993 on a model and invests $200,000 annually to update it. Currently, SLC is looking at a $2 million statewide survey to track travel patterns. Park City's project was built under $100,000 and he cautioned that more funding is needed to collect additional data and to build the scripts but this is a great tool and Treasure can be modeled. In response to a question from Joe Kernan, Mr. Ripken explained that the model is driven by dynamic assignment or the fastest path, but there is a way to disable that function and replace it with traffic counts and InterPlan is working on this.

3. Direction on for-hire vehicle licensing. Shelley Hatch stated that Council reviewed modifications to the Code on for-hire vehicles on October 1, 2009. A task force was formed and a meeting was held with operators about separating black car shuttles and conducting a study to determine if there should be a limit of taxis in the City. She listed actions which are not recommended by staff including: payment of referral fees for hotel concierges, require stickers for drop-offs, require for-hire vehicles to have an office in Park City, create a central referral phone system, set-up staging areas, increase enforcement, and franchise the industry (unless studied). Recommendations include prohibiting idling and completing a study.

She explained that Council directed staff last year to form a task force to recommend options for requests for proposals for a study. The composition of the task force was explained. Three companies provided bids ranging from $8,000 to $32,000 and this has not been budgeted, although the Transportation Fund may be a possible source. The task force also looked at how other resort towns license taxis including Aspen, Jackson, Ketchum, Vail and Lake Tahoe. Ms. Hatch discussed her interest in Lake Tahoe's owner's permit. The task force examined Salt Lake City who conducted a study in July 2005 to provide analyses to support revisions in its licensing of the taxi industry. SLC is still experiencing significant problems after the changes have been made and feels its present system is broken. There is still in-fighting between the metered and the non-metered sedans and shuttles operating as taxis. She referred to an article in the Salt Lake Tribune made a part of her staff report. As demonstrated, conducting a study does not guarantee that problems will be solved. Ms. Hatch stated that Public Works studied the taxi zone, Main Street and other locations on several occasions and Building Enforcement and Police conducted a taxi enforcement shift. It was found that taxis double-parked and blocked traffic while waiting for fares.

Ms. Hatch relayed that the task force also reviewed a driver's photo badge but felt it would just be an added expense since driver's licenses are already examined when operators check in for taxi stickers. The committee looked at age limits for vehicles but it was feared that it would place a financial hardship on businesses. Criminal background checks also added to the cost of processing licenses. She recommended holding yearly meetings with the for-hire businesses to educate operators about the City's rules and regulations, including no idling. Educating special event visitors about taxis and what to be aware of is another suggestion. She expressed her interest in exploring Lake Tahoe's owner's permit which requires five years of experience and operators must agree to a background check and drug test. The task force suggests monitoring for-hire impacts on Main Street over the winter and conducting the study.

In response to a question from Liza Simpson, Kent Cashel indicated that he wasn't sure if courtesy vans were observed with regard to traffic circulation. The HPCA has been involved in discussions but he pointed out that staff needs to take a closer look because private vehicles also double-park and contribute to circulation problems on Main Street.

Candace Erickson believed the main objective is to preserve the passengers for the long-term taxi companies in town who are over-run by temporary operations during peak times. She does not support a study because she doesn't feel it has the answers. Shelley Hatch relayed that it appears that each company has its own needs and ideas and she understands their problems but on the other hand, the City must operate legally. Ms. Erickson questioned whether a study would provide anything more than additional restrictions. Ms. Hatch referred to SLC's experience but noted that the study may reveal a concept that hasn't been looked at. The owner's permit is a process originating in California monitored by the state and not cities. She felt it may solve some of Park City's issues, if the City has a problem.

Alex Butwinski expressed he is not convinced that a study is needed because the ordinance can be amended to address some issues. He is more interested in the Ketchum ordinance because of its simplicity. Kent Cashel stated that traffic circulation will be studied in-house since it is really a separate issue. Ensuring quality service and a local healthy industry seems to be the goal and a study would provide information about the level of efficiency of our current process, regulatory options, and the impacts of implementation. If members feel that the City is there, Mr. Cashel agreed that it does not make sense to conduct a study.

Mark Harington interjected that regulations must have a reasonable basis as it relates to health, safety or welfare. Some of the answers may be increased regulation and/or limitations on licenses and having additional facts in the record may justify a business license amendment. The same is true with fees where studies are needed. Principle areas for taxi regulation include public necessity, passenger protection, fares, safety of vehicles, and the economic element of the General Plan which factors in the fairness and equity of providing a level playing field for local businesses. In weighing cost benefits, many small cities choose a free market system. In summation, the City Attorney advised that if it is desired that the ordinance be more aggressive from a regulatory aspect, a study is required. Discussion ensued among members about preferring a free market. Joe Kernan didn't feel that a study will provide an answer about a franchise or free market system. He felt a background check or drug test could be added requirements without spending money on a study. Mark Harrington explained that if Council is not interested in limiting licenses or fares, there isn't a reason to do a study.

Liza Simpson felt it important to separate the problem operators from the regulatory process because they will always be around. She referred to the education option for businesses and suggested that meetings be held quarterly. Education may result in better drivers and service and distributing special events information to visitors is a good idea. Being aggressive in these two areas may make a difference. Cindy Matsumoto brought up the fare issue and Ms. Hatch personally felt that an ordinance would not deter some people from abusing the system. Passengers should take personal responsibility and ask what the fare is if not posted. The information sheet proposed for special event visitors does not require a study to implement. The Mayor commented on complaints he has received about inflated fares and felt that fares should be posted in the taxi. He invited public input.

Donnie Novelle, Park City Transportation, supported placing age limitations on vehicles which would reduce Park City's carbon footprint and keep the Yellow Cabs and City Cabs out of Park City. She referred to a related drug fatality last year and strongly suggested a drug free policy because it is a public safety issue. A drug free policy was the only thing everyone could agree on. She felt that the industry could help pay for a study.

Rob O'Brien, 649-TAXI, stated that he has been in business in Park City for 18 years. Every taxi should have fares posted in the cab to discourage gouging which he hears about a lot. Prices should be consistent throughout the year regardless of Sundance. He has attended almost all of the meetings and agrees with members that $30,000 is too much for a study which is probably not needed. He understood that Park City is a free market but hoped that a number could be capped as a matter of safety. Last year 90 companies were licensed. A franchise may include three or four companies and understandably he doesn't want to support anything that may put him out of business. Do not mirror SLC's ordinance. He's not worried about the busy season but the other 265 days a year. The number of taxis continues to grow every year. The Mayor asked if age limitation on vehicles, drug testing, and posting fares would deter outside operators. Mr. O'Brien responded that prices should be posted which is required by the ordinance. He is not supportive of age limitations on vehicles because it would place a significant financial burden on his business. Ten years would be okay but five years would be a problem. His vehicles must also pass inspection by the Salt Lake Airport where requirements are strict with regard to condition of the vehicle.

Ms. Simpson asked if a study is needed to support conducting background checks as a fatality has already occurred. Mark Harington did not believe a study was necessary. Cindy Matsumoto felt that informational hand-outs for visitors on using local taxi services would be very helpful. She pointed out how well Sundance gets information out and a list of phone numbers for taxi cabs and approximate prices may make a difference.

Donnie Novelle stated that Park City Transportation thoroughly educates its drivers and a mandatory education session would create double duty for drivers and payroll for the company.

Kinsey Colson, Patron Transportation for Sundance Festival, stated that she works with Ampco in monitoring parking lots and has personally had many interactions with belligerent taxi drivers blocking people from leaving the lot. Sundance has an interest in seeing repercussions for bad behavior. It publishes the names and numbers of local taxi companies on its transit maps and provides volunteers on the street with that information.

The Mayor pointed out that if there are complaints made about a particular taxi company, the City can do something about the situation. There should be fines associated with not posting prices. Ms. Colson clarified that issues may relate to bad behavior, prices or safety issues and the problems lie on the street.

Tom Bakaly stated that a study may answer many questions. During the fifteen years he has been here, the taxi issue has been raised about every two years. In his mind, the problem is the free market system about 25 days out of the year which adversely impacts local businesses. A definitive statement of the City's position regarding the free market system in the preamble might be appropriate. The study was intended to answer questions and alleviate staff time. Alex Butwinski felt that background checks should be added to the ordinance. Joe Kernan recommended that the Council hold another work session on finalizing elements of the ordinance before it goes to public hearing.

Liza Simpson referred to the October 1, 2009 work session notes where a 90 day waiting period for a license was suggested by Candace Erickson. She asked the status of that suggestion. Mark Harrington explained that the Legal Department explored this and that information will be shared with members for the next meeting.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 30, 2010

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 30, 2010. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Diane Foster, Environmental Manager; Jon Weidenhamer, Economic Development Manager; and Mark Harrington, City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

III PUBLIC INPUT *(Any matter of City business not scheduled on agenda)*

Recycle Utah Fund-Raiser - Insa Riepen, Recycle Utah, invited the public to the fund-raiser at the High Star Ranch in Kamas on Saturday, October 9 at 2 p.m.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF SEPTEMBER 16, 2010

Liza Simpson corrected attendance indicated in the work session notes. Joe Kernan, "I move approval of the work session notes and minutes of the meeting of September 16, 2010, as corrected". Cindy Matsumoto seconded. Motion unanimously carried.

V RESIGNATIONS AND APPOINTMENTS

Consideration of two appointments to the Planning Commission for terms expiring July 2014 – Liza Simpson, "I move that we reappoint Julia Petit and Mick Savage to the Planning Commission". Joe Kernan seconded. Motion unanimously carried.

VI CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

Joe Kernan, "I move we approve Consent Agenda Items 1 through 3". Alex Butwinski seconded. Motion unanimously carried.

1. Consideration of change order #4 with Cody Ekker Construction for the Sandridge Avenue Reconstruction Project in the amount of $13,545, in a form approved by the City Attorney – See staff report

2. Consideration of a Resolution amending the Police Complaint Review Committee Terms of Office and repealing and replacing Resolution No. 35-03 in its entirety – See staff report.

3. Consideration of an amendment to the Professional Services Agreement with Brown and Caldwell for environmental analysis services related to the Spiro and Judge Tunnels and the Prospector Drain, in an amount not to exceed $35,500 and in a form approved by the City Attorney – See staff report.

VII OLD BUSINESS (Continued Items)

Consideration of approval of a Letter of Credit with Zions Bank for the benefit of Summit Land Conservancy in an amount of $40,000, in a form approved by the City Attorney, and authorization to the City Manager to execute related agreements and application documents in a form approved by the City Attorney – Diane Foster explained that Council continued this item last week. The letter of credit in the amount of $40,000 is requested to assist Summit Land Conservancy in receiving accreditation from Land Trust Alliance. While the LTA prefers a cash contribution, members decided to proceed with a letter of credit conditioned on receiving accreditation. Executive Director Cheryl Fox stated that she sent a packet earlier this week with details on the letter of intent to LTA but will not hear back until February.

The Mayor invited public input; there was none. Alex Butwinski, "I move we approve a letter of credit with Zions Bank for the benefit of Summit Land Conservancy in an amount of $40,000, in a form approved by the City Attorney, and authorize the City Manager to execute the necessary agreements and application documents". Liza Simpson seconded. Motion unanimously carried.

VIII NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

Consideration of Letter of Intent with the Sweeney Family (MPE) to pursue two alternatives to reduce density from Treasure Hill – Jon Weidenhamer explained that the Sweeney Family has a pending conditional uses permit application before the Planning Commission which is on hold until the end of April. The City Council, through its authority to appoint an independent hearing officer, allows the Council to take on a different type of role as an owner with the ability to negotiate and Mayor Williams and Council member Liza Simpson serve on the negotiation team. The Sweeneys' role is a lasting legacy of vibrancy and a four season destination resort adjacent to Old Town and the Park City Mountain Resort and a hotel with residential is desired. In consideration of the goals of the negotiating parties, two options are outlined in the letter of intent including a complete buy-out or zero density option or a 50% reduction in density which would require a project redesign. The goals of the redesign are articulated in the LOI and he acknowledged that the details need to be worked out, i.e., transfer of density, potential zone change, etc.

Mr. Weidenhamer indicated that a purchase price has not been discussed with the Sweeneys. The $50 million figure in the staff report was used as a guide to estimate the financial impact to home owners in the event of the success of an open space bond which would require voter approval. An average home, valued at $800,000, would result in additional taxes of $250 per year. He emphasized that the LOI doesn't supersede, limit or preclude the Planning Commission's authority to review the pending and/or amended CUP.

Mike Sweeney expressed his appreciation of the negotiation process which has been very cordial. The discussions have been productive and he felt that the resulting project will be better than the current design. PCMC and the Sweeney Family have had a special relationship over many years beginning with the Town Lift Project and there are many private agreements. The Sweeneys are obligated to provide a certain amount of density because PCMC has made a significant investment in the Town Lift.   Also, the owners of the buildings and businesses on lower Main Street contributed to the effort, specifically toward the construction of the bridge. It is important for all of us to realize that the Sweeneys have partners and legal obligations to different entities incurred over the years in making lower Main Street, north of Heber Avenue, into the second phase for PCMR.

Mayor Williams felt that the $50 million amount in the staff report was somewhat misleading to the public. Even if a no-build option is decided, it doesn't necessarily mean that the open space will be acquired solely with bond proceeds. There may be transfers of density, utilization of the RDA or other tools. The overwhelming majority of feedback from the open houses dealt with the size, scale and scope of the project as proposed. Most often in the planning process, the City is reacting to submitted applications and in this case for Treasure, since 1986. The Council decided to be a partner and not a victim. He relayed that the project has 197 UEs (2,000 square feet per UE) and 19 commercial UEs (19,000 square feet per UE). The Council decided that it wanted a seat at the table along with the Economic Development Manager and Planning Director regarding a redesign of the project and the City is willing to contribute to the effort. It is imperative that people understand that Council members are part of the community and very concerned about Treasure and the Sweeneys, the potential hotelier, Ritz Carlton, PCMR and Elliott Work Group will work together on the redesign. He emphasized that the new design must be reviewed as a CUP by the Planning Commission as part of a Master Plan Development. The role of the Planning Commission has not changed at all. If the project is denied, the Sweeneys and others with standing will have the ability to appeal the decision which will be heard by an independent hearing officer. He invited the public to speak.

Bob Garda, 923 Lowell Avenue, expressed his support of the LOI which is a good step forward. Since he lives next to the project he favors zero development and is willing to pay higher taxes to maintain the character of town like many other residents. He acknowledged that he doesn't know how much Treasure is worth but felt $50 million is too high. In the early 1990s, the property was offered at $5 million and in the late 1990s at $15 million.

Scott Peddler, 1024 Empire Avenue, stated that he was surprised by the $50 million number. He supports the zero build option and that large of a number might compromise the success of a bond issuance on the ballot. He stated that he was asked by Mr. VanHecke to read his letter into the record. The Mayor disclosed that he had a lengthy phone conversation last night with Mr. VanHecke.

Mr. Peddler read the letter in which Mr. VanHecke relayed that because of short notice he and others could not attend the meeting which is unfortunate given the magnitude of the Treasure project. He is concerned with the LOI and the $50 million number considered without an appraisal and he asked why an appraisal has not been made public. How can any negotiations take place without it? Why has the City not received it or shared it with the public? Mr. VanHecke stated in his letter that the town does not need another hotel demonstrated by the occupancy rates. Regardless of the appraisal, the value of Treasure is debatable; resort properties are struggling. No one would build anything up there now. Obviously there is value but one must consider real market values and conditions. The current safety and traffic issues remain and will not be solved by simply reducing the size of the project; the streets are already dangerous and can not handle more traffic. The letter stated that all of the other CUP issues remain and even with a 50% reduction in size, these problems can not be mitigated. Potential contamination relating to mine tailings and the water table has not been addressed by the Planning Commission. A convention meeting space is not compatible and was never an appropriate use. The LOI is setting the stage for an ultimate compromise but a 50% reduction in density is not a win-win for everyone. There is far more value to the City and the vast majority of residents to preserve the landmark Treasure Hill as 100% open space. The cost of allowing this development will destroy an historic neighborhood, the years of construction, no guarantee it will ever get built or finished, the immense excavation and damage to the land, increased pollution, clear-cutting of an entire hillside, and numerous other environmental issues; and all of this for the benefit of a few. The public value that this land will have if preserved far outweighs any short-sided tax benefits that the City might receive. Mr. VanHecke's letter continued to urge consideration of the families living in Old Town and he asked how they are going to survive if this project in any size or shape is built. Another hotel is not going to solve the City's tax or revenue issues; it is only going to exacerbate the difficult situation for all of the resort and hotel operators in the City and it and may hurt Main Street businesses because of the loss of local business. If another hotel is warranted, it belongs at the base of PCMR and he asked how the LOI protects the rights of residents. He doesn't know why it is necessary and it seems it will only further diminish the City's obligation to protect the rights of all citizens.

The Mayor stated that the agreements between the Sweeneys and PCMR are between two private parties. Making the appraisal public at this time would compromise negotiations.

Amy Louise Garda, Lowell Avenue, expressed her support for the removal of all of the density but if something is built there, she strongly urged requiring another access to the project.

John Stafsholt, 633 Woodside Avenue, asked if the Council received an appraisal and whether Summit Land Conservancy has been contacted about a 100% buy-out. The Mayor indicated that the City has received an appraisal. The first phase of the process addresses the LOI and the next phase deals with the value of a unit equivalent and where density can be transferred, etc. Mr. Stafsholt referred to amending the LMC by adding the hearing officer option and he didn't think the intent of the legislation is to have staff take lead roles in the negotiations. One of the Council's strengths is listening to citizens and encouraging dialog. He asked that Council provide regular negotiation updates on the agenda. People didn't have enough time to react to the agenda and come to the meeting. He referred to No. 4, Design Costs and Participation, of the ongoing discussion points section and suggested that residents be included on the team. No. 7 under General Terms, *Should the Planning Commission not approve the CUP by April 30, 2011, the LOI shall be null and void unless amended and or extended in writing by both parties. MPE reserves the right to pursue its currently pending CUP application in accordance to the terms of the approved MPD.* He felt this needs to be removed or adjusted because the Planning Commission has to review and approve a revised plan.

Mark Harrington explained that this section is consistent with the current termination of the stay. It assumes that if both parties are moving forward that the date would be extended. Mr. Stafsholt suggested language *If the CUP application is not in front of Planning Commission by April 30*. Mr. Harrington stated that staff can refine the language. Mr. Stafsholt stated that he doesn't understand the meaning of No. 9 under General Terms and requested that the section be rewritten. The Mayor explained that it means that the parties will negotiate reduced density which is resort residential in nature. Mr. Stafsholt questioned why it is in the LOI. Mark Harrington explained that the team felt it important to frame general goals. The Mayor felt it clarifies that the team is not looking at a separate residential development.

Mr. Stafsholt again referred to No. 4 and asked if the City will pay up to $50,000 for a redesign contingent on choosing the zero option. The City Attorney stated that the final $30,000 would be reimbursed if there is a zero option while the first two payments of $10,000 are upfront. He criticized the matrix in the LOI. With regard to No. 5 under Ongoing Discussion Points, regarding redesign goals, he felt there should be public input and a public vote on this. Mr. Bakaly stated that redesign goals are a part of the approval of the LOI. Mr. Stafsholt again complained about the report coming out only three days ago. The LOI should be continued to look at his issues.

As part of the negotiation team, Liza Simpson stated that this is a huge step in the right direction and will lead to discussions on valuations, financing and resolution for the project. Alex Butwinski believes that a LOI is not binding and sets forth the framework for further discussions. In response to his question about noticing, Mark Harrington assured members that noticing requirements for this meeting have been met and processes will be public; the LOI sets forth the initial framework.

Candace Erickson agreed with Mr. Stafsholt about the wording of No. 7. Mark Harrington stated that staff can wordsmith this section so it is clearer. It's not a big deal because there will be consensus to move forward or not. The LOI is written for consistency with the pending extension deadline. The Mayor explained that it doesn't have to be approved by the Planning Commission by April 30, but has to be in front of them for review. Mike Sweeney interjected that they do not believe it will be there by April 30 but will make a good faith effort. At that point in time, it puts pressure on both parties to continue to work together and the Planning Commission has to be informed about the status of the project. Mr. Sweeney emphasized that if the redesign is rejected, the current plan becomes active.

Mr. Harrington suggested revised language for No. 7, *Should the Sweeney Land Company not reinitiate the CUP by April 30*. Mr. Sweeney stated that they need some mechanism to continue to be able to ask for extensions. Alex Butwinski pointed out that if an extension is needed both parties can agree to enter into a revised LOI before April 30. Ms. Erickson suggested striking the wording, *Should the Planning Commission not approve the CUP* and begin the sentence, *By April 30, the LOI. . .*Council concurred with the amendment as well as Mike Sweeney.

Cindy Matsumoto stated that she appreciated the citizens' comments about a complete buy-out but is hopeful that a redesign will provide acceptable options. Alex Butwinski, "<u>I move we authorize the City Manager to enter into a Letter of Intent with the Sweeney Family to pursue two alternatives for reduced density from Treasure Hill with the corrections made tonight</u>". Cindy Matsumoto seconded. <u>Motion unanimously carried</u>.

IX ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

X ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Joan Card, Consultant; Jason Christensen, Legal Intern;

Jon Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; Rhoda Stauffer, Housing Specialist; Brett Howser, Budget Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 3:50 p.m. Liza Simpson, "I move to open the meeting". Cindy Matsumoto seconded. Motion unanimously carried.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JUNE 17, 2010

I ROLL CALL

Chairman Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 17, 2010. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, Executive Director and Mark Harrington, City Attorney;

II PUBLIC INPUT

None.

III MINUTES OF MEETING OF APRIL 15, 2010

Alex Butwinski, "I move approval of the minutes of the meeting of April 15, 2010". Cindy Matsumoto seconded. Motion unanimously carried.

IV NEW BUSINESS

Consideration of a Resolution adopting the Fiscal Year 2010 Revised Budget and the Fiscal Year 2011 Budget for the Park City Redevelopment Agency – The Chairman opened the public hearing; there were no comments from the public and the public hearing was closed. Joe Kernan, "I move approval of a resolution adopting the 2010 revised budget and fiscal year budget for 2011 for the RDA". Candace Erickson seconded. Motion unanimously carried.

V ADJOURNMENT

With no further business, the regular meeting of the Redevelopment Agency was adjourned. The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

____
Janet M. Scott, Secretary

City Council and Redevelopment Agency Staff Report

Author: Jonathan Weidenhamer
Subject: Lower Park Avenue Redevelopment Authority (LPA RDA) Action Plan contract award – Phases III, IV, V
Date: October 14, 2010
Type of Item: Administrative - Award of Contract

City Council Summary Recommendation –
Authorize the City Manager to enter into a service provider agreement with Design Workshop, Inc. in the amount of $57,618 in a form approved by the City Attorney. This contract amount is to be shared with the Park City Redevelopment Agency. The service provider agrees to:

1. Conduct a retail/market analysis of Park City's commercial districts (Phase III)
2. Conduct a city-wide carrying capacity study, focusing on the LPA RDA (Phase IV)
3. Complete an updated, comprehensive implementation plan for projects in the LPA RDA (Phase V - this is an additive alternative that will be based on performance of deliverables 1 and 2).

Redevelopment Agency Summary Recommendation –
Authorize the City Manager to enter into a service provider agreement with Design Workshop, Inc. in the amount of $57,618 in a form approved by the City Attorney. This contract amount is to be shared with Park City. The service provider agrees to:

1. Conduct a retail/market analysis of Park City's commercial districts (Phase III)
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Topic: Service Provider Agreement for Lower Park Avenue Action Plan, Phases 3, 4 and 5.

Background:
The City Council will consider taking action on this contract both as the Municipality and in their role as the Redevelopment Authority (RDA), in that the funding source will be shared between the Sustainability Budget (approximately $20,000 which is within the existing budget) and the Lower Park Avenue Redevelopment Authority budget

(approximately $37,618 of which exists in the budget). The total contract amount if Phase V is awarded is for $57,618.

Finalizing the last three phases of the Lower Park Avenue RDA Action plan will provide a final implementation strategy for redevelopment of the Lower Park Avenue District. The deliverables of this contract target a framework and a project list that creates the potential for smart redevelopment of the resort economy while balancing other community goals, quality of experience and multiple housing goals.

The chosen consultant will ultimately make recommendations for the appropriate type and amount of business uses to maximize Park City's resort-based economy. The consultant will also determine the answer to the question, "how much is too much?" as it relates to quality of experience and the law of diminishing returns for growth and expansion of our commercial inventory and bed base. The results of this process will set groundwork for future economic and land use decisions.

Efforts Completed

During the annual Council visioning session in January 2010, an update was given on redevelopment efforts in the Lower Park Avenue Redevelopment District (LPA RDA). Staff's current planning efforts for the LPA RDA include the following 5 phases (Phases I and II are complete, Phases III-V are included for consideration with this contract):

Phase I Preliminary Site Planning and Project List (complete)
Phase II City Owned Land Master Plan (complete)

Phase III Market analysis
Phase IV Carrying Capacity study
Phase V Comprehensive update to implementation project list

Phase I – Preliminary Site Planning and Project List

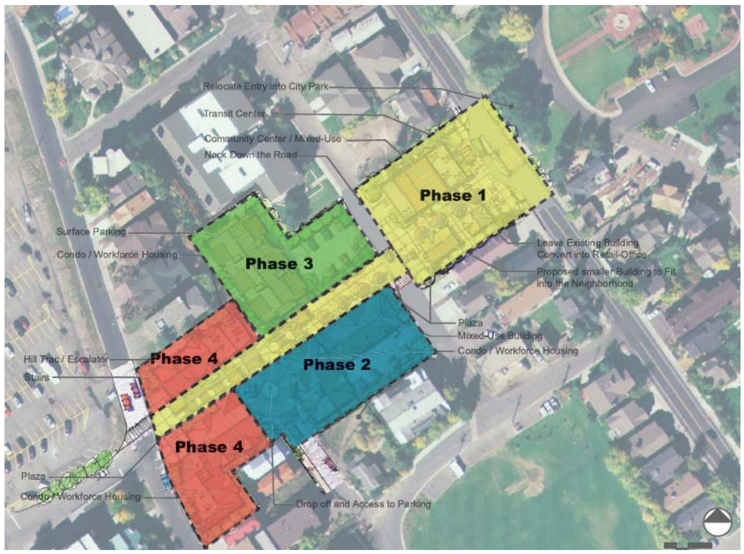
The deliverables included an update of the 1993 Lower Park Avenue Urban Design Study, a preliminary site analysis and planning concepts and finally a Specific Project List identifying components upon which an application to extend the existing RDA could be based.

