

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 14, 2004**

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, 2004.

Closed Session – Executive Conference Room

2:30 p.m. Property and personnel

Work Session – City Council Chambers

3:30 p.m. Council questions/comments

3:45 p.m. Discussion on downtown projects

5:15 p.m. Art advisory board update

5:30 p.m. Review of regular meeting

- Snow removal
- Other meeting questions/comments

5:50 p.m. Break

Regular Meeting – City Council Chambers

6:00 p.m.

I ROLL CALL

II COMMUNICATIONS FROM COUNCIL AND STAFF

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

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF SEPTEMBER 23 AND SEPTEMBER 30, 2004

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a two-lot subdivision plat located at 64 Ontario Canyon Road, Park City, Utah

2. Ordinance approving a one-year extension of a plat amendment to combine Lots 13 and 20 of Block 10 of the Park City Survey into one lot

VI CONSENT AGENDA

1. Ordinance approving a two-lot subdivision plat located at 64 Ontario Canyon Road, Park City, Utah

2. Ordinance approving a one-year extension of a plat amendment to combine Lots 13 and 20 of Block 10 of the Park City Survey into one lot

VII NEW BUSINESS

Ordinance amending Section 9 – Parking - Chapter 4 - Seasonal and Section 14 – Streets – Chapter 4 – Snow Removal of the Municipal Code of Park City, Utah

- Public hearing
- Action

VIII 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.

Posted: 10/11/04

See: parkcity.org

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

October 2004

- 21 Solid waste disposal and collection programs – work – Jerry
Quarterly goal update – work – (1 hour)
Recognition of Jeanne Edens – Victim Advocate – Mary
Quinns Junction annexation
Sign Code amendments – Ray
Authorization to the City Manager to execute a design contract for the skate park expansion project
Authorization to the City Manager to enter into contracts for replacement of a water service line to the Racquet Club, in a form approved by the City Attorney
Resolution adopting the Mountainlands Association of Governments Pre-Disaster Hazard Mitigation Plan as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000 - Gary
Triple Crown Sports Festival License and service agreement – Alison
Ordinance – 2753 Silver Cloud Drive plat amendment – Jonathan
Ordinance – 41 Sampson Avenue plat amendment
Ordinance – 2729 Silver Cloud Drive plat amendment – Jonathan
Ordinance – 10 Daly Avenue plat amendment – Jonathan
Ordinance – 3349 Meadows Drive plat amendment - Ray
- 28 **No meeting**

November 2004

- 4 Cultural tourism advisory committee update – work - Colin
Ordinance – 424 Woodside venue plat amendment – Ray
- 11
18
- 25 **Thanksgiving**
26 **Thanksgiving holiday**

December 2004

- 2
9 2005 Insurance Renewal - Cindy
16
23
30

Pending Items:

Hoffman annexation - Kirsten
Water Service District – Grant of easement from Iron Mountain Associates
Transit Center Land Match Resolution – Gary
City-owned buildings – Pat
January – update on temporary liquor and beer licenses (special events) – manager's report

**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 23, 2004**

Present: Mayor Dana Williams; Council members, Kay Calvert; Marianne Cone, Candace Erickson; Jim Hier and Joe Kernan

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Colin Hilton, Economic Development Director; Myles Rademan, Public Works Director; Chief Lloyd Evans; Officer Chris Gephardt; Brooks Robinson, Planner; and Patrick Putt, Planning and Zoning Administrator

Doug Clyde, agent for Talisker; Bob Wells, Vice President, Deer Valley Resort

1. Council questions/comments – Candace Erickson complimented the Public Affairs staff for organizing another successful Summer Tour. Marianne Cone reported that Joanna Charnes is stepping up as interim director of the Summit County/Park City Arts Council until the position is filled. The Mayor agreed that the Colorado trip was great. He added that he, Council member Calvert, and Colin Hilton attended the Edge Conference in Chicago which was excellent. There were lectures on public plazas, parking structures and art in public places which were very informational. Colin Hilton reminded Council of the Downtown Projects public workshop on Monday and Tuesday next week, which will also be facilitated by the design team. Myles Rademan reported that a delegation from Whistler will be visiting Park City next week and a dinner with Council is planned next Thursday.

2. Crime mapping – Chief Evans referred to information previously distributed to Council and introduced Chris Gephardt who conducted a computer-assisted demonstration of the Department's website on mapping incidents. Officer Gephardt explained that the map, which identifies incidents in a defined area, is a good briefing tool for officers returning to work and can easily be accessed by the public on the Internet. The difference between crime mapping and incident mapping is identifying the areas where crimes are committed as opposed to areas where calls for service data occurred. He pointed out that the latter is more accurate and up to date information, available at the end of each shift. Crime data takes more time as it requires several layers of review and takes up to 30 to 60 days to process. He reviewed data on the internet on incidents occurring over the past week. This program was initiated for about \$400, but interactive programs can cost up to \$25,000. In response to a question from Jim Hier, Officer Gephardt explained that the map is updated directly from a data feed from the police records management system. This information is imported and sorted out by category on the map site. The Council expressed its support.

3. Review of regular meeting:

Red Cloud MPD – modification of Pod D. Brooks Robinson explained that this is a modification to Exhibit A of the Flagstaff Development Agreement, which illustrated zoning for United Park's land and did not include Mayflower's property. The boundary will be adjusted, maintaining the same 49 acres and 14 acres that could be configured for development. The Planning Commission recommends approval. There was discussion on protecting the *Enchanted Forest*, where there will be a conservation and ski easement. Doug Clyde further explained that the conservation easement will appear on the final subdivision plat where development is prohibited and duly noted. For the benefit of Kay Calvert, Brooks Robinson explained that the determination of the ownership of the road by Mayflower over the Marsac Claim is being appealed by Talisker. Tom Bakaly stated that he met with UDOT Regional Director John Nord a couple of months ago. UDOT provided authorization to move forward at the Planning Commission level with some of the MPD work and formulated a contingency plan in the event something happens to the road. He advised that in his opinion, the road issue does not impact the action tonight on the Development Agreement. Brooks Robinson reported that the Planning Commission approved the Empire Pass Phase 1 subdivision last night. There was discussion about the setback from the ski area boundary. He added that there are suggested building locations on each lot on the exhibit and a process for modifications. These do not appear on the plat.

Mr. Robinson explained that there is a temporary parking lot at the day lodge, used during construction, but it is not located on the parcel. Deer Valley desires to continue to use the facility in the evenings and off-season and held 97 events at the day lodge in 2003. Some of these functions required shuttles; there are approximately 60 parking spaces in the temporary lot. An amendment to the Development Agreement accommodates a process for obtaining a conditional use permit for these activities. In response to a question from Jim Hier, Mr. Robinson stated that a process for approving events at the lodge doesn't exist.

Patrick Putt clarified that the underlying zone allows for an administrative conditional use approval for special events and the language in the existing Development Agreement will be amended to be clearer. Council member Hier expressed his concern that the number and size of events be monitored so that traffic is not generated and Mr. Putt felt that a conditional use permit process before the Planning Commission would address mitigating issues by way of specific conditions of approval. This could be designed similar to the event schedule at McPolin Farm, with a specified review date. Mr. Hier asked about the lodge being open to the public two days a week and Mr. Putt explained that the proposed language anticipates temporary events. Mr. Hier continued that it may be helpful to include guidelines in the amendment to the Agreement with regard to types and frequency of functions at the lodge. Mr. Putt believed it would be helpful.

Brooks Robinson pointed out that the Development Agreement provides for up to 75,000 square feet of commercial within the annexation area which could be assigned to the day lodge. Jim Hier felt it important to provide services for guests so that car trips aren't generated into town. Ms. Cone asked if the lodge would be open to the public.

Bob Wells explained that last year, Deer Valley held *Fireside Dinners* on Thursday evenings only, which were principally related to corporate groups. It is proposed to expand dining to the public for two nights rather than one. He added that the Planning Commission outlined guidelines, which Deer Valley has followed. In addition, Deer Valley is applying for a CUP and a modification of the initial approval of the day lodge. He added that the majority of the use in the winter is corporate groups and the lodge is used primarily for weddings in the summer. Mr. Wells discussed their strategies for routing traffic and shuttling attendees to minimize traffic impacts and parking demands at the lot. The parking lot is manned and it is important to Deer Valley to follow City regulations. Mr. Hier believed that the trigger for requiring shuttles should be identified in the CUP, and Bob Wells emphasized that it is in Deer Valley best interest *to follow the rules*.

Park Avenue rezone. Patrick Putt explained the location of the proposal, which is the west side of Park Avenue between 11th and 12th Streets to the south of the Park City Library and Education Center and across the street from the parking lot. The property is currently zoned HR-1 and the applicants are seeking to zone it HRM. The Butkovich property located on the other end of the block was once zoned commercial. About four years ago, significant amendments were made to the LMC, and it was rezoned HRM. This zone still allows conducting business but it must be in an historic building. There is HRM zoning across the street, across 12th Street to the north, and a combination of HRM and ROS zoning at City Park. There is RC zoning in the nearby Park City Mountain Resort vicinity.

Mr. Putt continued that the applicants initially contemplated just rezoning the parcel but staff discouraged spot zoning and urged them to consider making application for zoning the half block. He stated that the Planning Commission forwarded a positive recommendation and a considerable amount of input has been received on both sides. The planning staff conducted an in-depth review of each lot to determine if it would meet HRM requirements. The HRM was created as a transition between HR-1, HRM and/or RC zoning and promoted an incentive for historic preservation. A CUP process for light neighborhood commercial uses in historic buildings only in the HRM zone is provided for and there are nine historic houses located on the block. Mr. Putt stated that there is only one non-conforming property so variance requests are not anticipated with a change in zoning. Jim Hier felt it important to poll the nine historic property owners and Mr. Putt felt he could pull that information together before the public hearing. Mayor Williams agreed that having the numbers would be helpful.

Pat Putt stated that there are 16 letter in support and 14 letters in opposition. There is a petition in support with 31 signatories, but not all are people live in the area. For the benefit of Marianne Cone, Mr. Putt explained criteria for consideration of commercial uses in historic structures.

See regular meeting minutes.

Prepared by Janet M. Scott

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 23, 2004**

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, 2004. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Patrick Putt, Planning and Zoning Director; Kirsten Whetstone, Planner; Brooks Robinson, Planner; and Ray Milliner, Planner.

II COMMUNICATIONS FROM COUNCIL AND STAFF

None.

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

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

Summer Tour - Mike Sweeney thanked the City for including the HMBA on the City tour to Colorado. There were some great things to be learned from other resort communities and it was encouraging to see the City and the County working so well together.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF SEPTEMBER 9, 2004

Kay Calvert, "I move to approve the minutes and work session notes for the meeting on September 9". Candace Erickson seconded. Motion carried unanimously.

V PUBLIC HEARINGS

1. Ordinance approving a condominium conversion for 1412 and 1416 Park Avenue, Park City, Utah – Patrick Putt stated that the Planning Commission forwarded a positive recommendation on September 8, 2004 on this application. This property is located in the HRM zone and has two duplex structures for a total of four units and meets all zoning requirements. He encouraged approval based on the findings of fact, conclusions of law, and conditions of approval outlined in the staff report. Hearing no questions or comments from the audience or the Council, Mayor Williams closed the public hearing.

2. Amendments to the Land Management Code regarding definitions and zoning districts for timeshare, fractional ownership, and private residence club ownership units and projects – Kirsten Whetstone explained that a public hearing was held before City

Council on September 9, 2004. The request is to amend the LMC, specifically to add definitions for private residence club projects as a form of fractional ownership, modify timeshare definitions, and amend the various zoning sections to allow private residence club projects subject to obtaining an administrative conditional use permit. These units must be condominiums. Private residence clubs are recommended to be added to the RD, RDM, RCO and LI zones. The Planning Commission forwarded a positive recommendation at its August 11, 2004 meeting. She clarified for the Mayor that this amendment does not include the Estate Zone. The Mayor opened the public hearing, received no input, and closed the hearing.

VI CONSENT AGENDA

Candace Erickson, "I move to approve Consent Agenda Items 1 and 2". Jim Hier seconded. Motion carried unanimously.

1. Ordinance approving a condominium conversion for 1412 and 1416 Park Avenue, Park City, Utah – See staff report and public hearing.
2. Amendments to the Land Management Code regarding definitions and zoning districts for timeshare, fractional ownership, and private residence club ownership units and projects – See staff report and public hearing.

VII NEW BUSINESS

1. Amendment to the 1999 Flagstaff Development Agreement relating to access, parking and modification to Pod D Empire Day Lodge, located at 9200 Marsac Avenue:

Addendum to the Development Agreement for Flagstaff – See staff report and work session notes. Brooks Robinson explained that there are two recommended actions relating to the amendment. During work session, Council member Hier suggested additional language regarding the Planning Commission CUP review. *"Such conditional uses will have a traffic mitigation plan which may include the number of events, hours of operation, shuttle requirements, and/or a limit to the number of guests."* He explained that the temporary parking lot was built for construction staging at the day lodge, but built to good standards. Two years ago, Deer Valley applied for a CUP to allow additional events and the parking lot to remain until such time Pod B-2 is master planned and developed. At that time, the Commission did not take action because of the need to amend Development Agreement. Staff was directed to work on the solving the location of the parking lot. Mr. Robinson stated that staff is before Council tonight with an amendment which allows Deer Valley to continue with the CUP process where the Planning Commission will formulate conditions, particularly relating to traffic and transportation.

Bob Wells explained that Deer Valley believed it was following the same process it had for 15 to 20 years under its MPD. Modifications to the MPD have been made over the years and from time to time a restated MPD is formalized. He emphasized that Deer

Valley was not trying to circumvent the system. This proposal requires a CUP and amendment to the Development Agreement. The existing parking area accommodates about 60 vehicles. He assured Council that the traffic generated by the lodge is not at peak times and impacts to Marsac Avenue are very incidental in the scope of things. The entire Empire Pass project contemplates 3,000 people and the use at the lodge may mean 80 people on some days of the week and the facility provides a positive economic impact to the City. There was discussion about large weddings held in Deer Valley, where guests are shuttled and Bob Wells indicated that they are willing to continue to provide this service. Marianne Cone expressed that shuttles should be the trend not the exception and Mayor Williams believed that this may be required as a condition of Pod B-2's approval.

Dana Williams stated that he believed it was presumptuous for Deer Valley to distribute a flyer based on an approval that wasn't obtained yet. He added that if he could vote, he would vote against it because of the premature marketing. Mr. Wells indicated that there are marketing and publication deadlines and if Deer Valley didn't receive approval, the use could not be conducted. Jim Hier felt that the Planning Commission should be directed to establish group size limits based on the parking. The Commission should also take a serious look at indiscriminate use of Marsac and its affect on lower Marsac Avenue. Ms. Cone referred to the staff report where *staff has noted minimal traffic impacts* and asked how that finding was made without a traffic study. Brooks Robinson replied that it was based on not receiving complaints about the lodge evening uses. Candace Erickson stated that she understands marketing deadlines, but it also bothers her that a brochure to the general public was distributed before an approval. Although the proposal may contemplate only 60 people, incremental changes affect Marsac Avenue.

Kay Calvert, "I move to approve the addendum to the Development Agreement with the noted changes". Candace Erickson seconded. Motion carried.

Kay Calvert	Aye
Marianne Cone	Nay
Candace Erickson	Aye
Jim Hier	Aye
Joe Kernan	Aye

Ordinance amending Exhibit A of the Development Agreement for Flagstaff Mountain, Bonanza Flats, the 20 acre Quinn's Junction Parcel and Iron Mountain – Brooks Robinson displayed a map delineating 49 of the total 63 acres in the Northside Neighborhood that can be developed and emphasized that there is still potential for adjacent property owners to make an MPD application. During the preliminary subdivision and MPD review process before the Planning Commission, staff looked at requirements for the Northside Neighborhood, including site planning criteria. He added that even though the Enchanted Forest is drawn within the development boundary, the preliminary plat and final subdivision plat will protect it with conservation and ski easements. The Mayor invited the public to comment. Hearing no input, Mayor

Williams closed the public hearing. Doug Clyde of Talisker clarified for the benefit of Jim Hier that all of the property within Pod D is owned or controlled by United Park.

Candace Erickson, "I move that we approve the applicant's request to amend Exhibit A of the Development Agreement for Flagstaff Mountain relating to the Pod D boundaries in a form to be approved by the City Attorney". Jim Hier seconded. Motion unanimously carried.

2. Proposal to rezone Lots 2 – 16, Block 5 Snyder's Addition (portion of Park Avenue) from HR-1 to HRM:

Staff presentation - Through illustration of a computer-assisted presentation, Planner Ray Milliner explained the location of the proposed rezone. It is currently zoned HR-1 and surrounded on three sides by the HRM zone. The HRM was created by the Council about four years ago to create a transitional zone between commercial uses in the RC and HCB zones, the Park City Mountain Resort and Main Street areas. The minimum single family lot requirement in the HR-1 is 1,875 square feet and in the HRM 2,812 square feet. The width requirement in the HRM is 37.5 feet and in the HR-1 25 feet. There is one lot in the proposed area that doesn't comply with the HRM requirements, because it doesn't meet the width requirements, but it does meet the minimum lot size. He stated that this is one of most contiguous blocks of historic homes in Park City and another reason for creating the HRM was to provide incentives for restoration with the potential of commercial use. Conditional uses allowed in the HRM include offices, retail, service, market, café, and deli. Outdoor dining requires Planning Commission approval of a CUP. Mr. Milliner noted that a significant amount of public input has been received and 12 letters in support and nine letters in opposition have been distributed to Council. The Planning Commission held a public hearing and forwarded a positive recommendation to Council on July 14, 2004. The Commission felt that traffic impacts could be mitigated through the CUP process. Mr. Milliner read a quote from Commissioner Barth, *"the rezone would provide a good tool for controlling traffic and other issues. . .the Planning Commission would look at that specifically during each CUP review."* Commissioner Erickson stated that *"a significant number of uses that generate traffic are already allowed in the zone. . . the amount of traffic could be reduced by eliminating residential trips from single family structures."* Commissioner Erickson believed that trip generation with this use is less than residential. However, the Planning Commission specified that traffic impacts will be seriously considered during the CUP review process and the Commission does not intend to degrade the traffic concerns expressed by Park Avenue residents.

