



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 27, 1998**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, August 27, 1998.

A G E N D A

Closed Session - City Council Work Session Room - Main Level

4:15 p.m. Property acquisition

Work Session - City Council Chambers - Lower Level

5:15 p.m. Council questions/comments

5:30 p.m. Review of regular meeting

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

**III WORK SESSION NOTES AND MINUTES OF MEETINGS OF AUGUST 6, 1998
AND AUGUST 13, 1998**

IV COMMUNICATIONS FROM COUNCIL AND STAFF

VI CONSENT AGENDA

1. Authorization to staff to enter into an employee leasing contract
2. Ordinance approving a Record of Survey for Canyon Crossing Condominiums, Chatham Subdivision, Park City, Utah

VII PUBLIC HEARING

Flagstaff Development Project parameters: density, development configuration, open space, and traffic and construction mitigation

VIII ADJOURNMENT

A Redevelopment Agency meeting will convene

**PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
AUGUST 27, 1998**

PUBLIC NOTICE IS HEREBY GIVEN that the Redevelopment Agency of Park City, Utah will hold a public meeting, at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes described below on Thursday, August 27, 1998 immediately following adjournment of the City Council Meeting.

A G E N D A

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 18, 1998

IV NEW BUSINESS

Authorization to staff to proceed with the purchase of Snow Creek Parcel Lot 9, approximately 10 acres, from Snow Creek Crossing LC in the amount of \$3.7 million

V ADJOURNMENT

Posted: 8/24/98



**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
AUGUST 27, 1998**

Present: Mayor Brad Olch; Councilmembers Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Jerry Gibbs, Public Works Director; Bob Johnston, Leisure Services Director; Bob Stephens, Administrative Services Manager; Nora Shepard, Special Projects Manager; Linda Cook, Special Projects Manager; Kevin LoPiccolo, Planner; Myles Rademan, Public Affairs Director

1. Council questions and comments:

Councilmember Daniels requested status update on the East Side Trail project. Project Manager Cook responded staff awaiting resolution of a property ownership dispute concerning a small portion of land connecting the trail, ownership unclear and problem with proper recordings; noted preliminary approval to go ahead was received from UDOT. City Manager Ross stated staff believes UDOT will ultimately prevail, minor work is left to be done before the trail can be fully utilized; City Attorney Hoffman stated she is convinced UDOT owns the one acre parcel based on discussions with the Attorney General in charge of condemnation for UDOT and work can proceed; Councilmember Daniels recommended remainder of the trail at least be completed.

Councilmember Kerr thanked Public Works Director Gibbs and John Lind for highly visible crossing signs at schools.

Mayor Olch announced invitation has been received to attend an Olympic forum at the Salt Palace on Tuesday, Sept. 8th, 1-5 p.m., noted he is unable to attend due to a conflict, requested others wishing to attend advise Frank Bell; Councilmember Daniels commented he will be attending. Mayor Olch apprised Director Gibbs of Nation Cities Weekly EPA article discussing filing requirement of drinking water annual reports beginning fall 1999. Noted Council is unable to attend Snyderville hydrology report meeting scheduled for Thursday Sept. 10th, 3 pm, due to the regularly scheduled City Council meeting; announced a meeting has been scheduled with the Attorney General for Thursday, September 3rd, 9-11 a.m.

Councilmember Klingenstein praised the architecture/landscaping of the completed Public Works facility; reported complimentary thank you correspondence was received from Matsumoto, Japan, for time spent meeting with their Mayor, Council, citizens and reporters last July.

Councilmember Sincock reported he toured the near finished skateboard park today, commented the park is going to be an impressive facility and welcome addition, believes it will be open next weekend.

Councilmember Harlan reported regarding the Parks and Recreation Board retreat last Tuesday, commented the retreat was excellent, staff well prepared, input taken from community members and future issues discussed, noted some financial issues will need to be dealt with; announced a book sale will be held Labor Day weekend conducted by Friends of the Library; commented appearance of area adjacent the Jess Reid Building has improved; inquired regarding status of the West Side Trail (Entry Way Trail). Project Manager Cook responded the City is under contract with a design and construction firm, basic design documents will be submitted on September 28 which will be distributed to a small staff committee for review, construction is scheduled to begin September 15.