On January 7, 2010 a work session update was given to Council by staff and consultants from Design Workshop and Jack Johnson Company. At that time the Council unanimously supported seeking partnership opportunities to support the resort based economy, particularly with Park City Mountain Resort. Furthermore, additional direction was given to prepare a master plan for City-owned property in the RDA within the following framework and goals:

1. maintain all existing green/open spaces
2. maintain & don't overpower remaining historic fabric, scale, character and authenticity
3. explore housing alternatives

4. explore an east-west corridor
5. explore community/senior center opportunities
6. all projects should have sustainability & green goals

<u>Phase II - Implementation Plan for City-owned property</u>
PlanWorks Design (Michael Barille) completed a master plan for City-owned property (Exhibit C), which is broken into 3 sub-pieces:



<u>Piece I</u> – Is intended to give a physical example of the primary goals of the re-development plan: establishing the importance of Historic preservation, Civic use, preservation of the key east / west pedestrian corridor, and proving finished appearance and smooth interface with transit on Park Avenue. Potentially this phase could include a rebuilt senior/community center on the site of the old fire station on Park Avenue and contemplate simultaneously remodels of 2 historic homes from the adjacent property, as well as introduction of market rate and workforce/seasonal housing opportunities.

<u>Piece 2</u> - The parcels in this phase would preserve the remaining circulation and access points necessary to establish the intended development pattern; on that steps with the grade and emphasizes the pedestrian while preserving efficient points of access for vehicles that will minimize the effects of traffic for residents both within the planned area and the surrounding neighborhood.

<u>Pieces 3 & 4</u> - Focus on addressing more housing options including senior needs and resort needs. This phase has been designed for flexibility both in size and overall density depending on final outcomes of this study and final direction from the RDA Authority (Council).

Analysis:
A six member selection team comprised of the following members reviewed the proposals:

Michael Kovacs – Assistant City Manager
Jonathan Weidenhamer – Economic Development Manager
Phyllis Robinson – Community Affairs Manager
Diane Foster – Environmental Sustainability Manager
Thomas Eddington – Planning Director
Bret Howser – Budget Manager

The five firms who responded and their proposal costs are as follows. Phase V of the advertised RFP was included as an additive alternate. Because the timeframe to complete phases III and IV was so short, having the last phase be an alternate gave potential consultants a chance to not propose on the last phase. It also allowed Park City the ability to award the last Phase based on performance of the first two. Only 2 firms included bids on all 3 phases:

Firm	Cost Proposed		
	Phase 3 & 4	Phase 5	total
Economic and Planning Systems	$59,340	n/a	
Design Workshop	$51,198	$6,420	$57,618
Lodestar West	$54,100	n/a	
Bonneville Research	$56,654	n/a	
Lewis, Young, Robertson, Burningham	$44,370	$8,470	$52,840

The current contract as written allows for staff to award Phase V. But will make that determination upon completion of Phases III and IV.

<u>Phase 3 -</u> The Market Analysis will involve detailed analysis of current and anticipated market conditions in the local Park City market, as well as an examination of Park City's overall position in the regional and national markets for ski resort communities.

<u>Phase 4 -</u> The World Tourism Organization defines carrying capacity as the maximum number of people who may visit a tourist destination at the same time without causing destruction of the physical, economic and socio-cultural environment and/or unacceptable decrease in the quality of visitors' satisfaction.

Discussions with Council in work session on January 7, 2010 and with the Council and Planning Commission during the January visioning session identify the overall goal of redevelopment as providing the tourism economy a framework for long-term viability. While we don't want to grow or redevelop just for the sake of growth, our charge is to redevelop and diversify the resort economy efficiently and effectively, while minimizing impacts. Staff sees the carrying capacity exercise as a similar tool and believes the study can help the community further narrow and define the amount and type of redevelopment we seek.

The City is currently undertaking a series of broader planning efforts to ensure that we can provide services for full-time residents and amenities for visitors, all while balancing the competing nature of our quality of life, environmental sustainability and economic viability. These efforts include the general plan updates, the transportation master plan and Bonanza Park redevelopment consideration. These planning efforts combined with the phased redevelopment planning in the LPARDA, including the Carrying Capacity Study and Market Analysis, should provide the foundation and roadmap for managed and directed growth. However, this is not a "no growth" strategy; it is a smart growth strategy.

Phase V - This is an additive alternative that will be based on performance of Phases III & IV. The deliverable will be a comprehensive implementation plan for projects in the LPA RDA that will be based on the first 4 phases. This phase will include an overall summary and strategy for moving forward. The final phase will also include a potential project list for use of RDA tax increment

Department Review: This report has been reviewed by representatives of Sustainability, Legal Departments and the City Manager's Office.

Alternatives:

A. **Approve the request, and authorize the City Manager to execute the service provider agreement as attached: (Staff recommendation)**
B. Modify the request: Council could choose to modify the agreement, which would likely delay the schedule of the project.
C. Deny the request: Council could choose to not continue with the project at this time.
D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
E. Do Nothing: Same effect as continuance.

Significant Impacts:
Finalizing the final 3 phases of the Lower Park Avenue RDA Action plan will provide an implementation strategy for use of RDA funds that includes a blueprint for City-owned property as will as a project list that creates smart redevelopment while balancing other community of life, quality of experience and multiple housing goals.

City Council Summary Recommendation –
Authorize the City Manager to enter into a service provider agreement with Design Workshop, Inc. in the amount of $57,618 in a form approved by the City Attorney. This contract amount is to be shared with the Park City Redevelopment Agency. The service provider agrees to:

1. Conduct a retail/market analysis of Park City's commercial districts (Phase III)
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Redevelopment Agency Summary Recommendation –
Authorize the City Manager to enter into a service provider agreement with Design Workshop, Inc. in the amount of $57,618 in a form approved by the City Attorney. This contract amount is to be shared with Park City. The service provider agrees to:

1. Conduct a retail/market analysis of Park City's commercial districts (Phase III)
2. Conduct a city-wide carrying capacity study, focusing on the LPA RDA (Phase IV)
3. Complete an updated, comprehensive implementation plan for projects in the LPA RDA (Phase V - this is an additive alternative that will be based on performance of deliverables 1 and 2).

Exhibits:
Exhibit A - Professional Services Provider Agreement Excerpt:

- Scope, Statement of Approach & Deliverables
- Schedule
- Cost

Exhibit B - Minutes April 15, 2010 council Discussion on RFP scope
Exhibit C – Plan Works Narrative – Master plan for City-owned land (phase II)
Exhibit D – LPA RDA Map

Exhibit A - Professional Services Provider Agreement Excerpt:

Statement of Approach
Task 1: Project Management

The work plan assumes that the City would work with Design Workshop to establish an Advisory Committee to inform the project. We anticipate this group will include the consultant team, Park City staff, Park City Mountain Resort (PCMR) officials, representatives from various neighborhoods, representatives from the business community and other stakeholders. We propose a regular communication strategy to maximize the value of everyone’s time. We will provide weekly email updates and hold a bi-weekly update meeting with the City’s project manager. In addition, we will communicate with the Advisory Committee as appropriate.

Deliverable:
• Agendas and minutes for each meeting, circulated to the Advisory Committee and City staff

Task 2: Project Kick-Off Meeting and Site Visit

The Design Workshop team will conduct a kick-off meeting (approximately two hours) with staff from the Park City Municipal Corporation (PCMC) as part of a two-day site visit in the Park City area. The meeting with staff will confirm the goals and work plan for initial market and carrying-capacity research during the visit. During this two day visit, we will review recent development projects executed or planned in various districts within Park City and conduct interviews and research as necessary with local real estate brokers, business leaders and community representatives to understand the local market.

Deliverables:
• Finalized project schedule and work plan
• Project team directory
• Identification of the vision, goals and critical success factors for the project
• Meeting minutes from the kick-off meeting
• Notes from site visit and initial market research in the Park City area

Task 3: Park City Community Metrics Analysis

Design Workshop believes that “what gets measured gets achieved.” To this end, we will identify and measure key metrics in the categories of Economics, Environment, Community and Art to guide the planning effort for the Main Street, Lower Park Avenue, Bonanza Park, and Prospector districts. At the beginning of this effort, we will identify key metrics and examine how the districts and the overall Park City community currently perform for the particular metric. For example, if the team and the community decide that improving the percentage of sales tax dollars spent in Park City versus elsewhere in the county is an important consideration, we will examine how the community is performing in this regard at the current time. The process will involve designating “benchmarks” or goals for the metric (for example, a goal may be to attract more sales tax revenue to Park City than it loses to outside communities). In terms of environmental metrics, the consultant team and the community may establish key metrics (i.e., in terms of land cover, open space, carbon emissions, etc.) that may inform the carrying capacity analysis to be conducted as part of this engagement. The metrics information will guide the consultant team as it creates recommendations for development strategies and conducts the carrying capacity analysis for development. Then, as the individual districts and Park City overall continues to evolve, the community will be able to measure the success of the current planning effort against these metrics.

During the two-day site visit trip to Park City at the beginning of the project, the Design Workshop team will conduct an internal worksession with the Advisory Committee and selected stakeholders from the community to identify the key metrics for analysis in the areas of Economics, Environment, Community and Art. During this session the Design Workshop team will identify the current condition of the four districts and for Park City overall for each of the metrics identified for analysis. Following the initial metrics analysis section, Design Workshop will identify benchmarks or goals for each metric.

Deliverable:
• Memorandum summarizing the metrics identified for analysis during the project, as well as benchmarks and goals. This memorandum will include tables and graphics of information.
• City Council Work session

Task 4: Base Data Analysis

Design Workshop will work with city staff to gather sales tax receipt data by type and size of business for the various districts within Park City and to compile a complete and accurate inventory of businesses in each district. We will also conduct any additional telephone-based interviews with local merchants, chamber of commerce officials and other agencies as needed.

Deliverables:
• Inventory of existing retail businesses by type for Park City, organized by district
• Memorandum to City staff summarizing the sales tax data gathered by type and size of business
• Notes from discussions with local stakeholders and merchants

Task 5: Overview of Current Trends in Ski Industry

Design Workshop will draw from its work in mountain resort communities nationwide and its current and recent work for private sector ski resort companies to outline a comprehensive overview of current trends in the ski resort industry that will impact the Park City market in the near future. In particular, we will examine prevailing trends in ski resort communities with regard to retail and commercial development and how municipal governments in various resort communities have leveraged public investments and development strategies to promote and sustain retail, both for visitors and for local populations. The trends analysis will document the trends that have emerged in particular as a result of the strained economic climate nationwide.

Deliverable:
• Trends section (to be included in final report)

Task 6: Comparable Community Analysis

In order to offer a broader outlook on the current situation in Park City, Design Workshop will profile three comparable resort communities in the West and outline key findings and trends with regards to commercial and retail development. We will identify how the comparable communities have worked to balance retail strategies designed to attract visitors with those geared to serve the local resident population. The outline for the comparable community analysis will include:

• General description of the comparable resort community (including location, access, key attributes, etc.)
• Market positioning versus local, regional and national competitors
• General description of real estate offerings (including descriptions of key resort projects in and near the community)
• Key community amenities that drive tourism-based economic activity
• Identification of how Park City may be similar or different from each community and in the key community amenities and what elements Park City could consider adopting or should avoid.

Deliverable:
• Analysis of comparable resort communities (to be included in final report)

Task 7: Positioning Identification of Park City Districts

Drawing from an analysis of existing base information, discussions with local economic development and business leaders, and the examination of current trends in the ski industry and comparable resort communities, Design Workshop will outline how each of the four districts identified in the RFP complement each other and compete with other districts in the larger regional market. The analysis will identify Park City's place in the local and regional market and provide recommendations on how it can compete with them.

Deliverable:

• Memorandum to Park City staff summarizing the recommended positioning of the four Park City districts identified in the RFP (to be included in final report)

- Map identifying physical boundaries of each district
- Table of district descriptors: A layout that shows the characteristics of each district (physical size, sales tax volume generated by that district, forecast of district potential sales tax, number of businesses by type, what makes each district unique, weakness factors of each district, best potential future use for each district, position of each district within the local market, position of each district within the regional market, etc..

Task 8: Retail/Commercial Demand Analysis

Design Workshop will calculate the supportable retail and commercial demand in each district within Park City (in terms of square footage). This calculation will outline the types and quantities of retail/commercial space that the local market can support both in the short term (immediate) and long term (five to ten years). For the long term analysis, two forecasts will be provided: one more conservative forecast will be based on the current economic trends and the second based on an assumption of economic recovery within the next four to five year and future growth greater than current growth, but not quite the pace of expansion seen in the earlier part of this decade.

The demand analysis will draw from assumptions and projections concerning the growth of the full-time resident population in Park City and surrounding jurisdictions in order to quantify the square footage and type of retail supported by non-visitors. Furthermore, we will examine information concerning the income, buying preferences and psychographic profiles of the local population in order to provide estimates and descriptions of the types and quantities of retail that locals would support in the near and long term. The demand analysis would include assumptions concerning the capture rates that local-serving retail space in Park City would realize in comparison to other retail centers in nearby communities.

In order to calculate and describe the quantity and type of retail supported by visitors and tourists to Park City, the analysis would leverage information from the base analysis, interviews with the local business community and the analysis of comparable ski resort communities in the West.

The retail demand analysis will:

• Characterize the existing and potential future demand drivers for retail real estate types

• Use the information from above to construct market supportable demand quantities for retail and commercial land uses over five- and 10-year periods

• Reconcile the above with a supply inventory and pipeline analysis to arrive at two matrices of supportable quantities of retail and commercial land uses over five and 10-year periods. One matrix will assume current economic trends and the other will assume economic recovery within a period of three to four years.

• Provide guidance as to achievable pricing for retail and commercial (for rental and fee simple real estate products)

Deliverables:

• Spreadsheets detailing the calculations of supportable retail and commercial demand for the various districts within Park City (as articulated in the RFP)

• Retail and commercial demand analyses for each of the four districts within the community (to be included in final report)

Task 9: Outline of Development Scenarios and Fiscal Impact on Park City

Drawing from the retail and commercial demand analysis, the community's stated goals and vision (in terms of environment, traffic considerations, etc.) and the metrics analysis at the beginning of this project, Design Workshop will outline key development scenarios for retail and commercial uses in each of the four districts. We will consider the sustainability goals of the community in creating these scenarios and will articulate how the scenarios meet these goals and the metrics established by the community. We will describe how the scenarios will enhance the competitive position of each district and how they collectively will help Park City compete with other local jurisdictions and with other mountain resort communities in the West. Using assumptions for sales tax and property tax generation, we will work with City staff to provide an outline of how the recommended development scenarios would impact the fiscal position of Park City (in terms of tax receipts generated from different types of businesses).

Deliverables:

• Spreadsheets and graphical representations necessary to describe the recommended development scenarios for each of the districts, how the scenarios would enhance Park City's competitive position, and how the scenarios would impact the fiscal position of the city (to be included in final report).

Task 10: Public Policy Implications Analysis

Design Workshop will outline the zoning and municipal code or ordinance changes necessary to implement the development scenarios over time, based upon our experience in creating site plans for projects in a variety of resort markets over the last four decades. The scope of work for this project will not include detailed writing of codes.

Deliverables:

• Summary memorandum outlining recommended zoning and municipal code changes resulting from the development scenarios.

Task 11: Carrying Capacity of the Tourism-Built Environment

The appropriate and sustainable amount and type of development in a resort community like Park City is influenced by physical planning factors, community goals and sustainability metrics, as well as by market considerations. Design Workshop, together with Nolte Associates, will work with the Park City community to identify the carrying capacity of new developments in the four districts, given the identified market and physical constraints.

At some point, resort communities simply reach their capacity for development, given space limitations, market limitations and other physical considerations. In this task Design Workshop will examine the carrying capacity of the Park City area to accommodate new development and, in particular, new tourism-related development in accordance with market realities and the physical limitations of various tourism-related factors, including but not limited to the seven categories listed in the RFP. We will also examine the effect of continued sprawl on Park City's development potential and how potential no-growth strategies in Park City may affect overall development patterns in the Summit and Wasatch County areas.

Deliverables:

• Summary memorandum outlining the potential carrying capacity of tourism-related development in Park City, based upon community goals and metrics.

Task 12: Carrying Capacity from the Environmental Perspective

Design Workshop, together with Nolte Associates, will work with City staff to determine the environmental carrying capacity of the Park City community as it continues to plan for potential development scenarios and investment projects for the Lower Park Avenue and Main Street areas. We will draw qualitative conclusions concerning the carrying capacity in terms of a variety of metrics identified in the earlier metrics worksession and continued discussions with City staff and the Advisory Committee. We anticipate measuring the carbon impact for the community for the various development scenarios. The determination of the carrying capacity will also take into account the impacts of urban sprawl in Summit County and the net-carbon effects of pushing development into more remote regions.

Deliverables:
• Summary memorandum outlining the environmental carrying capacity of the Park City community.

Phase V
Design Workshop will draw from the results of the market analysis and carrying capacity analysis to refine the project list for Lower Park Avenue created during Phase I in 2009. The refined list may include projects not listed on the original version, based upon the development scenarios created during Phase III and continued discussions with City staff and local stakeholders. The projects identified on the refined list should, in addition to leveraging potential market opportunities, also represent efforts by the community to satisfy overall goals and metrics for Park City over the next few decades (such as, for example, affordable housing goals). The refined project list will incorporate land-use goals for City-owned property identified in Phase II as well as the City's Transportation Master Plan and General Plan updates. We will outline recommended amenities the City should incorporate in the project list in order to stimulate investment and satisfy community goals. In addition, in creating a project list for the Lower Park Avenue area we will identify how the different districts in Park City (Main Street, Lower Park Avenue, etc.) should position in the local and regional markets.

Deliverables:
• Revised project list (in MS Excel format), including rankings of the various projects in terms of financial and physical feasibility and alignment with community goals and metrics
• Conceptual diagrams to describe the key projects on the list and the main planning frameworks underlying the recommended projects (such as circulation, open space, etc.)
• Memorandums to city staff providing additional details

Task 13: Summary Report and Presentation

Whether or not the City elects to proceed with Phase V as part of this engagement, Design Workshop will complete a summary document and make a presentation of findings from Phases III, IV, and V (if applicable) to the Park City Council in January 2011. We will outline how the findings from the market study and the carrying capacity analyses should guide future land-use strategies, future public and/or private sector investments in new development scenarios in various districts in the community, and how Park City should position itself versus other resort communities in the future. We will describe how investments in the Lower Park Avenue area, the Main Street Area, Bonanza Park and Prospector may stimulate the local economy. The summary memorandum will also outline how particular public investment projects in these districts may support the Economic Element of the Park City General Plan.

Deliverable:
• Summary final report from Phases III, IV and V.
• Presentation / Discussion of final results and conclusions of the planning effort with staff members of the Park City Municipal Corporation and the Park City Council. We anticipate conducting this presentation in person.

Schedule:

Notice to Proceed October 15, 2010

Task 2: Project Kick-Off Meeting and Site Visit Week of November 1

Task 3: Community Metrics Analysis Week of November 1. Council Work Session – Month of November

Task 4: Base Data Analysis October 15 - November 5

Task 5: Overview of Current Trends in Ski Industry October 23 - November 5

Task 6: Comparable Community Analysis October 23 - November 5

Task 7: Identification of Positioning of Park City Districts November 8 - November 12

Task 8: Retail / Commercial Demand Analysis November 8 - November 12

Task 9: Outline Development Scenarios and Fiscal Impact on
Park City November 15 - November 24

Task 10: Analysis of Public Policy Implications November 15 - November 24

Task 11: Carrying Capacity of the Tourism-Built Environment November 29 - December 10

Task 12: Carrying Capacity from an Environmental
Perspective November 29 - December 10

Phase V: Comprehensive Implementation Plan and
Refinements to Project List (OPTIONAL) December 11 - December 22

Task 13: Summary Memorandum and Presentation (Assuming only Phases III - IV)
January 10, 2011

Task 13: Summary Memorandum and Presentation (Assuming Phases III, IV, and V)
January 17, 2011

FEES

Task 2: Project Kick-Off Meeting and Site Visit	$4,078
Task 3: Community Metrics Analysis	$5,280
Task 4: Base Data Analysis	$2,638
Task 5: Overview of Current Trends in Ski Industry	$2,340
Task 6: Comparable Community Analysis	$2,340
Task 7: Identification of Positioning of Park City Districts	$2,880
Task 8: Retail / Commercial Demand Analysis	$6,420
Task 9: Outline Development Scenarios and Fiscal Impact on Park City	$6,720
Task 10: Analysis of Public Policy Implications	$2,160
Task 11: Carrying Capacity of the Tourism-Built Environment	$5,994
Task 12: Carrying Capacity from an Environmental Perspective	$5,994
Phase V: Comprehensive Implementation Plan and Refinements to Project List (OPTIONAL)	$4,980
Task 13: Summary Memorandum and Presentation (Assuming only Phases III — IV)	$1,440
Task 13: Summary Memorandum and Presentation (Assuming Phases III, IV, and V)	$2,880

REIMBURSABLE TRAVEL $1,300
COPY / PRINTING $1,614

TOTAL INVESTMENT — WITH PHASES III AND IV $51,198
TOTAL INVESTMENT — WITH PHASES III, IV, AND V $57,618

ADDENDUM "B"

PAYMENT SCHEDULE FOR "EXTRA" WORK

Becky Zimmermann Principal-in-Charge Design Workshop	Jeff Zimmermann Design Lead Design Workshop	Britt Palmberg Project Manager / Market Analyst; DW	Scott McLean Project Assistant Design Workshop	Chris Robbins Associate Nolte
$300 / Hr	$300 / Hr	$150 / Hr	$90 / Hr	$149 / Hr

Exhibit B – Minutes 4.15.10 City Council Meeting

3. Carrying capacity – market analysis survey. Jon Weidenhamer emphasized that this concept is not new and explained that the analyses measure impacts changing the experience with regard to infrastructure and amenities. He felt this information will be useful in developing a plan for the Lower Park Avenue RDA and understood the goal to be maximizing and diversifying the tourism economy while mitigating impacts. The scope is limited to the two redevelopment areas, including Main Street and LPARDA, which includes half of the Bonanza Park District and the three signalized intersections. The HMBA has been concerned about regional commercial competition and the City has been considering conducting a market analysis for Main Street for some time. He pointed out that the staff report contains details on both the carrying capacity and market analysis studies. The plan would be to complete the studies by the end of the fiscal year with budgeted funds.

Mr. Weidenhamer explained that the study for carrying capacity will consider existing amenities and services to meet peak visitor demands, limiting factors in capturing additional market share, the net impact of any strategies to limit or slow growth, and the specific environmental impact of any RDA project. In response to a question from Cindy Matsumoto on the recommendations of the market study, Mr. Weidenhamer explained that it will reveal the effectiveness of our existing commercial retail mix and provide suggestions for the optimal mix which will be helpful for Main Street and the PCMC resort.

The Mayor felt other commercial areas should be included like Snow Creek and Prospector, recognizing that they are not destinations for tourist shopping. Liza Simpson agreed and expressed that the City should be as holistic as possible and asked why the studies are limited to the two RDAs. Jon Weidenhamer explained that one reason is the availability of RDA funding. The Mayor suggested waiting until the studies can be comprehensively performed and asked what the City wants to gain from the studies.

Candace Erickson believed that it is a new business owner's obligation to be familiar with the local market and to identify a need. She asked the purpose of the City conducting the studies and wondered like the Mayor, what the City is trying to accomplish. She referred to initial discussions on carrying capacity relating to defining the number of people who can be in town at one time before our roads, water, or other infrastructure fails. Afternoon grid-lock was specifically addressed which affects residents. Ms. Simpson stated that she shares the same concerns but for the tourists as well and monitoring the experience is important. She suggested partnering with the Chamber especially if the studies are conducted City-wide.

Diane Foster pointed out that the City would be obtaining information on economic, community and environmental failure points. While the resorts are looking at individual carrying capacity, this information is unique to the community. Ms. Erickson reiterated that the City should have partners on the project. She pointed out the level of residential in the proposed study area and feared that the consultant may recommend changing the zoning to more commercial uses. Setting parameters for the consultant in advance may be wise. Alex Butwinski asked how the base data will be compiled, for instance, sales tax information may be available but the consultant may not know how to import it in the analysis. From an economic development standpoint, this information might be helpful to the Economic Development Manager to know what is lacking and it is helpful for everyone to target failing indicators.

The Mayor asked for feedback from Council on limiting the studies to our two RDAs. He stated that he supports this project being done at some point but it is not his top priority, especially if there are funding issues and he prefers to wait to perform a City-wide study. Mr. Butwinski agreed that it may not be a good idea to rush into the studies except to determine the scope of the study and to explore partnerships with the resorts. He believed the Council should be looking at performing the studies collectively. In response to a question from Candace Erickson, Mr. Weidenhamer indicated that he doesn't know what the increase in cost will be for City-wide analyses.

Tom Bakaly referred to a sales tax analysis done years ago which was sectioned in districts. The project could be bid to include all or individual districts. The City wants some of the data, which would be better to have sooner than later and the district approach may be more appealing to potential partners. He urged Council to keep the project moving. The Mayor asked the benefits of gaining information by district. Mr. Bakaly again mentioned attracting partners in different districts. The sales tax study was broken down by upper Deer Valley, lower Deer Valley, Snow Creek, Prospector, Lower Park Avenue, and Park City Mountain Resort. This approach provides information about a district and how it compares with the rest of the City. He again suggested bidding the City as a whole and by districts as well as setting parameters for the consultant.

The Mayor believed information on supply and demand in the real estate market and over-building a type of stock would be helpful and Ms. Erickson pointed out that all complete applications have to be reviewed in any event. Ms. Simpson added that the applicant could be advised that it may not be a good idea based on the data. The Mayor felt the studies will reveal a lot of useful information that can be shared with the community. Joe Kernan supported studies that are useful to the Council and other boards and commissions in decision-making. This could include decisions on improvements to public roads, amenities, transportation, etc. Funding a study to provide information to others is generous but he felt a study geared toward City decisions is more appropriate. Mr. Bakaly expressed that the market study could be broader or City-wide; carrying capacity relates to behavior.

Liza Simpson agreed with Ms. Erickson's comments about setting parameters and felt that it is partially addressed in the draft bid. She suggested adding language about existing residential and/or historic residential. Jon Weidenhamer pointed out that planning staff will be meeting with the consultant on a regular basis. Cindy Matsumoto expressed concerns that the plan does not include Holiday Village, NOMA or Snow

Creek which are commercial areas used by many locals. Mr. Weidenhamer explained that the RDA includes the three main signalized intersections which addresses infrastructure concerns and seemed like a balance. Candace Erickson felt that if Main Street and PCMR are studied, Prospector is a logical addition. Identifying Vail as a comparable town was discussed and Jon Weidenhamer described its successful unique marketing strategies.