Jim Hier stated that he attended the July 14 meeting and believed that Commissioner Erickson was requesting an overall analysis of potential traffic impacts relating to a specific rezone, i.e., is traffic greater or less in the HR-1 or HRM zones. Patrick Putt responded that without the benefit of a study, the City doesn't have those numbers, but the staff believes it is appropriate at the time of the CUP, based on the nature of the use and its location, to require additional information from the applicant at that level. In response to a question from Mr. Hier about the process for a zone change, Patrick Putt

explained that our requirements are based on state law. The City or a private property owner can initiate a zone change. The application does not require 51% of the property owners consent. The Mayor invited the applicant to speak.

Carol Shepard explained that her intent is to open a neighborhood café on the corner of 12th Street and Park Avenue and is surprised by the opposition because the property she purchased was a failed residence. The improvements to the home are an enhancement to the neighborhood, Old Town and Park City. She stated that she lives in Old Town and understands the expressed traffic concerns, but her application should not be a mechanism to complain about existing problems. Her business is not going to increase traffic and will be governed by the CUP. She reiterated that her proposal is an improvement and she commented on the all-night parties and drug use in the house by the former tenants. Ms. Shepard stated that she wants to work with the neighborhood and the CUP will address noise, traffic and parking.

Public hearing - The Mayor opened the public hearing.

Steve Schueler, Woodside Avenue, stated he believes that Carol and Ron Shepard are sincere, however he disagrees with their proposal. He is opposed to commercial uses, which create nuisances and safety issues, so close to a residential neighborhood. It is simply too close and will impact them negatively, specifically with regard to traffic and parking. The traffic analysis performed by staff is inadequate in understanding the implications of changing the 1200 block to commercial, which already has a yoga studio, library, several pre-schools, and special events. Every morning the street is gridlocked with preschool drop-offs. There are three families with children that live on Woodside within a half block from the corner of 12th Street, where traffic is a major problem. He stated that as a planner, he can't think of a single instance when transitioning a residential use to commercial does not result in an increase in traffic. Information on trip generation tied to zoning is easily available. He continued that the City's traffic consultants counted 9,000 cars a day on Park Avenue during the summer, which increases dramatically in the winter. There are no pedestrian crossings and the change in the zone will increase traffic. From a planning standpoint, this is still spot zoning and it is a bit short-sided to zone part of the street. Mr. Schueler suggested that prior to approving the rezone, that the City conducts a comprehensive study of Park Avenue from Heber Avenue to Deer Valley Drive. This entry corridor is too important not to devote some analysis; the rezone might open the flood gates and there is no plan.

Jonny Totten, owner of a home directly behind the proposed café, felt that there are now families with children living in Old Town and she encouraged Council to support a revitalization of Old Town and maintaining the family neighborhood. Traffic and congestion is a concern because it is already a problem with the schools at the Library and Education Center. She reminded Council members that they installed a traffic calming median at Deer Valley Drive and approval of this would invite more cars on Park Avenue. The City also implemented the PACE program. Ms. Totten suggested that the café would compete with businesses on Main Street who are already struggling.

She discussed the potential problems with construction traffic on Park Avenue when the Treasure Hill project commences.

Arnold Strong, Old Town resident, understood that if the zoning is approved, there will be City controls on the property. He felt that the café use generates less traffic and is safer than a rental property. This project will make things better not worse.

Sandra Hall thanked Carol and Ron for improving their property. She stated that she has lived at 1149 Park Avenue since 1968 and has seen many changes, but is not in favor of changing the zoning. *The area has become very residential which is nice.*

Julia Pettit, Daly Avenue resident, expressed that she is hearing that the major point of opposition is the traffic and that changing the zoning in this particular area will somehow increase traffic. She submitted that the types of uses that would be appropriate for this type of zoning are low intensity businesses, which she believes will not have much of an impact. Additionally, the shopping trends on Main Street should not be adversely affected. As a mother, Ms. Pettit emphasized that she understands safety concerns but this type of business can be very family-friendly and provide a sense of community. She emphasized that she doesn't believe traffic will be an issue and encouraged Council to change the zoning.

Cody Schueler stated that she has lived at 1147 Woodside for ten years and agreed with comments in opposition. In late August, they meet with the applicants and Doug Stephens, the City's Historic Preservationist about the proposal. Mr. Stephens continually referred to the viability or lack thereof of Park Avenue, and he claimed that this issue was driving the Planning Commission to recommend a rezone. Viability may not be in the form of coffee shops or boutiques and she stated that her conceptualization of viability is her neighborhood in the way it currently exists. There is a successful interplay between residents and community institutions, including the Library, Park City Film Series, Soaring Wings Montessori School, Park City Cooperative School, Arts in the Park as well as seasonal events such as Sundance. The neighborhood already has a yoga studio and jewelry store. There is a sense of belonging, caring and in taking pride in where we live, and these are the fundamental components of a viable neighborhood. Ms. Schueler encouraged the Council members to formulate in their minds the nature of a viable neighborhood and believed it would match her feelings about the neighborhood.

Thea Leonard, Main Street resident and business owner, felt that the interplay between businesses is healthy and didn't feel the traffic will increase with the addition of a low-impact business. She didn't feel the rezone would be harmful to anyone.

Ron Shepard, applicant, pointed out that the area is currently zoned HR-1, HRM and commercial and the traffic is already going to be there. He felt that instead of being a thoroughfare, destinations along Park Avenue will have the effect of calming traffic. Park Avenue historically had commercial business as an extension of Main Street. He doesn't believe this will *open the flood gates* but rather a *door* to improve historic

properties, which was the intent of the HRM zone. They can only recoup their costs with a commercial use not renting the house. He spoke about the drug paraphernalia left behind by the former tenants as it relates to the safety of children in the neighborhood. He felt that people would walk to their café and contrary to the comment made by Mr. Schueler, he believes there are two walkways on Park Avenue in front of the Library. With regard to parking, the City paved 48 spaces across the street and there are seven parking spaces on their property, which is a lot of parking. He felt that residential use is a relevant issue as people want to live on Norfolk or Woodside, but not necessarily on Park Avenue. The HRM zoning exists on both sides of this property, and approval will not open the flood gates. Mr. Shepard pointed out that there are only going to be a couple properties on the block that would qualify for light commercial use.

Missy O'Neal, 1127 Woodside Avenue, stated that the café is a concern because even though it is on Park Avenue, it affects Woodside Avenue. Her family moved to this area to be close to the Library and away from businesses. She believes that the majority of the residents don't want it and this action will run people out of Old Town.

Puggy Holmgren stated that she has lived at 1209 Park Avenue since 1989. The people who are here tonight who are opposed to the zone change live next to the proposed property. Those that are in favor, live somewhere else. The neighborhood does not want a zone change; *nothing's broken*. She admitted that she called the previous owner of the house several times about the poor condition of his property, but the number of home owners as opposed to renters has grown in the area. She encouraged Council to deny the zone change and to not open the door to commercial at this time. She felt that all of Park Avenue should be studied first. Ms. Holmgren added that this process has not been a *tempest in a teapot* but has united the neighborhood. Property owners who live by this proposed zone change, do not want it. With no further comments, Mayor Williams closed the public hearing.

Ordinance approving an amendment to the Park City Zoning Map for Lots 2 through 16 of Block 5 of the Snyder's Addition to the Park City Survey, also known as 1109 – 1161 Park Avenue, Park City, Utah - Marianne Cone felt that there needs to be a bigger plan for Park Avenue and that diverting traffic onto Deer Valley Drive was intended to promote residential neighborhoods. She stated that she is passionate about keeping families in Old Town and is against the rezone. Candace Erickson recalled that Deer Valley Drive was built to relieve traffic on Park Avenue, the only route to downtown. She felt that Park Avenue should be studied, although she doesn't believe approval of the application will create more traffic. Ironically the Shepards could open a café across the street on much less suited property as an allowed use. A comprehensive study should be conducted. Kay Calvert felt that gathering places are lacking within the community, but felt this action would result in spot-zoning. She stated that she would like a study done, but is in favor of light commercial uses in neighborhoods.

Mayor Williams pointed out the importance of considering the benefits for the entire community and reminded Council of the initial opposition to the skate park which has proved to be a successful addition. Jim Hier commented that he couldn't understand

why Commissioner Erickson's comments on traffic weren't addressed in the report. The General Plan discourages spot zones of commercial on Park Avenue but allows existing commercial uses to be retained or improved. He believes that considering this block is still spot zoning and the entire HR-1 area should be studied by the Planning Commission. Mr. Hier commented that discontinuing a use may not be a simple matter. He also suggested holding a neighborhood meeting in addition to public hearings. Joe Kernan agreed that there should be a vision for the whole street and felt that Park Avenue should be more pedestrian-friendly. There was clarification that the zoning only affects properties fronting Park Avenue, and does not apply to parcels on Woodside Avenue. Jim Hier suggested studying the 9th Street to 12th Street area, including additional blocks, if determined necessary. Jim Hier, "I move that we deny the application for a zone change and direct the Planning Commission to study the HR-1 segments of Park Avenue in context with all of the rest of the zones on Park Avenue to determine an appropriate planning zone for the whole street". Marianne Cone seconded. Motion unanimously carried.

VIII 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 5 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager and Mark Harrington, City Attorney. Jim Hier "I move to close the meeting to discuss property". Kay Calvert seconded. Motion carried unanimously.

The meeting opened at approximately 6 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

**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 30, 2004**

Present: Mayor Dana Williams; Council members, Kay Calvert; Marianne Cone, Candace Erickson; Jim Hier and Joe Kernan

**Tom Bakaly, City Manager; Tim Twardowski, Assistant City Attorney;
and Brooks Robinson, Planner**

Jennifer Guetschow, Summit Land Conservancy Trust

1. **Council questions/comments** – Jim Hier commented on the two workshops on the Downtown Projects held during the week. He also reported the HMBA and Chamber Board of Directors meetings. Ms. Cone stated that she also attended the workshops and was pleased to see residents turn out. She met with Jim Christensen of EPA and the Mayor about the progress of capping soil in Prospector. Candace Erickson was pleased to report that Recycle Utah has exceeded budget projections by \$13,000 this year and she shared information on upcoming recycling programs. Joe Kernan discussed his participation in an inter-governmental round table at the Capitol on mediation. Mayor Williams commended Colin Hilton for producing the workshops but wished that more people showed up and discussed the meeting with the EPA.

2. **Conservation easements.** Brooks Robinson referred to his staff report, outlining open space acquisitions and noted that most properties were purchased with open space bond money. The Florence Gillmor and Flagstaff parcels are also included. He pointed out that the Rail Trail and Cranbrook properties were never deed restricted.

Mr. Robinson explained that in staff's opinion, in most cases the deed restrictions and bond language are adequate to protect the parcels without conservation easements. The Legal Department has some recommended language that will be presented at the October 14 meeting. Another option is hiring a third party to monitor only larger parcels in Flagstaff and Round Valley. Jim Hier expressed that it doesn't seem appropriate to have the land owner monitor its own *conservation easements*. In response to a question from Jim Hier about the form of the deed restrictions, Tim Twardowski explained that the deed restrictions are generally in the same form as the language approved in the open space bonds. In the Bilogio special warranty deed, there is a restriction *that the subject property described herein shall be restricted in perpetuity to use as undeveloped park and recreational land and amenities*, which is language borrowed directly from the open space bond initiative. However, it's unclear whether these restrictions have been applied to the Cranbrook property, and the Union Pacific acquisition, which was a result of negotiations over a number of years. Union Pacific did not want any deed restrictions specified.

As a Commissioner at the time, Jim Hier recalled that the Planning Commission recommendation for Flagstaff prohibited development in Bonanza Flats and limited

density on Prospect Ridge. The City Council tightened up density and when the developer threatened to withdraw his annexation application and apply with the County, the development agreement was negotiated, allowing development on Bonanza Flats and Prospect Ridge. He felt that when CARG threatened referendum, negotiations followed so that development on Prospect Ridge was limited and there were discussions on finding a conservation buyer for the Pod D parcel. About that time, the City was considering a bond issue for open space acquisition. The SOS committee structured language for criteria for COSAC and there was a recommendation to place third party conservation easements for parcels acquired with open space bond funds. The public then supported a second \$10 million open space bond.

Mr. Hier expressed that he understood the redundancy argument but believes that government has to have oversight. He feels strongly that there should be a third party holding the easements and that staff time should not be used when there are established non-profits who administer easements. Additionally, there is language so that if the holder and the City disagree, there is provision for resolution. Mayor Williams agreed and noted his involvement in Flagstaff and the SOS committee and felt that the City doesn't have an option. There should be checks on government. The Mayor felt that a promise was made to the public to protect these acquisitions and he didn't believe a deed restriction is adequate. Jim Hier acknowledged that not all properties were purchased with bond proceeds and those do not need to be considered for conservation easements at this time.

Candace Erickson stated that she initially felt that deed restrictions were sufficient, but was swayed somewhat by Council member Hier that a future council may have different ideas about open space. She felt it is important that someone on staff is qualified to monitor easements, because the City should oversee the third party. Monitoring needs to occur, but she would like staff involved if not performing the service. She has reservations about paying someone for duplicating a process. Joe Kernan expressed concern about giving control of property to a third party who may not have the public's best interests in mind. There may be appropriate public improvements or amenities that a holder may not support in the future. Mayor Williams agreed that the conservation easement language needs to be flexible enough to allow recreation and park amenities. Jim Hier advised that the Council first address parcels purchased with open space bond money and pointed out that the cost is not significant. He felt Council should have received information on the proposals for monitoring, which were solicited weeks ago. Without this information available to the Council, the matter should be tabled. Dana Williams concluded that a majority of Council members feel that parcels purchased with open space bond money should have a conservation easement monitored by a third party. Tom Bakaly stated that if Council supports third party monitoring, the City would initiate a procurement process and select someone if the proposal is under \$10,000. The Mayor discussed the potential changes to the baseline.

Jennifer Guetschow, Summit Land Conservation Trust explained that the baseline doesn't change and monitoring involves reporting changes to the baseline. The conservation easement is protecting the conservation values. For instance, installing a

trailhead next to a paved area probably would not impact the wildlife or other natural resources, and would be acceptable. Paving a portion of the wetlands, however, affects the conservation value and would not be appropriate. In response to a question from Ms. Guetschow about consideration of the underlying zoning, Jim Hier suggested that the baseline document contain the physical attributes of the property and include uses and zoning information. Tom Bakaly summarized that staff will return on the 14th or 21st with conservation easements for properties purchased with open space bond proceeds. Third party monitoring and procurement of those services, subject to policy, will be pursued.

3. Valuing employees program. Tom Bakaly explained that the valuing employees program began in 1998 and has evolved over the years. He discussed *Lunch with the City Manager*, which is a new program which will be held quarterly. In 2000, the program resource and analysis program was implemented because of concerns about revenues flattening. The City Council cut about \$600,000 from the budget and slowed expenditure growth. The reorganization occurred in 2003 with the institution of self-managed teams. He continued that formulating core values and establishing rewards and recognition for employees was a part of the 1998 program. There was training offered with an emphasis on responsibility and accountability and about 40 to 50 employees participated. The core values include honesty, integrity, communication, respect, humor, fun and quality and excellence. Mr. Bakaly stated that the program and resource analysis measured the efficiency of City provided services, which are now benchmarked with other resort communities. The technical advisory committee was formed several years ago to better communicate the budget to the public and this year's citizen budget will be available shortly. He discussed reassigning existing staff resources during the Olympics, covering most of the demands of the Games. He felt the reorganization better aligned Council's goals and resulted in self-managed teams, which empowers employees. He discussed the goal of being the best managed town in the country and the benefits of self-managed teams. There are a variety of opportunities available to employees including Racquet Club use, and skiing and mountain biking at the resorts. There is educational assistance up to the IRS maximum, affordable housing assistance, access to the intra-net site, and participation on the Summer Tour and fam tours. He discussed the concept of a *Park City Store* and resurrecting the City Show. Park City has an 80% customer service rating and staff would like to continue to improve upon this as well as high performance policies. There is a group of employees now working on administrative secretary or analyst classifications.

Prepared by Janet M. Scott

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 30, 2004**

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, 2004. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Tim Twardowski, Assistant City Attorney; Brooks Robinson, Planner, and Patrick Putt, Planning and Zoning Administrator.

II COMMUNICATIONS FROM COUNCIL AND STAFF

Wisnewski lots - In response to a question from the Mayor, Myles Rademan reported on a meeting with Council members Hier and Erickson, and members of the Recreation Advisory Board, Historic Preservation Board, and Historical Society. The focus of the meeting was to evaluate support and participation for improving the Wisnewski parcels for a neighborhood park. Jim Hier added that RAB intends to survey the neighborhood residents about preferences and the HPB is charged with evaluating the parcels' historic significance or contribution to the community. Candace Erickson interjected that the building is located in a flood plain, but could be moved and/or restored for housing. The Historical Society will explore funding opportunities which may be available for moving historic structures. When the City acquired the property, Kay Calvert recalled that the Historical Society was very vocal about its commitment in preserving and restoring the building, but its interest has shifted. There was discussion about the scope of the museum project which is the Historical Society's main focus. Marianne Cone suggested that the renovation of the house may be a great community project.

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

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

1. Biodiesel Cooperative - Andre Shoumatoff explained that the Utah Biodiesel Cooperative is an organization of about 30 members. Biodiesel is an alternative fuel which is made from plants and can be used in any diesel vehicle. It is good for the environment as there is 80% less greenhouse gas, 60% less smog, and 100% less sulfur emissions. He stated that he met with Eric Nasset and Kent Cashel about Park City using a blend of 20% biodiesel in all of vehicles and there was discussion about running the Main Street trolley or a bus as a pilot program this year. He introduced his supplier, Randy Schmitt of Horizon Bio Fuels, who services PCMR and The Canyons. He distributed and reviewed a basic biodiesel fact sheet in detail and its many benefits and relationship to sustainability. With regard to increased costs, using 100% biodiesel results in about \$1 per gallon and 20% represents an increase of about \$.17 to \$.20 per

gallon. However, using more than 20% in a blend may cause the fuel to gel in cold temperatures. Mayor Williams commented that the City has been discussing this for a number of years, and the City Manager stated that staff is exploring a program for this winter and Council will be updated.

2. 130 Grant Avenue renovation project – Resident Peter Barnes asked the status of this project which was allocated \$50,000 for renovation four years ago. Patrick Putt stated that the project was scrapped and the money unspent.