Jackson Hole Visit - Public Affairs Director Rademan announced the City Manager, Mayor and other representatives from Jackson Hole will be visiting Monday, September 14, luncheon and meeting to discuss paid parking is scheduled for 1-3 p.m., requested attendance of City Manager, Transportation Manager, Mayor and Councilmembers, place to be announced. Mayor Olch, Councilmembers Daniels, Klingenstein, Kerr, Harlan and Sincock stated they will attend.

2. **Review of regular meeting:** Mayor Olch invited questions and comments from Councilmembers.

Chatham Crossing Condominiums - Councilmember Harlan requested clarification of the project area maps and inquired if the condominiums are to be located in three separate locations; Planner LoPiccolo affirmed they are proposed to be located in three separate locations.

Flagstaff Development Project Parameters - Project Manager Shepard stated the public hearing tonight will consist of a brief historical overview, development parameter overview, then public input; stated Council policy concerns should be addressed.

Councilmember Kerr requested documents be consistent throughout in identification of the project e.g. 'Flagstaff' instead of 'Empire Canyon'; requested negotiation with UPMC for restriction of wood burning fireplaces to one per unit in Bonanza Flats as well as Flagstaff; verified the Fire Station site will be on the Summit County/Flagstaff side; referred to page 58 regarding possible golf course in Bonanza Flats, requested amendment to clarify the golf course application would require modification, not the development application, also state the golf course will be operated as to maximize play and last sentence in first paragraph read 'permanently reserved for recreational and open space uses *in perpetuity*'; on pg 59, number 2 regarding snowmobile operation requested language read the current snowmobile operation in Empire Canyon will be discontinued

and '*not leased with another operator*'; inquired concerning accuracy of calling the road serving the Flagstaff project a 'secondary private road', City Manager Ross responded the word 'secondary' should be deleted, it is a private road.

Councilmember Daniels inquired if the City has the ability to control access and utility improvements on Pine Creek Canyon Road, referring to number 4 of Section 2 on page 59; City Manager Ross responded no, that this only controls UPCMC.

Councilmember Kerr requested language restricting the size of utilities so they are not growth inducing; contemplated if 8,000 ft. elevation is low enough, Councilmember Klingenstein suggested determining elevations that correspond to a definitive areas, City Attorney Hoffman suggested maps with circles identifying the areas.

Councilmember Kerr referred to page 63 regarding completion of infrastructure, requested identification and/or definition in future documents as to what a 'section' constitutes; regarding employee/affordable housing, noted 10% refers to the number of residential units, not the commercial component, strongly recommended negotiation to include 10% employee housing to support the commercial uses. Councilmembers Sincock and Klingenstein concurred noting 75,000 sq. ft. of commercial on Flagstaff side significant and will require a substantial number of employees; Councilmember Kerr pointed out a Bonanza golf course would also require employees and employee housing should also be calculated for that commercial component; Councilmember Harlan requested language stating the construction of employee housing must be concurrent with the first phase; Councilmember Klingenstein commented 25% on-site employee housing may not be enough and should be reviewed.

Councilmember Kerr referred to page 65 Section 7, recommended concurrent discussion of sewer alignment and timing/details of water system development for consistency; in Section 8 regarding Iron Mountain inquired if the City's rights to review the ski runs and cuts should be noted, Councilmembers agreed requirement for City review be set forth clearly; referred to page 66 regarding Richardson Flats golf course, requested language added that the course will be operated to maximize play and encourage full use, commented regarding possible preferred t-times for locals.

Councilmember Daniels inquired if Snyderville Basin Recreation District was the entity referred to in sentence regarding park development impact fees, staff acknowledged it was; requested section regarding Sandridge Property on last page also referenced in the housing section.

Councilmember Klingenstein referred to page 57, inquired if the City is adequately precluding construction of additional square footage on the map with language regarding the 16 single family homes, or should language more definitively state 'used only for multi-family' addressing the goal of a mass transit oriented village not multitude of single family homes - Project Manager Shepard responded Mr. Rothwell would like City Council to define the size of the single

family homes on Prospect Ridge in the Mountain Village at this time, does not want to leave it up to the discretion of the Planning Commission, Councilmember Kerr recommended letting the decision go to the Planning Commission; Councilmember Klingenstein pointed out it should be ensured wildlife is thoroughly addressed.