Cindy Matsumoto stated that she likes the idea of pursuing a market study and trying to bring diverse businesses into town. Liza Simpson suggested looking at three years' data rather than the past two for better economic samplings. The Mayor pointed out that Park City has always experienced a large turn-over of new businesses regardless of good or bad years. The three critical elements are carrying capacity, marketing and vision.

Mr. Weidenhamer discussed the benefit of surveying the Main Street market relating to the redevelopment of the Main Street Mall. He felt Main Street is a destination area and doesn't really compete with Redstone. The Mayor disagreed and felt County residents are going to Redstone rather than Main Street and there is an economic impact. He suggested that the RDA areas be addressed first and that staff meet with the Chamber and the resorts. Ms. Erickson discussed marketing Main Street as a destination for locals to shop and some retailers have figured out how to make that work. Main Street is not just a destination for visitors and discussion ensued on making that a goal. Ms. Simpson agreed that Main Street is not strictly a tourist destination for a shopping and/or dining experience.

Jon Weidenhamer understood that Council would like the geographical areas bid separately and together and to integrate visioning so quality of life is not lost. Discussion ensued on the significant amount of information the City has already accumulated through studies that should be made available to the consultant to save time and money. Candace Erickson indicated that she is not very interested in the carbon footprint element and Liza Simpson felt that removing it will save dollars. Tom Bakaly felt confident about the ability to adjust the contract accordingly.

Exhibit C – Master Plan (Narrative) for City-owned property in the RDA

Lower Park Avenue Implementation Plan

General Principles:

- Create a framework for ongoing development or redevelopment of City owned and adjacent properties to occur in a cohesive and walkable pattern
- Create a plan that through design and suggested land uses; strengthens the physical and economic connection between the Resort and Historic Main Street without disrupting the circulation or enjoyment of existing uses in the surrounding neighborhood blocks
- Create public spaces and synergistic uses that could be a neighborhood scale amenity and focal point; not a burden
- Suggest a range of scale and scope of development that is compatible with the surrounding blocks in the Lower Park Avenue neighborhood
- Identify appropriate areas for senior activities, a diversity of housing opportunities, clear and functional pedestrian connections and let all other uses support these primary goals
- Incorporate innovative transit solutions where staff deems that this will be effective in providing a level of service that will strengthen the Resort to Main Street connection while decreasing individual vehicle trips (Lower Main Circulator bus, electric train / trolley, Hill Trac / people movers, all warrant discussion and investigation)
- Identify potential partners or opportunities to attract private sector investment in the implementation plan area where this supports policy objectives and has the potential to lower the cost burden associated with achieving those objectives
- Create a financial model to examine the "real world" implications of the land use patterns and policy objectives reflected in the Implementation Plan options provided

Phasing and Design Philosophy

Phase I

Phase I – is intended to give a physical example of the primary goals of the re-development plan: establishing the importance of Historic preservation, Civic use, preservation of the key east / west pedestrian corridor, and proving finished appearance and smooth interface with transit on Park Avenue.

Buildings A & B represent re-use of historic buildings in their current or reconstructed locations without changes to the buildings scale or design. Neighborhood scale commercial or residential uses are suggested for these buildings.

Building C represents a new structure on the site of the existing Park Avenue Fire Station Building owned by PCMC. The design for this structure should be welcoming and the scale and architecture consistent with traditional forms in the neighborhood but with an allowance for more contemporary materials and glazing to open the building to the pedestrian corridor. The uses suggested for this building include a new home for the Community Senior Center, class room / studio space for all age activities that could be programmed by the Senior Center, or a variety of other public or non-profit organizations integral to Park City and the Old Town community. Exhibit space could also be provided on the ground floor and residential uses could be appropriate on the second level of the building. The building is intended to be the Civic Hub for the re-development area and complimentary to other civic uses in the neighborhood such as the Library Center and accompanying open space. It should set the example for both the vibrancy and intensity of use that is appropriate in the Lower Park Avenue portion of the redevelopment area.

East / West Corridor – It is also recommended that PCMC acquire all or some portion of the main east / west pedestrian corridor that will provide the physical link between the Resort, Park Avenue, and Historic Main. This corridor should be acquired and protected with specified setbacks and design guidelines specific to the redevelopment area regardless of whether any further pedestrian improvements or development of the site is initiated. It is recommended that Phase I include identification and assignment of funds to make pedestrian improvements that will address the grade change inherent in the site and make clear from the outset the functionality of the Resort to Park Avenue to Historic Main Street connection

Phase II

Phase II – The parcels in this phase would preserve the remaining circulation and access points necessary to establish the intended development pattern; on that steps with the grade and emphasizes the pedestrian while preserving efficient points of access for vehicles that will minimize the effects of traffic for residents both within the planned area and the surrounding neighborhood. The suggested access point off of 13th Street terminating in a courtyard turnaround would also preserve the ability to utilize underground parking solutions on multiple parcels in the plan should the final design and density warrant below grade parking. The vertical development in this phase would provide the first of several opportunities to provide for residential uses with market rate and employee / attainable housing options worthy of consideration.

Option 1, showing Buildings D & E represents a higher density option for stacked flat units utilizing underground parking that could provide more units and possibly more return to the City or end developer. The foot prints for these buildings would be slightly larger than those designed on the same parcel in Option 2 and more consistent with recent condominium development in the lower half of the neighborhood.

Option 2, depicts a lower density option utilizing triplex buildings with foot prints more consistent with traditional historic residences elsewhere in the neighborhood.

Phases III and IV

This phase has been designed for flexibility both in size and overall density. The size will largely depend on the City's appetite for either acquiring additional land or partnering with neighboring land owners to create an incentive for privately held properties to develop according to the City's preferred design standards and use patterns. The primary use associated with vertical development in these phases will be residential with limited opportunities for neighborhood scale commercial services or a food and beverage establishment.

Option 1 again depicts a higher density scenario where stacked flats over primarily underground parking would be utilized to maximize the number of units available within the height and space restrictions. These additional units could either provide for more employee housing opportunities or be utilized for market rate condominiums to improve the return on the land and minimize the expenditure of RDA or other municipal funds. The additional land required for this option could be purchased or brought into plan and guidelines through partnering / development agreements with the private sector.

Option 2 demonstrates and lower density development pattern that is likely to occur if less land is acquired by the City, less infrastructure subsidized by the RDA and private development interests control more of the land in the Implementation Plan area.

Financial Modeling

A financial model of the Implementation Plan has been prepared to provide a snapshot of potential costs and revenues that could be associated with the plan under the various scenarios. Development hard and soft costs have been modeled including but not limited to the following: construction costs, permitting fees, green building and public arts line items, sales commissions, land acquisition costs, and design fees. The financial model also provides inputs for financing scenarios, land sales, unit sales, commercial lease revenues, and residential rents to be projected over a ten year period. Typical indicators utilized by private sector developers such as Investor Rate of Return (IRR) and Return on Investment (ROI) are also provided.

The financial model was prepared based upon current economic indicators, industry specific cost information, and with input from staff on the development assumptions to be modeled for initial discussion. It should be noted that the financial summary presented with the plan is neither a true private sector developer model nor a model that exactly reflects the municipal role as facilitator and potential distributor of the land assets. Instead the current model is a blend of the two approaches to facilitate policy discussion about what role the Council believes the City should play in re-development of this portion of the Lower Park Avenue RDA Area. Staff will be provided with the ability to change various inputs and assumptions in the model. Based on City Council input, the model can be updated with staff to more accurately reflect the intended policy direction and the associated costs and benefits associated with that direction.

There are a few essential policy considerations that dramatically influence the costs and revenues associated with the options that have been studied from a land use and planning perspective. Staff will be hoping to garner Council input and direction in the following areas:

Ratio of Employee / Affordable Housing to Market Rate Residential: The costs associated with development of Employee / Affordable Housing is only marginally different than for creating Market Rate housing. However the revenues generated by Employee / Affordable rents are significantly less than from Market Rate sales especially modeled over a ten year horizon. Staff will be looking for direction on how big an emphasis to place on the creation of Employee / Affordable Housing in redevelopment of this area. Employee / Affordable Housing can be created in a number of ways. It can be developed by the City and subsidized either with RDA funds, Affordable Housing funds, or a combination. Restricted Affordable units can also be required through development agreements with the private sector participants who choose to participate in the plan. However the private sector will likely be able to bear a smaller ratio of affordable to market rate units if they are to remain profitable and be enticed to contribute private sector investment in the implementation plan area. The policy direction on how much Employee / Affordable Housing to pursue and through which means will greatly influence the overall costs, revenues, and profitability predicted by the financial model for any of the development scenarios that have been studied. For purposes of the financial summary provided staff advised:

- 80% of all residential units in the plan are assumed to be restricted affordable rental units with rents affordable to those at 40% of the area median income (AMI).
- The remaining 20% of residential units were modeled as for sale units with pricing affordable to those earning 80%-120% of the area median income.
- 100% of the residential units in the plan are modeled to provide for some niche of employee or affordable housing. This creates a financial model with the lowest return on investment.

Disposal of property or other Public / Private Sector partnership scenarios: One of the single biggest chips held by the City that will influence the costs and revenues associated with the modeled redevelopment is the use of City owned land. The ability to utilize publically owned land to support policy goals, generate revenues or entice private sector development partners is a well established and important tool in creating the intended pattern of redevelopment in RDA areas. The City's choices with respect to disposal of real property include the following range of options or some combination thereof:

- Sell parcels of land to private or non-profit developers to generate revenues that will replenish funds spent on public projects within the RDA
- Gift parcels of land to incentivize or require certain land use or policy objectives
- Provide land at a discounted value to incentivize or require land use or policy objectives
- Make land available to receive density from elsewhere in furtherance of policy objectives or development goals

Each of these options creates a different level of legal exposure and investment of staff time which should be vetted with senior management. Staff will be looking for preliminary direction on Council's preferred objectives and level of comfort with each of the options available. Future iterations of the financial model can be programmed to reflect the cost reductions or revenues realized by the options pursued.

RDA funds invested in infrastructure improvements: RDA funds could also be utilized to improve utilities, construct transportation related infrastructure, or develop public spaces depicted by the Implementation Plan. These expenditures would be shown on the cost side of the ledger when viewed from the municipal perspective and as a cost savings from a private sector point of view. In either case the amount invested will influence the return on investment and the likelihood of attracting outside investment in the plan. Staff will be seeking direction on the general level of investment preferred and which projects should be prioritized for funding.

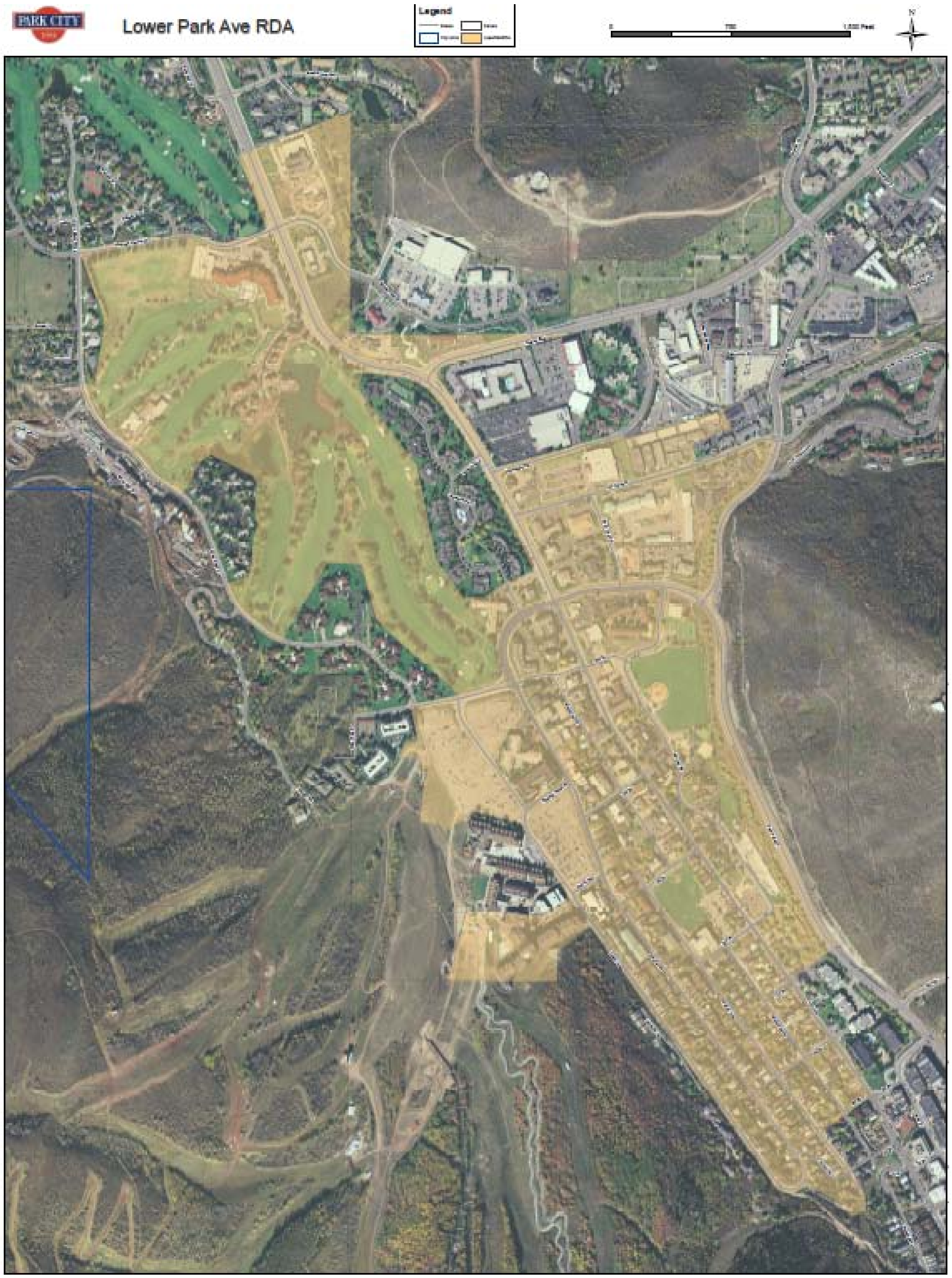
RDA funds granted versus loaned or leveraged: RDA funds could be applied to actual construction costs or to provide improved development sites as a pure expenditure drawing down reserves in the RDA. They could also be utilized as matching funds for grants that may be available for transportation or housing related development and leveraged in this way to increase the overall investment in RDA area or to reduce the costs associated with those items for private sector development. Finally, RDA funds could be loaned directly or utilized to obtain low cost financing for selected projects reducing the overall cost associated with those improvements. Any of these scenarios could be specifically modeled in future iterations of the financial model and staff will be seeking direction on preferred vehicles for utilization of the funds available.

Summary:

The Implementation Plan and Phasing plan provide a template for two potential development patterns that could achieve a number of Park City Municipal policy objectives while achieving the primary objective of providing an additional identifiable and high functioning connection between the Resort on the hillside at the west end of the Lower Park Avenue neighborhood and another of the City's primary economic cogs the Historic Main Street Business District just a few blocks to the south and east. Providing the easiest means possible for residents and visitors to travel between these two focal points of the broader Park City Community will result in stronger economic returns for both the Resort and the Town, strengthen the ability to jointly market the amenities that are offered by each entity and further solidify the partnership between resort, city hall, and area businesses that is such a rare commodity among mountain resort towns.

The Implementation plan also seeks to create a smaller and more civic oriented focal point within the Lower Park Avenue neighborhood. This can be accomplished through the provision of a long term home for senior and educational activities, vibrant indoor / outdoor spaces that can host civic functions, and creating opportunities for a diversity of housing options.

Lastly, the final deliverables for the project will include the financial model that has been developed in conjunction with the Implementation Plan with the ability to update specific inputs and assumptions that will allow staff to make the financial summary a current reflection of ongoing discussion with and input from Council.


Lower Park Ave RDA
Legend

City Council
Staff Report

PARK CITY
1884
PLANNING DEPARTMENT

Subject:	**Deer Valley Place Condominiums**
Author:	**Francisco Astorga**
Project Number:	**PL-10-00987**
Date:	**October 14, 2010**
Type of Item:	**Administrative – Condominium Record of Survey Plat**

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving Deer Valley Place Condominium Record of Survey Plat located at 601/603 Deer Valley Drive based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant:	SFG Properties, LLC represented by Tracy Doughett,
Location:	601/603 Deer Valley Drive Lot 1, 601 Deer Valley Drive Subdivision
Zoning:	Residential-Medium Density (RM) District
Adjacent Land Uses:	Residential
Reason for Review:	Condominium Record of Survey Plats require Planning Commission review and City Council approval

Background

On June 7, 2010, the City received a completed application for a Condominium Record of Survey for an existing duplex located at 601/603 Deer Valley Drive (Lot 1, 601 Deer Valley Drive Subdivision) in the Residential-Medium Density (RM) District. Approval of the Condominium Record of Survey would allow for each unit in the duplex to be sold separately. The duplex received a certificate of occupancy by the Park City Building Department in November 2008.

The Park City Planning Commission and City Council reviewed an application for the condominium record of survey plat in June 2008 by the previous property owner. The application was approved however, the applicant did not meet the condition of approval of recording the record of survey plat within one (1) year of the City Council approval date, and therefore the approval was void. The current property owner, SFG Properties, LLC filed the same application to be able to sell both units separately. Physical changes have not been made to the structure from the time that it was previously reviewed.

On September 22, 2010 the Planning Commission reviewed this application. The Commission amended the condition of approval regarding the encroachment agreement and its corresponding improvements. The Commission forwarded a positive recommendation to the City Council.

Analysis

The purpose of the Residential Medium Density (RM) District is to:

a) allow continuation of permanent residential and transient housing in original residential Areas of Park City,
b) encourage new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area,
c) encourage the rehabilitation of existing Historic Structures,
d) encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
e) encourage affordable housing,
f) encourage Development that minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas.

The duplex is located at 601 Deer Valley Drive (Lot 1, 601 Deer Valley Drive Subdivision). A duplex is an allowed use in the RM District. The minimum lot size for a duplex is 3,750 square feet. The area of the lot is 7,180 square feet. The front yard setback for a duplex is fifteen feet (15') minimum, rear yard setback is ten feet (10') minimum, and side yard setbacks are five feet (5') minimum. The existing conditions comply with required minimum setbacks.

Parking requirements for the duplex have been met with the site. The parking ratio requirement for a duplex (LMC § 15-3-6) is two (2) parking spaces per dwelling unit, requiring a total of four (4) parking spaces. The individual garages for each unit contain two (2) parking spaces each.

As shown on the 601 Deer Valley Drive Subdivision (Exhibit B) the drive access for Lot 1 is currently through the 20-foot-wide access, snow storage, and parking easement on Lot 2 parallel to Deer Valley Drive. The condominium Record of Survey further memorializes the access, snow storage, and parking easement. Another condominium conversion application has been submitted by the adjacent duplex owner, The Lofts on Deer Valley Drive Condominium, at 605/607 Deer Valley Drive.

The two (2) condominium units vary in floor area. Unit 601 has 5,067.6 square feet of private area and unit 603 has 4,862.5 square feet of private area. Shared entry area and open space are identified as common ownership. The decks are identified as limited common areas. The CC&Rs to be recorded with the plat will outline the tie breaker process.

Staff finds good cause for this condominium conversion as the units will be able to be sold separately and the plat memorializes the conditions of approval regarding t access, snow storage and parking.

Non-compliances

Access and Parking

In the recent years the City has noticed that there have been various vehicles that have not utilized the access and parking easement as it was intended per the subdivision plat (601 Deer Valley Drive Subdivision Plat) conditions of approval:

- *Pursuant to Land Management Code (LMC) § 15-7.3-3(E)(2), access to both lots shall be by a* <u>*single combined access drive*</u>*. The driveway shall be designed consistent with the requirements of sections 15-7.3-3(E)(2) and 15-3-3 of the LMC.*
- *Substantial turn around area shall be provided on site to ensure that automobiles do not back onto Deer Valley Drive.*

The City has also noticed a boat and several vehicles parked right in front of the 601 Deer Valley Drive duplex, including the City Right-of-Way (Deer Valley Drive), because of the rolled curb and gutter.

The existing shared driveway is twenty-four feet (24’). The maximum driveway width allowed by the Land Management Code is twenty-seven feet (27’). Staff will allow the applicant to expand the driveway width to the maximum to assist in complying with the subdivision condition of approvals. Staff recommends a condition of approval to expand the width of the driveway in order to facilitate the required use of the driveway.

To mitigate the misuse of access and parking in the driveway, Staff will require the applicant to build planter boxes or other barrier along the front on the City Right-of-Way behind the existing five foot (5’) sidewalk and allow the driveway to be expanded towards the back of the proposed planter boxes (see Exhibit C). The incorporation of these planter boxes will facilitate compliance by limiting access to the lot through the future landscaped front yard and existing rolled curb and gutter and will direct access to take place through the required access and parking easement (shared driveway) as conditioned. The applicant shall work with the City Engineer to obtain encroachment agreements for these improvements. Staff recommends a condition of approval that the encroachment agreements be executed and recorded prior to plat recordation.

During the Planning Commission review and recommendation the Commission indicted that there must be a barrier between the platted lots and Deer Valley Drive. Also that no parking shall take place in the driveway or access area on the property, and no parking shall impede the view sigh of Sunnyside (site distance triangle area). Staff has incorporated the requested condition of approval.

<u>Retaining walls</u>
The approved building permit for the duplex contains a site plan which only shows one retaining wall towards the rear of the structure. There are currently three (3) retaining walls on site between this duplex the other duplex to the east ranging from two (2’) to six feet (6’) in height.

All three retaining walls were built with simulated stone. City codes do not permit the use of stone, cultured stone, synthetic stone products, pre-cast stone, or concrete imbedded with stone fragments.

During this condominium plat application process, the applicant has covered the synthetic stone block. The applicant followed staff recommendation to use timbers held with vertical I-beams for the retaining walls. Both the Planning Department and the Building Department have inspected the site related to the built retaining walls and find that these walls are allowed as built and are now compliant with applicable City codes.

The retaining wall located towards the rear is yet to be built. Staff recommends a condition of approval that will indicate that applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure prior to plat recordation.

Landscaping and site clean up

The applicant shall submit a comprehensive landscape plan for the entire project including the planter box (small trees or tall shrubs). Excess remnant concrete throughout the site needs to be removed. The applicant needs to also apply top soil, gently grade and plat native seed mix (hydro-seed). Staff recommends a condition of approval which requires an approved landscape plan and landscape bond prior to plat recordation.

Process

The decision by the City Council constitutes final action that may be appealed in District Court within thirty (30) day of approval.

Department Review

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

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

Public Input

During the Planning Commission public hearing public input was received. Mr. Anderson indicated his concerns related to appropriate parking and possible obstruction of the view site triangle area. (See Exhibit D – September 22, 2010 Planning Commission minutes).

Alternatives

- The City Council may approve the Deer Valley Place Condominium Record of Survey Plat as conditioned or amended; or
- The City Council may deny the Deer Valley Place Condominium Record of Survey Plat and direct staff to make Findings for this decision; or

- The City Council may continue the discussion on Deer Valley Place Condominium Record of Survey Plat.
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

<u>Significant Impacts</u>
There are no significant fiscal or environmental impacts from this application.

<u>Consequences of not taking the Suggested Recommendation</u>
The duplex could not have separate ownership.

<u>Recommendation</u>
Staff recommends the City Council hold a public hearing and consider approving Deer Valley Place Condominium Record of Survey Plat located at 601/603 Deer Valley Drive based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

<u>Exhibits</u>
Exhibit A – Draft Ordinance with Proposed Condominium Record of Survey
Exhibit B – 601 Deer Valley Drive Subdivision Plat and Ordinance
Exhibit C – Driveway expansion/Planter boxes
Exhibit D – September 22, 2010 Planning Commission minutes

Exhibit A – Draft Ordinance No. 10-

AN ORDINANCE APPROVING THE DEER VALLEY PLACE CONDOMINIUMS RECORD OF SURVEY PLAT LOCATED AT 601/603 DEER VALLEY DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 601/603 Deer Valley Place have petitioned the City Council for approval of the Deer Valley Place Condominiums Record of Survey Plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on September 22, 2010, to receive input on the Deer Valley Place Condominiums Record of Survey Plat;

WHEREAS, the Planning Commission, on September 22, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on October 14, 2010, to receive input on the Deer Valley Place Condominium Record of Survey Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Deer Valley Place Condominiums Record of Survey Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Deer Valley Place Condominiums Record of Survey Plat shown in Attachment A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:
1. The property is located at 601/603 Deer Valley Drive.
2. The property is located in the Residential-Medium Density (RM) District.
3. The structure is a built duplex.
4. A duplex is an allowed use in the RM District.
5. The area of the lot is 7,180 square feet.
6. The existing conditions comply with required minimum setbacks.
7. Two (2) parking spaces are required for each unit.
8. Each unit has two (2) dedicated parking spaces within the site.
9. Unit 603 has 5,067.6 square feet of private area.
10. Unit 605 has 4,862.5 square feet of private area.

11. Shared entry area and open space are identified as common ownership.
12. There are existing non-compliances relating to access and parking, retaining walls, landscaping, and site clean up.
13. The findings within the Analysis section are incorporated within.