IV PUBLIC HEARINGS

1. Ordinance to combine Lots 1 – 3 in Block 30 of the Snyder's Addition to the Park City Survey into one lot of record, located at 819 Empire Avenue, Park City, Utah – Patrick Putt explained that the property is located in the HR-1 zone and it is proposed to combine three lots into one 3,884 square foot single family lot. The proposal meets the minimum lot size and configuration requirements of the zoning district. There is a portion of Empire Avenue which will be dedicated to the City for necessary right-of-way. The Planning Commission has forwarded a positive recommendation based on the findings of fact, conclusions of law, and conditions of approval outlined in the ordinance. The Mayor opened the public hearing and with no input, closed the hearing.

2. Ordinance approving the final subdivision plat for the Village at Empire Pass, Phase 1, Park City, Utah – Brooks Robinson explained that the Village at Empire Pass is Pod A as described in the Flagstaff Mountain Development Agreement. On January 28, 2004, the Planning Commission approved an MPD for the entire village including Pods A, B-1, and B-2. On September 22, 2004, the Planning Commission held a public hearing on the Village Phase 1 plat, which is about one-third of the density in Pod A. There will be separate condominium plats at a future date and the application complies with the LMC. In response to a question from the Mayor, Mr. Robinson reported that there was no public input before the Planning Commission on this proposal but an adjacent property owner sent the City emails in opposition. Joe Kernan disclosed that he has a contract with Deer Valley for recycling services and Candace Erickson stated that her husband is employed by Talisker. The Mayor opened the public hearing and with no comments, closed the public hearing.

V CONSENT AGENDA

The City Manager reported that the City received a \$400,000 appropriation from a STAG grant for water, administered through the EPA, which brings the total to \$1.6 million for treatment facilities. Senator Bennett has been of great assistance to Park City. These funds will be used for the design phase of the Judge Tunnel and Jerry Gibbs added that the project just received a positive environmental assessment. The Mayor pointed out that the trips to Washington, D. C. are definitely worthwhile. He invited a motion to approve the Consent Agenda. Kay Calvert, "I move to approve Consent Agenda Items 1 through 3". Jim Hier seconded. Motion unanimously carried.

1. Ordinance to combine Lots 1 – 3 in Block 30 of the Snyder's Addition to the Park City Survey into one lot of record, located at 819 Empire Avenue, Park City, Utah – See staff report and public hearing.
2. Ordinance approving the final subdivision plat for the Village at Empire Pass, Phase 1, Park City, Utah - See staff report and public hearing.
3. Authorization to the City Manager to execute a professional services agreement with Remote Control systems Inc in a form approved by the City Attorney's Office, in the amount of \$29,667, for computerized systems integration services at the Spiro Water Treatment Plant - See staff report.

VI ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned. The Mayor and City Council members hosted a dinner at 7 p.m. for a group from Whistler, British Columbia at the Blind Dog Restaurant, 1781 Sidewinder Drive, Park City, Utah. 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 Council
Staff Report



Author: Colin Hilton
Jonathan Weidenhamer
Subject: Discussion on Downtown Projects
Date: 10-14-04
Type of Item: Informational – Discussion on Downtown Projects

**Economic Development &
Capital Projects**

Summary Recommendation:

Following a first round of input meetings reviewing early concept designs of our collective “Downtown Projects” (Parking, Plaza, Police, and Marsac Building Renovation), Staff has compiled recommendations and would like to review with City Council several important planning decisions prior to moving into the next level of design.

Description:

Topic: Discussion on Downtown Projects

Background:

During the Spring 2003 City Budget review, City Council instructed Staff to put together a group that would take a holistic approach to reviewing capital project needs in the downtown area. This was prompted by Council’s uneasiness to approve a CIP line item in the City Manager’s recommended budget for a \$4.8 million parking structure. Concerns stated at the time included a curiosity of how other downtown project ideas would impact the need for additional parking supply.

With assistance from Council Liaisons Jim Hier & Fred Jones, Staff organized a Task Force that set out to accomplish the following:

1. Discuss, debate, and make suggestions as to what capital improvement projects & program development ideas should receive further attention by the City and interested individuals & organizations.
2. Review 1998 Downtown Action Plan (DAP)
 - a. Report on the status of proposed projects
 - b. Decide which unfinished projects should be acted on.

3. Discuss and identify any new factors that have come into play that were not present in 1998. (ie: mix of business, competition from surrounding areas, etc.)
4. In light of the new factors, discuss and identify any new capital project or program ideas that would enhance the vitality and activity in downtown.
5. Identify potential funding sources for projects either left unfinished from the 1998 DAP or newly suggested project/program ideas.
6. Summarize Task Force recommendations & report back to City Council.

Membership in the task force included (2) council liaisons, (2) planning commissioners, (3) HMBA business owners, (2) Old Town residents, and a number of City Staff. Over the course of an eight week period, the task force met to discuss the outlined task force responsibilities.

Excerpts of the Task Force findings are as follows:

Overview

Upon reviewing the ideas generated, the task force would like to stress the need to view the suggested projects and program ideas as integrated.

Drawing upon previous studies and actions (1998 Downtown Action Plan, 2002 Hyatt Palma Study, HMBA plan to create a BID, 2002 OTIS Study, etc), this task force strongly suggests that both capital project and program development initiatives need to be made together in order for an effective implementation strategy to work. In other words, one suggested project needs another. One capital project needs another capital project. A brick and mortar project needs an effective program to best use it!

An overriding theme supported by the entire task force is the need to further enhance and promote Park City as an overall attractive "destination." The uniqueness of Park City is in its make-up of the town's three resorts and a Main Street that binds it all together. We should do more to articulate and brand our town with this unique destination message. Not only should we market these unique elements, but we should do more with our downtown infrastructure to give increased reasons for visitors and residents to spend more time here.

The elements suggested below either are destination elements themselves or enhance the ability to utilize and access the overall downtown destination area.

Recommended Capital Projects

1. Downtown Plaza Concept - (a strong, catchy name is needed for this!)

- a. *The concept of providing a gathering space that can be utilized in many different creative ways is consistent with numerous City goals.*
 - b. *The suggested location would be from the current Post Office, 5th Street to the steps up to City Hall.*
 - c. *Possible uses could include:*
 - *Everyday green space enjoyable to both visitors and locals*
 - *Venue for holding events of all varieties*
 - i. *Biggies – Art Fest, Jazz Fest, America’s Opening, Sundance, etc.*
 - ii. *Not so biggies – Wednesday night concert series, farmers markets, entertainers of all shapes and styles*
 - iii. *Unknown – a place for any creative entity to come up with a good idea to host an event or approved display*
 - *Site for town gatherings, assemblies, peaceful demonstrations*
 - *Site for public art displays*
 - *A focal point for Main Street & all of Park City*
 - d. *The scope of this concept should include:*
 - *Appealing landscape features: to possibly include a water feature*
 - *Sidewalks, “street/park furniture”*
 - *Enhanced lighting similar to Main Street*
 - *Stage with support infrastructure for permanent power & speaker wiring*
 - *Permanent restrooms*
 - *A long-term Post Office presence on Main Street – the location of the post office on Main Street is extremely important and would remain an integral part of any gathering space concept.*
 - e. *It is the task force’s opinion that further research should be done. To include potential impacts on parking and area businesses. The feasibility of this taking into account uses of the post office property and the costs associated with acquiring additional land. Cost estimates and potential funding sources per the scope outlined above would be a good next step.*
2. *An Expanded / More Accessible China Bridge Parking Structure*
 - a. *Suggestion is to expand the existing China Bridge structure to:*
 - a. *Improve the accessibility of existing floors of China Bridge*
 - b. *Improve the accessibility and ease of getting to the overflow Sandridge Lots*
 - c. *Consolidate lost surface parking from other downtown area projects*
 - d. *While constructing to improve the accessibility and to recover the lost surface spots due to the new downtown*

improvements, build as many additional parking spaces as possible in the area previously looked at in the OTIS study. Rough estimates project this to be an added 320 spaces with a loss of close to 100 spaces – therefore giving the downtown area a net gain of approximately 220 spaces.

- e. Create an ability to simplify the parking directional signage by designating this parking facility as the primary parking lot for those who choose to drive downtown.*
 - f. Concentrate on adding the parking supply and enhanced access ways without trying to add a mixed-use commercial component to it. Earlier thoughts of masking the added parking element with a public safety or commercial / residential mixed use component would seemingly be counterproductive in attempts to gain a parking supply. New commercial development would only generate new parking needs.*
- 3. Improved and enhanced pedestrian walkways / features on Swede Alley, Main Street, and other thoroughfares leading to the downtown area.*
- ✓ Improved wayfinding signage*
 - ✓ Added Swede Alley sidewalk along its west side*
 - ✓ Widened sections of Main Street sidewalk to allow for added outdoor dining and small gathering spaces.*
 - ✓ A new refuse structure near or in an expanded China Bridge structure*

The task force is also very supportive of the planned expansion of the history museum. This project serves as a terrific example of creating an enhanced destination attraction.

Program Ideas

- 1. Look into setting up an organization that promotes, markets, and programs events for the downtown area.*
 - ✓ With the fact that there is no clear cookie-cutter model to do this, attempt to piece together an organization that has a “board” that is made up of an assembled group – say of the City, Chamber, HMBA, restaurant association, etc – whoever had a vested interest.*
 - ✓ Suggest having a full-time Executive Director position who would execute a comprehensive strategy for promoting the downtown area.*

Recent studies the City has commissioned have mentioned this before (Hyatt Palma). The recommendation would be to act on this as soon as possible.

Review of the Task Force findings were fully endorsed by the City Council at a November 20, 2003 City Council Meeting. Staff was directed to proceed to next levels of planning.

Staff returned to City Council during the Spring 2004 City Budget Review. During the CIP project reviews, City Council heard several strategies from staff on funding the proposed "Downtown Enhancement Projects." These "Downtown Enhancement Projects" included the Police HQ, the Marsac Renovation, the Parking Structure Expansion, and the Town Plaza Concept. City Staff coordinated multiple public input meetings and City budget reviews. After assessing the strong support shown and the funding strategies outlined by City Staff, City Council adopted a City budget that put the funding mechanism in place for the (now called) "Downtown Projects." On August 18, 2004, the City successfully presented a case for extending the Main Street RDA in efforts to secure over an estimated \$8 million dollars geared towards the parking structure expansion, town plaza concept, and Old Town street reconstruction.

Staff proceeded with Council authorization to enter the design stage of the Downtown Projects in August of 2004. The design team of FFKR along with an internal project team began initial design steps that included:

- ✓ A review of the task force findings
- ✓ A review of City code regulations
- ✓ Internal Meetings with Building, Planning, Police, Engineering, Public Works, Economic Development and Capital Projects, Special Events & Facilities, Legal, Budget, and other project team members to review years of professional knowledge on what was seen as important to accomplish these Downtown Projects.
- ✓ External Meetings with stakeholders such as: Event organizers, the Historical Society and members of the Museum Board, HMBA members, Old Town residents, US Postal Service, Leadership class, Rotary Club, Chamber of Commerce, and numerous other groups, organizations, and interested individuals who had an interest in what was trying to be achieved.
- ✓ Two widely publicized Public Input Meetings that attempted to gather input from all interested parties / individuals.

It has been Staff's opinion that given the nature of these important and very impactful projects, that these public and stakeholder meetings be carried out in a rigorous manner at the front end of the design process. The Downtown Plaza project will be the subject of continuing public process. The design will be reviewed as an MPD which requires a public pre-application meeting as well as legally noticed public hearings before the Planning Commission takes final action.

With those efforts successfully started, Staff feels very comfortable that the right "process" to deliver the right design and project has begun.

Analysis:

At this stage of planning, several important decisions need to be made. Staff would like to have City Council provide direction on the following topics. To assist City Council, Staff will summarize to the best of our abilities, positions gathered from all parties who have expressed opinions on these decision items. Attached to this report is a summary of the “feedback forms” collected from the Input Meetings on September 27th and 28th.

1. Police Headquarters – In or Out of Downtown?

The issue on whether to keep the Police function based in downtown, adjacent to the City Hall building, is complex and divided in opinion. The facts as Staff can best provide are as follows:

- ✓ The Police function does have a natural tendency to want to be near other City Hall functions in order to promote better coordinated planning / staff relationships with other city functions.
- ✓ There is a history of the PC Police being based downtown.
- ✓ Given design schemes to date, a Downtown Police Facility can be done under the 10 year space need projections and needed functional layout without large impacts to the other projects being considered in the “Downtown Projects.”
- ✓ Land is available without land acquisition costs (other locations do. e.g. - Snow Creek location would need to reimburse the Lower Park RDA somewhere between \$500,000 to \$1 million)
- ✓ The costs of construction to build downtown on a smaller footprint of space, will be higher than other locations in town. Current projections range from \$250,000-\$400,000 more in construction costs for a downtown location. This excludes land acquisition costs.
- ✓ The available parking supply in downtown would be diminished by a range of 45-50 parking spaces given the building footprint and dedicated Police parking needs.
- ✓ Several Marsac homes (approximately 5) near the proposed location would have an additional building (of one level above existing grade) impeding on their mountain views. Additionally, a new police only vehicle entry from Marsac Avenue to the parking structure would be added.
- ✓ The inclusion of the new Police Facility next to the Marsac building would be placing a higher density of land use in the downtown area.

Given a review of these factors and other relevant information, the following groups have offered these opinions:

- ✓ Community attending and responding to the Public Input session feedback form: 83% support keeping the Police downtown (34 of 41 respondents)
- ✓ HMBA: Executive Committee voted to support keeping the Police downtown if the City committed to building an additional parking level.

- ✓ Police Chief: Views that is important to remain downtown as long as the facility can meet the functional requirements outlined in the consultant study.
- ✓ **City Staff Recommendation:** Although divided on this issue, a slim majority favor keeping the Police downtown. With explanations available during the Council meeting, the vote tally is as follows: Favoring Police remaining Downtown are the Planning Director, Planning Staff, Economic Development & Capital Projects Director, and Public Works Director. Favoring moving Police to another City location are the City Manager, Public Affairs Director, and Special Events & Facilities Manager.

2. Main Street Post Office Impacts – Continued discussions with the USPS?

In exploring the options for the Town Plaza, we have entertained ideas of gaining space from the US Postal Service. There is a unique opportunity for a win-win scenario as they have noted their need for space only at 4500 sq. ft. for the future, and are currently operating within a building size of over 8,000 sq. ft. Additionally, they currently use only 1 of 4 delivery bays and have noted a trend nationwide to create more functional Main Street post office locations ... to include sale of property and lease back options.

To date, the majority of opinions want to see a long term presence of a Main Street post office. Several people have noted that any efforts on our part to assist reducing the post office size and operating costs will perhaps give more reason to see the Post Office remain downtown forever. Recent travels to Colorado cities and conferences in Chicago have also pointed out that activities such as regular stops to places within a plaza, like our post office, provide terrific anchors that give “life” to the plaza. Other activity elements include food and beverage outlets as well as engaging or interactive displays.

The issue for discussion is whether Council desires to see Staff continue further discussions with the USPS in efforts to gain a wider pedestrian plaza entrance and use of unused areas that the Post Office is willing to sell to the City.

Given a review of these factors and other relevant information, the following groups have offered these opinions:

- ✓ Community attending and responding to the Public Input session feedback form: 93% support working with post office to reduce their size while improving the plaza design. (42 of 45 respondents favor – 3 indifferent, 0 against)
- ✓ HMBA: Executive Committee voted in support of scaling back the Post Office.
- ✓ **City Staff Recommendation:** Staff favors an effort to reduce the Post Office size, budget permitting.

The funding of any Post Office adjustment would need to come out of the planned \$2.5 million dollar Town Plaza budget.

3. Town Plaza Event Sizes - Up to what capacity?

The Town plaza concept was envisioned to be a tool to continue a healthy, vibrant downtown. The Task Force that developed the “baseline” list of recommendations envisioned the space to be used in all times of the year. However, given the reality that the Spring, Summer, Fall months are our lower activity times of the year and the fact that Winter is harder to hold outdoor activities, a good argument can be made to say that the Plaza has more opportunistic uses in the Summer months more so than the Winter months. Traditionally, Winter is our busiest tourism season and our Downtown Area doesn’t have as difficult a time keeping busy. Park City Summers are increasing in tourism attendance, but still not nearly at the level of the Winter season.

The following statements have been made from various stakeholders regarding the use and programming of events in the Plaza:

- ✓ A focus of the Plaza should be more for Summer activities than Winter, therefore the design of the Plaza should be geared more towards summer programming.
- ✓ The Plaza should “work” even when programmed activities are not going on.
- ✓ Flexibility is a key for success
- ✓ Music is an element that is authentic to Park City and should be promoted within the activities of the Plaza.
- ✓ We should have a Plaza that can be great for lots of small activities and feel really welcoming, but also expandable for special events up to 5,000 people.

Various groups have weighed in their opinions:

- ✓ Event organizers view being able to do events of all sizes as extremely important. Having a flexible space that can be used for events from a low range of up to 50 to large events sized to 5,000 were desired.
- ✓ Community reaction has been mixed as to what their desired events / activities want to be, but most agree that activity of any kind in this new space would be an improvement
- ✓ HMBA is in support of events of all sizes. The more the merrier.
- ✓ **City Staff Recommendation** - Staff views a full range of event sizes as appropriate and should be encouraged.

4. Town Plaza Support Commercial – is there support for this and in what capacity?

Everyone agrees that some form of concessions / vending / eating & drinking / outdoor dining / etc should be supported within or near the Plaza concept. The differences arise in how those products are delivered to the consumer.

A range of possibilities exist. One end of the spectrum suggests a Plaza design that identifies space where temporary vendors could set up carts or tents to sell their wares. The other end of the spectrum suggests permanent commercial space be developed to lease out to interested tenants. A middle ground option could be flexible use, permanent infrastructure that could be used only when Plaza activity warranted its use.

Statements for and against each have been made with a sampling of the comments as follows:

For Commercial Space:

- ✓ In order for the Plaza to work, there needs to be regular activity such as outdoor dining and abilities to easily grab a coffee or sandwich.
- ✓ Swede Alley is ripe for fulfilling a demand for 600 sq. ft. to 1000 sq. ft. leasable space needs.
- ✓ There will be a demand for product within or adjacent to the Plaza that requires some form of outlets to deliver this.

Against Commercial Space:

- ✓ Main Street has everything needed to accomplish the demand that a Plaza could generate
- ✓ Full on commercial spaces in Swede Alley would fail miserably
- ✓ The City should not be in the business of leasing commercial space!