Councilmember Sincock recommended specifying/limiting the total acreage in the Mountain Village to approximately 90 acres and the northside neighborhood to approximately 100 acres, noting specifics will be configured during the MPD process.

Councilmember Harlan referred to page 57 No. 3, expressed opinion language makes it a judgement call concerning preservation of the historical mining structures and equipment - Project Manager Shepard responded staff has requested a historic preservation analysis and will know how to address this issue once that is received. City Manager Ross commented development documents will be prepared and revised pursuant to a subsequent number of studies that Council will review and approve.

Councilmember Harlan expressed concern 75,000 sq. ft. of commercial may possibly be too extensive in light of the substantial amount of commercial in Silver Lake Village, however, noted that is the maximum that can be built and can always scale down; Project Manager Shepard commented a certain amount of commercial is needed to provide amenities for people staying there; Councilmember Sincock pointed out the marketplace usually determines what is ultimately built.

Mayor Olch thanked staff and Councilmembers for their comments; announced Council will convene the regular meeting and Flagstaff public hearing in the Council Chambers at 6:00 p.m. The Work Session adjourned at 5:53 p.m.

Prepared by Cindy LoPiccolo



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 27, 1998**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at 6 p.m. in the City Council Chambers, Marsac Municipal Building, on Thursday, August 27, 1998. Members in attendance were Mayor Brad Olch, Councilmembers Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were City Manager Toby Ross, City Attorney Jodi Hoffman, Special Projects Manager Nora Shepard.

II PUBLIC INPUT

Mayor Olch invited the public to comment on any matter not scheduled on the agenda. There were no public comments.

III WORK SESSION NOTES AND MINUTES FOR MEETINGS OF AUGUST 6 AND 13, 1998

Councilmember Harlan abstained on August 13, 1998 minutes due to absence.

Councilmember Kerr, "I move approval". Councilmember Sincock seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Abstention
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

IV COMMUNICATIONS FROM COUNCIL AND STAFF

None.

V CONSENT AGENDA

Councilmember Klingenstein, "I move approval of Consent Agenda with Items 1 and 2". Councilmember Sincock seconded. Motion unanimously carried.

1. Authorization to staff to enter into an employee leasing contract - See staff report.
2. Ordinance approving a Record of Survey for Canyon Crossing Condominiums, Chatham Subdivision, Park City, Utah - See Work Session notes and staff report.

VI PUBLIC HEARING:

Flagstaff Development Project parameters: density, development configuration, open space, and traffic and construction mitigation - Project Manager Shepard presented a brief history of the project as follows: An application was initially filed for annexation of Flagstaff on June 17, 1994; the application was substantially revised June, 1995, and a series of Planning Commission work sessions and public hearings were held; Planning Commission made a recommendation to the City Council in March, 1997; City Council held a public hearing and discussed the annexation in work session several times which resulted in Resolution No. 10-97- Resolution of Intent to Annex approved May, 1997 setting forth annexation parameters which were somewhat different than what the Applicant had requested; the Applicant pursued applications already on file with Wasatch County and Summit County. On July 8, 1998 the City received a written request for reconsideration from UPCMC, different development parameters were discussed. A public input session and overview was held on July 16. The City Council has held weekly work sessions to discuss issues at which public input was taken; these work sessions and negotiations have resulted in the draft development parameters presented at this meeting/public hearing. The City Council will continue to look at conceptual parameters and make changes and adjustments. A more detailed and legally binding Development Agreement will be drafted if Council gives staff the direction to move ahead.