Conclusions of Law:

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

Conditions of Approval:

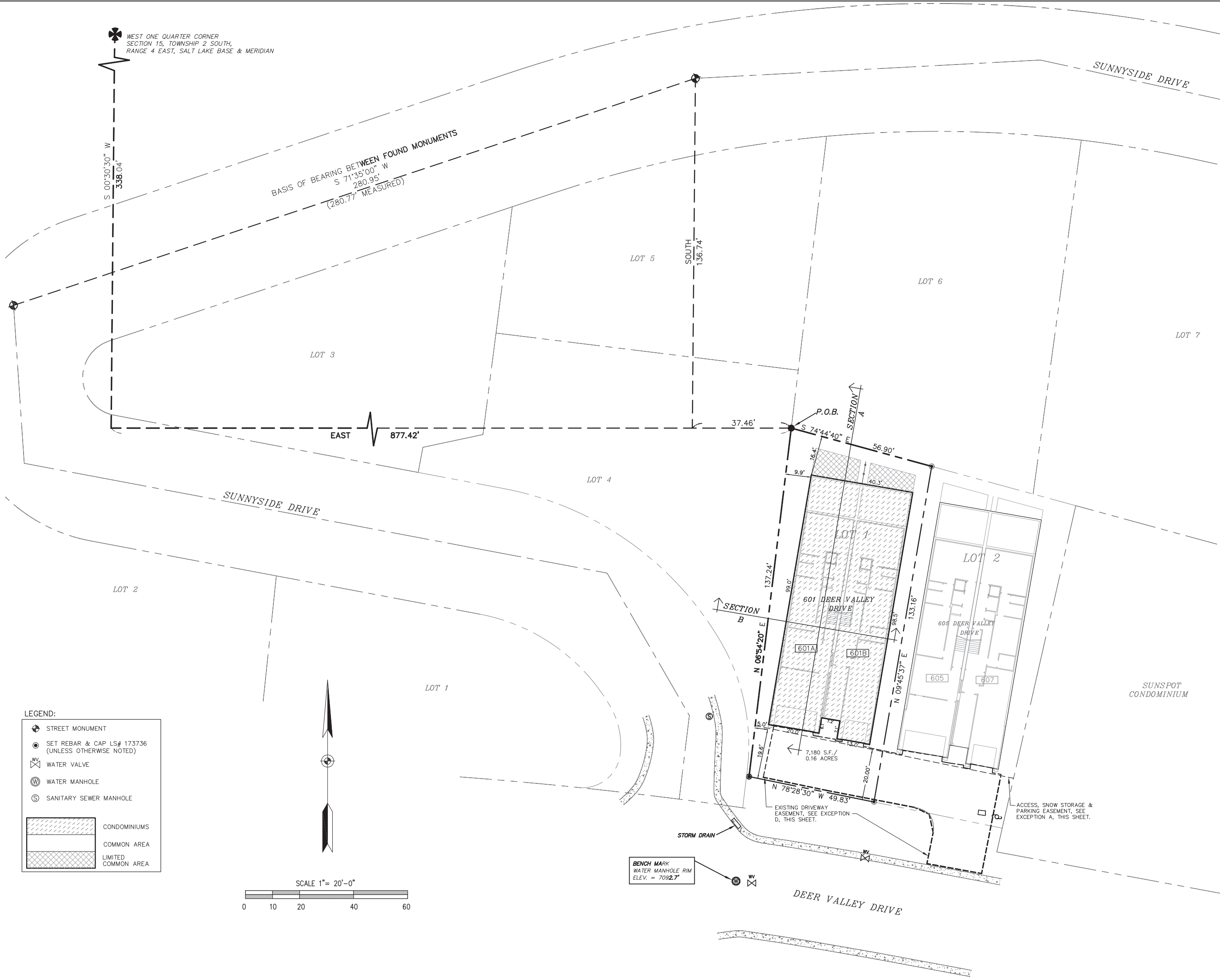
1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. The CC&Rs shall include a tie breaker mechanism.
4. The applicant may expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').
5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front of the property on the City Right-of-Way behind the existing five foot (5') sidewalk. This work shall be completed as a condition precedent to plat recordation. Such encroachment agreement shall be recorded prior to plat recordation.
6. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property and no parking shall impede the view sight of Sunnyside (view distance triangle area).
7. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.
8. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. The work according to the approved landscape plan shall be complete as a condition precedent to plat recordation.

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

PASSED AND ADOPTED this 14th day of October, 2010.

Attachment A – Proposed Condominium Record of Survey Plat

Attachment A – Proposed Condominium Record of Survey Plat



SURVEYOR'S CERTIFICATE

I, Jack Harmon, do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 176966 as prescribed under the laws of the State of Utah. I certify that buildings shown on this plat, but not under construction at the time the plat is recorded will, when completed, be substantially as shown on the plat. I further certify that a survey has been made of the land shown and described hereon, that this survey is a correct representation of the land surveyed, and that this survey has been prepared in conformity with the minimum standards and requirements of the law.

______________________________ Jack Harmon L.S. 176966 __________ Date

BOUNDARY DESCRIPTION

Commencing at a street monument located northerly from the center of Lot 5 of the Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, file number 158192, (basis of bearing being S 71°35'00" W, 280.77 feet along the Sunnyside Drive center monument line as shown on said plat to a street monument southerly of Lot 20 of said Subdivision); thence leaving said monument line, South, a distance of 136.74 feet; thence East, a distance of 37.46 feet to the POINT OF BEGINNING, said point also being S 00°30'30" W, a distance of 338.04 feet along the west line of said Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the southwest corner of Lot 6 of the Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, file number 158192; thence along the the southerly line of said Subdivision S 74°44'40" E, a distance of 56.90 feet; thence S 09°45'37" W, a distance of 133.16 feet; thence N 78°28'30" W, a distance of 49.83 feet; thence N 06°54'20" E, a distance of 137.24 feet to the POINT OF BEGINNING.

Containing 7,180 square feet or 0.160 acres, more or less.

Excepting therefrom all coal, gas, mines, metals, gravel and all other minerals of whatsoever kind or nature in subject property excepted by United Park City Mines Company, a Delaware Corporation in that certain warranty deed, dated October 11, 1975, recorded January 28, 1976, as Entry No. 130325 in Book M76 at Page 453 of official records.

Excepting the following:

A. A 20 foot Access, Snow Storage & Parking Easement, together with incidental rights thereto, over the southerly portion of the land as shown on the recorded plat.

B. Questar Right-of-Way Easement:
Entry No. 673873,
Book 1570,
Page 1819.

C. Snowshed Easement Agreement:
Entry No. 795433,
Book 1827,
Page 0032.

D. A legal description of an existing driveway used for ingress and egress by Lot 1 and Lot 2, more particularly described as follows:
Beginning at a point which is N 06°54'20" E 0.39 feet along the Westerly property line of Lot 1 and S 83°05'40"E 5.56 feet from the Southwest property corner of said Lot 1. Said POINT OF BEGINNING also being the Southwest corner of said driveway. Thence running; N11°39'25"E 20.47 feet along the westerly edge of said driveway to an existing garage; thence along said garage S 81°01'13"E 15.44 feet; thence S 6°08'54"E 1.34 feet; thence S 80°27'30"E 8.81 feet; thence S 11°39'25"W 0.54 feet; thence S 80°27'30"E 2.70 feet; thence N 11°39'25"E 0.90 feet to an existing garage; thence along said garage S 80°27'30"E 8.40 feet; thence S 4°44'54"W 1.36 feet; thence S 78°13'55"E 15.45 feet; thence N 11°39'25"E 1.66 feet to an existing garage; thence along said garage S 81°01'13"E 15.57 feet; thence S 4°54'40"W 1.93 feet; thence S 80°50'33"E 8.64 feet; thence S 5°33'16"W 0.97 feet; thence S 79°08'51"E 2.66 feet; thence N 5°33'16"E 2.00 feet to an existing garage; thence along said garage S 78°46'45"E 8.83 feet; thence S 5°33'16"W 1.78 feet; thence S 78°46'45"E 3.48 feet to the Easterly edge of said existing driveway; thence along Easterly side of driveway S 11°06'16"W 39.47 feet to the Easterly entry of said driveway; thence along said driveway entry N 79°44'25"W 21.73 feet to the Westerly edge of said driveway entry; thence N 11°20'41"E 12.38 feet more or less to the beginning of a curve to the left; thence the following two chords 1: N 12°00'58"W 7.36 feet; 2: N 65°24'31"W 6.37 feet more or less to the end of said curve; thence continuing along the Southerly edge of said driveway N 79°03'40"W 34.99 feet; thence N 78°17'15"W 25.24 feet to the POINT OF BEGINNING.

Driveway contains 2,312 +/– square feet,

OWNER'S CERTIFICATE OF CONSENT TO RECORD

Know all men by these presents, that the undersigned are the Owners of the hereon described tract of land known hereafter as DEER VALLEY PLACE CONDOMINIUMS, having caused this CONDOMINIUM RECORD OF SURVEY PLAT to be prepared, further consents to the recordation of the same in accordance with Utah Law.

In witness whereof, the undersigned set their hands on this ______ day of ____________, 2010.

SFG PROPERTIES, L.L.C.
A Washington Limited Liability Company

BY: ____________________________ TITLE: ____________________________
Greg Elderkin

ACKNOWLEDGEMENT

State of Utah }
:ss
County of ____________ }

On this _____ day of ______________________, 2010, personally appeared before me, the undersigned Notary Public, in and for said State and County, ________________________________, who after being duly sworn, acknowledged to me that they are the ___________________________ SFG PROPERTIES, L.L.C., A Washington Limited Liability Company, that they signed the foregoing Owner's Certificate of Consent to Record on behalf of the L.L.C. with full authority of its bylaws.

______________________________ My Commission Expires: ____________________
Notary Public

Residing at ________________________

DEER VALLEY PLACE CONDOMINIUMS

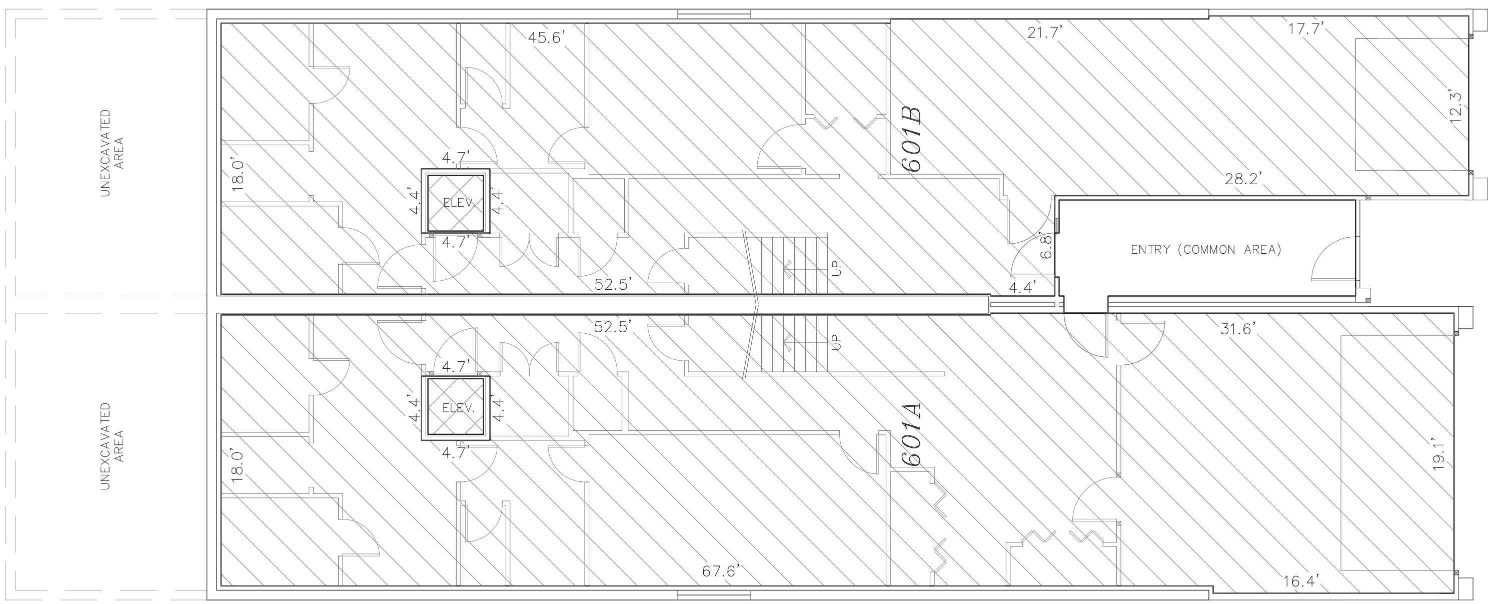
CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

JACK HARMON LAND SURVEYING
725 EAST REDDEN ROAD
PARK CITY, UTAH 84098
(435) 649-6511

SHEET 1 OF 6

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	ENGINEER'S CERTIFICATE	COUNCIL APPROVAL AND ACCEPTANCE	APPROVAL AS TO FORM	PLANNING COMMISSION	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS __________ DAY OF __________, 2010 A.D. BY ____________________ S.B.W.R.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF ______________, 2010 A.D. BY ____________________ PARK CITY ENGINEER	ADMINISTRATIVELY APPROVED BY AUTHORITY OF THE PARK CITY COUNCIL THIS ______ DAY OF ______________, 2010 A.D. BY ____________________ MAYOR	APPROVED AS TO FORM THIS _______ DAY OF ____________, 2010 A.D. BY ____________________ PARK CITY ATTORNEY	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______ DAY OF ____________, 2010 A.D. BY ____________________ CHAIRMAN	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________________ DATE __________ TIME _________ BOOK _______ PAGE _______ FEE__________ RECORDER______________________



SCALE 1/4"= 1'-0"

0 2 4 8 12

BASEMENT FLOOR PLAN

UNIT #	NET SF	ELEVATION
601A	1543.0 SF	7094.00
601B	1375.8 SF	7094.00

LEGEND:

PRIVATE OWNERSHIP
LIMITED COMMON AREA
COMMON AREA

DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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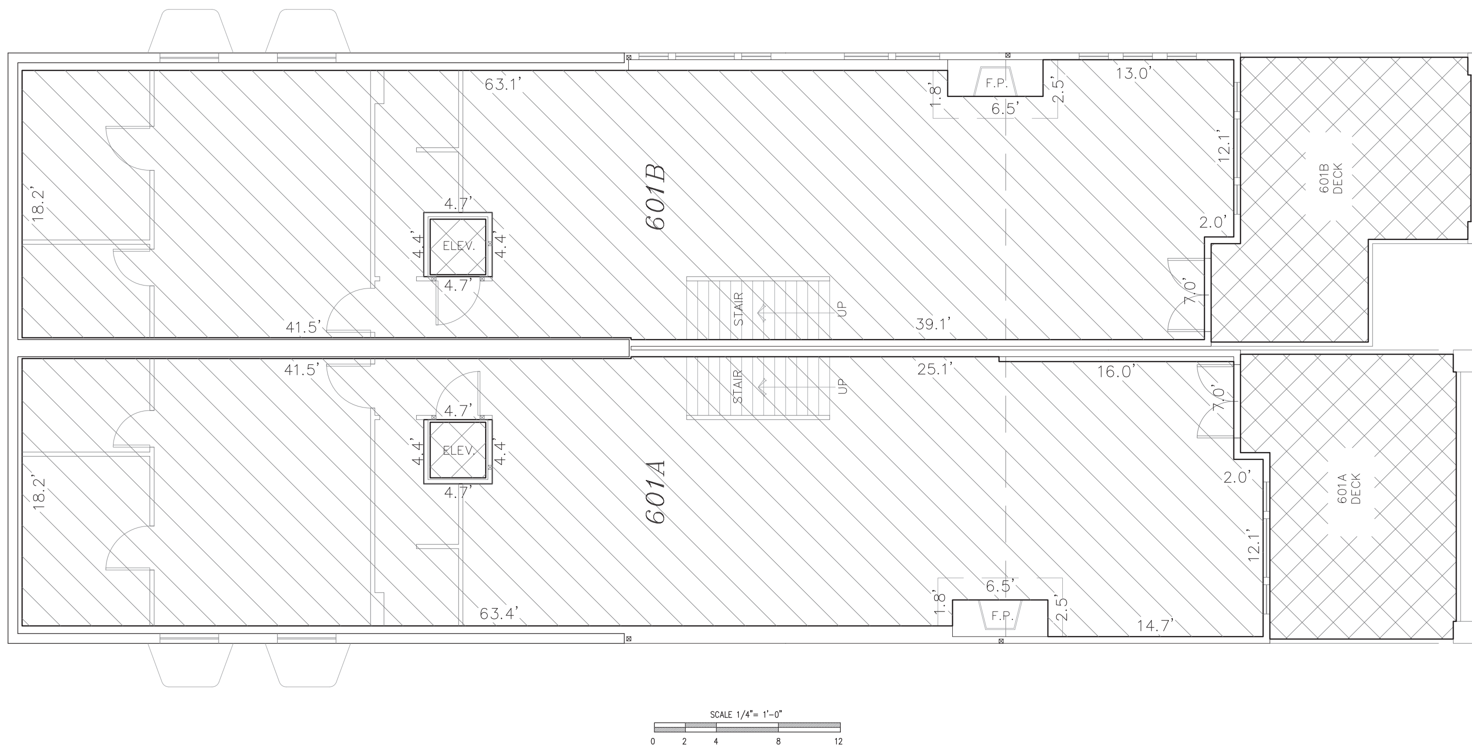
DATE __________ TIME ________ BOOK _______ PAGE _______

FEE__________ RECORDER________________________



MAIN LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
601A	1512.0 SF	7103.15
601B	1474.1 SF	7103.15

LEGEND:

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 3 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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DATE __________ TIME ________ BOOK ______ PAGE ______

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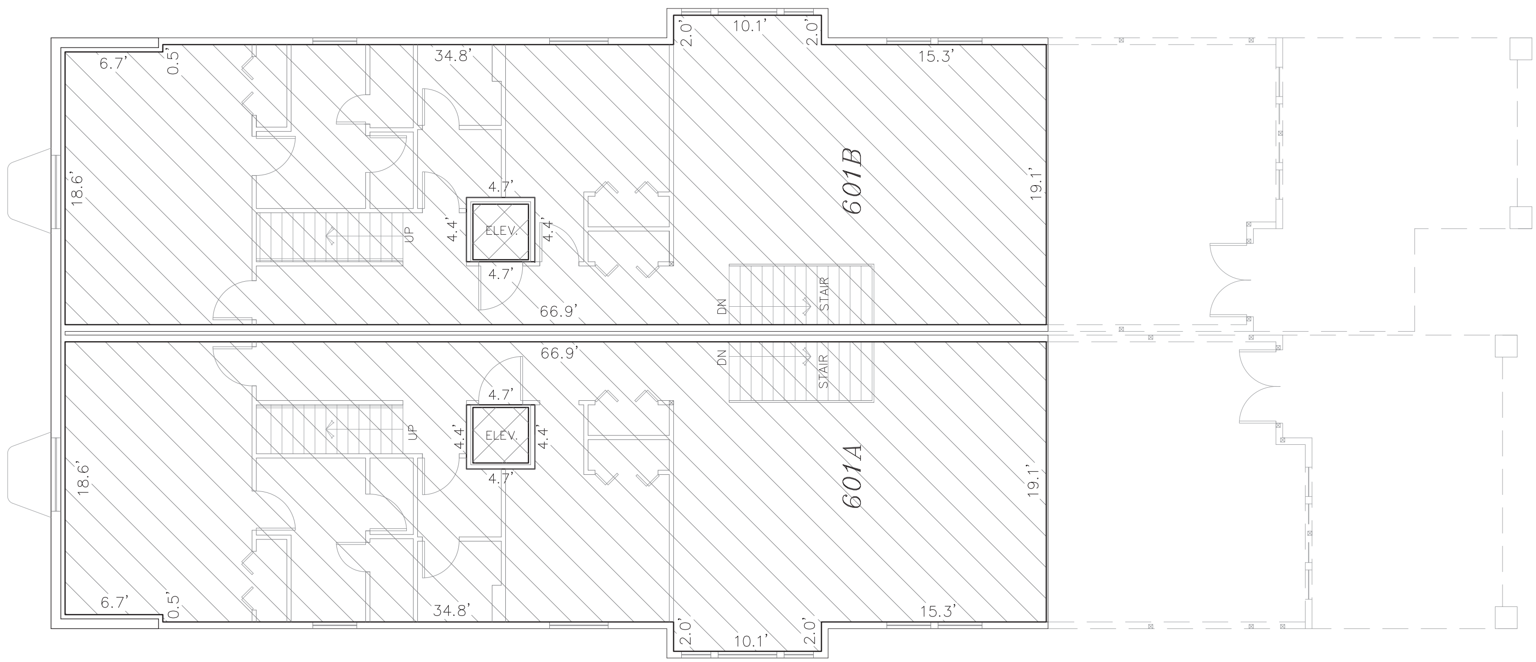

SCALE 1/4"= 1'-0"

0 2 4 8 12

SECOND LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
601A	1273.4 SF	7112.29
601B	1273.4 SF	7112.29

LEGEND:

PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 4 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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DATE ___________ TIME _________ BOOK _______ PAGE _______

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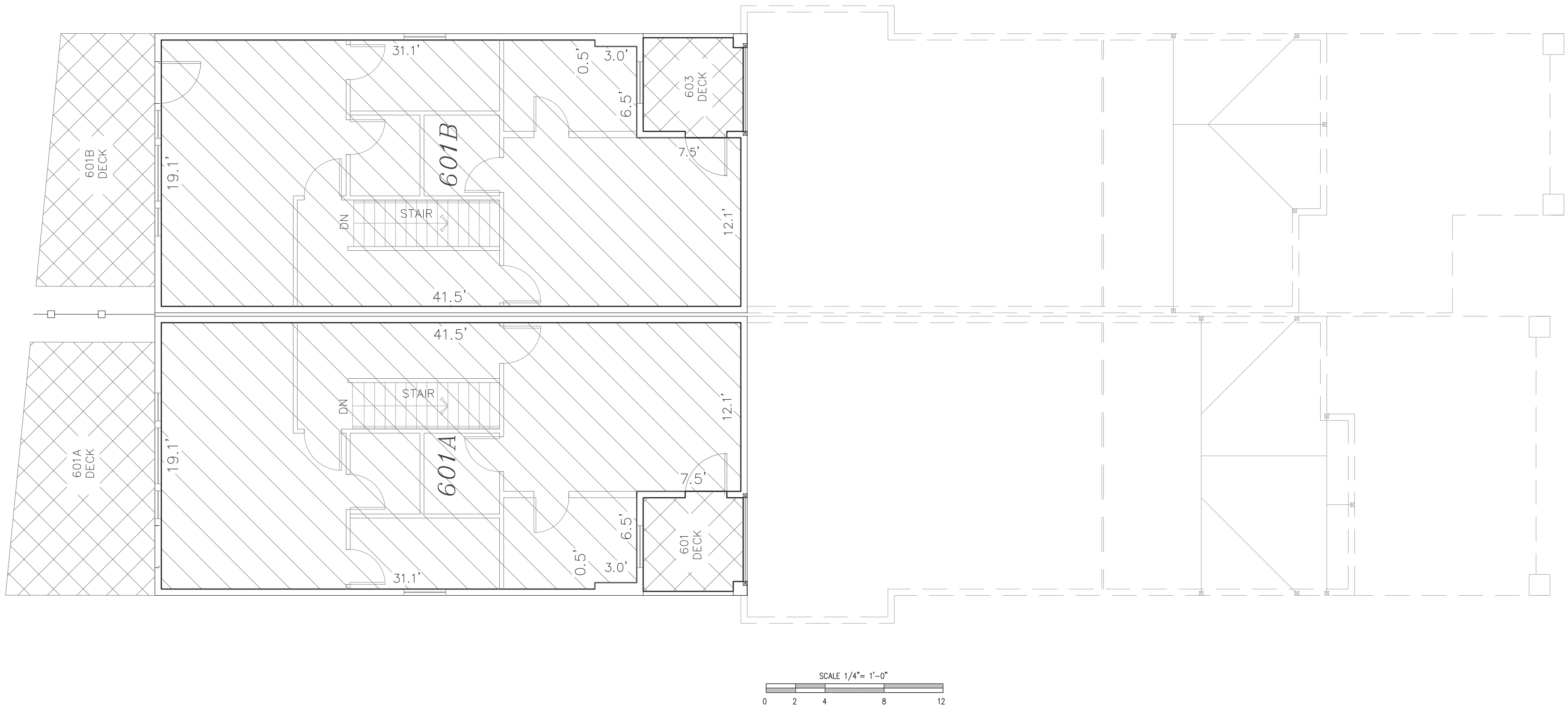

THIRD LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
601A	739.2 SF	7121.44
601B	739.2 SF	7121.44

LEGEND:

	PRIVATE OWNERSHIP
	LIMITED COMMON AREA
	COMMON AREA

TOTAL NET SQUARE FOOTAGE

UNIT #	NET SQUARE FEET
601A	5062.3 SF
601B	4862.5 SF

SHEET 5 OF 6

DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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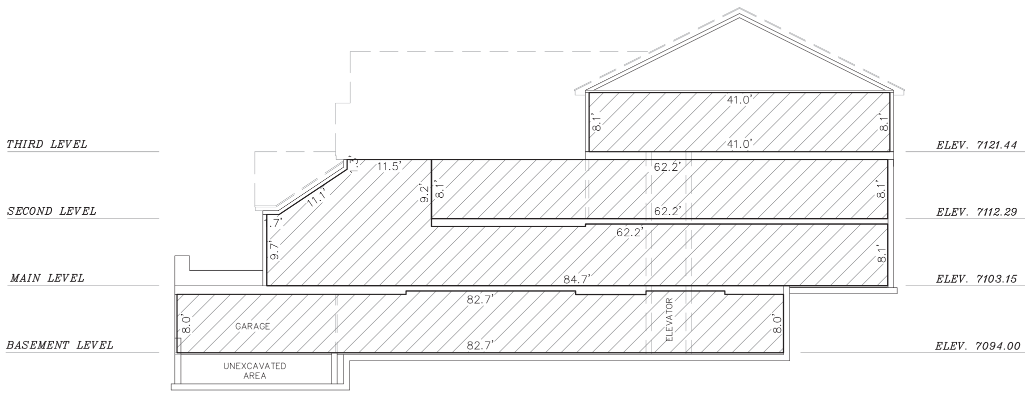
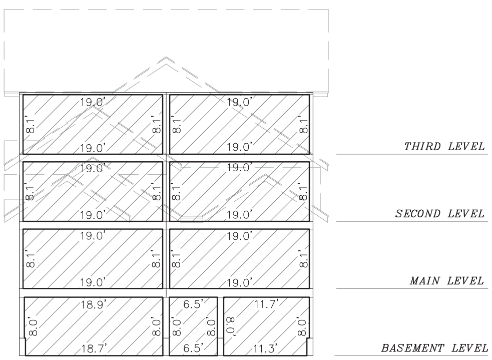
DATE ___________ TIME _________ BOOK _______ PAGE _______

FEE__________ RECORDER________________________



601A/601B SECTION A



601A/601B SECTION B

SCALE 1/8"= 1'-0"

0 4 8 16 24

LEGEND:

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

DEER VALLEY PLACE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 6 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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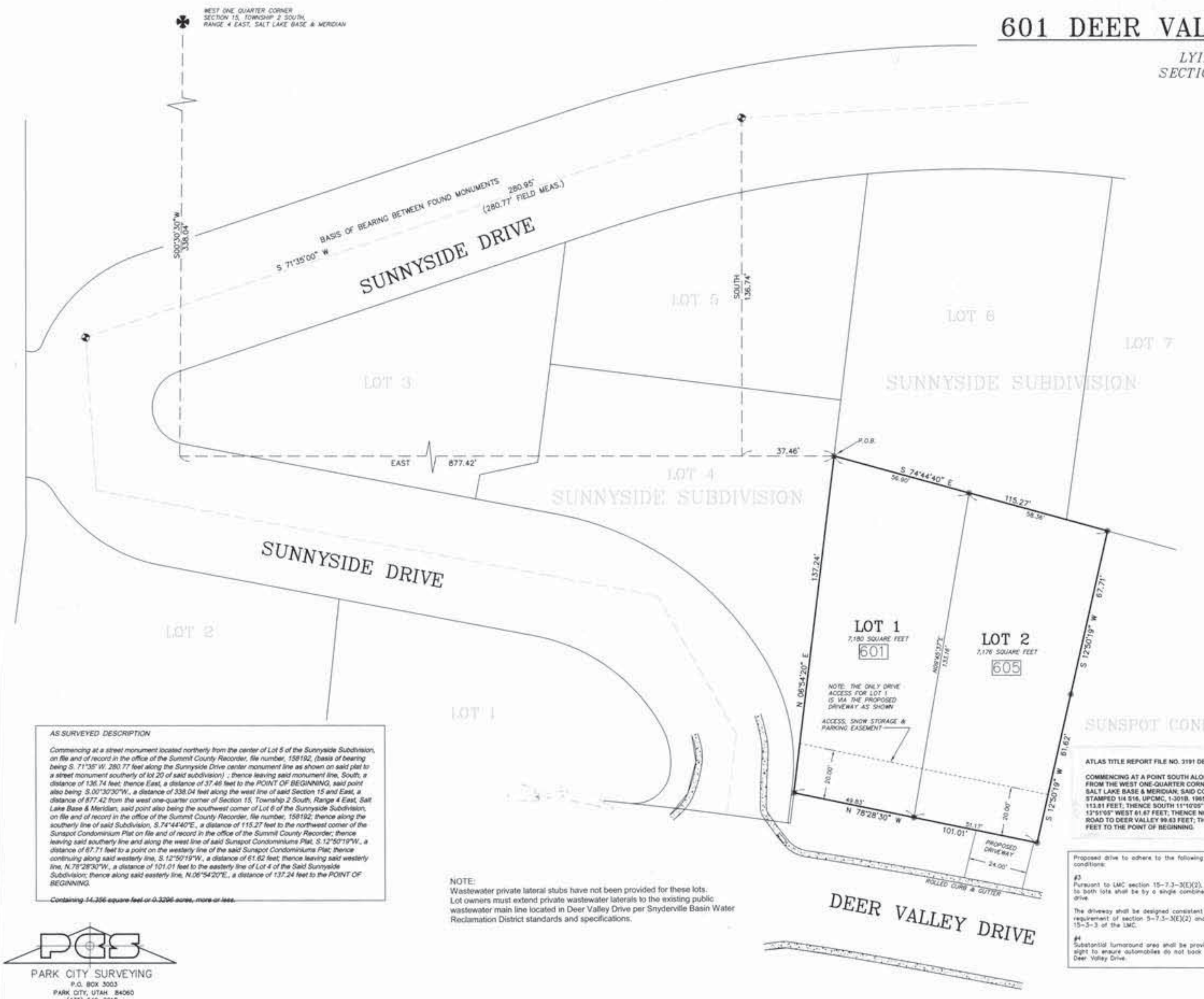
DATE ___________ TIME _________ BOOK _______ PAGE _______

FEE__________ RECORDER________________________

601 DEER VALLEY DRIVE SUBDIVISION PLAT

LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



AS SURVEYED DESCRIPTION

Commencing at a street monument located northerly from the center of Lot 5 of the Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, file number, 158192, (basis of bearing being S. 71°35' W. 280.77 feet along the Sunnyside Drive center monument line as shown on said plat to a street monument southerly of lot 20 of said subdivision) ; thence leaving said monument line, South, a distance of 136.74 feet; thence East, a distance of 37.46 feet to the POINT OF BEGINNING, said point also being S.00°30'30"W., a distance of 338.04 feet along the west line of said Section 15 and East, a distance of 877.42 from the west one-quarter corner of Section 15, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said point also being the southwest corner of Lot 6 of the Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, file number, 158192; thence along the southerly line of said Subdivision, S.74°44'40"E., a distance of 115.27 feet to the northwest corner of the Sunspot Condominium Plat on file and of record in the office of the Summit County Recorder; thence leaving said southerly line and along the west line of said Sunspot Condominiums Plat, S.12°50'19"W., a distance of 67.71 feet to a point on the westerly line of the said Sunspot Condominiums Plat; thence continuing along said westerly line, S.12°50'19"W., a distance of 61.62 feet; thence leaving said westerly line, N.78°28'30"W., a distance of 101.01 feet to the easterly line of Lot 4 of the Said Sunnyside Subdivision; thence along said easterly line, N.06°54'20"E., a distance of 137.24 feet to the POINT OF BEGINNING.

Containing 14,356 square feet or 0.3296 acres, more or less.

NOTE:
Wastewater private lateral stubs have not been provided for these lots.
Lot owners must extend private wastewater laterals to the existing public wastewater main line located in Deer Valley Drive per Snyderville Basin Water Reclamation District standards and specifications.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned owner(s) of the herein described tract of land, to be known hereafter as the 601 DEER VALLEY DRIVE SUBDIVISION PLAT, do hereby certify that I have caused this Plat to be prepared, and I/we, DIANE CRAIG HARDMAN, hereby consent(s) to the recordation of this Plat.

ALSO, the owner(s), or his/her representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with and irrevocable of dedication.

In witness whereof, I have hereunto set my hand this 7 day of July 2004.

DIANE CRAIG HARDMAN

ACKNOWLEDGMENT

State of Utah
County of Summit

On this 7th day of July 2004, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, DIANE CRAIG HARDMAN the person that executed the within instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the person who executed the within instrument on behalf of said persons, being duly sworn acknowledged to me that she is the owner of the herein described tract of land and she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public   My commission expires August 12, 2007.

SURVEYOR'S CERTIFICATE

I, Robert W. Pohl, certify that I am a Registered Land Surveyor and that I hold Certificate No. 173736, as prescribed by the laws of the State of Utah, and this Subdivision Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

Robert W.Pohl
LS 173736

Date 6/28/04

STATE OF UTAH
ROBERT W. POHL
NO. 173736
PROFESSIONAL LAND SURVEYOR

NORTH

ATLAS TITLE REPORT FILE NO. 3191 DESCRIPTION

COMMENCING AT A POINT SOUTH ALONG THE SECTION LINE 331.27 FEET AND EAST 877.58 FEET FROM THE WEST ONE-QUARTER CORNER OF SECTION 15, TOWNSHIP 2 SOUH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN; SAID CORNER BEING AN IRON PIPE SET IN GROUND AND STAMPED 1/4 S16, UPCMC, 1-301B. 1965; THENCE SOUTH 75°05'08" EAST ALONG A FENCE LINE 113.81 FEET; THENCE SOUTH 11°10'05" WEST ALONG A FENCE LINE 67.79 FEET; THENCE SOUTH 13°51'05" WEST 61.67 FEET; THENCE NORTH 78°48'58" WEST ALONG THE NORTH SIDE OF THE ROAD TO DEER VALLEY 99.63 FEET; THENCE NORTH 6°33'01" EAST ALONG A FENCE LINE 137.25 FEET TO THE POINT OF BEGINNING.

LEGEND

- STREET MONUMENT
- SET REBAR & CAP LS# 173736 (UNLESS OTHERWISE NOTED)
- 601 STREET ADDRESS ON DEER VALLEY DRIVE

Proposed drive to adhere to the following conditions:

#3
Pursuant to LMC section 15-7.3-3(E)(2), access to both lots shall be by a single combined access drive.

The driveway shall be designed consistent with the requirement of section 5-7.3-3(E)(2) and 15-3-3 of the LMC.

#4
Substantial turnaround area shall be provided on sight to ensure automobiles do not back onto Deer Valley Drive.

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

PARK CITY SURVEYING
P.O. BOX 3003
PARK CITY, UTAH 84060
(435) 649-2918

PAGE 1 of 1

PARK CITY PLANNING COMMISSION	CERTIFICATE OF ATTEST	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	# 706170 RECORDED
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 28 DAY OF July A.D. 2004. CHAIRMAN	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 3rd DAY OF JUNE 2004 A.D. BY PARK CITY RECORDER	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 12th DAY OF July, 2004 A.D. BY S.B.W.R.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 26TH DAY OF JULY, 2004 A.D. BY PE PARK CITY ENGINEER	APPROVED AS TO FORM THIS 27TH DAY OF JULY, 2004 A.D. BY PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 3rd DAY OF JUNE, 2004 A.D. BY MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ATLAS Title Insurance DATE 7-30-2004 TIME 1:51 pm BOOK — PAGE — $32.00 FEE Daniel B. Bowen, Deputy RECORDER

Z:\S\Sunny Side\577 DEER VALLEY PLAT.dwg, 6/28/2004 4:42:18 PM

Ordinance No. 04-20

AN ORDINANCE APPROVING AN AMENDMENT TO SUBDIVIDE A METES AND BOUNDS PARCEL INTO TWO LOTS OF RECORD, LOCATED AT 601 DEER VALLEY DRIVE PARK CITY, UTAH

WHEREAS, the owner of the property known as 601 Deer Valley Drive, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on May 26, 2004 the Planning Commission held a public hearing to receive public input on the proposed subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed subdivision allows the property owner to create two lots of record from a metes and bounds parcel; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Residential Medium Density (RM) zone.
2. The RM zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The subdivision will divide a metes and bounds parcel into two lots of record.
4. The applicant is proposing a duplex structure on both lots.
5. Section 15-2.15 of the LMC establishes that duplex structures are an allowed use in the RM zone provided they are built on a lot of 3,750 square feet or greater.
6. The applicant is proposing two lots of approximately 7,100 square feet each.
7. Buildable lots in the RM zone must have a lot width of at least 37.5 feet measured 15 feet back from the property line.
8. The proposed lots are approximately 50 feet wide measured 15 feet back from the front property line.
9. Section 15-3-3(H)(2) of the LMC requires that all driveways accessing a collector street must be spaced at least 75 feet from the edge of the intersection to the centerline of the driveway.

10. The edge of proposed parcel 2 is approximately 100 feet from the curb line of the Deer Valley Drive Sunnyside Drive intersection.
11. The edge of proposed Parcel 1 is approximately 50 feet from the curb line of the intersection of Deer Valley Drive and Sunnyside Drive.
12. 15-7.3-3(E)(2) of the LMC authorizes the Planning Commission to combine driveway access to lots in situations where access is necessary from a collector street.
13. Deer Valley Drive is a collector Street.
14. Sunnyside Drive is a local street.
15. The lot has no frontage on Sunnyside Drive.
16. No remnant lots will be created as a result of this application.
17. The Planning Commission reviewed this application at its May 26, 2004 meeting and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The proposed subdivision as conditioned is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Because of the limited access to the property from Deer Valley Drive, the maximum number of units allowable on each lot is 2 units.
3. Pursuant to LMC Section 15-7.3-3(E)(2), access to both lots shall be by a single combined access drive. The driveway shall be designed consistent with the requirements of Sections 15-7.3-3(E)(2) and 15-3-3 of the LMC
4. Substantial turn around area shall be provided on site to ensure that automobiles do not back onto Deer Valley Drive.
5. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
6. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of June 2004.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

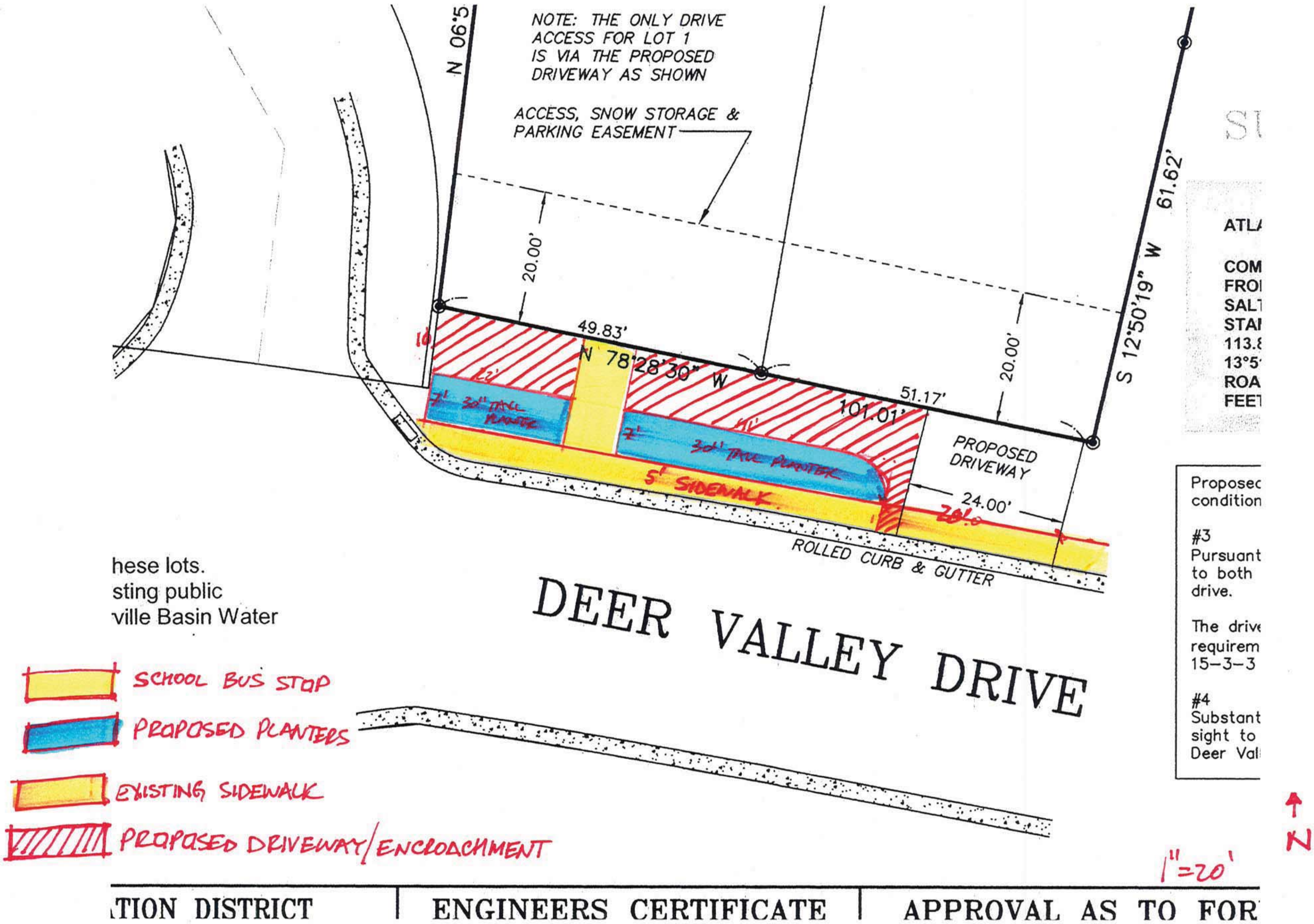
Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Exhibit C – Driveway expansion/Planter boxes



60 people attended and the predominant group was Old Town residents. The participants were broken into neighborhoods and as each one walked in they were given a neighborhood name tag. People were also asked to fill out a survey. Once the groups were broken into neighborhoods, they were given stickers and asked to place them on a map in different areas within their zone neighborhood. Additional maps outside of the neighborhoods were used to conduct exercises for areas outside of the city boundaries and to reflect potential goals.

Planner Sintz remarked that the turnout for the Public Outreach was good and the Staff would like to hold one or two more during the Fall so those who could not participate during the summer would have another opportunity.

Planner Sintz stated that the Staff has started compiling the data and ranking the goals for different neighborhoods and she would continue to provide updates.

Commissioner Hontz felt the Outreach sessions were well-organized and the planned exercises were great. She personally participated as a resident to get a feel for what it was like. She favored the idea of additional Outreach sessions to encourage more people to attend. Commissioner Hontz complimented the Staff on a job well done.

CONTINUATION(S) - Public Hearing

1. <u>200 Ridge Avenue - Plat Amendment</u>
   (Application #PL-10-00977)

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Strachan moved to CONTINUE 200 Ridge Avenue - Plat Amendment to a date uncertain. Commissioner Peek seconded the motion.

VOTE: The motion passed unanimously.

VII. REGULAR AGENDA/PUBLIC HEARINGS

1. <u>601/603 Deer Valley Drive - Deer Valley Place Condominiums - Condominium Conversion</u>
   (Application #PL-10-00987)

Planner Francisco Astorga corrected a mistake on the agenda and noted that the items listed are two separate applications. The first is located at 601/603 Deer Valley Drive and the second at 605/607 Deer Valley Drive. They are neighboring properties but owned by two separate owners. Planner Astorga presented an exhibit identifying 601 Deer Valley Drive, which is Lot 1 of the subdivision already named 601 Deer Valley Drive Subdivision, which will be renamed The Deer Valley Place Condominiums. The property at 605/607 Deer Valley Drive is currently Lot 2 of the 601 Deer Valley Drive Subdivision, which will be called The Lofts on Deer Valley Drive Condominiums.

Planner Astorga introduced Tracy Doughett, who was representing both owners.

Planner Astorga remarked that 601/603 Deer Valley Drive is owned by SFG Properties. The applicant applied for a building permit in 2006 and the duplex unit has already been built. The applicant is applying for a condominium conversion to sell each unit of the duplex separately. Planner Astorga noted that a condominium conversion was previously approved and the applicant let it expire. The City places a condition of approval on all subdivisions requiring that the subdivision must be recorded within one year.

Planner Astorga stated that there have been non-compliance issues with 601 Deer Valley Drive, which include access and parking, issues with the retaining walls, and landscaping and site cleanup. The contractor is currently working with the City to mediate these items as conditioned in the Staff report.

The Staff recommended that the Planning Commission review the application and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval.

Planner Astorga presented a slide showing a rolled curb and gutter. Many people, including the tenants who live on 601 Deer Valley Drive, were not complying with the condition of approval saying that the site had a shared driveway. The slide showed a boat and a number of cars parked in the right-of-way. These were the same issues they encountered with the contractors during construction. Planner Astorga stated that the Staff and the contractors came up with the solution of an encroachment agreement to build a planter box that would prohibit visitors or neighbors from having the ability to drive over the rolled curb and gutter to park.

Chair Wintzer wanted to know what the planter box would look like. Planner Astorga stated that the applicant is currently working with Staff on the design. It is a little difficult considering that there are two different owners and contractors. He believed it would mirror the retaining wall issue that the Planning Commission would discuss in the application for 605/607 Deer Valley Drive. Planner Astorga presented an exhibit and noted that the retaining wall on the top is what was built. It is not allowed by Code and was not permitted. The retaining wall was not identified on the building permit. The contractors have been working with the Building and Engineering and Planning Departments to come up with a retaining wall that was shown on the bottom of the exhibit. That retaining wall is no more than 6 feet in height. The design would match the built retaining wall.

Planner Hontz asked when the Planning Commission would see the retaining wall. Planner Astorga replied that the owners had encountered issues with the utility companies. The original plan was for the planter box to be seven feet and that has been changed to five feet to address those utility issues. He was unsure when the retaining wall would be approved. However, a condition of approval for this application requires that the planter box shall be installed within a year's time. The one year time frame for this approval includes the planter box and site cleanup.

Commissioner Peek asked if the planter box would be seven feet wide or seven feet long. Planner Astorga replied that the width along Deer Valley Drive would be the entire area except for the area identified for a school bus pad. Commissioner Peek clarified that the planter box would be seven feet by whatever the length. Planner Astorga replied that this was correct. He believed the height of the planter is approximately 30 inches. Commissioner Peek asked if that was appropriate for the line of sight at an intersection. Planner Astorga replied that the applicant has been working with the City Engineer, Matt Cassel. Director Eddington stated that the sight triangle is 2-1/2 to 7 feet and they are staying below that.

Commissioner Peek referred to the condominium conversion slide, as well as the subdivision plat contained in the Staff report. He noted that the slide showed the lot lines down in the corner nearly reaching the curb, but that was not the case in the subdivision plat. Planner Astorga replied that the subdivision plat was done through the City's GIS system, which many times is not exact. He noted that the GIS is only used as a reference and it does not replace the actual survey or record of survey. The purpose of the exhibit is to show vicinity and location. Commissioner Peek clarified that the edge of the property line could be the edge of the paved driveway area. Planner Astorga replied that this was correct. Director Eddington expected that all of the GIS parcel lines would move slightly to the north.

Chair Wintzer assumed that all the buildings fit within the required setbacks. Planner Astorga replied that both buildings have passed inspections through the Building Department. Chair Wintzer preferred to have something in the condominium plat that requires the planter. It is not shown on any of the condominium plats and over time people would forget the reason why it was put there in the first place. Planner Astorga stated that the planter box would not show on the condominium plat because it is being built on the right-of-way. Through the encroachment agreement, the owner would be responsible for maintaining the planter box. Commissioner Peek asked if there was precedent for a private individual to maintain City property.

Assistant City Attorney, Polly Samuels McLean, noted that Condition of Approval #5 addresses the encroachment agreement and the planter box. Chair Wintzer reiterated that he would like to see a note on the plat. Planner Astorga suggested that the condition could require adding a document to be recorded with the plat that refers to the encroachment agreement. Ms. McLean remarked that the encroachment agreement could be recorded. Chair Wintzer was comfortable with that approach.

Commissioner Peek asked if the driveway would be relocated. Planner Astorga replied that the driveway would be expanded on to the right-of-way. Chair Wintzer pointed out the gravel connected to the existing building and understood that the intent is to create a buffer to prevent people from driving across. Commissioner Peek remarked that the plat map in the Staff report did not show the encroaching driveway, except where it accesses Deer Valley Drive. Planner Astorga replied that this was correct. Commissioner Peek wanted to know why the other encroachment was not shown. Planner Astorga explained that the option was not explored at the time the condominium conversion was drafted. He noted that it could be redlined as part of the engineering redlines that would reflect such improvements.

Tracy Doughett, representing the applicants, stated that the access and snow storage easement would be re-written as part of the redlined plan.

Assistant City Attorney McLean noted that the encroachment is within the discretion of the City Engineer. Generally, encroachment agreements read that if it becomes necessary to expand the right-of-way, all improvements need to be taken out at the expense of the owner. If Deer Valley

Drive is expanded, the improvements would be removed and the right-of-way would be closer to this property. Ms. McLean remarked that the encroachments are within the purview of the City Engineer and he will make sure it is safe for the drivers along Deer Valley Drive.

Commissioner Hontz stated that something needs to be done because it has looked horrific for a long time since the building was started. If the Planning Department had done a survey last year of the places that were neglected, this area would certainly be on the list. She liked the direction this was going and she hoped it would resolve the problem. Commissioner Hontz remarked that in her experience two unit condos typically do not work because there is 50/50 ownership. If something goes wrong or maintenance needs to be done and one owner is not interested, the work does not get done because both owners have equal say. She asked if the Planning Commission had any latitude on that issue. Ms. McLean stated that the City requires a tie-break mechanism as a condition of approval. She was unsure of the specifics with this property because the units were different sizes. Planner Astorga noted that the mechanism was addressed in Condition of Approval #3. The Commissioners thought it would be better to have all four units under one condominium plat with an HOA. Ms. Doughett stated that it was considered, but both owners decided to do them separately because it would make the maintenance and driveway agreements easier to facilitate. She was unsure why the owners came to that reasoning. Chair Wintzer felt it would be easier to have one unit that owned a common driveway rather than two units owning half and the two units owning the other half. He agreed with Commissioner Hontz's concerns regarding a 50/50 ownership.

Commissioner Strachan asked if insufficient parking was the reason why cars park in the right-of-way. He asked if the units would be under parked by design of the structure. Planner Astorga believed there was sufficient parking for the units. Currently the parking requirement for a duplex is two spaces per unit. Through planning best practices and the trend they are seeing, the number of parking spaces should be decreasing rather than increasing. The project meets the minimum number of parking spaces required. Planner Astorga stated that they need something that would physically aid appropriate parking and access. Commissioner Strachan believed there would be enough parking for the residents, and he expected their guests would park on Deer Valley Drive.

Commissioner Strachan agreed that having a physical barrier, such as the planter box, would help prevent the parking issues.

Chair Wintzer asked if the Planning Commission could add a provision that requires installing a guardrail at the property line if the City Engineers decided to widen the right-of-way and the planter box is removed. The guardrail would prevent a repeat of the parking issue. Ms. McLean felt it would be appropriate to require some type of a barrier.

Chair Wintzer wanted to know what would happen if the utility companies do not work with the applicants on the planter box concept. Planner Astorga stated that the Staff and applicant would re-visit the situation and come up with a landscaping plan. Director Eddington remarked that another scenario would be larger caliper trees and some type of timberline fence that ties in with the architecture of the building. He believed the planter boxes were shallow enough that the utility companies would acquiesce.

Commissioner Strachan asked about the retaining wall. Planner Astorga stated that there is a retaining wall in the back that still needs to be built. The applicants are working with the Building and Planning Department to get that going as soon as possible. Condition of Approval #6 addresses the retaining wall.

Chair Wintzer opened the public hearing.
Rick Anderson stated that he is a resident of Sunnyside Subdivision, which is the subdivision immediately behind this duplex, and he was also representing the Sunnyside Homeowners Association on this matter. Mr. Anderson had canvassed the residents at Sunnyside and many have concerns with this proposal. Over the past few years they have seen dangerous condition at the intersection coming down off of Sunnyside Drive, which is how most of the residents access Deer Valley Drive. With all the congestion taking place at that corner, the views on to Deer Valley Drive have been obstructed. Mr. Anderson was concerned that approving this condominium conversion would generate more traffic. In addition, he did not believe that parking for the duplexes was adequately addressed. Mr. Anderson pointed out that the LMC states that the parking ratio for condominiums should be three spaces per one unit. He did not see where that was being accommodated. The Staff report speaks to the requirement for duplexes as being two per unit, but the requirement for condominiums is three spaces per unit. He believed the only way that would occur is if people park in those driveways or on Sunnyside Drive, which would further compound the problem of obstructing the views and access on to Deer Valley Drive. Mr. Anderson stated that the planter boxes would somewhat mitigate the problem, however, the planter boxes should be installed further into the driveway so people are not parking on the gravel partitions, which still obstructs the view of Deer Valley Drive. Mr. Anderson remarked that any vehicles parked on the corner of that driveway obstruct anyone trying to access Deer Valley Drive. Mr. Anderson requested that the concerns of the Sunnyside residents be addressed. He was unsure how they could accommodate the additional cars to meet the requirements of the Land Management Code without further obstructing the views on to Deer Valley Drive.