Groups have weighed in on this issue:

- ✓ HMBA: Are not in favor of seeing any development of full time leasable space (exception being a downtown DABC store relocated to the street level of the parking structure). Would support the middle ground of “permanent temporary use structures.”
- ✓ **City Staff Recommendation:** Staff views the middle ground solution of identifying and developing permanent “concession space” that is flexible in its use as the most appropriate. Some, but not the majority of Staff, view that some limited commercial development could and should work in conjunction with the Plaza.

5. Swede Alley Realignment – to allow for the Plaza to have an adjacency to Main Street.

Based on the early concepts provided by the design team, the Plaza orientation had options that would impact the alignment of Swede Alley.

Under one such option, the Plaza showed a desire to have a close adjacency to Main Street by remaining on the Main Street side of Swede Alley. The other two concepts placed the Plaza on the Marsac side of Swede Alley.

Input received during the public meetings and at various stakeholder discussions showed a real preference to support the Plaza being on the Main Street side of Swede Alley (thus requiring a Swede Alley realignment).

City Staff Recommendation: Given the vast support behind this concept, City Staff views that a Swede Alley realignment is a necessary action in the next steps of design of the Town Plaza.

Staff would like to further review and seek direction on the above issues at the October 14th City Council meeting.

Other Planning Assumptions

Staff would also like to inform City Council of several more detailed decisions that we feel are appropriate to take into the next levels of design planning. They include:

1. Keeping 5th Street intact and widening it slightly to allow for parallel parking.
2. The circulation lanes in the new parking structure will be increased by approximately two feet and the internal columns will not infringe on the 9' parking stall widths as they do in the existing China Bride structure. Generally, a direction would be made to cost effectively increase the "User-Friendliness" of the new parking structure without reducing supply.
3. Permanent restrooms would be programmed into the Plaza next step design.
4. The Marsac renovation component will evolve based on next step structural / seismic techniques viewed as most appropriate and cost efficient. Priorities of this component of the Downtown Projects is 1. Seismic Upgrades, 2. ADA Compliance, and 3. Mechanical system upgrades.
5. A Traffic Study would be started that would assess the long term circulation issues surrounding this area.
6. Continued efforts to push public transit use will be further encouraged.

Staff would like City Council to comment on any of these if they have any strong reactions to the planned course of action.

Department Review: This report has been reviewed by Public Works, the City Engineer, the Police Chief, Planning Department, Building Department, Budget Department, Public Affairs Department, and the City Manager's Office.

Alternatives:

- A. Approve Staff's recommendations as listed Below**
- B. Modify in some way the suggested Staff recommendations**
- C. Deny Staff's recommendations**

Recommendations:

Attached is a rough sketch of a site plan reflecting recent discussions stemming from the public input sessions (Attachment 1).

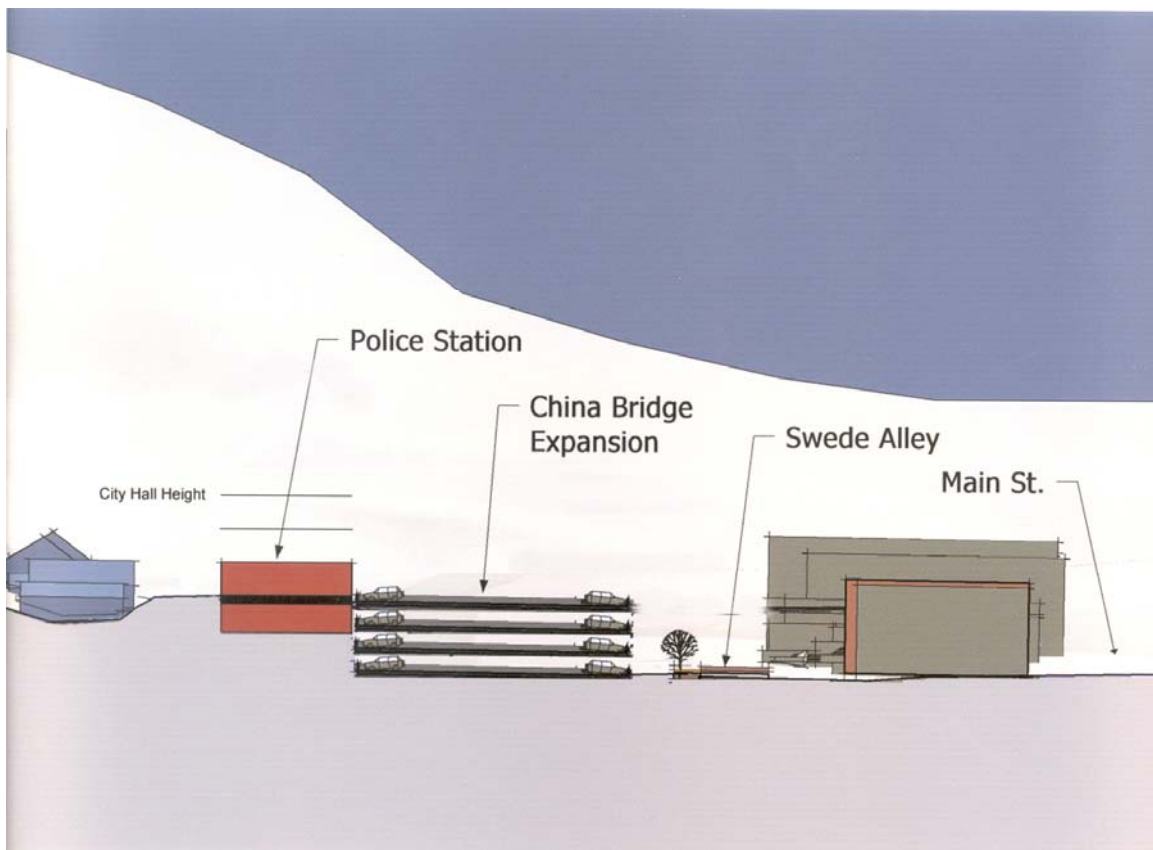
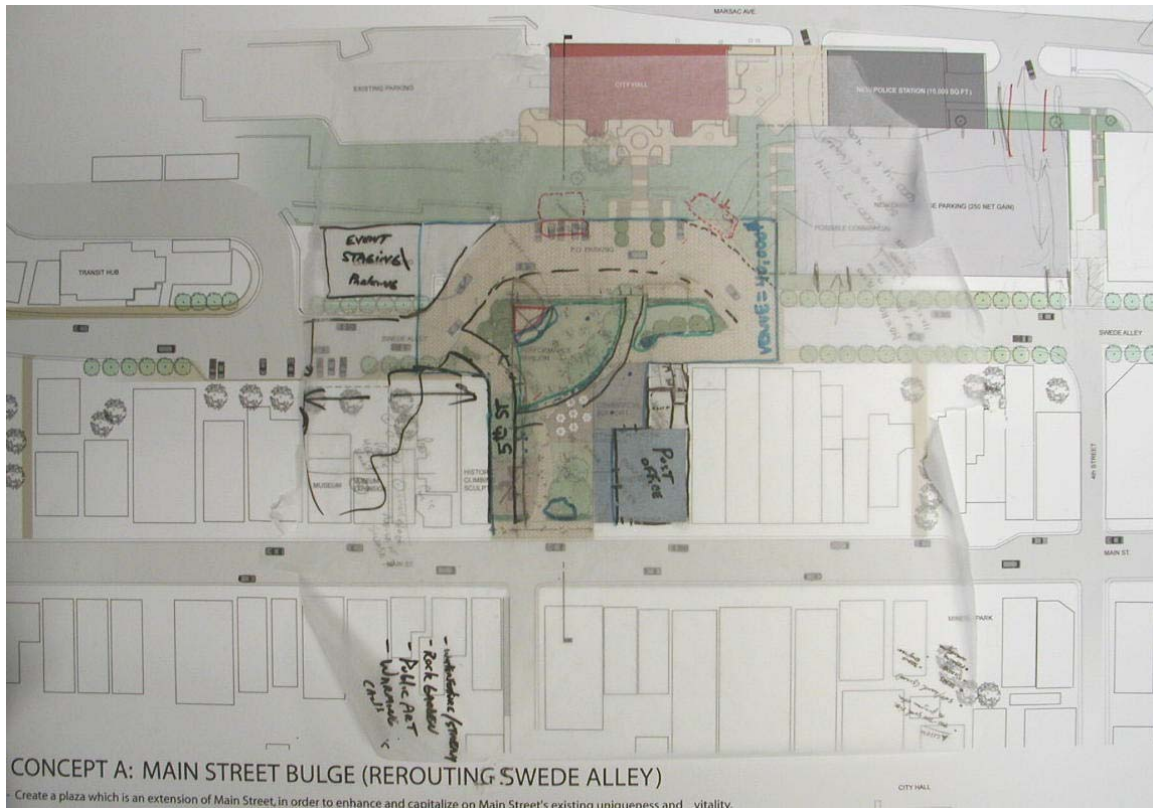
The following are Staff recommendations regarding these five planning issues:

1. Police Headquarters – Staff Recommendation, on a divided vote, is to keep it in Downtown
2. Town Plaza Post Office Impacts - Staff Recommendation is to support continued efforts to coordinate a wider Plaza entry from Main Street to keep a long term Main Street presence, and to embrace the post office activity as an anchor to the plaza.
3. Town Plaza Event Sizes – Staff Recommendation is to design the Plaza to allow for the full spectrum of activity and event sizes, ranging from 0 – 5,000.
4. Town Plaza Support Commercial – Staff Recommendation is to create permanent space adjacent to the plaza, allowing only temporary/seasonal vendors to move in and out as activity warrants. (No long term or City assisted leasing)
5. Swede Alley Realignment – Staff Recommendation is to do a realignment that allows the plaza to be adjacent to Main Street and the Post Office, while still ensuring proper delivery access on a newly created section of Swede Alley

Attachment 1 - Sketch of Downtown Project Area

Attachment 2 - Consolidation of Public Input Meeting "Feedback Form" responses

Attachment 3 - HMBA letter



Attachment 2

PUBLIC INPUT
DOWNTOWNPROJECTS
SEPTEMBER 27 and 28, 2004

Attendees: approx. 120 for which 67 completed feedback forms.

Q1. What aspects of the proposed downtown area projects do you like the most?

Additional parking, in a structure
Public plaza, performance pavilion, concert area
Ability to host more events on Main Street
Multi use open space
Retail/commercial along face of parking structure
Community gathering spot, pedestrian place, human scale
Open view corridor
City Park, Olympic Legacy Park
Smaller post office
Connecting City Hall to downtown
Police station
Historic Mill Park – trees, sidewalks, informal
Bring events into heart of Old Town (Wednesday “music in park” concerts)
Create pedestrian friendly Swede Alley – improve streetscape, connect to Main, change utilitarian feel, reconfigure
Gardens, park, water and rock features, stepped element
Restore/preserve historic elements. Respect existing historic or replicated buildings in the neighborhood (Marsac School, Post Office, old UP&L, and Transit Center)
Link to museum expansion area
Concept B
Concept A – less concern about speeding cars if plaza is concurrent to 4th Street
Really like A – tying in pedestrian traffic on Main to the plaza
Design C accomplishes much of the “producers” desires to a flexible size venue for production, events and activities. It doesn’t eliminate the possibility for large scale events but isn’t size restrictive for smaller local event.
Road alignment in Concept A
Move Swede Alley east around the plaza to 1) slow traffic; 2) create a plaza with no vehicles intruding 3) connects directly to access from Main with no road crossing
Rework wall and steps up to Marsac; provide a place to rest near Main.
Concept B
Retail or other use on north side of new parking structure to allow flexibility in dealing with the huge mass of structure
Like Plan B the best. C is too linear and A separates City Hall from town too much
Pedestrianization of some, if not all, of Main Street/Old Town

Swede Alley in Concept A where it curves around a plaza; Concept B where plaza extends from Main Street.

Concept B appears to lend itself to public utilization while still allowing businesses to be serviced by delivery trucks

Vegetation, seating, spaces created in variety of sizes & shapes to accommodate and invite most diverse activities, size of groups and create appeal to linger, site and mingle.

Swede Alley “bulb-out” configuration, Town Plaza, Gathering area

Don’t remove steps, use Marsac Building for backdrop. Green space – remember it turns into Siberia in the winter. We need sun and protection from wind.

Design A – bad flow, truck issues; Design B – good; Design C – good or better for open flow added parking, park area good

Concept A – jog Swede Alley back away from the plaza, get rid of 5th Street connection by post office – make it pedestrian.

Marsac Plaza (Plan B)

Reroute Swede Alley (Plan A)

Concept B, acknowledging orientation of old retaining wall structure creates dynamic (versus static) negative spaces. Concepts A & C are too “regular” & “modular”

Plan B, or aspects of it. Plan A’s pavilion seems like it would be fine as long as there’s something going on, but if no concerts it seems to stick out a bit too much

Option A, moving Swede Alley traffic closer to the hill and the plaza closer to Main Street

Q2. Are you in favor of keeping the Police HQ downtown?

Yes 34

No 7

Not Sure 1

Comments:

Public Works better location. It will hurt neighbors on Marsac.

Q3. What elements (infrastructure) of the Town Plaza do you support the most?

View corridor and connection to Main Street

Concert pavilion/performance stage/permanent stage

Rock climbing/water features/sculptures/trees/flexible space/seating

Public art spaces/Olympic Legacy Plaza

Keep historical mining element

Xeriscaping – greenery is calming

Access from Marsac/keep stairs, make visual backdrop of design C/ move stairs, they overwhelm building

Parking structure

Tie theme to Park City’s history

Traffic calming on Swede Alley

Open visual to new plaza

Human scale i.e., broken up enough architecturally
 Social Areas
 Post Office
 New garage & connection to existing garage provide better traffic flow.
 Eliminate 4th as a street
 More retail
 Historic elements/connection to museum
 Shade
 Sidewalks on both sides of Swede
 Keep traffic flow of Swede Alley historical (straight)
 Maintain widest possible avenue from Main to Swede
 Make the Marsac the visual backdrop of Design C
 Terraces of design "B" are interesting
 Concept B
 Road alignment in Concept A; Plaza alignment in Concept C
 Have access from Main smallish so it stays in scale
 Historic features
 Rehab the historic post office
 Incorporate original Marsac stairs in the project
 I want to keep old post office and parking next to it.
 I like commercial space in #C – small place
 Easy accessibility to Post Office
 Park-like feel – limit brick or concrete plazas
 Connection with the new museum
 Moving Swede Alley
 Town Center with multiple use construction
 Entertainment stage/pavilion
 Gardens/children's playground/fountains/art
 Gathering/event space/informal/formal meeting space
 Water attraction like at Gateway in SLC
 Music venue
 Keep the post office
 Swede Alley Bulb-out
 Town Plaza
 Gathering area/stage
 Green space
 More pedestrian, less traffic
 Design C – leaves lots of room for space and groups to gather. Traffic movement good.
 A is best but still not the "stage" and open area I had envisioned. No need for
 commercial, that should be on Main Street
 Ability to close off area more conveniently that we can currently.
 Permanent gathering place adjacent to Main Street
 Cobblestone pavers to unify the whole area, promote walking.
 Water feature (Concept B) and the Marsac Plaza
 Commercial coffee shop/restaurant and place to sit (Concept B) to help soften new
 parking structure

Multiple use and diversity
Maintain Swede Alley as a service corridor
Providing pedestrian access and activity to Swede Alley
Maintaining historic aspects
Pedestrian walk-ways
Smaller post office
Public seating

Q4. What activities/use of the Town Plaza do you support the most?

Concert/Performance
Strolling/sitting area in park-like surrounding
Enhanced parking/commercial use of Swede Alley.
Arts/crafts shows/city market/farmer's market/festivals/poetry readings/art
exhibits/plays/music, local talent/parties
Tourist Attraction with sculptures
Open to unscheduled performing arts
Concerts – would love to have Wednesday night concerts come back
Outdoor restaurants – with “to go” menu so people can take lunch out onto the plaza.
Big plus here, not found too much on Main Street
Public events
Informal gathering/daily use
Park benches
Water
Food service
Visual connection to Main Street
Smaller post office
Water feature
Commercial space
Low volume music
Music – “Live at 5” events like Boise has one night per week
Play areas for kids/water feature for kids/rock climbing wall
Interactive historical exhibits/historic education/mining artifacts
Pedestrian focus rather than vehicular focus
Redesign of the existing parking structure along with the new parking structure to relate
to the character of Park City's historic structures
Tourist draws, children play areas, adjacent to Main Street to provide a break/rest area
for our low altitude guests, as they climb Main Street enjoying the Historic
ambience.
None of the proposed options are compelling. How about distilling these input sessions
into fresh versions and have another input session?
Olympic Legacy
Potential for ongoing activities
Smallish gatherings – up to 3,000
Mid size (3,000 to 4,500) person concerts
Olympic Legacy Plaza – Olympic Memorabilia
Seating areas by coffee shop type commercial by post office.

“Swede Alley” entrances to businesses on Main Street

Don’t think a farmer’s market would work unless you get the folks from the Canyons to move

Space needs to be flexible – easily and inexpensively converted to many uses.

Ice skating in winter; water feature in warmer months; play area for children; art festival; farmers markets; craft fair; October festival

Space should be able to be used by groups visiting such as Mustang rally. Space should be available to a variety of groups that need outdoor space, bringing their activities and energy into the downtown.

Q5. Do you have a “catchy” name for the Town Plaza?

Compton Corners

Compton Pavilion

Park Plaza

Main Street Garden

Plaza Mayor

The “Shaft”

Post Office Plaza – for piece next to post office

Downtown Plaza or Marsac Plaza

Marsac Place

Park Plaza

Park Plaza

Olympic Legacy Plaza

Mountain Parade

PC Hub

Park Central

Main Street Maze

Amaze for Happening

Q6. The City has a long term goal of maintaining the Main Street location of the Post Office. Do you favor City efforts to cooperative work with the US Postal Service to reduce the size of the Post Office in order to better link the proposed “Town Plaza” to Main Street

Yes 42

Either/Doesn’t Matter 2

No

Comments:

Long term visual connection to venue is critical. Reduce size, but not limit usage. Keep and restore original post office. Don’t compromise ability to get mail.

Q7. List any elements or concepts not seen or talked about that are important to you. Other thoughts to keep in mind as the design proceeds?

Concert/performance pavilion should be at lower area of elevation so more people have better view (amphitheater effect). Like concept B, but with layout of mill/pavilion as shown on variants.