Project Manager Shepard presented a project overview: the proposed project includes 16 single family homes on Prospect Ridge, 470 multi-family PUD residential units in the Mountain Village, and 38 single family homes in the northside neighborhood; size, location, configuration and height of those units would be determined by the Planning Commission based on site-specific review to lessen environmental and visual impacts. The Applicant has agreed to limit their application with Wasatch County to 260 units, currently that application is for 460 units. Bonanza Flats area process will continue to occur in Wasatch County, however, the Applicant has agreed to amend the application to reduce density. Limited access and utilities will be incorporated to decrease traffic impacting Park City and Midway and limit the growth inducing impact of the improvements. Traffic and transit improvements, improvement of the mine road are included as part of the proposal. Consideration of a gondola will go through separate public process. The Development Agreement negotiations shall include year-round trail commitments, expanded skiing, open space dedication of all non-development areas to a third party, extensive construction mitigation program, employee housing, opportunity for recreation on Richardson Flats, dedication of some Iron Mountain

properties to the City or a third party. Real estate transfer fee which would be used by the Flagstaff HOA and City to help develop and maintain the Open Space and recreation amenities.

Public Input:

Diane Mellen, Park City resident, requested Council consider public input addressing the first proposal, expressed opinion there have not been enough meetings, proposal is being pushed ahead, pleased Planning Commission has voiced serious concerns about density of this proposal; requested Council deny the project citing residents do not want Empire Canyon development as proposed, the project is too dense and too many problems in its current form.

Brian Burr, Old Town homeowner, stated UPCMCM has been fair to Park City residents, willing to reduce the total number by 500 units and are talking about building on 15% of the land; project provides more recreational facilities for Park City residents and vacationers, bike trails will be maintained, people are still going to be able to use the land; supports the project and have it within our district so Park City receives the tax benefits and not all the negatives.

George Hanson, Midway resident, stated there has been plenty of opportunity for public to comment about the proposal, he has attended most of the meetings which have been open and public invited; believes the proposal is a good plan; strongly recommended water tight documents restricting future growth inducing utilities or infrastructure in Bonanza Flats; recommended early discussion and agreement with Wasatch County, public utilities, sheriff, ambulance, fire, irrigation and state parks, support of Wasatch County Commission and Midway City; requested summer trail head maintenance be addressed, and Marsac Avenue construction mitigation rules applied to Pine Canyon Road; recommended City define the Bonanza skiing component to determine impact on infrastructure and visitation; make sure no loopholes for additional future development.

Troy Duffin, representing Mountain Trails Foundation, stated the Foundation does not support or oppose the proposed development, it supports the trails system, stated the developer allowed public use of the area for many years, has committed to continue use, and has given the Foundation free range to make suggestions toward building out a great future public trails system; stated the developer also made a commitment to make sure there are legal public trails that will be there in perpetuity; pointed out it is important to make sure the trails appear on the final plat map(s) as open to the public or dedicated public trail lines.

Greg Dows, Snyderville Basin representative for CARG, stated misinformation circulated concerning what Summit County would approve in terms of what has been filed by the Applicant with the County; believes the County would not approve anything near what has been requested and on mountain residential development would not exist, there would be either tightly clustered village or residential at the base density, but not both; can't speak for Wasatch County, knowing at the very

minimum no matter what is approved would take at least a year, so feel the belief this must be dealt with by August 31 or it goes to Summit Co is a red herring.

Dana Williams, CARG, presented slides of Bonanza Flats; stated when UPCMC came back to the table a couple of months ago CARG was under the impression the project was to be negotiated and has not seen direction given to staff or developer as to acceptable guidelines. In regard to traffic mitigation there is no mention in the plan about underground parking, should be 80% reduction of parking areas forcing guests and employees to use alternate forms of transportation. Stated Pod A, especially Prospect Ridge section, should be designated in concentric circles with hard boundaries, especially in Prospect Ridge section. Stated although Pod A is touted as pedestrian in nature, it's size is almost larger than Old Town and not consistent with the village center concept, recommend exact acreage be determined during the MPD/Planning Commission process. Not in favor of proposal for Pod D and C, however, if considered, requested small lot clustering, also possibly make area a PUD. Regarding Bonanza Flats, requested greater clustering as development proposed is very spread out; opposed to a ski element; requested Wallace parcel, proposed for 12 single-family units, clustered around the golf course; pointed out the developer agreed to a 1500 acre conservation easement around the upper edge from the ridge down and recommended both the Wallace parcel and multi-family, currently proposed at the base of that area, relocated into the rest of the project achieving a conservation easement on the ridge and protection of the four ridges.