Chair Wintzer closed the public hearing.

Planner Astorga noted that page 11, Chapter 3 of the LMC, indicates that a condominium over 2500 square feet requires three parking spaces per dwelling unit. However, that language is under a multi-unit dwelling, which defined by the LMC is any building that has four or more units. He explained that a multi-unit dwelling would be four units within one structure. In this project, there are four units within two structures, which falls under the category of a single family dwelling or a duplex.

Commissioner Hontz understood that condos are not allowed as conditional uses and asked if they should assume this was a process and not a use. Planner Astorga answered yes. He recognized that it was misleading because in some zoning districts condos are an actual use.

Chair Wintzer wanted to know why a portion of the planter was not put at the back of the property rather than the front to address Mr. Anderson's concern. Planner Astorga replied that it was due to the challenges of the 20 feet parking and access easement. The primary challenge was having a visitor's vehicle parked in the driveway and not having enough room to turn around. Commissioner Peek asked for the size of the driveway from the face of the garage to the edge of the driveway. Planner Astorga replied that it was no more than 21 feet. Commissioner Peek pointed out that there would be 30 feet of pavement. Chair Wintzer questioned how this had been originally approved when there was not enough room to get out of the garage. Planner Astorga stated that it was part of the original subdivision approval in 2006 and he was unprepared to answer that question. Chair Wintzer pointed out that this is a tight intersection and he was uncomfortable creating something that would further block the view. He suggested moving the planter to the back on the left side of the sidewalk and leaving it to the front on the other side. Planner Astorga stated that they could extend the planter box to the property line as part of the condition of approval.

Commissioner Hontz asked for the number of bedrooms in each unit. Ms. Doughett estimated four to five bedrooms per unit. Planner Astorga stated that each unit has two interior parking spaces in the garage. He noted that Director Eddington had suggested expanding the driveway a few feet to allow a larger turning radius.

Assistant City Attorney McLean reiterated that the City Engineer should determine the specifics of the encroachment. She favored adding a note to the plat requiring a barrier, but she was not comfortable with the Planning Commission being specific on issues under the purview of the City Engineer. Chair Wintzer clarified that people are not allowed to park on the encroachment and the applicant could not count it as part of their parking. He noted that by increasing the size of the planters, the Planning Commission was insuring that parking would not occur. Director Eddington clarified that he was only suggesting that they work with the City Engineer to allow an additional four or five feet to accommodate a turning radius, if the Planning Commission thinks 30 feet is too much.

Based on the easement agreement between the two condominiums, Commissioner Peek asked if parking was allowed on the driveway of if there was language that restricts parking in the driveway. Assistant City Attorney McLean stated that the driveway is an access easement and it should be free of obstruction. Parking should go in the garages.

For clarification on the number of required parking spaces per unit, Assistant City Attorney McLean read from the LMC under dwelling, “A duplex dwelling is a building containing two dwelling units. A multi-unit dwelling is a building containing four or more dwelling units.” She concurred with Planner Astorga that even if the units were combined under one condominium plat, it would still be two duplex buildings.

Commissioner Luskin was baffled by “the process” versus “use” when the end result is the same. He was confused as to why they could approve a condominium in an area where it could not be approved as a use. Planner Astorga explained that the process is the record of survey creating the two units. Commissioner Luskin pointed out that either way, they end up with the same result. Director Eddington remarked that the issue comes back to condominiums not being conditional uses. In this case they are talking about the process of a condominium for these two duplexes. Director Eddington stated that a duplex dwelling unit is allowed in the RM zone. There are two duplexes on the site and the owners are choosing to condominiumize them. Ms. McLean explained that a condominium is a form of ownership. Commissioner Luskin asked if the Planning Commission could approve a condominium project in that zone. Chair Wintzer answered yes, because it is not a use. Ms. McLean clarified that a condominium is a form of ownership regulated by the State, and therefore requires this process.

Planner Astorga read from a parking clause in the Easement Joint Use and Maintenance Agreement. "Parking within the easement area shall not hinder, block or otherwise interfere with the use and enjoyment of the easement area by any owner or its respective tenants licensees". That language prohibits parking within the driveway. Commissioner Peek asked if it was appropriate to add that language to the plat. Planner Astorga pointed out that it was already recorded on the original plat.

Chair Wintzer felt the question was whether or not the applicants should be required to take the planter back to the property line. Commissioner Strachan felt the Planning Commission should let the City Engineer determine the size and location of the planter boxes. Chair Wintzer was comfortable with that as long as the City Engineer considers the view corridor that comes down from Sunnyside. His preference would be for the Planning Commission to increase the size of the planters. Commissioner Peek concurred. If people cannot park in the access easement, he could not understand why they would need 30 x 100+ feet of paved hard surface area.

Assistant Attorney McLean recommended that the Planning Commission allow Planner Astorga to relay their input concerning the encroachment to the City Engineer. She would make sure the City Engineer received a copy of the minutes and she would talk with him personally. Ms. McLean suggested that the Planning Commission take action this evening with direction to the City Engineer to take into consideration the view corridor, based on public input this evening.

Chair Wintzer preferred to add a condition of approval that parking would not be allowed to obstruct the vision of that intersection and the sight corridor of that area. He liked the idea of directing the City Engineer to move the planters back. Commissioner Hontz understood Ms. McLean's concerns regarding the purview of the City Engineer, but as planners they also care about the appearance. She felt they should include their preference for the planters in their direction. Chair Wintzer suggested adding a condition of approval stating that the size of the planters would be increased a minimum of seven feet.

Assistant City Attorney McLean advised that encroachment issues should be left to the City Engineer. To address their concerns, the Planning Commission could add a plat note making it clear that there shall be no parking in front of the garages or in front of the driveways. They could also add language that no parking is allowed in front of the houses which impede the view sight for Sunnyside. Adding the plat note would address the issue with the property itself as opposed to the right-of-way.

Commissioner Peek was comfortable with whatever format the City Engineer could work out with the property owner, as long as it prevents parking in front of the garages.

Assistant City Attorney McLean revised Condition of Approval #5 to add language stating, "Such encroachment agreements shall be recorded. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property, and no parking shall impede the view sight of Sunnyside"

Commissioner Peek clarified that the condition would prohibit parking and obstruction of the view corridor.

MOTION: Commissioner Peek made a motion to forward a Positive recommendation to the City Council for the Deer Valley Place Subdivision at 601-603 Deer Valley Drive, based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance with Condition of Approval #5 as amended. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

<u>Finding of Fact - The property is located at 601/603 Deer Valley Drive</u>

1. The property is located at 601/603 Deer Valley Drive.

2. The property is located in the Residential-Medium Density (RM) District.

3. The structure is a built duplex.

4. A duplex is an allowed use in the RM District.

5. The area of the lot is 7,180 square feet.

6. The existing conditions comply with required minimum setbacks.

7. Two (2) parking spaces are required for each unit.

8. Each unit has two (2) dedicated parking spaces within the site.

9. Unit 603 has 6,067.6 square feet of private area.

10. Unit 605 has 4,862.5 square feet of private area.

11. Shared entry area and open space are identified as common ownership.

12. There are existing non-compliance relating to access and parking, retaining walls, landscaping, and site clean-up.

13. The findings within the Analysis section are incorporated within.

<u>Conclusions of Law - 601/603 Deer Valley Drive</u>

1. There is good cause for this condominium Record of Survey.

2. The Record of Survey Plat is consistent with the Park City Land Management Code and applicable State law regarding Condominium Record of Survey Plats

3. Neither the public nor any person will be materially injured by the proposed Record of Survey Plat.

4. Approval of the Record of Survey Plat, subject to the conditions state below, does not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval - 601/603 Deer Valley Drive</u>

1. The City attorney and City Engineer will review and approve the final form and content of the Record of Survey 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 Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

3. The CC&Rs shall include a tie breaker mechanism.

4. The applicant shall expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').

5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front on the City Right-of-way behind the existing five foot (5') sidewalk. This work shall be completed as a condition precedent to plat recordation. Such encroachment agreement shall be recorded. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property, and no parking shall impede the view sight of Sunnyside.

6. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.

7. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. This work shall be complete as a condition precedent to plat recordation.

2. <u>606/607 Deer Valley Drive, The Lofts on Deer Valley Drive Condominiums - Condominium Conversion</u> **(Application #PL-10-00972)**

Planner Astorga stated that the only issue with this application was the retaining wall built towards the east front. The Planning Commission reviewed that exhibit with the previous agenda item. The Staff believed the applicant did a good job switching materials from ready rock to the timbers. The retaining wall is located within the front yard setback, which requires a review by the City Engineer and the Planning Director.

Commissioner Strachan asked about a certificate of occupancy. Planner Astorga replied that 601/603 Deer Valley Drive had received a certificate of occupancy. A certificate of occupancy has not been issued for 605/607 Deer Valley Drive.

Commissioner Peek asked if it was a crib wall or veneer over the ready rock. Planner Astorga stated that it was veneer over the ready rock. Commissioner Peek asked if the ready rock was visible from the other directions. Planner Astorga replied that it needs to be backfilled and the contractor was still working on it. That was the reason for adding the condition of approval, as outlined in the Staff report.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Peek moved to forward a POSITIVE recommendation to the City Council for 605/607 Deer Valley Drive, Lot 2 of the 601 Deer Valley Subdivision, based on the Findings of Facts, Conclusions of Law, and Conditions of Approval found in the draft ordinance, with the same revision to Condition of Approval #5, as amended in the previous application. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact - 605/607 Deer Valley Drive</u>

1. The property is located at 605/607 Deer Valley Drive.

2. The property is located in the Residential-Medium Density (RM) District.

3. The structure is a built duplex.

4. A duplex is an allowed use in the RM District.

5. The area of the lot is 7,176 square feet.

6. The existing conditions comply with required minimum setbacks.

7. Two (2) parking spaces are required for each unit.

8. Each unit has two (2) dedicated parking spaces within the site.

9. Unit 605 has 5,037.3 square feet of private area.

10. Unit 607 has 5,825.9 square feet of private area.

11. Shared entry area and open space are identified as common ownership.

12. There are existing non-compliances relating to access and parking, retaining walls, landscaping, and site clean up.

13. The findings within the Analysis section are incorporated within.

<u>Conclusions of Law - 605/607 Deer Valley Drive</u>

1. There is good cause for this condominium Record of Survey.

2. The Record of Survey Plat is consistent wit the Park City Land Management Code and applicable State law regarding Condominium Record of Survey Plats.

3. Neither the public nor any person will be materially injured by the proposed Record of Survey Plat.

4. Approval of the Record of Survey Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval - 605/607 Deer Valley Drive</u>

1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey 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 Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year’s time, this approval for the plat will be void.

3. The CC&R’s shall include a tie breaker mechanism.

4. The applicant shall expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').

5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front on the City Right-of-Way behind the existing five foot (5') sidewalk. This work shall be complete as a condition precedent to plat recordation. Such encroachment agreement shall be recorded. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property, and no parking shall impede the view sight of Sunnyside.

6. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.

7. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. This work shall be complete as a condition precedent to plat recordation.

City Council
Staff Report

PARK CITY 1884 PLANNING DEPARTMENT

Subject:	**The Retreat on Deer Valley Drive Condominiums**
Author:	**Francisco Astorga**
Project Number:	**PL-10-00972**
Date:	**October 14, 2010**
Type of Item:	**Administrative – Condominium Record of Survey Plat**

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving The Retreat on Deer Valley Drive Condominium Record of Survey Plat located at 605/607 Deer Valley Drive based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant:	603 Deer Valley Drive, LLC represented by Tracy Doughett,
Location:	605/607 Deer Valley Drive Lot 2, 601 Deer Valley Drive Subdivision
Zoning:	Residential-Medium Density (RM) District
Adjacent Land Uses:	Residential
Reason for Review:	Condominium Record of Survey Plats require Planning Commission review and City Council approval

Background

On July 15, 2010, the City received a completed application for a Condominium Record of Survey for a duplex located at 605/607 Deer Valley Drive (Lot 2, 601 Deer Valley Drive Subdivision) in the Residential-Medium Density (RM) District. Approval of the Condominium Record of Survey would allow for each unit to be sold separately. Construction of this duplex is nearing completion.

The Park City Planning Commission and City Council reviewed an application for the condominium record of survey plat in June 2008 by the previous property owner. The application was approved however, the applicant did not meet the condition of approval of recording the record of survey plat within one (1) year of the City Council approval date, and therefore the approval was void. The current property owner, 603 Deer Valley Drive, LLC filed the same application to be able to sell both units separately. Physical changes have not been made to the structure from the time that it was previously reviewed.

On September 22, 2010 the Planning Commission reviewed this application. The Commission amended the condition of approval regarding the encroachment agreement and its corresponding improvements. The Commission forwarded a positive recommendation to the City Council.

Recently staff discovered that the applicant's requested name The Lofts on Deer Valley Drive Condominiums was already taken by another condo project on Deer Valley Drive approved in 2006. The applicant has chosen to change the name of the project to The Retreat on Deer Valley Drive Condominiums. The City Council has the final authority to designate the name.

Analysis

The purpose of the Residential Medium Density (RM) District is to:

a) allow continuation of permanent residential and transient housing in original residential Areas of Park City,
b) encourage new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area,
c) encourage the rehabilitation of existing Historic Structures,
d) encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
e) encourage affordable housing,
f) encourage Development that minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas.

The duplex is located at 605 Deer Valley Drive (Lot 2, 601 Deer Valley Drive Subdivision). A duplex is an allowed use in the RM District. The minimum lot size for a duplex is 3,750 square feet. The area of the lot is 7,176 square feet. The front yard setback for a duplex is fifteen feet (15') minimum, rear yard setback is ten feet (10') minimum, and side yard setbacks are five feet (5') minimum. The existing conditions comply with required minimum setbacks.

Parking requirements for the duplex have been met with the site. The parking ratio requirement for a duplex (LMC § 15-3-6) is two (2) parking spaces per dwelling unit, requiring a total of four (4) parking spaces. The individual garages for each unit contain two (2) parking spaces each.

As shown on the 601 Deer Valley Drive Subdivision (Exhibit B), Lot 2 has a twenty-foot (20') wide access, snow storage, and parking easement for Lot 1. The condominium Record of Survey further memorializes the access, snow storage, and parking easement. Another condominium conversion application has been submitted by the adjacent duplex owner, Deer Valley Place Condominiums, at 601/603 Deer Valley Drive.

The two (2) condominium units vary in floor area. Unit 605 has 5,037.3 square feet of private area and unit 607 has 4,825.9 square feet of private area. Shared entry area and open space are identified as common ownership. The decks are identified as limited common areas. The CC&Rs to be recorded with the plat will outline the tie breaker process.

Staff finds good cause for this condominium conversion as the units will be able to be sold separately and the plat memorializes conditions of approval regarding access, snow storage, and parking.

Non-compliances

Access and Parking

In the recent years the City has noticed that there have been various vehicles that have not utilized the access and parking easement as it was intended per the subdivision plat (601 Deer Valley Drive Subdivision Plat) conditions of approval:

- *Pursuant to Land Management Code (LMC) § 15-7.3-3(E)(2), access to both lots shall be by a single combined access drive. The driveway shall be designed consistent with the requirements of sections 15-7.3-3(E)(2) and 15-3-3 of the LMC.*
- *Substantial turn around area shall be provided on site to ensure that automobiles do not back onto Deer Valley Drive.*

The existing shared driveway is twenty-four feet (24') wide. The maximum driveway width allowed by the Land Management Code is twenty-seven feet (27'). Staff will allow the applicant to expand the driveway width to the maximum to assist in complying with the subdivision condition of approvals. Staff recommends a condition of approval to expand the width of the driveway in order to facilitate the required use of the driveway.

To mitigate the misuse of access and parking in the driveway, Staff will require the applicant to build planter boxes or other barrier along the front on the City Right-of-Way behind the existing five foot (5') sidewalk and allow the driveway to be expanded towards the back of the proposed planter boxes (see Exhibit C). The incorporation of these planter boxes will facilitate compliance by limiting access to the lot through the future landscaped front yard and existing rolled curb and gutter and will direct access to take place through the required access and parking easement (shared driveway) as conditioned. The applicant shall work with the City Engineer to obtain encroachment agreements for these improvements. Staff recommends a condition of approval that the encroachment agreements be executed and recorded prior to plat recordation.

During the Planning Commission review and recommendation the Commission indicted that there must be a barrier between the platted lots and Deer Valley Drive. Also that no parking shall take place in the driveway or access area on the property, and no parking shall impede the view sigh of Sunnyside (site distance triangle area). Staff has incorporated the requested condition of approval.

Retaining walls

The approved building permit for the duplex contains a site plan which only shows one (1) retaining wall towards the rear of the structure. There are currently four (4) retaining walls on site. There are three (3) retaining walls between this duplex the other duplex to the west ranging from two (2') to six feet (6') in height. The other retaining wall is located towards the front, along the (east) side property line, which ranges from two (2') to six feet (6') in height.

All four retaining walls were built with simulated stone. City codes do not permit the use of stone, cultured stone, synthetic stone products, pre-cast stone, or concrete imbedded with stone fragments.

During this condominium plat application process, the applicant has covered the synthetic stone block. The applicant followed staff recommendation to use timbers held with vertical I-beams for the retaining walls. Both the Planning Department and the Building Department have inspected the site related to the built retaining walls and find that these walls are allowed as built and are now compliant with applicable City codes.

The retaining wall located towards the rear is yet to be built. Staff recommends a condition of approval that will indicate that applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure prior to plat recordation.

Landscaping and site clean up
The applicant shall submit a comprehensive landscape plan for the entire project including the planter box (small trees or tall shrubs). Excess remnant concrete throughout the site needs to be removed. The applicant needs to also apply top soil, gently grade and plat native seed mix (hydro-seed). Staff recommends a condition of approval which requires an approved landscape plan and landscape bond prior to plat recordation.

Process
The decision by the City Council constitutes final action that may be appealed in District Court within thirty (30) day of approval.

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

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

Public Input
During the Planning Commission public hearing public input was received. Mr. Anderson indicated his concerns related to appropriate parking and possible obstruction of the view site triangle area. (See Exhibit D – September 22, 2010 Planning Commission minutes).

Alternatives

- The City Council may approve The Retreat on Deer Valley Drive Condominiums Record of Survey Plat as conditioned or amended; or
- The City Council may deny The Retreat on Deer Valley Drive Condominiums Record of Survey Plat and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on The Retreat on Deer Valley Drive Condominiums Record of Survey Plat.
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The duplex could not have separate ownership.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving The Retreat on Deer Valley Drive Condominium Record of Survey Plat located at 605/607 Deer Valley Drive based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Condominium Record of Survey
Exhibit B – 601 Deer Valley Drive Subdivision Plat and Ordinance
Exhibit C – Driveway expansion/Planter boxes
Exhibit D – September 22, 2010 Planning Commission minutes

Exhibit A – Draft Ordinance No. 10-

AN ORDINANCE APPROVING THE RETREAT ON DEER VALLEY DRIVE CONDOMINIUMS RECORD OF SURVEY PLAT LOCATED AT 605/607 DEER VALLEY DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 605/607 Deer Valley Drive have petitioned the City Council for approval of the Retreat on Deer Valley Drive Condominiums Record of Survey Plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on September 22, 2010, to receive input on The Retreat on Deer Valley Drive Condominiums Record of Survey Plat;

WHEREAS, the Planning Commission, on September 22, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on October 14, 2010, to receive input on The Retreat on Deer Valley Drive Condominiums Record of Survey Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Retreat on Deer Valley Drive Condominiums Record of Survey Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Retreat on Deer Valley Drive Condominiums Record of Survey Plat shown in Attachment A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:
1. The property is located at 605/607 Deer Valley Drive.
2. The property is located in the Residential-Medium Density (RM) District.
3. The structure is a built duplex.
4. A duplex is an allowed use in the RM District.
5. The area of the lot is 7,176 square feet.
6. The existing conditions comply with required minimum setbacks.
7. Two (2) parking spaces are required for each unit.
8. Each unit has two (2) dedicated parking spaces within the site.

9. Unit 605 has 5,037.3 square feet of private area.
10. Unit 607 has 4,825.9 square feet of private area.
11. Shared entry area and open space are identified as common ownership.
12. There are existing non-compliances relating to access and parking, retaining walls, landscaping, and site clean up.
13. The findings within the Analysis section are incorporated within.

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

Conditions of Approval:
1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey 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 Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. The CC&Rs shall include a tie breaker mechanism.
4. The applicant may expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').
5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front of the property on the City Right-of-Way behind the existing five foot (5') sidewalk. This work shall be completed as a condition precedent to plat recordation. Such encroachment agreement shall be recorded prior to plat recordation.
6. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property and no parking shall impede the view sight of Sunnyside (view distance triangle area).
7. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.
8. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. The work according to the approved landscape plan shall be complete as a condition precedent to plat recordation

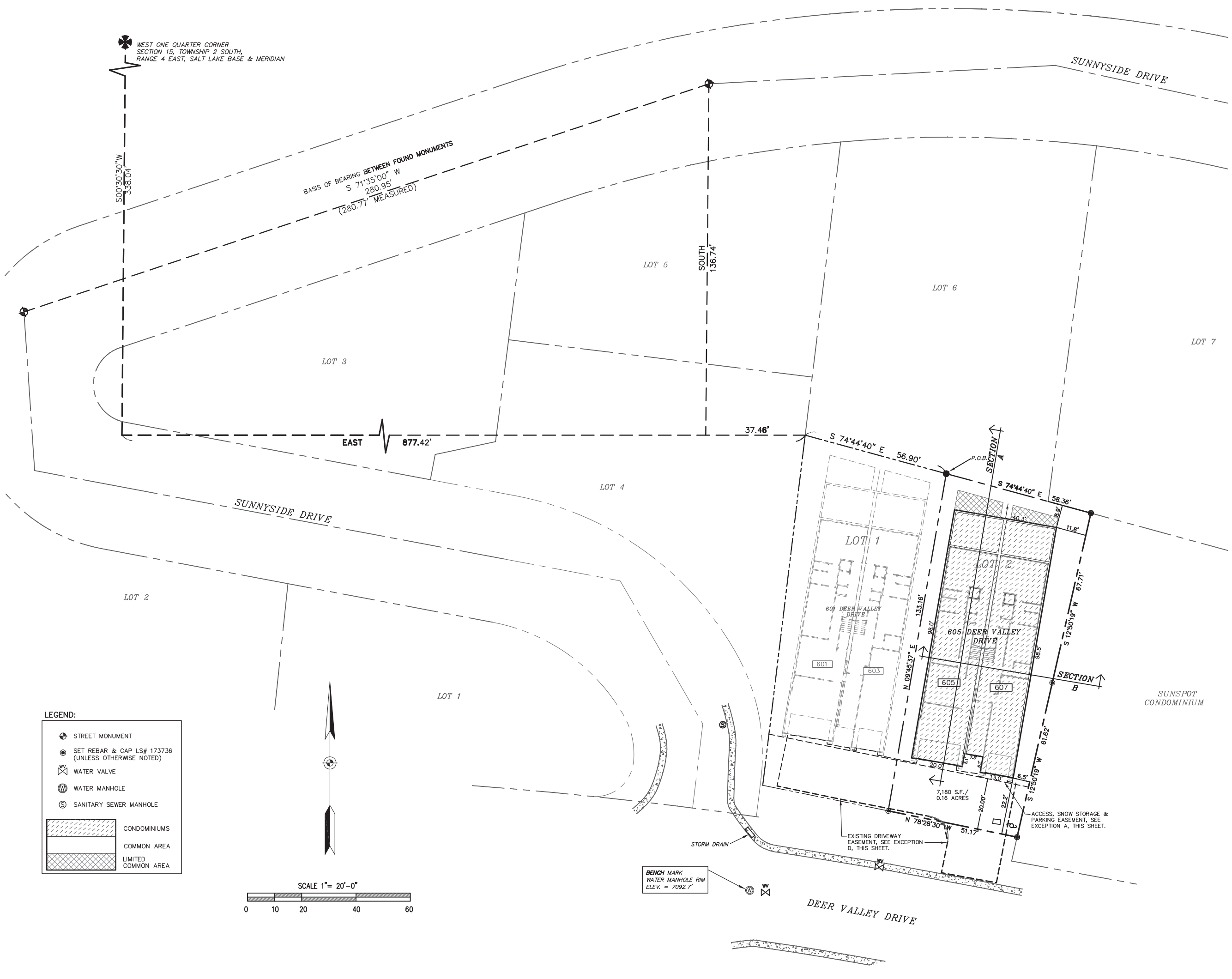
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 14th day of October, 2010.

Attachment A – Proposed Condominium Record of Survey Plat

NOTE: THE LOFTS NAME WILL CHANGE TO THE RETREAT

Attachment A – Proposed Condominium Record of Survey Plat



SURVEYOR'S CERTIFICATE

I, Jack Harmon, do hereby certify that I am a Registered Land Surveyor and that I hold certificate No. 176966 as prescribed under the laws of the State of Utah. I certify that buildings shown on this plat, but not under construction at the time the plat is recorded will, when completed, be substantially as shown on the plat. I further certify that a survey has been made of the land shown and described hereon, that this survey is a correct representation of the land surveyed, and that this survey has been prepared in conformity with the minimum standards and requirements of the law.

_______________________ L.S. 176966 __________
Jack Harmon Date

BOUNDARY DESCRIPTION

Commencing at a street monument located northerly from the center of Lot 5 of the Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, file number 158192, (basis of bearing being S 71°35'00" W, 280.77 feet along the Sunnyside Drive center monument line as shown on said plat to a street monument southerly of Lot 20 of said Subdivision); thence leaving said monument line, South, a distance of 136.74 feet; thence East, a distance of 37.46 feet to the POINT OF BEGINNING, said point also being S 00°30'30" W, a distance of 338.04 feet along the west line of said Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the southwest corner of Lot 6 of the Sunnyside Subdivision, on file and of record in the office of the Summit County Recorder, file number 158192; thence along the the southerly line of said Subdivision S 74°44'40" E, a distance of 56.90 feet to the POINT OF BEGINNING; thence S 74°44'40" E, a distance of 58.36'; thence S 12°50'19" W, a distance of 67.71 feet; thence S 12°50'19" W, a distance of 61.62 feet; thence N 78°28'30" W, a distance of 51.17 feet; thence N 09°45'37" W, a distance of 133.16 feet to the POINT OF BEGINNING.

Containing 7,180 square feet or 0.160 acres, more or less.

Excepting therefrom all coal, gas, mines, metals, gravel and all other minerals of whatsoever kind or nature in subject property excepted by United Park City Mines Company, a Delaware Corporation in that certain warranty deed, dated October 11, 1975, recorded January 28, 1976, as Entry No. 130325 in Book M76 at Page 453 of official records.