Bring back a section of Poison Creek
 Olympic legacy sculptures would be a tourist attraction year around
 Need elements that make it attractive for play and relaxation during warmer months
 New and old parking structures need to be softened, planting areas on each level, or it
 will dominate streetscape so that the plaza won't be nice.
 Keep traffic flow good
 Keeping historic items intact where possible/feasible
 Options B & C concern us because of the way the street separates the plaza to 4th
 Street
 Continue parking further down and put park on top of parking structure. Put grass and
 hill on Main Street side of parking to hide garage
 Connection with us being a former Olympic Venue. We should have a section of the
 plaza devoted to Olympics – statues, photos, information where events were held
 Kids play, flexible seating, vending opportunities, lots of removable shade, food
 opportunities, water that kids and big kids can play in, connections to Main
 Historic mill park – informal
 Production infrastructure (power, conduit, lighting structure, etc.)
 Keep the design flexible to meet the needs of all new events that may be scheduled in
 the future
 Connect Swede Alley sidewalks. Create pull-ins for delivery trucks (in lieu of sidewalk
 parking)
 Historic steps to Marsac should be incorporated into the plan. We are still devoted to
 preserving our historic elements, aren't we?
 Roof over plaza – extend top level parking, more parking/year round use
 Large visual from Main to plaza
 Stage – design – acoustics, deaden
 Seating – close to stage
 Year round food/beverage/alcohol
 Equipment – sound/lights/green room/dressing room
 Not open pavilion like Jack Green.
 Restoration of the historical parts of the post office
 The concepts of displaying our history through bringing mining artifacts, etc., to Main
 Street are interesting but we should also explore opportunities to restore the
 historic physical aspects that exist today.
 Preserve what we already have – historic post office site, historic Marsac steps, have
 access to parking from Marsac and Swede Alley (make it easy)
 Public art – perhaps integrated with water feature
 Xeriscaped low water gardens/grasses
 Victorian Gazebo – BIG
 Concept A, Swede Alley circulation pattern but maintain 5th Street access and parking
 for Post Office. RENOVATE Historic Post Office, remove 1970's addition for
 pedestrian plaza connection Main Street and Swede.
 Connect the outdoor display of artifacts to the new expanded museum
 Be able to host events such as “taste of Park City”
 Like idea of making Swede Alley a real street with businesses and restaurants, not just
 a parking area

Favor re-routing of Swede Alley to better establish connection to Main Street. Wonder if it would be possible to link the bus station for foot traffic so the busing of people to events ends at an obvious and attractive destination.

Concept A is a good starting point with street curving around plaza. It seems important to keep 5th Street for vehicle access as well as quick access for postal customers. It would be good to get Historic Post Office back. From Concept B, have plaza extend from Main Street on south side of Post Office and extend where existing street is now – it seems that if you can connect Main Street and Plaza area for easy access back and forth it would be an advantage for all involved.

City-owned commercial space is a bad idea; non-enclosed space only for very temporary use to support events.

Traffic controls for pedestrian crossing. Rerouting Swede Alley is extremely impractical for any vehicle pulling a trailer. All councilpersons should drive or ride in a vehicle with a large trailer and attempt to maneuver in a tight location before voting on this issue.

Public bathrooms

Very important to reroute Swede Alley so a thoroughfare does NOT break the flow of foot traffic from Main Street into the plaza, pedestrians will not be motivated to cross street with traffic. Concept A is best, but post office parking should remain along side as in Concept B and not diminish size of plaza in rerouted street at back of Concept A.

Public Art must be incorporated into this design. A water feature would be an excellent addition.

B is compelling, but lacks order

Swede improvements for lighting, sidewalk, access to Main at upper and lower passage levels at Egyptian walk, 4th, clock and bear walkways.

Need bike trail – and bike parking on Swede Alley

Water features, rocks, different levels, flower gardens. Make it pretty – people will come.

Bike path/bike racks to lock up bikes

Not in favor of keeping the police station downtown. We need to consider constructing a police station that will still satisfy our needs – 15-20 years out.

Variety of surfaces (texture, color, pattern and proportion) of streets, walkways, landscaping and vertical (building elements – negative space analysis)

Don't think a water feature has a place in Park City – we are high desert – doesn't exactly encourage conservation, but it could not be used year round. Hardscape seems more appealing and easier to maintain

Could plaza be used for outdoor filming (movies in the Park)?

Plaza in heart of Old Town is one of the keys to future vitality of Main Street. Rationale behind creating a downtown plaza is to enhance continued vitality of Main Street. Plaza must be attached to Main Street, and areas of activity are contiguous, the plaza will see higher utilization and both will see benefits creating desired enhanced level of activity. If plaza is built in Swede Alley, with only a corridor between Main and Plaza, it will fail in this directive. On days when no events are programmed in a separate plaza, it will be underutilized and will not provide the

expected return on investment that could be realized from enhanced levels of activity. Fear it could be drain on other resources trying to energize the plaza. If it is part of natural flow, events will be mutually beneficial. Extra cost to locate plaza in Fifth Street and reconfigure the Post Office will pay off in long run.

Interactive water feature is essential element. Look seriously at winter ice rink in plaza; location of summer water feature. Interactive elements to entice and entertain people are essential draw.

Plaza should be flexible enough to hold concerts, convert to other uses in short time frame, stage could be two-tiered using parking as flex space for parking, concert seating, event space, and smaller one located at rear of plaza for frequent gatherings.

Additional Comments:

Like Concept B best. Layout on large board is more attractive and functional than the variants presented except for layout of concert/performance pavilion. My business is directly adjacent to the Post Office and proposed project. Like keeping parking on 5th and post office adjacent to Main & 5th. Eliminating portions of Post Office where loading docks are and using that area for portion of new plaza will be most beneficial to me, and also preserve the original Post Office building. I do not like re-routing Swede Alley as in Concept A.

Please always remember our historical heritage.

Any additional commercial should be temporary booth space for rent, such as a weekly city market. Additional permanent commercial would increase congestion downtown. Aim of this project should be to make better use of existing commercial and reduce congestion during busy times.

Concept A, idea of small post office – smallest we can have

Keep focus on “what are we trying to accomplish?” Write it down, agree on it, then all little design ideas should follow. What is the long-range vision for the entirety of Swede?

Will area stand alone as an alternative to Main, or be just a place that people pass over to get to Main?

What sort of events will be planned for the plaza? Can you make it small, intimate and also have it easily converted for a large crowd?

Like Concept A the most, but all are well done.

We need more than 250 net gain of parking. Concern and events will take more than this and we will still be short 200-400 spaces. It all looks great though.

The quantity of new parking spaces will be welcome; however, I believe that the 250 incremental increases will not be sufficient. The last study (over 2 years ago) said 300-350 spaces might be needed. This number surely is more today and will undoubtedly be greater in the years to come. Why build something that will shortly be deemed inadequate? Maximize the number of spots.

Continue to pursue long range planning, such as this project and the sports complex out near the NAC

Need to maintain Post Office parking. Could west side of Main have 5 or 6 spaces designated for post office? Then the angled parking on the north could be gone.

Let's be careful not to make this gathering spot too large or too continued. Simple is best, I think. I don't envision anything that has "fancy" architecture. Anything we do should be compatible with our historic buildings, especially in scale.

Would like to see elevations of the proposed structures

Need to keep 5th Street in some kind of configuration for traffic flow on Main Street (to ease congestion – peak traffic)

Against more parking and bringing more cars into the area – too much pollution. Realize it's too late, but if public transportation of HOA sponsored vans could be encouraged, it would be cleaner and safer. No one complained during the Olympics or Sundance --- if there was no parking they would have to find an alternative.

Get rid of Police, put by Public Works. It will affect all the people who currently live on Marsac. It will take away from the beauty of the Marsac Building. The Marsac building should stand alone. Like connections to the new museum. Think #1 flows very well except we like the old post office and parking next to it. Why not put the police department by public works with a small office and cars at Marsac, Transit and top of Main. Forget the big building next to homes on Marsac for the main police facility.

Access to new structure from Marsac. If you use the bridge idea, make it glass so one can see the steps from the corner of Chimayo (a key stop for Main Street walking tours).

Emphasize grass/gardens as opposed to plazas. Marriott/Town Lift type plaza are not inviting.

Prefer Concept C

Incorporate Victorian Style as opposed to big-beamed Bald Eagle Style

Pedestrian bridge over Swede to promote traffic flow up and down road, or put street above and people walk under (raise Swede)

Take out interior parking – remove all commercial – add shade element – make site secure for possible paid events – consider all uses – work with Main Street businesses for input – give the plaza a busy look i.e., make it appear there is always something going on – make sure entrance corridor from Main Street is inviting and worth taking a look – don't make assumption people will visit such as the Marriott Plaza or Lower Main

Do not like the overuse of mining artifacts. "Art on the Corner" will delight more visitors

Strenuously oppose this project if Swede Alley transects it as in concepts B & C. Recommend the designers re-think the stairs and that expanse of wall leading up to Marsac to maybe provide more parking spots? Some terracing? Disagree with the element of commercial space for permanent use as it once again sets the City up in the role of competitor to businesses and landlord's already invested. Think winter use has to be fully thought out and a fire element may be in order. I think the Olympics as well as mining history needs to be accentuated.

City should not try and be a commercial landlord.

It is most important to maximize the parking structure. If possible build the police station by Kearns Avenue or somewhere else. Do not support any commercial space added to the plaza area. Didn't see public bathrooms; perhaps that is what should be built in the proposed commercial area.

Incorporate public art in plaza/seating/fountains, etc. Art Advisory Board should be involved in planning factors.

Is it possible to provide, as part of the budget for this project, 1% of the total cost toward public art? Or some meaningful amount?

Some variant of C with less trees. Space must become more cohesive, more connected visually to Main. Parking at building's north end is too contrived. Set the stage far to the north for sun. 3-D grids are too contrived and block view, prefer very light steel. Sunshades in summer.

Water feature, public art, lighting, garbage removal, rest areas for small groups/family park friendly

We need to be thinking about what we want to do here – farmer's market doesn't work with any concept. Want big street dances and art fairs and we need less clutter and more adaptable space

Concept A is attractive for a number of reasons: 1) brings activity areas closer/more incorporated into Main Street; 2) re-routing Swede Alley way to reduce speeding cars; 3) better space for large concerts/activities

Our police station should be a "showcase" reflecting the world class resort town that we desire to be.

Charge for parking - \$1/day

Concept C-1 is by far and away my choice

Attachment 3

HISTORIC MAIN STREET BUSINESS ALLIANCE

To: Colin Hilton, Jon Weidenhamer, Myles Rademan, City Council Members

From: Michael Sweeney, President, HMBA

Date: October 7, 2004

RE: Recommendations for Downtown Improvement Projects

The HMBA Board of Directors and HMBA members (Park City Museum, Park City Mountain Resort, Kimball Art Center and Sundance Institute) convened on October 5, 2004, to discuss specific items relating to the downtown improvement projects, and to formulate recommendations for the city council's review.

Item 1: Police Station In/Out and Impact on Parking Spaces

The HMBA board voted unanimously to ensure that whatever plans are approved, high priority consideration is given to maximizing public parking spaces. If the proposed police station will reduce available public parking by 60 spaces as estimated by Colin Hilton, the HMBA proposes adding an additional level of parking or other expansion to the existing China Bridge complex, to maximize parking beyond the 250 planned spaces. The HMBA supports the location of the police station shown in scenario A (just to the south of the Marsac Building), subject to maximizing parking beyond 250 planned spaces. Moreover the vote was unanimous to keep the Police station downtown, supporting one of the major goals of the Economic Task Force to find ways to keep office workers and people coming to old town to work. Just as keeping the post office in old town, the police station and other city functions will bring balance to the commercial tenant mix in old town and should not be allowed to leave. We are looking forward to the vitalization of Swede Alley's existing commercial and hope that the Plaza will help spur market forces to generate even more commercial activity that would expand Main Street's appeal.

Item 2: Commercial Use of Proposed Developments

The HMBA board does not support permanent commercial structures, but is in favor of permanent "temporary use" structures (near or part of the parking garage) and "mobile" structures (near or in the plaza area). This would help to ensure that proper infrastructure are permanently installed (water, electricity, etc.) to operate temporary businesses in these areas. The only exception to our request to deny permanent

commercial use is if the State Liquor Store was relocated to this area. A majority of HMBA Board concluded that this space is too small to accommodate permanent commercial structures.

Item 3: Plaza Size/Uses/Location

The HMBA board voted unanimously to ensure the plaza area is designed with flexibility to accommodate both small crowds on blankets/chairs (500 – 700) and larger standing concert groups (3,000 – 5,000). We'd like to ensure the area is large enough to handle a crowd of 1200 on a regular basis. We suggest a design that would allow for two separate stages so that the road behind the plaza could be closed, and a secondary stage could be set-up on the hill to accommodate the larger audiences.

Item 4: Traffic Flow/Efficiency

The HMBA board agreed to the rerouting of Swede Alley in a curved turn-out behind the plaza area, with parking located as far back from the plaza as possible. We recommend a natural flow be established between the plaza, Park City Museum and Main Street. We feel it is important to ensure the plaza entrance and plaza daily use area is an integral part of Main Street, i.e. it invites Main Street pedestrians to use the plaza daily and create an excitement (more fun and funk on Main Street) and establish one more reason to visit Old Town.

Item 5: Post Office

The HMBA board agrees with the proposed renovations to the Post Office (i.e. make it smaller) and the proposed parking requirements, including allowing one-way parallel parking on 5th Street, near the Swede Alley turnout, and in front of the Post Office.

Item 6: Functionality of the Plaza

The HMBA board agrees that key elements need to be present in the plaza design:

- Year round, interactive attractions, e.g. water features
- Ability to provide rain and snow protection: tents, mobile covers, etc.
- Plenty of seating configurations to allow for a variety of uses
- Artistic elements, i.e., sculptures
- Plaza should be integrated with other pocket parks throughout Main Street area (i.e., walking tour highlights that lead visitors around downtown historic district)
- Utah Olympic Park is willing to donate elements that can be integrated into an Olympic themed area
- Ice skating held great appeal for the winter months
- Accommodate a farmers/local artesian market
- Accommodate Sundance Institute activities (film festival and summer film series)
- Accommodate Art Festival activities
- Outdoor performances by Egyptian Theatre company

City Council Staff Report

Author: Alison Butz
Subject: Public Art Advisory Board
Date: October 14, 2004
Type of Item: Legislative – Public Art Plan



Special Events and
Facilities Department

Summary Recommendations:

Review the attached Public Art Plan and provide direction.

Description:

Topic:

Park City Public Art Advisory Board – Public Art Plan

Background:

City Council approved \$200,000 in funds for public art projects in June of 2003. It was requested of staff to return with a policy that would help determine how the \$200,000 for public art would be spent. After working closely with the Park City Summit County Arts Council, the Plan was adopted by Council on December 11, 2003.

The primary functions/responsibilities of the Public Art Advisory Board are:

1. Review a cultural assessment of the Park City cultural community.
2. Create a strategic public art plan that would include public art policy refinements and recommendations of expenditures of the Public Art Fund. Ensure that public art is safe, accessible, durable, and compatible with community standards.
- 2a. Upon completion of the strategic public art plan and review of the cultural assessment, the Public Arts Advisory Board shall meet with City Council in a work session to obtain approval
3. Establish guidelines for implementation of the Public Art Policy, including methods of selecting artists and commissioning works of art. Process must be consistent with City purchasing procedures.
4. Process public art proposals submitted to Park City Municipal and make recommendations regarding appropriations for works of art and art projects to the City Manager.
5. Review, on an annual basis, the artwork projects of the Public Art Policy as a reflection of the program's intent, and recommend appropriate maintenance requirements.
6. Make recommendations for future funding of the Public Art Fund.
7. Make recommendations for the establishment of a contribution percentage for art based on construction cost of public and private development.
8. Make quarterly updates to the City Council on the progress of the Public Art Policy.

Once the Public Art Advisory Board makes recommendations to City Council, the Council shall have final approval.

In May, the seven-member Public Art Advisory Board was appointed by Council to begin achieving the goals.

Analysis:

The Public Art Advisory Board began their term in May and started working on the Public Art Plan. The Plan was drafted and accompanied by the Park City Public Art Inventory which was completed by Brian Hess. The Plan specifically addresses the following:

- Public Art Selection and Approval Process
- Design Criteria
- Artist Participation
- Site Location
- Community Involvement
- Maintenance
- Funding

In order to proceed with an RFP, the Art Advisory Board requires Council's approval, per item 2a under primary functions/responsibilities of the Board.

Next Steps

The Boards next steps are to further clarify site locations for their first RFP and to return to Council at the beginning of November with a recommendation for the first project.

Department Review:

All applicable departments have reviewed the Public Art Plan. Any comments have been incorporated within the report.

RECOMMENDATION:

Review the attached Public Art Plan and provide direction.

Attachments

Attachment A – Public Art Plan

Table Of Contents

Introduction	4
Brief History of Park City Public Art	4
Park City's First Public Art Plan	4
Today.....	4
Program Objectives.....	5
Program Goals	5
Administration	6
Overview of Public Art Selection and Approval Process.....	6
Commissioned Art:.....	7
Donated Art.....	7
Specific Proposal by Artists.....	7
Purchase of Existing Art.....	7
Design Criteria	7
1. Highest Quality Public Art.....	7
2. Authenticity.....	7
3. Celebration	8
4. Creativity	8
5. Other Considerations.....	8
Artist Participation	8
Site Location	8
Community Involvement.....	8
Installation	9
Maintenance.....	9
Funding	10
1. 1% for Art	10
2. Annual budget for public art.....	10
3. Public – Private Initiatives.....	10
4. Local, State and National Grants.....	10
Glossary of Terms.....	10
Acknowledgements	11
Exhibit A.....	12
Park City Land Management Code	12
Exhibit B	13
Public Art Policy	13
Exhibit C.....	16
Re-Siting and Deaccessioning Policy.....	16
Exhibit D.....	18
Park City Public Art Donations Policy.....	18

Park City Public Art Strategic Master Plan

Introduction

Brief History of Park City Public Art

Park City's first piece of public art entitled "Park City Scape", by artist James Mcbeth, was dedicated in October, 1984 by the Park City Art Foundation. This piece currently resides at the South Side of Park City's Miner's Hospital.