David Staley, CARG, requested consideration of construction phasing noting a 15 year construction time line is unfair to the residents of Old Town; recommended the developer give the City five million dollars to mitigate traffic if a gondola is not built, equivalent to the five million dollars the developer committed to spend to build a gondola, instead of giving the City only one million dollars if one is not built as proposed.

Cheryl Fox, CARG, distributed copies of UPCMC proposal filed with Summit County, pointed out equal number of units requested as the City's proposal; expressed opinion UPCMC expected unit numbers to be decreased. Stated 16 single-family units proposed in Pod A contradicts a pedestrian pod; 38 single-family units in D and C too many, too great an impact; 160 single-family units in Bonanza Flats also too many. Requested enchanted forest in Pod D be saved, that the number of units be limited and that Council not rubber stamp what has been brought to the table.

Liza Simpson, read a piece written by Liz Hoey analyzing the future of Flagstaff after build out.

Jim Petrie, Historical District Commissioner, stated he is opposed to proposed golf course at 8,000 ft elevation classified as open space; expressed concern about water requirements, chemicals, invasion of wild life habitat, and traffic impacts. Also strongly opposed to a gondola coming into Old Town at Swede Alley, inappropriate for an Old Town Historic District; recommended the gondola's purpose for traffic mitigation, also parking requirements and visual impacts be scrutinized. Suggested as an alternative a gondola that drops into the Snow Park Lodge area with an angle station

at Silver Lake Village and on to Flagstaff, with short bus rides bringing people from Snow Park Lodge to Old Town.

Joe Morgan, Midway resident, expressed concern about fast-tracking and traffic; requested thorough study and numbers negotiated before approvals; recommended deferring proposal to Planning staff.

Carol Agle, stated the proposed mountain chapel has value to her small church congregation; requested legal access on Iron Mountain.

John Roberts, Old Town resident, supports annexation to the City to control the area, also recommended annexing Bonanza Flats area.

De Fisher, Park City resident, expressed opinion City needs to make all the decisions, work with other entities, and have everyone agree on what will be done; inquired if putting the issue to public vote has been considered.

Phyllis Robinson, representing Mountainlands Community Housing Trust, stated the Trust does not take a position; thanked the City for the opportunity to participate in shaping the employee housing and affordable housing element of the Flagstaff development; inquired if the housing percentage requirement will be applied to the commercial portion of the project in addition to the residential; expressed preference that the employee and affordable units be acquired in the short term.

Frank Normile, Park City resident, questioned the proportionality ratio and strongly recommended obtaining more than \$150,000 from the developer for Marsac Avenue regrading and round-about configuration pointing out majority of the future Marsac traffic will result from this project and the estimated cost presented by the Public Works department was three million. Requested permit parking system implemented in the project area. Inquired if the gondola would be free and part of the City's public transportation system. Expressed opinion Flagstaff construction will make Marsac the most dangerous road in Utah. Inquired what the City transit plan will be.

Sean Sweeney, Park City resident/hydrologist, expressed concern about the project area water shed, compares project similarly to Deer Valley and Deer Crest, citing Ontario drainage carried twice the amount of spring flow due to deforestation and development as Daly Canyon drainage handling approximately the same drainage area; recommended developer adhere to State regulations.

Bob Mathis, Wasatch County Planner (Transcript) - I was asked to come here tonight by the County Commission to discuss a few points with regard to this document of Flagstaff development parameters. I'd like to say at the beginning that we appreciate the opportunity to be here, we appreciate working with you. It's a complex world we live in, and for some time, but for sure now, the world is getting too small around us for us to work alone. And so we appreciate the leadership

you're showing in working on the development plans for the private property around your community.

There are, however, some issues that I'd like you to be cognizant of that are important to the County. Not so much because we may come to a different conclusion than you would come but because we have not yet come to a conclusion. On page 58, under paragraph B, second line from the bottom of the first paragraph you'll see the words, you'll see the phrase that says "The areas which are not to be developed will be appropriately zoned". I can see how you can handle that in Park City, but we would appreciate your being careful that you have not included something you can't vote for, and since that's in a paragraph on Bonanza Flats thought we'd call that out or to make the point because we believe you'd try. We appreciate your willingness to work with us to make this whole, trouble is we never did know for sure what we were going to have, so we don't have to tell you what will make this whole. But we take that as an invitation to work more closely with you on this issue to resolve problems. That invitation is accepted.