Excepting the following:

A. A 20 foot Access, Snow Storage & Parking Easement, together with incidental rights thereto, over the southerly portion of the land as shown on the recorded plat.

B. Questar Right–of–Way Easement:
Entry No. 673873,
Book 1570,
Page 1819.

C. Snowshed Easement Agreement:
Entry No. 795433,
Book 1827,
Page 0032.

D. A legal description of an existing driveway used for ingress and egress by Lot 1 and Lot 2, more particularly described as follows:
Beginning at a point which is N 06°54'20" E 0.39 feet along the Westerly property line of Lot 1 and S 83°05'40"E 5.56 feet from the Southwest property corner of said Lot 1. Said POINT OF BEGINNING also being the Southwest corner of said driveway. Thence running; N11°39'25"E 20.47 feet along the westerly edge of said driveway to an existing garage; thence along said garage S 81°01'13"E 15.44 feet; thence S 6°08'54"E 1.34 feet; thence S 80°27'30"E 8.81 feet; thence S 11°39'25"W 0.54 feet; thence S 80°27'30"E 2.70 feet; thence N 11°39'25"E 0.90 feet to an existing garage; thence along said garage S 80°27'30"E 8.40 feet; thence S 4°44'54"W 1.36 feet; thence S 78°13'55"E 15.45 feet; thence N 11°39'25"E 1.66 feet to an existing garage; thence along said garage S 81°01'13"E 15.57 feet; thence S 4°54'40"W 1.93 feet; thence S 80°50'33"E 8.64 feet; thence S 5°33'16"W 0.97 feet; thence S 79°08'51"E 2.66 feet; thence N 5°33'16"E 2.00 feet to an existing garage; thence along said garage S 78°46'45"E 8.83 feet; thence S 5°33'16"W 1.78 feet; thence S 78°46'45"E 3.48 feet to the Easterly edge of said existing driveway; thence along Easterly side of driveway S 11°06'16"W 39.47 feet to the Easterly entry of said driveway; thence along said driveway entry N 79°44'25"W 21.73 feet to the Westerly edge of said driveway entry; thence N 11°20'41"E 12.38 feet more or less to the beginning of a curve to the left; thence the following two chords 1: N 12°00'58"W 7.36 feet; 2: N 65°24'31"W 6.37 feet more or less to the end of said curve; thence continuing along the Southerly edge of said driveway N 79°03'40"W 34.99 feet; thence N 78°17'15"W 25.24 feet to the POINT OF BEGINNING.

Driveway contains 2,312 +/– square feet,

OWNER'S CERTIFICATE OF CONSENT TO RECORD

Know all men by these presents, that the undersigned are the Owners of the hereon described tract of land known hereafter as THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS, having caused this CONDOMINIUM RECORD OF SURVEY PLAT to be prepared, further consents to the recordation of the same in accordance with Utah Law.

In witness whereof, the undersigned set their hands on this _______ day of _____________, 2010.

603 DEER VALLEY DRIVE, L.L.C.
A Utah Limited Liability Company

BY: ______________________ TITLE: ______________________
J.T. BRAMLETTE

ACKNOWLEDGEMENT

State of Utah }
:ss
County of ____________ }

On this ______ day of ______________________, 2010, personally appeared before me, the undersigned Notary Public, in and for said State and County, ________________________, who after being duly sworn, acknowledged to me that they are the ______________________ 603 DEER VALLEY DRIVE, L.L.C., A Utah limited liability Company, that they signed the foregoing Owner's Certificate of Consent to Record on behalf of the L.L.C. with full authority of its bylaws.

______________________ My Commission Expires: ____________________
Notary Public

Residing at ______________________

JACK HARMON LAND SURVEYING
725 EAST REDDEN ROAD
PARK CITY, UTAH 84098
(435) 649–6511

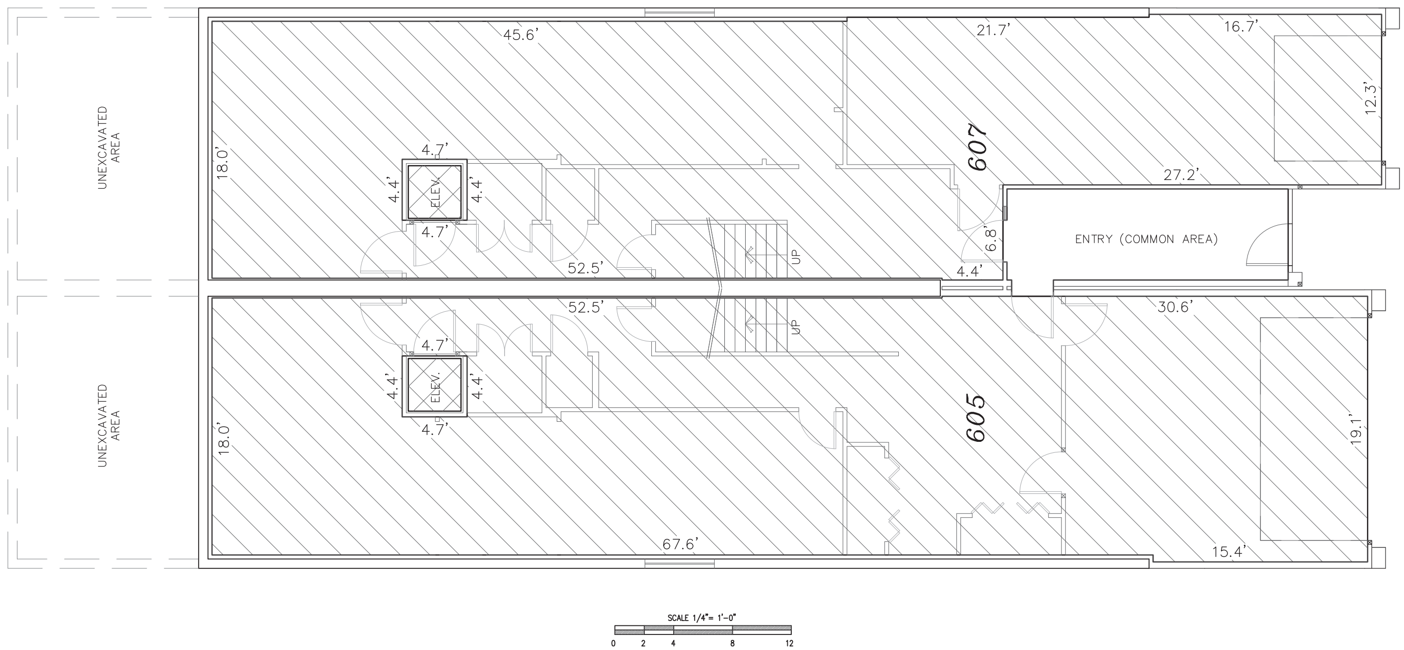
THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 1 OF 6

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	*ENGINEER'S CERTIFICATE*	*COUNCIL APPROVAL AND ACCEPTANCE*	*APPROVAL AS TO FORM*	*PLANNING COMMISSION*	*RECORDED*
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ___________ DAY OF __________, 2010 A.D. BY ______________ S.B.W.R.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF ______________, 2010 A.D. BY ______________ PARK CITY ENGINEER	ADMINISTRATIVELY APPROVED BY AUTHORITY OF THE PARK CITY COUNCIL THIS ______ DAY OF ______________, 2010 A.D. BY ______________ MAYOR	APPROVED AS TO FORM THIS _______ DAY OF ____________, 2010 A.D. BY ______________ PARK CITY ATTORNEY	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 00 DAY OF XXXX, 2010 A.D. BY ______________ CHAIRMAN	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________ DATE ________ TIME ________ BOOK _______ PAGE _______ FEE________ RECORDER______________



BASEMENT FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	1523.9 SF	7094.00
607	1363.5 SF	7094.00

LEGEND:

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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DATE __________ TIME __________ BOOK ________ PAGE ________

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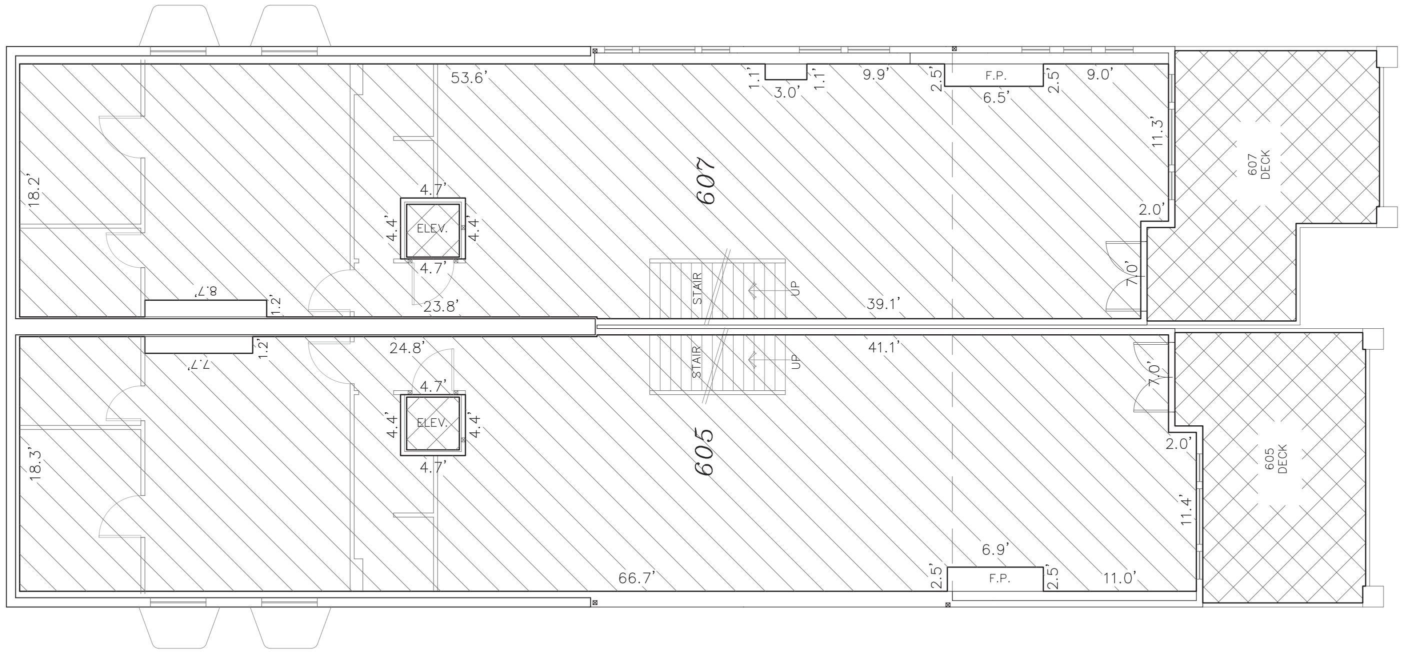

SCALE 1/4"= 1'-0"
0 2 4 8 12

MAIN LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	1496.6 SF	7103.15
607	1445.6 SF	7103.15

LEGEND:
- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 3 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________

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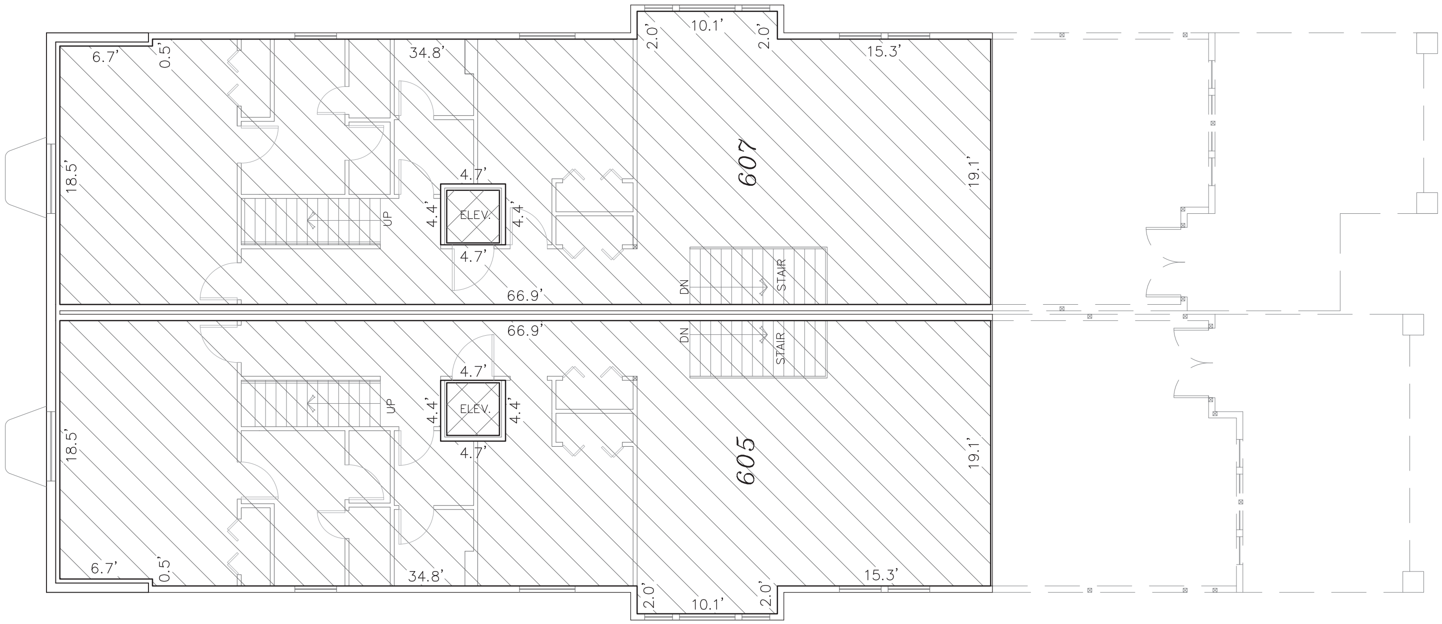

SCALE 1/4"= 1'-0"
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SECOND LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	1277.8 SF	7112.29
607	1277.8 SF	7112.29

LEGEND:

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

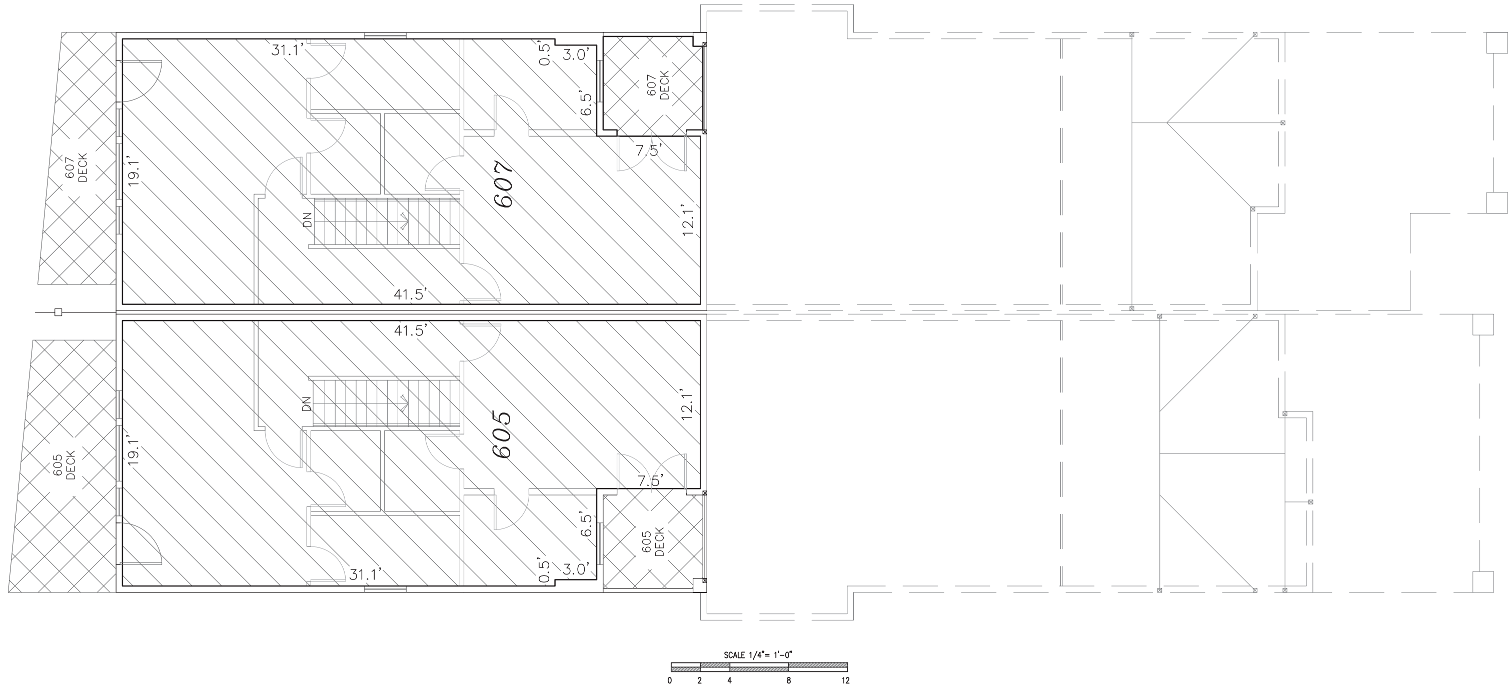
SHEET 4 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________________

DATE ________ TIME ________ BOOK ________ PAGE ________

FEE________ RECORDER________________



THIRD LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	739.0 SF	7121.44
607	739.0 SF	7121.44

LEGEND:

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

TOTAL NET SQUARE FOOTAGE

UNIT #	NET SQUARE FEET
605	5037.3 SF
607	4825.9 SF

THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 5 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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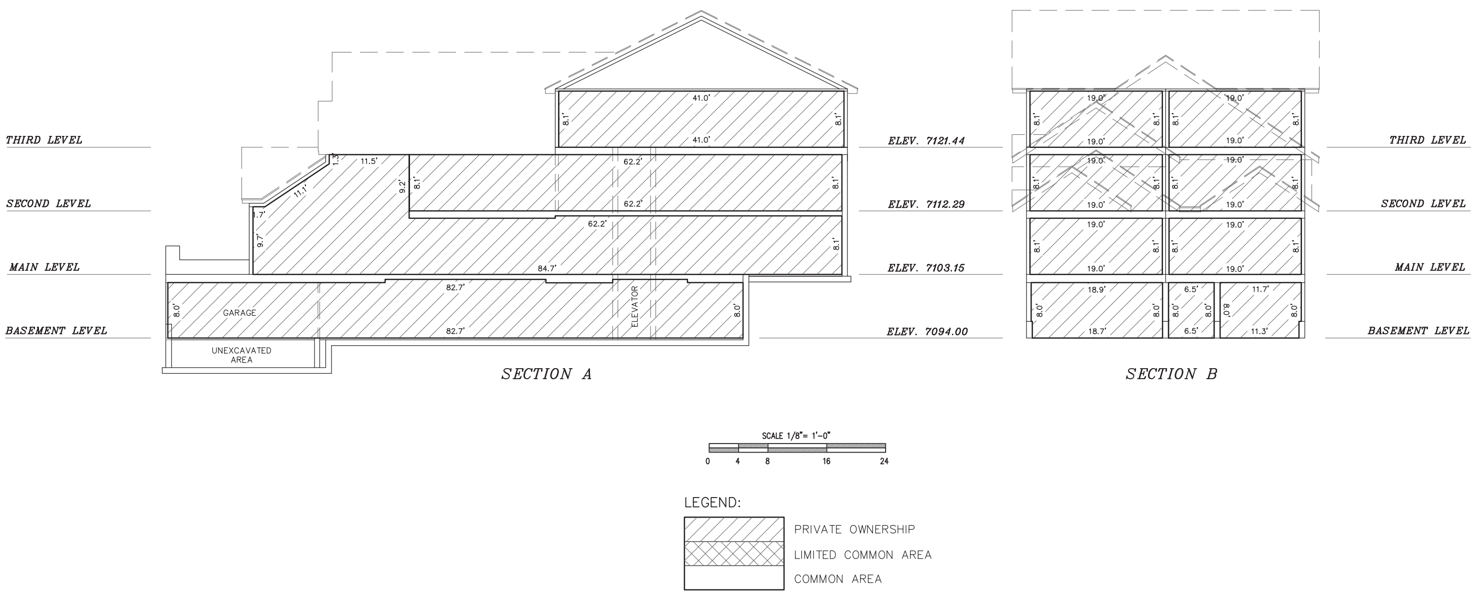
DATE __________ TIME _________ BOOK _______ PAGE _______

FEE__________ RECORDER________________________



THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 6 OF 6

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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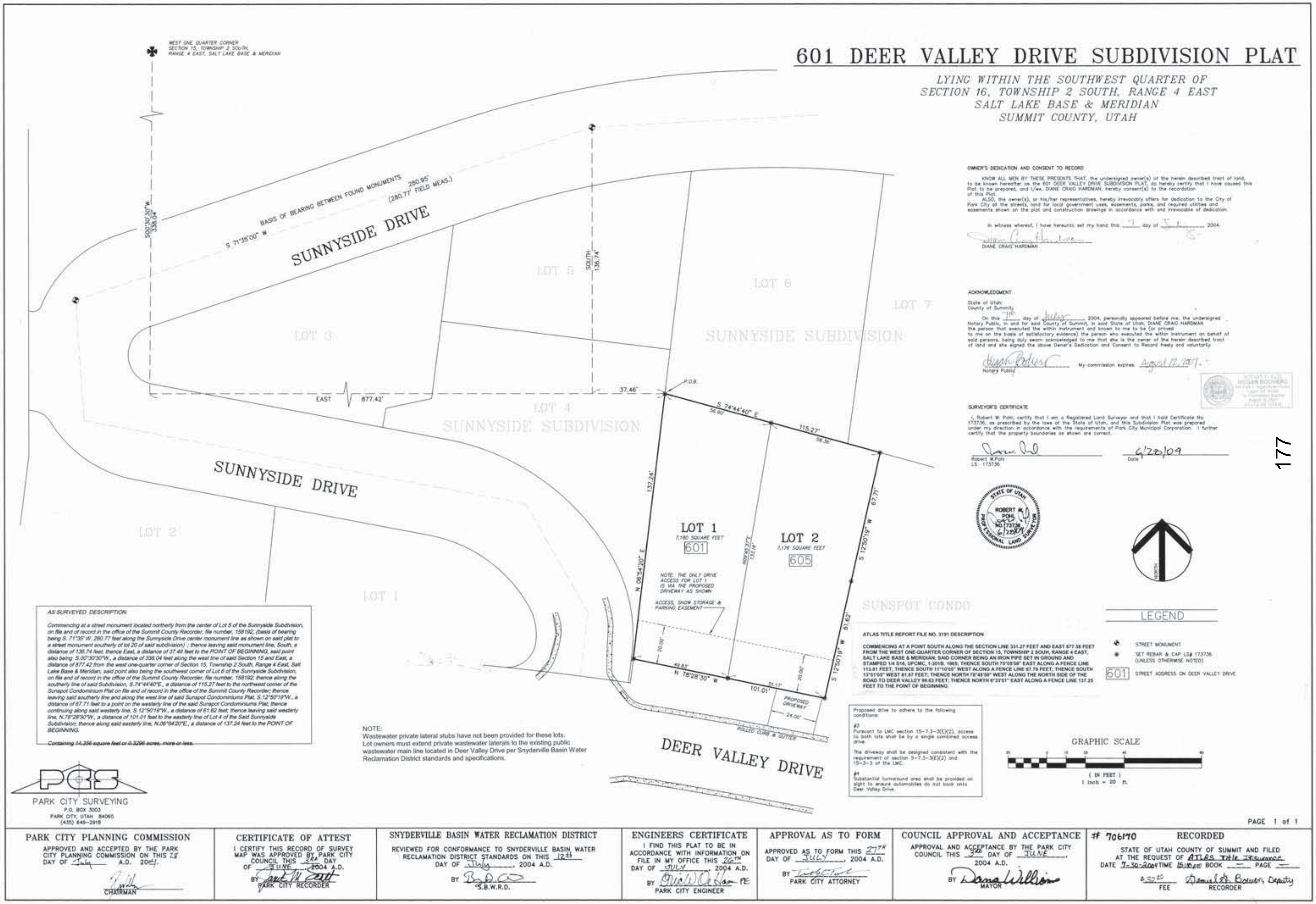
DATE __________ TIME ________ BOOK _______ PAGE _______

FEE__________ RECORDER________________________

Exhibit B – 601 Deer Valley Drive Subdivision Plat



Ordinance No. 04-20

AN ORDINANCE APPROVING AN AMENDMENT TO SUBDIVIDE A METES AND BOUNDS PARCEL INTO TWO LOTS OF RECORD, LOCATED AT 601 DEER VALLEY DRIVE PARK CITY, UTAH

WHEREAS, the owner of the property known as 601 Deer Valley Drive, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on May 26, 2004 the Planning Commission held a public hearing to receive public input on the proposed subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed subdivision allows the property owner to create two lots of record from a metes and bounds parcel; and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Residential Medium Density (RM) zone.
2. The RM zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The subdivision will divide a metes and bounds parcel into two lots of record.
4. The applicant is proposing a duplex structure on both lots.
5. Section 15-2.15 of the LMC establishes that duplex structures are an allowed use in the RM zone provided they are built on a lot of 3,750 square feet or greater.
6. The applicant is proposing two lots of approximately 7,100 square feet each.
7. Buildable lots in the RM zone must have a lot width of at least 37.5 feet measured 15 feet back from the property line.
8. The proposed lots are approximately 50 feet wide measured 15 feet back from the front property line.
9. Section 15-3-3(H)(2) of the LMC requires that all driveways accessing a collector street must be spaced at least 75 feet from the edge of the intersection to the centerline of the driveway.