Since that time, several other public art projects have been commissioned by or donated to Park City. Most notably are the Bronzed Miner sculpture by Peter Fillerup on Main Street (1999), the Art at the Transit Center by various local and nationally known artists (2001), the "Life in the Ontario Mine" tunnel mural by local artist Paul Jakubowski (2001) and the "Moose on the Loose" (2003) collaborative fundraising project benefiting the Egyptian Theatre Company, the Kimball Art Center and the Park City Performing Arts Foundation. A unique aspect to Park City's Public Art includes the contributions of local artists Bill Kranstover and Mike Begay. Since the early 1990's these artists have collaborated and placed numerous pieces of metal sculpture throughout the City and County. Most recently, Park City Municipal has commissioned a new Olympic Legacy Sculpture by Los Angeles based Artist Cliff Garton and Salt Lake City based landscape design firm G. Brown and Associates to be installed on Hwy 224 in the fall of 2004.

Art has been an integral part of the Park City community for many years and has been promoted and permitted through many different processes. It is the goal of the current City Council to make sure a cohesive plan for public art is for the future to enhance the quality of life in Park City.

Park City's First Public Art Plan

In February 1999, the Arts Council established the first Art in Public Places plan to help create the framework for a strong and healthy public art program. The plan was formulated, in part, to help guide the selection process for the art at the Park City Transit Center, funded through a grant from the Federal Transit Authority. Criteria and standards were developed that were applied to this particular project, but no mechanism for continued funding was established. This document has served as a model for the development of this plan.

Today

Park City has taken extraordinary steps to insure a livable and sustainable community for our citizens, while being recognized as one of America's most popular destination resort communities.

City leaders are committed to sustaining this momentum, and envision public art as a fundamental element, which can become a defining characteristic for Park City. In December of 2002 the first makings of a public art policy were presented and discussed

by City Council. In May of 2003 the planning department solidified the City's commitment to art by clarifying and codifying a section of the LMC to specifically address the placement of art on public property. Code section LMC 15-4-15 (attached as Exhibit A) addresses requirements for light, safety, and appropriate outdoor materials as well as an application process for anyone who desires to put art on public property.

In July, 2003 Council allocated \$200,000 in funds as seed money for a new Public Art Program. In December 2003, a Public Art Policy was adopted by Park City Council establishing a Public Art Advisory Board to be administered by the Park City Summit County Arts Council. (attached as exhibit B).

In May 2004, a seven-member Public Art Advisory Board was appointed by Park City Council to create this strategic art plan, make recommendations to City Council regarding all public art expenditures, and establish future funding opportunities for public art.

Program Objectives

1. To provide for a public expression that reflects the vitality of the cultural arts in our community.
2. Establish guidelines for implementation of the Public Art Policy, including selection, purchase, commission, placement, and maintenance of works of public art.
3. Establish a donations policy to accommodate the acceptance of gifted works of art to Park City.
4. To recommend the nature, type, acquisition and placement of works of art and art projects to the City Manager.
5. Make recommendations for future funding of the Public Art Fund.

Program Goals

1. To build a public art program that is embraced by the Park City Community.
2. To generate works of public art, excellent in both conception and execution, which enhance the community's environment for the enjoyment of its citizens and visitors.
3. To build civic identity and pride.
4. To provide opportunities for artists to work throughout the community in creating artwork which will be meaningful and appropriate to their settings.
5. To select sites for public art which are significant to the community and will maximize the public's interaction with art.
6. Contribute to downtown and neighborhood revitalization and redevelopment efforts.

7. Encourage early collaboration among artists, architects, and engineers, in the design of public facilities and spaces.
8. Ensure appropriate signage, cataloguing and ongoing maintenance of Park City's public art collection.
9. Provide educational materials and activities about the public art collection, and incorporate public art as an element of community education.
10. Ensure that public art is safe, accessible, durable, and compatible with community standards.
11. To encourage and promote community involvement in the creation of Public Art Projects.

Administration

The Public Art Advisory Board and Public Art Policy will be administered by the Park City Summit County Arts Council.

The seven member Public Art Advisory Board will focus on project identification, request for proposals, selection process including reviewing artists' proposals for each project, and making recommendations to the City Manager. At times, policy and planning issues may arise, and the Public Art Advisory board may recommend public art policy refinements.

The commission of public art is an unusually subjective arena for the public sector. Questions of taste, style and content are complex matters to be addressed through a governmental process and the products of the public art program are highly visible to the public. The administrative process to address the issue of spending tax dollars on public art is to engage the expertise, through the appointment of the public art advisory board, of individuals who are knowledgeable in both practical and aesthetic matters regarding public art. In all cases, the Public Art Advisory Board will make recommendations to the City Manager, and the Mayor and City Council has the authority to make final decisions regarding all commissions of public art.

Overview of Public Art Selection and Approval Process

1. Public Art Advisory Board identifies a project and presents a recommendation to the City manager including nature of the project, potential site location and budget.
2. Recommendation is reviewed by City Manager and Staff, and recommendation is forwarded to City Council for direction.
3. If approved by City Council, Public Art Advisory Board will generate a request for proposals (RFP) to artists in accordance with Park City's purchasing policy as outlined in Park City Municipal Corporation's Executive Summary Document presented to City Council on May 6, 2004.
4. The Public Art Advisory Board will review artists' proposals, who generally will present their ideas in person with drawings or models, technical considerations and project budget. The board will then make a selection based on the guidelines and criteria outlined in this document.

5. The Public Art Advisory Board will present their selection to City Manager, who will review and forward a recommendation to the Mayor and Park City Council for final approval.
6. If approved, Park City Municipal Corporation will enter into a contract with the artist and work in conjunction with the Public Art Advisory Board for installation.

Commissioned Art: From time to time, the Public Art Advisory Board may make a recommendation to City Council to commission a work of art or project at a particular site with a particular theme.

Donated Art: From time to time, citizens of Park City and others have offered to contribute to Park City's public art collection with generous gifts of artwork. It is the responsibility of the Public Art Advisory Board to review such proposed gifts on behalf of Park City.

In the case of a proposed donation of art to the Park City Public Art Program, the donor will present a proposal to the Public Art Advisory Board in accordance with the donation policy (Exhibit D), and the Public Art Advisory Board will vote to accept or reject the donation. If accepted, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal.

Specific Proposal by Artists: An artist or group of artists may propose a project to the Public Art Advisory Board. If such a proposal meets the intent of the Public Art Policy, and is approved by City Council, a call to artist and request for proposals will be generated to insure the finest quality work, in accordance with Park City Municipal purchasing policy. In this case, the selection and approval process outlined above will be followed.

Purchase of Existing Art: The Public Art Advisory Board may consider the purchase of an existing work of art if the piece identified meets the intent of the Public Art Policy. Once a piece is identified, the selection and approval process outlined above will be followed with the exception of the generation of a request for proposal. In this case, no more than 10 percent of the cost of the work may go toward a dealer or agent.

Design Criteria

The following are a suggested set of criteria which the Public Art Advisory Board will use as guidelines in the identification, selection and acceptance of public art.

1. *Highest Quality Public Art:* Expect the exceptional! Acquire public art of the highest quality – worthy of Park City's scenic beauty. Acquisitions for Park City's Public Art Program shall be, in the judgment of the Public art Advisory Board, of exceptional quality and enduring value. Consideration will include artists experience in successful projects, material selection and craftsmanship.
2. *Authenticity:* Successful art projects are authentic to the community and their surroundings. This element helps provide definition and pride for a community.

Does the artwork speak to this specific community? Can this community understand the message or story of the art?

3. *Celebration*: A vital element of a successful Public Art Program is the connection of the community through the “celebration of the creation” at its completion. This celebration may also become a ritual experience that occurs at a regularly scheduled time period throughout the life of the art. Such celebrations help community members to feel ownership of the art and “welcome” it into their everyday lives, and consider the “spiritual” nature of the art in relationship to telling the story of the community, past or present. The art should portray a sense of place and people that live in the community.
4. *Creativity*: It seems to be a constant struggle for artists to find the time, space, and energy to continue the creative process. We as a community should provide this opportunity and encourage each artist to find within themselves the spirit that communicates in new ways the thoughts, ideas, and feeling of being human and existing in this world. This creative spirit can be communicated in a wide range of artistic styles, from representational to abstract, and should be defined by each individual artist. We embrace and cherish the creative voice in every person.
5. *Other Considerations*: Ensure that public art is safe, accessible, durable, and compatible with community standards.

Artist Participation

It is strongly recommended to involve artists at the earliest appropriate stage for each individual public art project. City planners and developers are encouraged to include artists on project design teams. There is an immeasurable value to artists’ involvement – a new perspective and fresh approach from the artist’s viewpoint can often bring a whole new sense to the project and, more practically, can save on expenses.

Site Location

The Park City Public Art Program will be designed to celebrate our town as a cultural community with a strong appreciation for the arts. Site selection will assure that art is safe and accessible to both locals and visitors. The Public Art Advisory Board will consider all city-owned property and identify those locations that will maximize the public’s interaction with art.

Commissions for site specific art may want to make a statement about the particular site, or be designed to create an interactive experience for the public.

Potential Donors of art must specify site requirements, and an inventory of potential sites will be available to donors.

Community Involvement

There is no specified avenue for public input provided in the Public Art Policy, but the Public Art Advisory Board supports holding public information meetings to assess the community’s vision for and periodic review of Park City’s public art program.

Based on the findings of the 1999 Art in Public Places Committee, the Park City community desires Park City's public art collection to be diverse, including: permanent and temporary art; sculpture, paintings and other media covering a wide range of sizes, styles and themes; art placed at outdoor and indoor locations; integrated into the design of local buildings and parks; and providing opportunities for youth participation.

The community's shared vision also suggests high expectations for a well-managed program. A key to a successful public art program, community members say, will be secure, stable funding. Also essential is professional management and oversight of the public art program.

Installation

The artist will be responsible for all applicable permits and fees regarding the installation of the artwork. Consideration should be given to the preparation of the site well in advance of the installation date. All necessary materials, including mountings, anchorages, containments, pedestals, barriers, drains, lighting fixtures, etc., should be specified in the scope of work. The artist should consider installation design that addresses visibility, cohesiveness to the artwork, lighting, additional patinas or protective coatings, accessibility, safety, durability and purpose. The installation techniques should not detract from the artwork's function or aesthetics. Required notifications should be considered and coordinated with the proper authorities in advance of any work.

Maintenance

A schedule and specifications for regular or annual maintenance should be suggested by the artist based on the function, aesthetics, and materials of the artwork. Regular maintenance includes removal of accumulated dirt, adjustment or lubrication of parts, and vandalism mitigation. Annual maintenance includes reapplication of protective coatings, replacement or reapplication of parts, and paint or patina touch-ups. Consideration should be given for future funding of the repairs, maintenance, or restoration of the artwork.

The applicant will include maintenance provisions in the artwork contract that stipulate the length of time (typically one year) the artist will be responsible for repairs. During the life of the artwork the artist will have the first right to repair and restore for a reasonable fee agreed upon by the artist and artwork's owner. Should the property, building or fixture on which the artwork is situated be destroyed, and the owner relinquishes their ownership, the artist will be given the right of first refusal to buy and relocate the piece.

Maintenance policies are clearly delineated in the commissioned art contract executed between the artist and Park City Municipal Corporation.

While the intent of acquiring public artworks is for long-term display, circumstances may arise requiring that the Park City Public Art Advisory Board recommend re-site or remove a public artwork. (See Exhibit C "Re-siting and Deaccessioning Policy")

Funding

The key to sustaining Park City's public art program is to establishing an on-going funding mechanism for the public art fund. The following are suggested methods to accomplish this ...

1. *1% for Art*: This method stipulates that 1% of the cost of constructing or renovating a public building or site shall be set aside for artwork. The 1% allocation may be used for art at the specific site where the improvements or construction have occurred, or may be deposited into the general public art fund.
2. *Annual budget for public art*: Park City Municipal Corporation may elect to allocate a certain set amount for public art in each budget cycle.
3. *Public – Private Initiatives*: Public art project funding may be leveraged through challenge grant opportunities. A project may be funded partially through Public Art Funds and partially through private or corporate contributions.
4. *Local, State and National Grants*: Park City Municipal Corporation and the Park City Summit County Arts Council may be eligible for grants to support the Public Art Program.

The Public Art Advisory Board will consider all these options for funding, and present a funding recommendation to the City Manager.

Glossary of Terms

“Public Art” means any visual work of art displayed for two weeks or more in an open city owned area, on the exterior of any city-owned facility, inside any city-owned facility in areas designated as public areas, or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city.

“Work of art” includes, but is not limited to the **art forms** of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture, and performance art facilities.

Works of art include, but is not limited to the **art mediums** of; weaving, carving, painting, assemblage, collage, welding, casting, and sculpting.

“Request for Proposals” A request for submissions for a specific opportunity that requires development of a proposal. The RFP defines the specific requirements for the proposal, including the project budget, criteria and constraints, description of the project site, and format for submission of the proposal.

“Re-Siting” means the relocation of an existing work of art in Park City's Public Art collection. The policy for Re-Siting is outlined in the attached re-siting and deaccessioning policy. (Exhibit C)

“Deaccessioning” means the removal of an existing work of art from Park City's Public Art collection. The policy for deaccessioning is outlined in the attached re-siting and deaccessioning policy. (Exhibit C)

Acknowledgements

The authors gratefully acknowledge the contributions of Park City citizens who joined in the process to create this Public Art Plan. We also commend the work of the 1999 Art in Public Places committee for their hard work in establishing Park City's first Art in Public Places criteria and guidelines. Their work and resulting documents have served as models for the 2004 Public Art Advisory Committee. A few of the many active participants are listed below. Thank you all for sharing your vision and great ideas!

Project Sponsors

- Park City Municipal Corporation
Dana Williams, Mayor
- Park City Summit County Arts Council
Brian Hess, Executive Director

Public Art Advisory Board

- Ron Butkovich
- Julie Hopkins
- Bianca Mead
- Kathleen Metcalf
- Susan Packard
- Carol Potter
- Peter Roberts

Park City Council Members

- Kay Calvert
- Marianne Cone (Liaison to Public Art Advisory Board)
- Candace Erickson
- Jim Hier
- Joe Kernan

Park City Staff

- Tom Bakaly
- Alison Butz (Liaison to Public Art Advisory Board)
- Gary Hill
- Mark Christensen

Consultation

- Nancy Boskoff: Salt Lake City Arts Council
- Jim Glenn: Utah Arts Council Public Art Director
- Peg Bodell: Artist and past Park City Council

Exhibit A
Park City Land Management Code

15-4 -15. OUTDOOR DISPLAY OF WORKS OF ART ON PUBLIC/CITY-OWNED PROPERTY.

(A) **POLICY AND PURPOSE.** It is the intent of Park City to encourage and accommodate the placement and enjoyment of outdoor public works of art. Therefore, certain public/City-owned Properties are available for the display of art that promotes the visual interest, and economic vitality of Park City's Historic, resort-based community; promotes aesthetic enhancement through artistic expression; and contributes to the festive nature of Park City's world class resort atmosphere. Accordingly, the City has adopted the following criteria:

(B) **REVIEW CRITERIA.** The outdoor display of works of art on City-owned Property shall be reviewed by the Planning, Engineering, and Building divisions for compliance to the following criteria:

(1) The display must comply with the height and Setback requirements of the Zoning District where it is located.

(2) Displays in excess of six (6) months must be designed and created with materials that will withstand the weather conditions and the elements.

(3) The display must comply with all applicable Building Codes.

(4) In cases where the City is not the Owner of record of the work of art displayed, the City accepts no liability in cases of damage or theft of the art.

(5) No sale price may appear on the work of art, however, the name of the artist, the name of a gallery sponsoring the art, the name of the art work, and/or a brief narrative specific to the work of art, not exceeding one square foot (1 sq. ft.), may be attached to the work of art or its support base.

(6) The display shall not create a hazard to the public due to moving parts, sharp edges, or extension into public Rights-of-Way, including sidewalks, or pedestrian and vehicular Areas; nor shall the display restrict vision at intersections.

(7) All lighting shall conform to the lighting regulations in Land Management Code Chapter 15-5-5(l) Lighting.

(C) **CITY COUNCIL REVIEW.** Upon compliance with all criteria set forth in this section, the City Council shall review and take final action on all requests for the outdoor display or works of art on City owned Property. The City Council may seek a recommendation on requests for the outdoor display or works of art on City-owned Property from the Planning Commission, arts-related advisory boards, or a specific task force that may be appointed by the City Council prior to taking final action. The City and the Applicant shall execute all necessary agreements prior to installing any approved public art on City-owned/public Property. *(Amended by Ord. No. 03-35)*

Exhibit B
Public Art Policy
Adopted by Park City Council December 2003

PURPOSE OF THE POLICY

The purpose of this policy is to establish a process for the selection, purchase, commission, placement, and maintenance of works of art via the expenditure of the monies generated through the Public Art fund established in the Park City Municipal budget for FY 2003-04 and FY 2004-05 and subsequent funding mechanisms.

INTENT OF THE POLICY

It is the stated intent of the Public Art Policy to direct the inclusion of public art in order to expand Park City citizens' experience with works of art and enable them to better understand their communities and their individual lives. By encouraging artists capable of creating works of art in public places, the Public Art Policy shall strive to stimulate the vitality and economy of the City and enhance Park City's standing as a leading cultural destination. Thus, it is the goal of the Public Art Policy to expend the funds on and facilitate works of art and art projects of redeeming quality, which advance public understanding of visual art and enhance the aesthetic quality of daily life and provide a sense of place.

GENERAL TERMS

"Public Art" means any visual work of art displayed for two weeks or more in an open city owned area, on the exterior of any city-owned facility, inside any city-owned facility in areas designated as public areas, or on non-city property if the work of art is installed or financed, either wholly or in part, with city funds or grants procured by the city.

"Work of art" includes, but is not limited to the **art forms** of; sculpture, monument, mural, fresco, relief, fountain, banner, benches, architectural furniture, and performance art facilities. Works of art include, but is not limited to the **art mediums** of; weaving, carving, painting, assemblage, collage, welding, casting, and sculpting.

ADMINISTRATION OF THE PUBLIC ART ADVISORY BOARD AND POLICY

The Public Art Advisory Board and Public Art Policy will be administered by the Park City Summit County Arts Council for FY 2003-04 and FY 2004-05. The administration of the Public Art Board and Public Art Policy shall be a separate and additional cost to the \$200,000 Public Art Fund. City Council has approved an additional \$6,750 for the annual administration of the Public Art Advisory Board to be distributed to the Arts Council in monthly installments of \$562.50. This would be in addition to their current service contract with the city. It is understood that with the funds the City provides for specific projects, the administrator of the funds will work to leverage funds for additional projects and works of art.