Section 2, under Access and Utilities, in paragraph 2 which we don't understand the meaning of or purpose for but it's something to do with restricted access to Brighton Estates, we need more understanding about what that paragraph means and why you assume indubitably to attach what in effect would be a contract with this developer, regarding property he doesn't own, in a county in which you don't belong, in a jurisdiction where you don't have authority. Paragraph 4 talks about minimal improvements to the Pine Canyon Road, we suggest that is outside the scope of any negotiation you can possibly have with this developer, and it would probably result in a ruinous relationship or him with us. It's not something that we would like you talk about, however we do understand that there are traffic impacts to both Park City and Midway. It is with some satisfaction to note that you are readdressing this issue because we found in our review that we could not adequately address the traffic impacts to Park City, nor could we adequately predict the traffic impacts on Midway using the most sophisticated techniques available and working with your staff to try and quantify those without a clear understanding of what was to happen on this site. Now, we tried to let you work at your own pace and make your own decisions, in effect to mind your own business, but when it comes to traffic there is no way to mind your business without minding our business, however we have the same pressures that you have in that we cannot tolerate.... accept an unplanned traffic increase in Midway and we also have to be responsible to the citizens of that community on any decision that the County makes.

There is a discussion on paragraph 6, of Section 2 that discusses a comprehensive emergency response plan. We could see that the number of units that would take place in both sides of that line that's been talked about, the county line, and what may become the City boundary would not rationally require two sets of public safety buildings, two sets of emergency response, however, there is intense interest that if any development were to take place up there in our County that those citizens who are interested in providing that kind of service, I'm assuming those positions in our County would do it through the district that they support now. Since we don't know what is best at

the present time because the development proposals have not been accepted, we suggest that scenario which we should begin negotiations recognizing that we may not be ready to approve development in our County as fast as you are in yours.

There is a discussion on paragraph B, of page 60, on utilities that are to be provided in the following manner in regard to Bonanza. It talks about the sewer being provided out of the Snyderville Conservancy. It is unlikely that an agreement which would allow the Snyderville Basin Sewer District to collect sewer in Bonanza Flats would be approved at this point

Councilmember Sincock - By the Snyderville Basin?

Mathis - By Wasatch County. It is unlikely that such an annexation or such an interlocal agreement would be approved, however, it is not unlikely that a fruitful negotiation could take place about how those kinds of problems are resolved. I don't think the County is anxious to spend a lot of money, public money, to serve the area, and is anxious to continue to work with property owners in that area to solve all of those problems. But the ability of the County to deal with the surrounding land areas as is contemplated by its absence in this document would be severely hampered if all the money that it would take to do it is shipped over on this side of the line.

Now that does not mean there is ambition to approve development in the surrounding areas which cannot create a diamond like project in terms of money in isolation and assume that no one will try to move around the edges, after all isn't that what this is all about in the first place? There is an impact and a on top of the demand for services here, in effect you're a victim of your own success, and in a way the rest of us are too, and so we'd like to work with you on those issues. The same would be true about water, although if water was provided from this side, its likely the sewage would have to go back on this side. So the issues cannot truly be separated. And we need to work with you on those issues, however, I do not offer a solution tonight nor do I say we are ready to build a water system up there either, just not ready for you to tell us when or how.

A third item in paragraph B that we think you do not have or should not agree with that developer would have to do with water rights in paragraph 3, water rights in excess to those necessary for this project in the Provo River only being used at an elevation below 8,000 ft. We do not think this will solve the problem you think to solve or somebody thinks to solve with the surrounding property owners. We would like to work with you together to see if we can come up with a reasonable solution. Brighton Estates exists, so do the other fractionated mining interests, some of them are non-conforming lots of record and have special rights that go outside our ordinary zoning restrictions. That won't change whether you develop or not, whether you make these agreements or not, however the impacts from that sort of will occur one way or the other and we can more carefully describe those impacts, mitigate those impacts, either way. If 75% of the traffic from Bonanza Flats was to come to Park City in the first place, I think it can be said at least 75% of the traffic that comes from the parcels around Bonanza Flats would come to Park City, and one way or

another it would find to use the current existing public rights of way to get where the market tells them they want to be. But working together we would be able to come with a sensible plan that recognizes those rights, and recognizes the impacts, however it would be naive to assume that everyone would be happy and it would be easy to do.