10. The edge of proposed parcel 2 is approximately 100 feet from the curb line of the Deer Valley Drive Sunnyside Drive intersection.
11. The edge of proposed Parcel 1 is approximately 50 feet from the curb line of the intersection of Deer Valley Drive and Sunnyside Drive.
12. 15-7.3-3(E)(2) of the LMC authorizes the Planning Commission to combine driveway access to lots in situations where access is necessary from a collector street.
13. Deer Valley Drive is a collector Street.
14. Sunnyside Drive is a local street.
15. The lot has no frontage on Sunnyside Drive.
16. No remnant lots will be created as a result of this application.
17. The Planning Commission reviewed this application at its May 26, 2004 meeting and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The proposed subdivision as conditioned is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Because of the limited access to the property from Deer Valley Drive, the maximum number of units allowable on each lot is 2 units.
3. Pursuant to LMC Section 15-7.3-3(E)(2), access to both lots shall be by a single combined access drive. The driveway shall be designed consistent with the requirements of Sections 15-7.3-3(E)(2) and 15-3-3 of the LMC
4. Substantial turn around area shall be provided on site to ensure that automobiles do not back onto Deer Valley Drive.
5. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
6. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of June 2004.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
1884

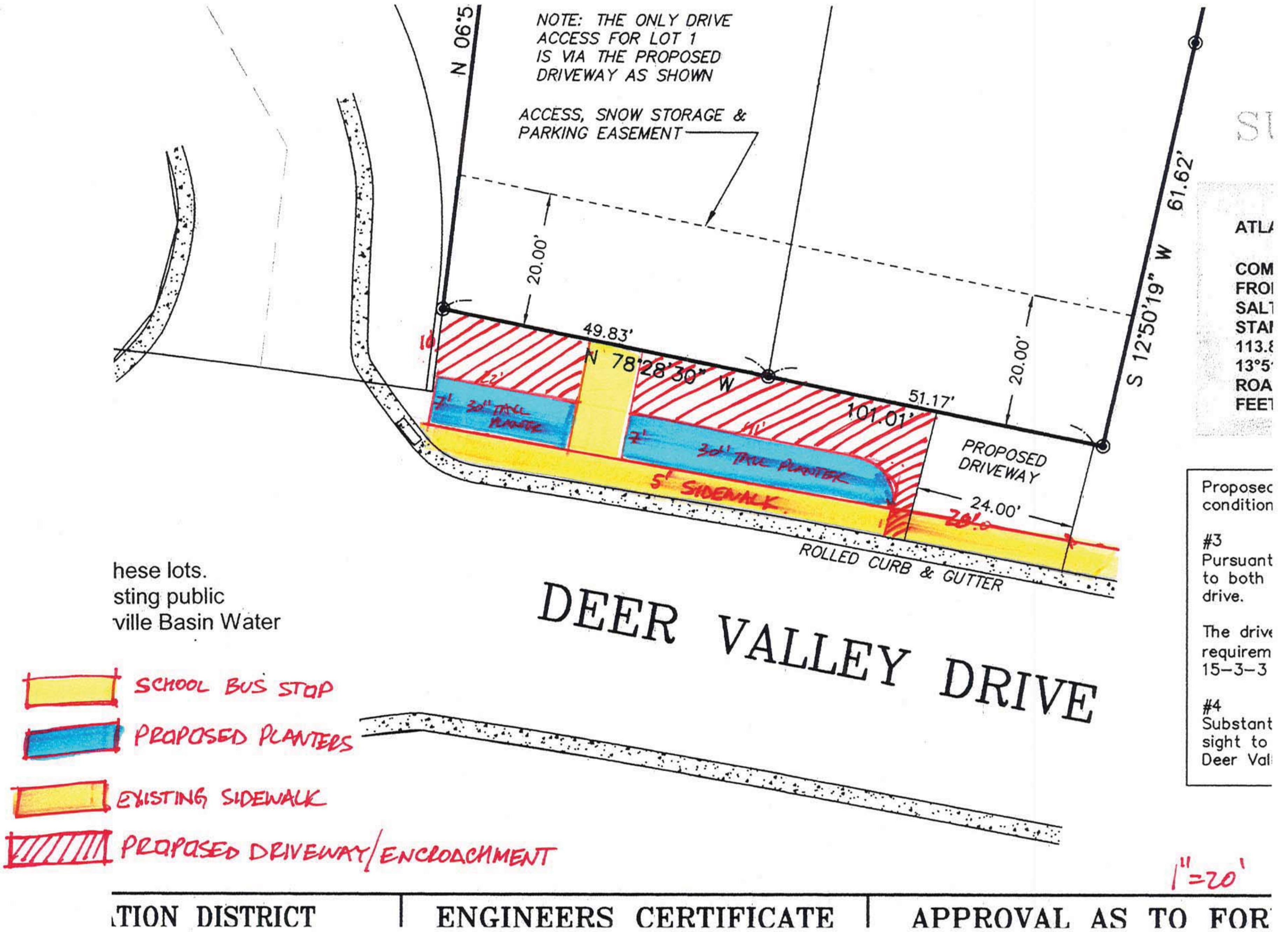
Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

Exhibit C – Driveway expansion/Planter boxes



60 people attended and the predominant group was Old Town residents. The participants were broken into neighborhoods and as each one walked in they were given a neighborhood name tag. People were also asked to fill out a survey. Once the groups were broken into neighborhoods, they were given stickers and asked to place them on a map in different areas within their zone neighborhood. Additional maps outside of the neighborhoods were used to conduct exercises for areas outside of the city boundaries and to reflect potential goals.

Planner Sintz remarked that the turnout for the Public Outreach was good and the Staff would like to hold one or two more during the Fall so those who could not participate during the summer would have another opportunity.

Planner Sintz stated that the Staff has started compiling the data and ranking the goals for different neighborhoods and she would continue to provide updates.

Commissioner Hontz felt the Outreach sessions were well-organized and the planned exercises were great. She personally participated as a resident to get a feel for what it was like. She favored the idea of additional Outreach sessions to encourage more people to attend. Commissioner Hontz complimented the Staff on a job well done.

CONTINUATION(S) - Public Hearing

1. <u>200 Ridge Avenue - Plat Amendment</u>
   (Application #PL-10-00977)

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Strachan moved to CONTINUE 200 Ridge Avenue - Plat Amendment to a date uncertain. Commissioner Peek seconded the motion.

VOTE: The motion passed unanimously.

VII. REGULAR AGENDA/PUBLIC HEARINGS

1. <u>601/603 Deer Valley Drive - Deer Valley Place Condominiums - Condominium Conversion</u>
   (Application #PL-10-00987)

Planner Francisco Astorga corrected a mistake on the agenda and noted that the items listed are two separate applications. The first is located at 601/603 Deer Valley Drive and the second at 605/607 Deer Valley Drive. They are neighboring properties but owned by two separate owners. Planner Astorga presented an exhibit identifying 601 Deer Valley Drive, which is Lot 1 of the subdivision already named 601 Deer Valley Drive Subdivision, which will be renamed The Deer Valley Place Condominiums. The property at 605/607 Deer Valley Drive is currently Lot 2 of the 601 Deer Valley Drive Subdivision, which will be called The Lofts on Deer Valley Drive Condominiums.

Planner Astorga introduced Tracy Doughett, who was representing both owners.

Planner Astorga remarked that 601/603 Deer Valley Drive is owned by SFG Properties. The applicant applied for a building permit in 2006 and the duplex unit has already been built. The applicant is applying for a condominium conversion to sell each unit of the duplex separately. Planner Astorga noted that a condominium conversion was previously approved and the applicant let it expire. The City places a condition of approval on all subdivisions requiring that the subdivision must be recorded within one year.

Planner Astorga stated that there have been non-compliance issues with 601 Deer Valley Drive, which include access and parking, issues with the retaining walls, and landscaping and site cleanup. The contractor is currently working with the City to mediate these items as conditioned in the Staff report.

The Staff recommended that the Planning Commission review the application and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval.

Planner Astorga presented a slide showing a rolled curb and gutter. Many people, including the tenants who live on 601 Deer Valley Drive, were not complying with the condition of approval saying that the site had a shared driveway. The slide showed a boat and a number of cars parked in the right-of-way. These were the same issues they encountered with the contractors during construction. Planner Astorga stated that the Staff and the contractors came up with the solution of an encroachment agreement to build a planter box that would prohibit visitors or neighbors from having the ability to drive over the rolled curb and gutter to park.

Chair Wintzer wanted to know what the planter box would look like. Planner Astorga stated that the applicant is currently working with Staff on the design. It is a little difficult considering that there are two different owners and contractors. He believed it would mirror the retaining wall issue that the Planning Commission would discuss in the application for 605/607 Deer Valley Drive. Planner Astorga presented an exhibit and noted that the retaining wall on the top is what was built. It is not allowed by Code and was not permitted. The retaining wall was not identified on the building permit. The contractors have been working with the Building and Engineering and Planning Departments to come up with a retaining wall that was shown on the bottom of the exhibit. That retaining wall is no more than 6 feet in height. The design would match the built retaining wall.

Planner Hontz asked when the Planning Commission would see the retaining wall. Planner Astorga replied that the owners had encountered issues with the utility companies. The original plan was for the planter box to be seven feet and that has been changed to five feet to address those utility issues. He was unsure when the retaining wall would be approved. However, a condition of approval for this application requires that the planter box shall be installed within a year's time. The one year time frame for this approval includes the planter box and site cleanup.

Commissioner Peek asked if the planter box would be seven feet wide or seven feet long. Planner Astorga replied that the width along Deer Valley Drive would be the entire area except for the area identified for a school bus pad. Commissioner Peek clarified that the planter box would be seven feet by whatever the length. Planner Astorga replied that this was correct. He believed the height of the planter is approximately 30 inches. Commissioner Peek asked if that was appropriate for the line of sight at an intersection. Planner Astorga replied that the applicant has been working with the City Engineer, Matt Cassel. Director Eddington stated that the sight triangle is 2-1/2 to 7 feet and they are staying below that.

Commissioner Peek referred to the condominium conversion slide, as well as the subdivision plat contained in the Staff report. He noted that the slide showed the lot lines down in the corner nearly reaching the curb, but that was not the case in the subdivision plat. Planner Astorga replied that the subdivision plat was done through the City's GIS system, which many times is not exact. He noted that the GIS is only used as a reference and it does not replace the actual survey or record of survey. The purpose of the exhibit is to show vicinity and location. Commissioner Peek clarified that the edge of the property line could be the edge of the paved driveway area. Planner Astorga replied that this was correct. Director Eddington expected that all of the GIS parcel lines would move slightly to the north.

Chair Wintzer assumed that all the buildings fit within the required setbacks. Planner Astorga replied that both buildings have passed inspections through the Building Department. Chair Wintzer preferred to have something in the condominium plat that requires the planter. It is not shown on any of the condominium plats and over time people would forget the reason why it was put there in the first place. Planner Astorga stated that the planter box would not show on the condominium plat because it is being built on the right-of-way. Through the encroachment agreement, the owner would be responsible for maintaining the planter box. Commissioner Peek asked if there was precedent for a private individual to maintain City property.

Assistant City Attorney, Polly Samuels McLean, noted that Condition of Approval #5 addresses the encroachment agreement and the planter box. Chair Wintzer reiterated that he would like to see a note on the plat. Planner Astorga suggested that the condition could require adding a document to be recorded with the plat that refers to the encroachment agreement. Ms. McLean remarked that the encroachment agreement could be recorded. Chair Wintzer was comfortable with that approach.

Commissioner Peek asked if the driveway would be relocated. Planner Astorga replied that the driveway would be expanded on to the right-of-way. Chair Wintzer pointed out the gravel connected to the existing building and understood that the intent is to create a buffer to prevent people from driving across. Commissioner Peek remarked that the plat map in the Staff report did not show the encroaching driveway, except where it accesses Deer Valley Drive. Planner Astorga replied that this was correct. Commissioner Peek wanted to know why the other encroachment was not shown. Planner Astorga explained that the option was not explored at the time the condominium conversion was drafted. He noted that it could be redlined as part of the engineering redlines that would reflect such improvements.

Tracy Doughett, representing the applicants, stated that the access and snow storage easement would be re-written as part of the redlined plan.

Assistant City Attorney McLean noted that the encroachment is within the discretion of the City Engineer. Generally, encroachment agreements read that if it becomes necessary to expand the right-of-way, all improvements need to be taken out at the expense of the owner. If Deer Valley

Drive is expanded, the improvements would be removed and the right-of-way would be closer to this property. Ms. McLean remarked that the encroachments are within the purview of the City Engineer and he will make sure it is safe for the drivers along Deer Valley Drive.

Commissioner Hontz stated that something needs to be done because it has looked horrific for a long time since the building was started. If the Planning Department had done a survey last year of the places that were neglected, this area would certainly be on the list. She liked the direction this was going and she hoped it would resolve the problem. Commissioner Hontz remarked that in her experience two unit condos typically do not work because there is 50/50 ownership. If something goes wrong or maintenance needs to be done and one owner is not interested, the work does not get done because both owners have equal say. She asked if the Planning Commission had any latitude on that issue. Ms. McLean stated that the City requires a tie-break mechanism as a condition of approval. She was unsure of the specifics with this property because the units were different sizes. Planner Astorga noted that the mechanism was addressed in Condition of Approval #3. The Commissioners thought it would be better to have all four units under one condominium plat with an HOA. Ms. Doughett stated that it was considered, but both owners decided to do them separately because it would make the maintenance and driveway agreements easier to facilitate. She was unsure why the owners came to that reasoning. Chair Wintzer felt it would be easier to have one unit that owned a common driveway rather than two units owning half and the two units owning the other half. He agreed with Commissioner Hontz's concerns regarding a 50/50 ownership.

Commissioner Strachan asked if insufficient parking was the reason why cars park in the right-of-way. He asked if the units would be under parked by design of the structure. Planner Astorga believed there was sufficient parking for the units. Currently the parking requirement for a duplex is two spaces per unit. Through planning best practices and the trend they are seeing, the number of parking spaces should be decreasing rather than increasing. The project meets the minimum number of parking spaces required. Planner Astorga stated that they need something that would physically aid appropriate parking and access. Commissioner Strachan believed there would be enough parking for the residents, and he expected their guests would park on Deer Valley Drive.

Commissioner Strachan agreed that having a physical barrier, such as the planter box, would help prevent the parking issues.

Chair Wintzer asked if the Planning Commission could add a provision that requires installing a guardrail at the property line if the City Engineers decided to widen the right-of-way and the planter box is removed. The guardrail would prevent a repeat of the parking issue. Ms. McLean felt it would be appropriate to require some type of a barrier.

Chair Wintzer wanted to know what would happen if the utility companies do not work with the applicants on the planter box concept. Planner Astorga stated that the Staff and applicant would re-visit the situation and come up with a landscaping plan. Director Eddington remarked that another scenario would be larger caliper trees and some type of timberline fence that ties in with the architecture of the building. He believed the planter boxes were shallow enough that the utility companies would acquiesce.

Commissioner Strachan asked about the retaining wall. Planner Astorga stated that there is a retaining wall in the back that still needs to be built. The applicants are working with the Building and Planning Department to get that going as soon as possible. Condition of Approval #6 addresses the retaining wall.

Chair Wintzer opened the public hearing.
Rick Anderson stated that he is a resident of Sunnyside Subdivision, which is the subdivision immediately behind this duplex, and he was also representing the Sunnyside Homeowners Association on this matter. Mr. Anderson had canvassed the residents at Sunnyside and many have concerns with this proposal. Over the past few years they have seen dangerous condition at the intersection coming down off of Sunnyside Drive, which is how most of the residents access Deer Valley Drive. With all the congestion taking place at that corner, the views on to Deer Valley Drive have been obstructed. Mr. Anderson was concerned that approving this condominium conversion would generate more traffic. In addition, he did not believe that parking for the duplexes was adequately addressed. Mr. Anderson pointed out that the LMC states that the parking ratio for condominiums should be three spaces per one unit. He did not see where that was being accommodated. The Staff report speaks to the requirement for duplexes as being two per unit, but the requirement for condominiums is three spaces per unit. He believed the only way that would occur is if people park in those driveways or on Sunnyside Drive, which would further compound the problem of obstructing the views and access on to Deer Valley Drive. Mr. Anderson stated that the planter boxes would somewhat mitigate the problem, however, the planter boxes should be installed further into the driveway so people are not parking on the gravel partitions, which still obstructs the view of Deer Valley Drive. Mr. Anderson remarked that any vehicles parked on the corner of that driveway obstruct anyone trying to access Deer Valley Drive. Mr. Anderson requested that the concerns of the Sunnyside residents be addressed. He was unsure how they could accommodate the additional cars to meet the requirements of the Land Management Code without further obstructing the views on to Deer Valley Drive.

Chair Wintzer closed the public hearing.

Planner Astorga noted that page 11, Chapter 3 of the LMC, indicates that a condominium over 2500 square feet requires three parking spaces per dwelling unit. However, that language is under a multi-unit dwelling, which defined by the LMC is any building that has four or more units. He explained that a multi-unit dwelling would be four units within one structure. In this project, there are four units within two structures, which falls under the category of a single family dwelling or a duplex.

Commissioner Hontz understood that condos are not allowed as conditional uses and asked if they should assume this was a process and not a use. Planner Astorga answered yes. He recognized that it was misleading because in some zoning districts condos are an actual use.

Chair Wintzer wanted to know why a portion of the planter was not put at the back of the property rather than the front to address Mr. Anderson's concern. Planner Astorga replied that it was due to the challenges of the 20 feet parking and access easement. The primary challenge was having a visitor's vehicle parked in the driveway and not having enough room to turn around. Commissioner Peek asked for the size of the driveway from the face of the garage to the edge of the driveway. Planner Astorga replied that it was no more than 21 feet. Commissioner Peek pointed out that there would be 30 feet of pavement. Chair Wintzer questioned how this had been originally approved when there was not enough room to get out of the garage. Planner Astorga stated that it was part of the original subdivision approval in 2006 and he was unprepared to answer that question. Chair Wintzer pointed out that this is a tight intersection and he was uncomfortable creating something that would further block the view. He suggested moving the planter to the back on the left side of the sidewalk and leaving it to the front on the other side. Planner Astorga stated that they could extend the planter box to the property line as part of the condition of approval.

Commissioner Hontz asked for the number of bedrooms in each unit. Ms. Doughett estimated four to five bedrooms per unit. Planner Astorga stated that each unit has two interior parking spaces in the garage. He noted that Director Eddington had suggested expanding the driveway a few feet to allow a larger turning radius.

Assistant City Attorney McLean reiterated that the City Engineer should determine the specifics of the encroachment. She favored adding a note to the plat requiring a barrier, but she was not comfortable with the Planning Commission being specific on issues under the purview of the City Engineer. Chair Wintzer clarified that people are not allowed to park on the encroachment and the applicant could not count it as part of their parking. He noted that by increasing the size of the planters, the Planning Commission was insuring that parking would not occur. Director Eddington clarified that he was only suggesting that they work with the City Engineer to allow an additional four or five feet to accommodate a turning radius, if the Planning Commission thinks 30 feet is too much.

Based on the easement agreement between the two condominiums, Commissioner Peek asked if parking was allowed on the driveway of if there was language that restricts parking in the driveway. Assistant City Attorney McLean stated that the driveway is an access easement and it should be free of obstruction. Parking should go in the garages.

For clarification on the number of required parking spaces per unit, Assistant City Attorney McLean read from the LMC under dwelling, "A duplex dwelling is a building containing two dwelling units. A multi-unit dwelling is a building containing four or more dwelling units." She concurred with Planner Astorga that even if the units were combined under one condominium plat, it would still be two duplex buildings.

Commissioner Luskin was baffled by "the process" versus "use" when the end result is the same. He was confused as to why they could approve a condominium in an area where it could not be approved as a use. Planner Astorga explained that the process is the record of survey creating the two units. Commissioner Luskin pointed out that either way, they end up with the same result. Director Eddington remarked that the issue comes back to condominiums not being conditional uses. In this case they are talking about the process of a condominium for these two duplexes. Director Eddington stated that a duplex dwelling unit is allowed in the RM zone. There are two duplexes on the site and the owners are choosing to condominiumize them. Ms. McLean explained that a condominium is a form of ownership. Commissioner Luskin asked if the Planning Commission could approve a condominium project in that zone. Chair Wintzer answered yes, because it is not a use. Ms. McLean clarified that a condominium is a form of ownership regulated by the State, and therefore requires this process.

Planner Astorga read from a parking clause in the Easement Joint Use and Maintenance Agreement. "Parking within the easement area shall not hinder, block or otherwise interfere with the use and enjoyment of the easement area by any owner or its respective tenants licensees". That language prohibits parking within the driveway. Commissioner Peek asked if it was appropriate to add that language to the plat. Planner Astorga pointed out that it was already recorded on the original plat.

Chair Wintzer felt the question was whether or not the applicants should be required to take the planter back to the property line. Commissioner Strachan felt the Planning Commission should let the City Engineer determine the size and location of the planter boxes. Chair Wintzer was comfortable with that as long as the City Engineer considers the view corridor that comes down from Sunnyside. His preference would be for the Planning Commission to increase the size of the planters. Commissioner Peek concurred. If people cannot park in the access easement, he could not understand why they would need 30 x 100+ feet of paved hard surface area.

Assistant Attorney McLean recommended that the Planning Commission allow Planner Astorga to relay their input concerning the encroachment to the City Engineer. She would make sure the City Engineer received a copy of the minutes and she would talk with him personally. Ms. McLean suggested that the Planning Commission take action this evening with direction to the City Engineer to take into consideration the view corridor, based on public input this evening.

Chair Wintzer preferred to add a condition of approval that parking would not be allowed to obstruct the vision of that intersection and the sight corridor of that area. He liked the idea of directing the City Engineer to move the planters back. Commissioner Hontz understood Ms. McLean's concerns regarding the purview of the City Engineer, but as planners they also care about the appearance. She felt they should include their preference for the planters in their direction. Chair Wintzer suggested adding a condition of approval stating that the size of the planters would be increased a minimum of seven feet.

Assistant City Attorney McLean advised that encroachment issues should be left to the City Engineer. To address their concerns, the Planning Commission could add a plat note making it clear that there shall be no parking in front of the garages or in front of the driveways. They could also add language that no parking is allowed in front of the houses which impede the view sight for Sunnyside. Adding the plat note would address the issue with the property itself as opposed to the right-of-way.

Commissioner Peek was comfortable with whatever format the City Engineer could work out with the property owner, as long as it prevents parking in front of the garages.

Assistant City Attorney McLean revised Condition of Approval #5 to add language stating, "Such encroachment agreements shall be recorded. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property, and no parking shall impede the view sight of Sunnyside"

Commissioner Peek clarified that the condition would prohibit parking and obstruction of the view corridor.

MOTION: Commissioner Peek made a motion to forward a Positive recommendation to the City Council for the Deer Valley Place Subdivision at 601-603 Deer Valley Drive, based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance with Condition of Approval #5 as amended. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

Finding of Fact - The property is located at 601/603 Deer Valley Drive

1. The property is located at 601/603 Deer Valley Drive.

2. The property is located in the Residential-Medium Density (RM) District.

3. The structure is a built duplex.

4. A duplex is an allowed use in the RM District.

5. The area of the lot is 7,180 square feet.

6. The existing conditions comply with required minimum setbacks.

7. Two (2) parking spaces are required for each unit.

8. Each unit has two (2) dedicated parking spaces within the site.

9. Unit 603 has 6,067.6 square feet of private area.

10. Unit 605 has 4,862.5 square feet of private area.

11. Shared entry area and open space are identified as common ownership.

12. There are existing non-compliance relating to access and parking, retaining walls, landscaping, and site clean-up.

13. The findings within the Analysis section are incorporated within.

Conclusions of Law - 601/603 Deer Valley Drive

1. There is good cause for this condominium Record of Survey.

2. The Record of Survey Plat is consistent with the Park City Land Management Code and applicable State law regarding Condominium Record of Survey Plats

3. Neither the public nor any person will be materially injured by the proposed Record of Survey Plat.

4. Approval of the Record of Survey Plat, subject to the conditions state below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 601/603 Deer Valley Drive

1. The City attorney and City Engineer will review and approve the final form and content of the Record of Survey 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 Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

3. The CC&Rs shall include a tie breaker mechanism.

4. The applicant shall expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').

5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front on the City Right-of-way behind the existing five foot (5') sidewalk. This work shall be completed as a condition precedent to plat recordation. Such encroachment agreement shall be recorded. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property, and no parking shall impede the view sight of Sunnyside.

6. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.

7. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. This work shall be complete as a condition precedent to plat recordation.

2. 606/607 Deer Valley Drive, The Lofts on Deer Valley Drive Condominiums - Condominium Conversion **(Application #PL-10-00972)**

Planner Astorga stated that the only issue with this application was the retaining wall built towards the east front. The Planning Commission reviewed that exhibit with the previous agenda item. The Staff believed the applicant did a good job switching materials from ready rock to the timbers. The retaining wall is located within the front yard setback, which requires a review by the City Engineer and the Planning Director.

Commissioner Strachan asked about a certificate of occupancy. Planner Astorga replied that 601/603 Deer Valley Drive had received a certificate of occupancy. A certificate of occupancy has not been issued for 605/607 Deer Valley Drive.

Commissioner Peek asked if it was a crib wall or veneer over the ready rock. Planner Astorga stated that it was veneer over the ready rock. Commissioner Peek asked if the ready rock was visible from the other directions. Planner Astorga replied that it needs to be backfilled and the contractor was still working on it. That was the reason for adding the condition of approval, as outlined in the Staff report.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Peek moved to forward a POSITIVE recommendation to the City Council for 605/607 Deer Valley Drive, Lot 2 of the 601 Deer Valley Subdivision, based on the Findings of Facts, Conclusions of Law, and Conditions of Approval found in the draft ordinance, with the same revision to Condition of Approval #5, as amended in the previous application. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact - 605/607 Deer Valley Drive</u>

1. The property is located at 605/607 Deer Valley Drive.

2. The property is located in the Residential-Medium Density (RM) District.

3. The structure is a built duplex.

4. A duplex is an allowed use in the RM District.

5. The area of the lot is 7,176 square feet.

6. The existing conditions comply with required minimum setbacks.

7. Two (2) parking spaces are required for each unit.

8. Each unit has two (2) dedicated parking spaces within the site.

9. Unit 605 has 5,037.3 square feet of private area.

10. Unit 607 has 5,825.9 square feet of private area.

11. Shared entry area and open space are identified as common ownership.

12. There are existing non-compliances relating to access and parking, retaining walls, landscaping, and site clean up.

13. The findings within the Analysis section are incorporated within.

Conclusions of Law - 605/607 Deer Valley Drive

1. There is good cause for this condominium Record of Survey.

2. The Record of Survey Plat is consistent wit the Park City Land Management Code and applicable State law regarding Condominium Record of Survey Plats.

3. Neither the public nor any person will be materially injured by the proposed Record of Survey Plat.

4. Approval of the Record of Survey Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 605/607 Deer Valley Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey 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 Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

3. The CC&R's shall include a tie breaker mechanism.

4. The applicant shall expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').

5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front on the City Right-of-Way behind the existing five foot (5') sidewalk. This work shall be complete as a condition precedent to plat recordation. Such encroachment agreement shall be recorded. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property, and no parking shall impede the view sight of Sunnyside.

6. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.

7. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. This work shall be complete as a condition precedent to plat recordation.