COMPOSITION AND FUNCTION OF THE PUBLIC ART ADVISORY BOARD

The Public Art Advisory Board shall have seven (7) members appointed by the City Council. Composition of the Board will include representation from the professional art community and the general public, and should consist of visual artists, performing or film artists, a design professional, an art educator, art professional, producer, designer, gallery director, or curator, and representatives from the Park City community and business community who are interested in serving on the Public Art Advisory Board. Board members shall live in Park City proper. Board members shall serve for no more than one two-year term every five years. The Special Events and Facilities Manager or her designee shall serve ex-officio without vote. It is also encouraged that students from the community be included on the panel to serve ex-officio without vote. Staggered terms shall be assigned by the City Council in the selection process. This board shall be reviewed as part of the budget process in 2005.

The primary functions/responsibilities of the Public Art Advisory Board are:

1. Review a cultural assessment of the Park City cultural community.
2. Create a strategic public art plan that would include public art policy refinements and recommendations of expenditures of the Public Art Fund. Ensure that public art is safe, accessible, durable, and compatible with community standards.
 - 2a. Upon completion of the strategic public art plan and review of the cultural assessment, the Public Arts Advisory Board shall meet with City Council in a work session to obtain approval.
3. Establish guidelines for implementation of the Public Art Policy, including methods of selecting artists and commissioning works of art. Process must be consistent with City purchasing procedures.
4. Process public art proposals submitted to Park City Municipal and make recommendations regarding appropriations for works of art and art projects to the City Manager.
5. Review, on an annual basis, the artwork projects of the Public Art Policy as a reflection of the program's intent, and recommend appropriate maintenance requirements.
6. Make recommendations for future funding of the Public Art Fund.
7. Make recommendations for the establishment of a contribution percentage for art based on construction cost of public and private development.
8. Make quarterly updates to the City Council on the progress of the Public Art Policy.

After the Public Art Advisory Board makes recommendations to City Council, the Council shall have final approval.

APPROPRIATION AND ALLOCATION OF FUNDS

The Public Art Advisory Board shall develop recommendations to the City Council regarding the specific allocation of the \$200,000 public art fund established in July 2003. The following are several options to be considered. Consistent with these policies, art will not be approved without review by City staff and the approval of City Council.

1. “Art on the Corner” Concept: Art on the Corner is a unique outdoor sculpture project designed to recognize the arts, develop community pride and draw people to the Main Street. This exhibit would be free to the public and can include many sculptures in a variety of media and styles. A small portion of the \$200,000 could be allocated as seed money for this type of program after which the program would become self-sustaining.

2. Public Art at Existing Public Buildings: City buildings may be selected for site specific Public Art. Possible Locations are Marsac Building, Carl Winters Library and Education Center, Miners Hospital Plaza, McPolin Farm. At the Transit Center, seven of the nine muses currently exist. The infrastructure for two additional muses is in place. The Board should consider commissioning the final two muses.

3. Art in Parks and Trails: Art parks and art along our city trail system would enhance the value of both. Specifically along the Poison Creek Trail system that would encourage pedestrian activity from City Park to Main Street. This program could include, but not be limited to sculpture, sound gardens, Murals painted inside the 4 remaining bare tunnels, performance kiosks, etc.

4. Specific Proposals by Artists or Purchase of Existing Art: The Public Art Advisory Board will consider specific proposals from artists, as well as the purchase of existing work. The commission will determine policy and criteria for the selection process.

5. Maintain and/or complete existing Public Art Property: The existing six Public Art pieces/sites owned by Park City Municipal Corporation are in a variety of disrepair and completion. The Public Art Advisory Board should consider value and original contracts to consider investing additional funds in this inventory. This might include: completion of the Transit Center art and Poison Creek tunnel murals projects, cleaning of the Bronze Miner, and plaster/paint repair of the Swede Alley Mural.

Exhibit C

Re-Siting and Deaccessioning Policy

While the intent of acquiring public artworks is for long-term display, circumstances may arise that dictate that the Public Art Advisory Board (PAAB) recommend re-site or deaccession a public artwork. This policy is designed to create a process to ensure that re-siting of a site-specific artwork and deaccessioning occurs infrequently, thoughtfully, and without influence by fluctuations of taste.

RE-SITING SITE-SPECIFIC WORKS OF ART

A site-specific work refers to an artwork commissioned and created for a particular place.

The Public Art Advisory Board is charged with reviewing potential re-siting situations and may consider moving a public artwork for one or more of the following reasons:

- The site is being eliminated.
- The site is being changed so that the artwork is no longer compatible with its setting.
- The condition and/or security of the artwork cannot be reasonably guaranteed at its current site.
- The artwork has become a danger to public safety.
- If the PAAB decides that one or more of these conditions exist, it will proceed as follows: Public Art Advisory Board members make a good faith effort to discuss re-siting with the artist.
- If the artist agrees with the new location, PAAB members refer the recommendation to the City Council for approval. The piece is reinstalled.
- If the artist does not agree, he/she has the right to prevent the use of his/her name as the author of the artwork, as stipulated in the Visual Arts Rights Act.
- If the PAAB does not approve an alternate site, the artwork may be deaccessioned.

DEACCESSIONING WORKS OF ART

Deaccessioning is a procedure for removal of an artwork from the Public Art Collection. This applies to all works in Park City's collection, including those purchased by the City and donations. In the latter case, staff will consult legal documents relating to the donation before beginning the process. Deaccessioning will only be considered after careful and impartial evaluation of the work within the context of the collection as a whole. The PAAB will use the following criteria in determining when deaccessioning is warranted:

- A new site for a site-specific work cannot be found.
- The artwork has been damaged or has deteriorated beyond reasonable repair.
- The artwork endangers public safety.

- The artwork requires excessive maintenance or has faults in design or workmanship.

If the PAAB decides that one or more of these circumstances exist, it proceeds as follows: If the structural integrity or condition of an artwork is compromised, the City Council may authorize its immediate removal, without the Public Art Advisory Board's action or artist's consent. The City Council will declare a state of emergency and have the work placed in temporary storage. The artist and Public Art Advisory Board must be notified of this action within 30 days. The Public Art Advisory Board will recommend either repair and reinstallation or deaccessioning.

- Staff makes a good faith effort to notify the artist that his/her work is being considered for deaccessioning.
- PAAB reviews conditions as reported by staff and any special advisors, such as conservators and technicians, and votes to recommend deaccession of the work.
- PAAB considers and acts upon one of the following:
 - First option for trade or purchase to artist.
 - Sale through auction, gallery or direct bidding in compliance with laws governing surplus property. Proceeds go to the Public Art Fund, established by Park City Municipal in July 2003, for PAAB to apply to other projects.
 - Trade through gallery or other institution for comparable work by the same artist.
 - In the case of damage beyond repair, offer of materials back to artist.

Exhibit D
Park City Public Art Donations Policy
Guidelines and Criteria for Review Process of Proposed Gifts of Art

Through the years, generous people have made gifts of artworks to Park City, thereby enriching Park City's public spaces and fostering civic pride among its citizens. With the creation of Park City's Public Art Program and assignment of program management to the Public Art Advisory Board, the Board is also responsible for considering all future public art gifts to the city. All decisions to accept or decline art donations will rest with the Public Art Advisory Board. The Public Art Advisory Board will make donation recommendations based upon the same selection criteria it uses for acquiring works for the Public Art Collection (see Design Criteria).

Anyone wanting to donate public art must follow the following process.

I. Written Proposal or Letter of Intent

A written proposal or letter of intent must be submitted to the Park City Public Art Advisory Board for their review. The material submitted should include specifications of the proposed gift, including artist, title, dimensions, material, proposed location, and a profile on both the artist and the donor. Depending on the proposed gift, other information that may be requested could include a maquette, drawing or photograph of the work, site drawings, installation details, a professional appraisal of the value of the work, and estimate for maintenance costs and maintenance instructions and schedule.

II. General Standards

In general, the acceptance and placement of donated works of art should be in accordance with general standards of the public art program. The proposed site should be described in the written proposal. The location and design of the gift should be consistent with the character and design intentions of the proposed site. The quality, scale and character of the gift should be appropriate to the particular site. Maintenance, public safety and vandalism issues will also be considered.

Donations of works of art that require public art funds to be used to pay for site preparation, installation, framing, restoration or repairs are not encouraged. The Public Art Advisory Board will evaluate such expenses at the time the work is being considered.

The Public Art Advisory Board may ask for assistance in the review from such city agencies as Engineering or Planning before making a recommendation. Should the gift be proposed for a historic building, site or district, the Public Art Advisory Board will consult with the Planning staff and the appropriate Historic Commission. The Public Art Advisory Board may also choose to consult with design professionals on issues that require their expertise.

III. Memorial Gifts

Memorial gifts raise other issues to be considered. The significance of the event or person being memorialized must be documented in the proposal. The memorial must represent broad community values and be meaningful to future generations. The location for a memorial is particularly important in the consideration and the proposal should include a justification for the proposed site. The context of the proposed memorial and its relationship to the site will be considered.

IV. General Criteria

In general, as with all public art, the following criteria will be considered: Quality and artistic merit, pedestrian traffic patterns, public safety, relationship to built and natural environment of the site, users of the proposed site, future development plans for the site, landscape design, existing artwork at the proposed site, environmental concerns, visibility and public accessibility to the work.

V. Associated Costs

In general, the donor should cover the costs of shipping, fabrication and installation. If necessary to the project, the donor should also be responsible for engineering requirements, design and cost of pedestal, identification plaque, special lighting, structural support and foundation, and landscaping of the site (each of which would require review by the City). In some cases, the donor may establish a maintenance fund for the work.

VI. Terms of Agreement

An agreement will be drawn up for signature by the City and the donor, providing the terms of acceptance of the gift. In most cases, the artwork will be donated outright and become the property of the City. In some cases, the gift may be on long-term, permanent, or temporary loan to the City, in which case the terms of such a loan will be included in the agreement.

City Council Staff Report



Author: Brooks T. Robinson
Subject: 64 Ontario Canyon Road Subdivision Plat
Date: October 14, 2004
Type of Item: Administrative

Summary Recommendations:

The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the Qualls two-lot Subdivision Plat based on the findings of fact, conclusions of law, and conditions of approval as submitted or amended.

Applicant	Tracy Qualls
Location	64 Ontario Canyon Road (Chambers Avenue)
Zoning	HR-1
Adjacent Land Uses	Residential, State Route 224
Reason for Review	Subdivision Plats require Planning Commission review and City Council approval.

Background

The property is a metes and bounds parcel located at 64 Ontario Canyon Road (Marsac Avenue). It is 8,250 square feet in size. A house sits on the northern end of the parcel. On June 2, 2003, the City received an application for subdivision of this parcel into two lots of record.

At the request of the applicant, no action has been taken on this application until the City approved the Marsac Avenue and Chambers Street plat. The reason is that additional road right of way would be required to be dedicated on the Qualls parcel unless and until United Park City Mines dedicated land to the east. The Council approved the Marsac/Chambers plat on August 12, 2004. State Route 224 is a very busy highway traversed by numerous trucks.

On September 22, 2004, the Planning Commission held a public hearing on this application and forwarded a positive recommendation to the City Council.

Analysis

The proposed plat creates two equal lots of 4,125 square feet. The minimum lot size for a single-family house in the HR-1 zoning district is 1,875 square feet. For a duplex, the minimum lot size is 3,750 square feet. A duplex is a Conditional Use.

Setbacks for lots of this size (75 feet deep by 55 feet wide) are:

- Front – 10 feet
- Rear – 10 feet
- Sides – 5 feet minimum, 14 feet total

The existing house is five feet from the side property line to the north and has deck and stairs encroaching into the setback and stairs and a retaining wall encroaching into the neighboring property. A Condition of Approval is an encroachment agreement with the neighboring property prior to plat recordation. The proposed lot line is 10 feet from the southern corner meeting the 14-foot total setback requirement. The front and rear setbacks for the existing house are consistent with the zone requirements.

The subdivision is consistent with the requirements of chapter 15-7 of the Park City Municipal Code.

Department Review

This project has gone through an interdepartmental review. No additional issues have been raised.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Alternatives

- The City Council may approve the subdivision plat with the conditions stated, or modify the conditions, or
- The City Council may deny the subdivision plat and direct staff to prepare findings supporting this recommendation, or
- The City Council may continue the discussion to a later date.

Significant Impacts

There are no significant fiscal or environmental impacts from this Subdivision Plat.

Consequences Of Not Taking The Recommended Action

The property would remain a single metes and bounds parcel.

Recommendation

The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the Qualls two-lot Subdivision Plat based on the findings of fact, conclusions of law, and conditions of approval as submitted or amended as found in the Ordinance.

Ordinance No. 04-

AN ORDINANCE APPROVING A TWO LOT SUBDIVISION PLAT AT 64 ONTARIO CANYON ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 64 Ontario Canyon Road have petitioned the City Council for approval of the subdivision 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, 2004, to receive input on the subdivision;

WHEREAS, the Planning Commission, on September 22, 2004, forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 14, 2004 the City Council approved the subdivision; and

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

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

SECTION 1. APPROVAL. The Subdivision Plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 64 Ontario Canyon Road.
2. The zoning is HR-1.
3. The property is a single metes and bounds parcel with an existing house on the northern side of the parcel.
4. The subdivision will create two lots of record, each 4,125 square feet in size.
5. The existing non-historic house includes a deck, staircase, and retaining wall that extends onto the adjacent property to the north.
6. State Highway 224 is a very busy road.
7. Water and sewer service is desirable for newly subdivided lots.
8. The property currently fronts State Highway 224/Marsac Avenue.
9. The approved State Route 224/ Marsac Avenue reconstruction plans will leave this lot with access to the south end of new Chambers Avenue.
10. On September 22, 2004, the Planning Commission held a public hearing on this application and forwarded a positive recommendation to the City Council.

Conclusions of Law:

1. There is good cause for this Subdivision Plat.

2. The Subdivision Plat is consistent with the Park City Land Management Code, the General Plan and applicable State law regarding Subdivision Plats.
3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
4. Approval of the Subdivision 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 Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The applicant will record the Subdivision Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. An encroachment agreement between the property owner and the owner of the property to the north for the deck, staircase and retaining wall is a condition precedent to plat recordation.
4. The owner of Lot 1 will need to extend utility services to the new lot at considerable expense, at the time of building permit

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

PASSED AND ADOPTED this 14th day of October, 2004.

City Council Staff Report



Author: Ray Milliner
Subject: 447 MAIN PLAT AMENDMENT
Date: October 14, 2004
Type of Item: Legislative

PLANNING DEPARTMENT

Summary Recommendation: Staff recommends that the City Council Approve the request for a one year extension to the October 9, 2003 plat amendment approval for the property located at 447 Main according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the attached ordinance.

PROJECT

Applicant: Jessie Shelter
Representative: Jonathan DeGray
Location: 447 Main Street
Zoning: Historic Commercial Business (HCB) Historic Residential (HR-2)
Adjacent Land Uses: Commercial / Residential
Date of Application: August 1, 2003
Project Planner: Ray Milliner

BACKGROUND

On October 9, 2003 the applicant received approval from the City Council to combine lots 13 and 20 of Block 10 of the Park City Survey into one lot of approximately 3,750 square feet. The No Name Saloon occupies all of lot 13 and a portion of lot 20. There is an existing single family home on the remainder of lot 20. Lot 13 is located within the HCB zone and lot 20 is in the HR-2 zone. The Planning Commission is currently reviewing an application for the expansion of the No Name Saloon into the HR-2 zone, and staff is reviewing a Historic District Design Review application for the renovation of the historic home facing Park Avenue. The applicant was unable to record the plat prior to the expiration of the subdivision approval and is therefore requesting that the City Council grant a one year extension to the October 9, 2003 approval.

RECOMMENDATION

Staff recommends that the City Council Approve the request for a one year extension to the October 9, 2003 plat amendment approval for the property located at 447 Main according to the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the attached ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B - Proposed Plat Amendment

Ordinance No. 04-

AN ORDINANCE APPROVING A ONE YEAR EXTENSION OF A PLAT AMENDMENT TO COMBINE LOTS 13 AND 20 OF BLOCK 10 OF THE PARK CITY SURVEY INTO ONE LOT

WHEREAS, the owners of the property known as 447 Main have petitioned the City Council for approval of an extension to a plat amendment; and

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

WHEREAS, on October 9, 2003, the City Council approved proposed plat amendment; and

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

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

SECTION 1. APPROVAL. A one year extension to an amendment to the Park City Survey is hereby granted subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property located at 447 Main Street is located in the HR-1 and HR-2 Sub zone A zone.
2. Both existing buildings on the property are historically significant.
3. The applicant received approval for a subdivision plat amendment on October 9, 2003
4. The approval expired on October 9, 2004.

Conclusions of Law

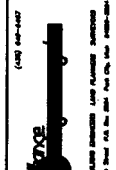
1. There is good cause for this extension.
2. The extension is consistent with the Park City Land Management Code and applicable State law regarding plat amendments.
3. Neither the public nor any person will be materially injured by the proposed plat extension.

Conditions of Approval

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

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 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
PASSED AND ADOPTED this 14th day of October 2004.



AUTHOR: Pace Erickson, Operations Manager
SUBJECT: Snow Removal Ordinance Revisions
DATE: October 14, 2004
DEPARTMENT: Public Works
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt the recommended changes to Section 9 Parking -Chapter 4 - Seasonal and Section 14 Streets -Chapter 4 - Snow Removal to enhance snow removal efforts.

DESCRIPTION:

Topic Revisions to Winter Snow Removal Ordinance

Background

On August 12, 2004 staff presented to City Council a recommendation to amend the ordinance governing snow removal. It is staff's intent to better define responsibilities and service levels realizing that periodic adjustments to the snow removal ordinance are needed to facilitate changes in community needs. Council provided input and directed staff to come back with a recommendation to develop a policy and map describing the sidewalk snow routes and procedures. Specific direction included:

- Identify and develop a priority sequence and map based on use and criticality
- Consider housing and business density concentrations for snow removal priorities
- Make recommendations regarding which sidewalks would be exempt status for sidewalk clearing
- Make recommendations regarding which sidewalks would be required to have snow removed by adjacent property owners
- Provide greater enforcement regarding the removal of residual ice and snow by adjacent property owners
- Continue working with Prospector Square Property Owners Association regarding a request for elevated level of service for the Prospector Square area consistent with the City's neighborhood request process.
- Allow for up to \$150 reimbursement for damage to mail boxes as a result of City snow removal activity
- Prohibit snow from being removed from private property onto public streets, Public property or other private property without permission
- Exempt individuals from the parking ordinance in Swede Alley during snow operations, special permit required
- Make it unlawful to park in City parking lots without a Parking Services permit between the hours of 2AM and 6 AM
- Better define what constitutes obstruction of snow removal

- Identify the City Manager or designee able to declare a snow removal emergency

The Parks Department has set the following goals and criteria for sidewalk and stairs.