When you're talking about construction routing plans we might be concerned that the reasonable construction routing plan for you might be an unreasonable construction routing plan for those of us who have property near Pine Canyon Road. So we ought to be careful how we handle that.

The vision of cross country skiing in Wasatch County on page 64 and the open space represent another approval that you can't give and would represent an impact to the County which may or may not be acceptable.

We are aware of the earnest desires of the developer to proceed. Nothing that I have said is meant to argue with that desire or interfere unnecessarily. It is the County's desire to do the same thing that you're doing, which is complete an analysis of the impact of the project you propose to consider on September 3 for your City on our County. Now we do believe that one of the reasons you are able to do this now is because of the deliberate process we were using in reviewing the project that was in front of us. And we believe that you have the ability to be fair, still allow us to work with you to access those impacts and come up with a reasonable plan. However, it would involve our sitting at the table with the constituents that the County Commission has to serve in Wasatch County. There has been a desire to serve your constituents out of fairness on our part. We're asking for same on yours. We appreciate the... we have respect... and we appreciate yours.

Robert Powel, Park City resident/owner of cabin in Brighton Estates/on Board of Brighton Estates Homeowners Association, requested involvement in process. Expressed concern about summer and winter Guardsman Pass access; Board requests to be included in working with Park City even though they are in Wasatch County.

Peter Marth, Old Town resident, uncomfortable with speed of process noting substantial change in the proposal; expressed opinion City should not fear loss of control or revenue streams but to fear unmitigated traffic, noise, and pollution.

Steve Merrill, Vice-President Brighton Estates Property Owners Association, stated he opposes restricting access, pointing out importance of resident and emergency/police/fire access.

Vince DeSimone, requested traffic impact study and parking analysis; recommended tighter clustering of density and development sprawl proposed in the higher reaches, smaller lot sizes and unit numbers.

Kenny Griswald, Park City resident/Brighton Estates property owner, pointed out approximately 400 approved lots are waiting to be developed in Brighton Estates, some owners own multiple lots to ensure privacy and have no interest in developing; commended Wasatch County/Bob Mathis; requested consideration of needs of Brighton Estates property owners.

Jane Campbell, Park City resident, stated a golf course in Bonanza Flats that no one can access is not an improvement, requested fighting for the open space, trading for it, get the absolute best deal.

Chip Higgins, President of Friends of Wasatch Mountain State Park, happier with last plan that left Bonanza as open space; would like to see more clustering in the mountain village, if there is a transfer of density from Bonanza to the mountain village pod it would have to be with full and adequate compensation to Wasatch County through a revenue sharing agreement; support all measures preventing expansion of development down Pine Canyon Road and through the State Park property, also supports efforts to prevent any through traffic between Empire Canon and Midway beyond the existing use; opposes construction traffic down Pine Canyon Road; recommends restricting water use closer to the 6,000 ft. elevation level and getting as close to the open space deal on Bonanza as last year.

Mayor Olch closed the public hearing, thanked everyone for attending and input, given cc tremendous amount of food for thought, whether or not we render a decision will be up to his colleagues on the council.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned to convene the Redevelopment Agency meeting immediately following.

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 4:15 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager and Jodi Hoffman, City Attorney. Paul Sincock, "I move to open a closed session to discuss a matter of property acquisition". Chuck Klingenstein seconded. Motion carried unanimously.

The closed session adjourned at approximately 5:15 p.m.

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The meeting for which these minutes were prepared was noticed by posting the agenda on August 24, 1998 and by delivery to the news media six days prior to the meeting.

Prepared by Cindy LoPiccolo.

Cindy LoPiccolo, Legal Assistant/Deputy
City Recorder