Program Mission:

Provide safe, efficient alternative transportation to encourage walking in all weather conditions for the health and safety of residents and guests. Provide primary pedestrian connections to commercial zones, recreational areas, schools and Municipal Services.

Planning and Management Goal:

To establish strategies that help maximize productivity and provide assistance to property owners to remove snow from sidewalks and paths. Identify resources, priorities and responsibilities while meeting the needs of the community. This will establish, based on the criteria listed below, sidewalk snow removal services to at least one main connecting path and or sidewalk to connect commercial zones, recreational areas, schools and Municipal Services.

Criteria for City Provided Sidewalk and Path Snow Removal:

In order to provide the greatest efficiency and cost effective method for removing snow from sidewalks and paths and to provide the greatest benefit for the largest number of residents and guests, the following criteria will be considered for establishing city provided snow removal:

- Utilize existing equipment and resources
- Sidewalks and paths shall be at least 5 feet wide and free of obstructions
- Connect to other trails which are receiving service
- Deadhead time shall not be greater than 50% in distance to main connector
- Path cannot unload or end at an unsafe situation or intersection
- Along roadsides which have a speed limit greater than 35 MPH

Service Quality Goal:

The City will remove snow from sidewalks identified on the City's Sidewalk Snow Removal Priority and Sequence within ten hours after the end of a storm. Coverage will be between the hours of 6:00 AM and 4:00 PM, no night sidewalk plowing services will be provided by Park City. The City will strive, where possible, to provide service to within ¼ mile of all major employment, medical, shopping and institutional centers.

Service Routes and Priorities:

Park City will develop and maintain a Sidewalk Snow Removal Priority and Sequence Map (attached) which identifies the following:

- Location of sidewalks, paths and stairways receiving snow removal services by Park City
- The priority sequence for snow removal based on usage and criticality

First Priority: At least one main continual sidewalk and/or path to schools, resorts, business areas and Municipal Services.

Second Priority: Secondary connections, Old Town Stairs.

Third Priority: Tennis bubble at Racquet Club, widening, clean up and ice removal on, or adjacent to City owned property, bus stops, cemetery and fire hydrants located on City owned property.

Analysis

Staff is proposing changes to Section 9 Parking-Chapter 4-Seasonal. The proposed changes are:

- 9-4-1(C)- Allow parking in Swede alley with a Parking Services permit
- 9-4-1(D)- Unlawful to park in city parking lots without a Parking Services permit between the hours of 2AM and 6 AM.
- 9-4-2- Better definition of defining obstruction of snow removal.
- 9-4-3- The city manager or designee can declare a snow removal emergency.

Staff is requesting changes to Section 14 Streets-Chapter 4-Snow Removal to maintain the level of service and establish consistency.

Section 14-4-3 (Deleted)

Section 14-4-3 (renumbered)- Clarify snow removal standards on private streets

Section 14-4-4 (renumbered)- Property owners can not deposit snow into the street

Section 14-4-8 (deleted)

Section 14-4-12 (deleted)

Section 14-4-13 (renumbered)- City does not assume responsibility for damage to improvements within the right-of-way.

Section 14-4-4 clarifies snow from private property can not be deposited in the public right of way. During light snow years plowing snow from driveways and other private areas does not impact our efforts to deliver a high quality snow removal product. Large storms like Park City experience this winter did create problems.

Renumbered Section 14-4-13 indicates the city will not assume responsibility for damage due to normal snow removal activity. A typical example is a mailbox being knocked over from the weight of the snow. Legal has recommended the language remain the same. This position would not prohibit an administrative remedy. Staff would appreciate an indication from the City Council to continue working with residents of a case by case basis for mailbox and landscape issues.

Public safety has always been our number one priority and in order to better serve the community, changes in the snow removal ordinance are requested.

Request for Elevated Level of Service (RELS):

If a neighborhood would like to be considered for a higher level of service than currently exist, the City has a process in place. Neighborhoods and businesses can request through the City's RELS process, increased services from Park City. Prospector Square currently has a request under consideration for additional snow removal services. Staff has developed preliminary estimates depending on the range of services from \$20, 000 to \$60,000 with startup cost ranging from \$20,000 to \$25,000.

Consistent with the Council adopted RELS process, all requests for elevated levels of service shall be prioritized as part of the annual budget process. Requests shall be completed and submitted prior to December 31st to be considered for the following budget year. Staff recommends that the Prospector sidewalk snow removal decision be handled as part of the RELS and budget process rather than be placed in the Snow Removal Ordinance at this time.

Department Review. The Public Works, Building, Police and Legal Departments have reviewed the proposed changes in the snow removal policy. Legal staff has reviewed the ordinance and made changes to improve the enforceability and minimize liability issues.

ALTERNATIVES:

- A. Approve amending the snow removal ordinance as proposed.**
(Staff Recommended)
- B. Modify the proposed changes.**
(Staff does not recommend this alternative).
- C. Make no changes to the ordinances.**
(Staff does not recommend this alternative).

SIGNIFICANT IMPACTS:

The snow removal ordinance is designed to maintain a reasonably high level of service and minimize the disruption to residents and visitors to Park City. Clearly defining the ordinance will reduce issues, questions and confusion regarding levels of service and areas of responsibility.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Snow removal efforts will continue. No change will continue business as usual. Public works will work around parking issues and snowplowing concerns. Levels of Service could be affected during large storms.

RECOMMENDATION

Adopt the proposed changes to Section 9-Parking-Chapter 4-Seasonal and Section 14-Streets-Chapter 4-Snow Removal.

Ordinance No. 04 –

**ORDINANCE AMENDING SECTION 9 – PARKING - CHAPTER 4 - SEASONAL AND
SECTION 14 – STREETS – CHAPTER 4 – SNOW REMOVAL
OF THE MUNICIPAL CODE OF PARK CITY, UTAH**

WHEREAS, the City Council considers public safety its top priority and in order to better serve the community and to meet the needs of the citizens and visitors, deems it appropriate to amend sections of the Municipal Code facilitating snow removal for public streets and sidewalks in the most efficient and cost effective manner; and

WHEREAS, it is the mission of the snow removal program to provide safe, efficient alternative transportation options to the public by providing primary pedestrian connections to and from neighborhoods, commercial zones, recreational areas, schools and municipal services, acknowledging that not all sidewalks, paths and stairways in Park City are eligible to receive City services; and

WHEREAS, it is the goal of the snow removal program to establish strategies to maximize the benefits of a comprehensive snow removal program, and in no way relieves property owners of their responsibility to remove snow and ice from the sidewalk or path adjacent to their properties; and

WHEREAS, in order to provide the greatest efficiency and cost effective method for removing snow from sidewalks and paths and to provide the greatest benefit for the largest number of residents and guests, criteria is established to designate City provided snow removal; and

WHEREAS, the City Council held a work session on August 12, 2004 and a public hearing on September 9, 2004:

NOW, THEREFORE, BE IT ORDAINED that:

SECTION 1. AMENDMENTS. Attachment A, outlining amendments to Sections 9 and 14 of the Municipal Code of Park City, Utah is hereby adopted.

SECTION 2. EFFECTIVE DATE. This Ordinance becomes effective upon publication.

PASSED AND ADOPTED this 9th day of September, 2004.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

ATTACHMENT A

SECTION 9 PARKING -CHAPTER 4 - SEASONAL

9- 4- 1. SPECIAL WINTER LIMITATIONS.

Notwithstanding the foregoing general parking regulations, there shall be additional regulations which apply during the winter season to facilitate the snow removal and emergency access during the winter months. The winter seasonal regulations shall apply from November 1 to April 30. The special winter regulations are as follows:

(A) It shall be unlawful to park any vehicle on the downhill side of any street south of 12th Street. The downhill side of the street is the side on which the natural slope is away from the street surface, and the side to which the natural drainage flows. Main Street, Park Avenue north of Heber Avenue, and Swede Alley are not included within this regulation.

(B) Additional parking limitations may be posted by signs stating the nature and effective period for the additional regulations.

(C) It shall be unlawful to park any vehicle ~~without a Parking Services permit~~ on Heber Avenue, Main Street, or Swede Alley surface parking between the hours of 2:00 a.m. and 6:00 a.m. ~~during the winter months~~ **between Nov 1 and April 30**. Additional streets may be designated as no parking areas during these periods as necessary to facilitate snow removal.

(D) It shall be unlawful to park any vehicle without a Parking Services permit in the following city parking areas: City Park, Mawhinney Lot, Library & Education Center, Marsac North & South Lots, Public Works, Prospector Park, Rotary Park and Racquet Club surface parking between the hours of 2:00 a.m. and 6:00 a.m. **between Nov 1 and April 30**. Additional Public Parking Facilities may be designated as no parking areas as necessary to facilitate snow removal

9- 4- 2. PARKING TO OBSTRUCT SNOW REMOVAL.

~~It shall be unlawful to park any vehicle in a manner that obstructs snow removal by failing to leave adequate room for passage of plows and other removal equipment, and vehicles as parked are subject to impoundment.~~ **No person shall park any vehicle or place any object that interferes with the snowplowing or snow removal efforts of any City street.**

9- 4- 3. SNOW REMOVAL EMERGENCY ROUTES.

In order to maintain a free flow of traffic during periods of four inches or more of snow accumulation **in any four hour time frame and 8 hours** ~~and~~ immediately following said storms, ~~the Police Department~~ **the City Manager or designee** may declare a snow removal emergency, during which time it shall be unlawful to park any vehicle on the following streets:

- Any street which is on a Park City Transit bus route;
- Swede Alley;
- Kearns Boulevard: U-248 to City limits;
- U-224 from Kearns Blvd. to the City limits;
- Marsac Avenue;
- Lucky John Drive from Little Kate Road to Evening Star Drive;
- Payday Drive from Thaynes Canyon Drive to Park Avenue (U-224);
- Thaynes Canyon Drive from Silver King Drive to Payday Drive;
- Meadows-Evening Star to American Saddler;
- American Saddler-Meadows to Meadows;
- Meadows-American Saddler to U-224; and

Such other streets as may be necessary to add from time to time in order to meet the needs of the snow removal emergency.

During a snow removal emergency declared by the ~~Chief of Police or~~ **the City Manager or designee**, any vehicle parked on one of the streets listed above shall be deemed

~~illegally parked, and subject to impound. The state of emergency shall be declared and notice given in the best manner possible under the circumstances, including giving notice of the emergency parking regulations to local news outlets. The primary objective of declaring the emergency is to clear the streets of parked vehicles. Thus, impound fees on vehicles impounded for illegal parking on streets designated as streets to be kept free of parked vehicles in the emergency, shall be reduced by half of the normal rate for the violation.~~

SECTION 14 STREETS -CHAPTER 4 - SNOW REMOVAL

14- 4- 1. SNOW REMOVAL PRIORITIES FOR PUBLIC STREETS.

Snow removal is provided for public streets within the corporate limits of Park City on a priority basis. Main arterial streets receive first priority; residential streets second priority; and cul-de-sacs third priority. The City provides limited sidewalk and stairway clearing when possible; see Section 14-4-11 regarding snow removal of City walks and stairs.

14- 4- 2. PRIVATE STREETS: DUTY TO REMOVE SNOW.

It shall be the duty of every condominium owners association, property owners association, corporation, partnership, or other entity having control over a private street system within the corporate limits of Park City, and the owners of properties abutting on such private streets which are provided access from those streets, to provide regular and adequate snow removal service on those private streets in accordance with the standards established in Section 14-4-4.

~~14- 4- 3. SEASONAL LIMITATIONS ON PARKING.~~ (Delete)

~~See Title 9, Chapter 4 regarding special winter parking regulations which are adopted to protect the health and safety of residents of Park City. The City will not be responsible for injury and/or damage claims related to snow removal services if the claimant has violated provisions of Title 9.~~

14- 4- 4 (3). SNOW REMOVAL STANDARDS.

"Regular and adequate snow removal service" shall mean that snow shall be cleared from the roadway to a width of twenty feet (20') within a period of eight hours from the end of each snow storm which deposits an accumulation of four inches (4") of snow or more. It shall be unlawful to permit an accumulation of more than four inches (4") of snow to remain on the a private street for more than eight (8) hours from the end of each storm at a time.

14- 4- 5 (4). SNOW STORAGE ON SITE.

It is the ~~duty~~ **property owner's responsibility** of all property owners to make arrangement for the storage of accumulation of **to store snow which has accumulated on his property on**, either ~~on their~~ **his** own premises, or on the premises of another with the permission of the other. The owner, and his employees, agents, and contracts, shall confine the accumulated snow to the owner's premises of another with the other's permission.

14- 4- 6 (5). UNLAWFUL TO DEPOSIT SNOW IN PUBLIC WAY.

It shall be unlawful for any person to deposit, haul, push, blow, or otherwise deposit snow accumulated on private property within the traveled portion of any public street in a manner that impedes the reasonable flow of traffic on that street.

14- 4- 7 (6). TRAVELED PORTION DEFINED.

As used in this Chapter, the term "traveled portion of any public street" shall mean and refer to that portion of the public right-of-way that is paved and maintained for vehicular or pedestrian traffic. It shall not include the portions of the right-of-way outside of the paved area, and it shall not be a violation of this Chapter for any property owner, or his employees, agents, or contractors, to place accumulated snow within the non-traveled portion of the public right-of-way.

~~14- 4- 8. IMPAIRMENT OF TRAFFIC.~~ (Delete)

~~In determining whether an accumulation of snow is such that it impedes the reasonable flow of traffic, the Court shall look at whether a driver of ordinary skill and experience in snowy climates, driving a typical passenger car with tires reasonably suited for winter road conditions, could pass over the area in question without having to leave the normal lane of travel, getting stuck on the accumulated snow, or risking damage to his vehicle.~~

14- 4- 9 (7). PRIVATE SNOW REMOVAL ON PUBLIC STREETS.

It shall be the duty of every condominium owners association, property owners association, corporation, partnership, or other entity having the responsibility for snow removal on a public street pursuant to plat restriction, conditional use approval or other permit or agreement with the City, and the duty of every owner of property abutting on and provided access from such public street to provide regular and adequate snow removal service on those public streets according to the regular and adequate snow removal service standards cited in Section 14-4-4 .

14- 4-10 (8). FAILURE TO REMOVE SNOW FROM PUBLIC STREETS.

In the event the party or parties responsible for private snow removal on public streets as provided in Section 14-4-8 , fail to remove snow to the required standards of Section 14-4-3 , the City may, at its discretion, perform the snow removal necessary to achieve

the required standards, and obtain reimbursement of its snow removal costs from the responsible party or parties.

14- 4-11 (9). SIDEWALKS TO BE CLEARED.

It shall be the duty of every property owner to clear the sidewalks and stairways at the perimeter of his property from accumulation of snow within a period of eight hours from the end of each storm. It shall be unlawful to permit an accumulation of more than eight inches (8") of snow to remain on the sidewalk for more than eight (8) hours at a time.

~~14- 4-12. CITY MAINTAINED WALKS AND STAIRS.~~ (Delete)

~~The City will but is under no obligation to provide snow removal services to identified sidewalks, paths and stairways to facilitate safe, efficient alternative forms of transportation for the health and convenience of residents and guests. The City will remove snow from identified sidewalks within ten hours after the end of a storm when accumulations of two (2) inches of snow or greater remains on the sidewalk, path or stairway. Coverage will be between the hours of 6:00 AM and 4:00 PM, no nighttime sidewalk, path or stairway snow removal services will be provided by the City. The fact that the City has undertaken maintenance of these sidewalks, paths and stairways shall not relinquish the property owners' responsibility to remove residual snow or ice from the adjacent sidewalk, path or stairway.~~

14- 4-13 (10). FIRE HYDRANTS TO BE UNCOVERED.

It shall be the duty of every property owner to uncover and remove accumulated snow and windrows of snow from over and around fire hydrants **located on his property**. The hydrants shall be uncovered for a distance of not less than three feet (3') on all sides so the hydrants are accessible for emergency use. Hydrants shall be uncovered within seventy-two (72) hours of the time they are buried by a plowed windrow of snow or from the time they become buried from drifts.

14- 4-14 (11) HYDRANT LOCATIONS TO BE MARKED.

All fire hydrants on private street systems shall be marked with a **minimum six (6) foot pole or other sign**. ~~that extends well above the normally anticipated depth of accumulated snow and may windrows at that location so the location of the hydrant can be readily determined even during periods when it is covered.~~

14- 4-15 (12). UNLAWFUL TO REMOVE MARKERS.

It shall be unlawful to remove or destroy the hydrant markers on either public or private road systems, except that they may be removed in the Spring for storage until the following fall when they are again necessary. Hydrant markers shall be continuously in place from November 15 to May 1 of the following year.

14- 4-16 (13). IMPROVEMENTS INSTALLED AT OWNER'S RISK.

~~The~~ The City shall have no liability for damage to sprinklers, mailboxes, lights, plant trees, shrubs, or other improvements installed in the City's right of way, including those streets on which the City's City rights-of-way for most streets in the newer portions of Park City, and many of the other major streets, are is wider than the paved street. area to allow for space for utility services and snow storage. Property owners may install sprinklers, mailboxes, lights, plant trees, shrubs, or install other above-grade landscaping in these areas, but do so at their own risk.

14- 4-17 (14). DAMAGE TO IMPROVEMENTS.

The City will not assume any liability for damage to improvements or landscaping in the public rights-of-way which results from normal snow removal activity.

14- 4-18 (15). FLAGGING IMPROVEMENTS.

Owners of improvements within the right-of-way are requested to flag the location of improvements, and to the extent it is reasonable to do so, city snow removal efforts will avoid flagged areas. This shall not be construed as a waiver or abandonment of the right-of-way or an acceptance of liability for damage to encroachments that are hidden with snow.

14- 4-19 (16). PENALTIES.

Any person convicted of a violation of this chapter is guilty of a Class "C" misdemeanor.