PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 6, 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 6, 1998.

AGENDA

Closed Session - City Council Work Session Room - Main Level

2:00 p.m. Personnel Matter
4:00 p.m. Litigation

Work Session - City Council Chambers - Lower Level

4:30 p.m. Council questions/comments
4:45 p.m. Review of regular meeting
5:00 p.m. Empire Canyon Annexation

Regular Meeting - City Council Work Session Room - Main Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF JULY 16 and 23, 1998

V NEW BUSINESS

1. Lease with Pasta Provisions, LLC for operation of restaurant at Racquet Club, 1200 E. Little Kate Road.

2. Award of contract for Phase II Entry Way Trail.

3. Award of contract to Theide Construction Inc. for the reconstruction of 11th Street Stairs in an amount not to exceed $56,480.

4. Award of contract to DRD Paving for Deer Valley Drive South Trail Phase 2 in an amount not to exceed $80,375.

VI ADJOURNMENT

Work Session - City Council Chambers - Lower Level

Continuation of discussions on Empire Canyon Annexation

Posted: 8/3/98

PARK CITY 1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 6, 1998

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, August 6, 1998. Members in attendance were 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.

II PUBLIC INPUT

Mayor Olch invited the public to comment on any matter not scheduled on the agenda - No comments.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES FOR MEETINGS OF JULY 16 AND 23, 1998.

Councilmember Daniels abstained on July 16, 1998 meeting due to absence.

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

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

V NEW BUSINESS

Authorization for staff to enter into a lease with Pasta Provisions LLC for operation of a restaurant at the Racquet Club, 1200 E. Little Kate Road - Councilmember Daniels, "I move approval of the lease with Pasta Provisions with changes as discussed in Work Session". (See work session notes) Councilmember Sincock seconded. Motion carried unanimously.

NEW BUSINESS (Continued):

Award of contract for Entryway Trail Construction, Phase II - Payday Drive - (see work session notes) Councilmember Harlan, "I move approval of a construction contract for Phase II as recommended by the staff selection committee to low bidder McPolin Farm, in the amount of $398,500". Councilmember Klingenstein seconded. Councilmember Daniels stated he feels we should stick with our funding even though it may delay us. Motion carried.

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

Award of contract for reconstruction of 11th Street Stairs - Councilmember Klingenstein, "I move approval of contract with Theide Construction, Inc. in an amount not to exceed $56,480". Councilmember Sincock seconded. Motion carried unanimously.

Award of contract for Deer Valley Drive South Trail Phase 2 - Councilmember Klingenstein, "I move to continue this item to date uncertain". Councilmember Kerr seconded. Motion carried unanimously.

VI ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned to continuation of Work Session discussions on Empire Canyon/Flagstaff.

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 4:00 p.m. Members in attendance were Mayor Brad Olch, Councilmembers Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager and Jodi Hoffman, City Attorney. Councilmember Daniels, "I move to convene a Closed Session to discuss a personnel matter and litigation." Councilmember Klingenstein seconded. Motion carried unanimously.

Closed Session adjourned at approximately 4:25 p.m. to City Council Work Session which convened at approximately 4:30 p.m.

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STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

CERTIFICATE OF CLOSED SESSION
CITY COUNCIL OF PARK CITY, UTAH

As presiding officer of the City Council of Park City, Utah, I hereby certify that the Closed Session meeting held by the City Council on August 6, 1998, was held pursuant to Section 52-4-5(1)(a)(I) to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 14 day of SEPTEMBER, 1998.

Bradley A. Olch
Mayor Bradley A. Olch

Subscribed and sworn before me this 14 day of SEPTEMBER, 1998.

NOTARY PUBLIC
JANET M. SCOTT
446 Marsac Ave. P.O. Box 1480
Park City, Utah 84060
My Commission Expires
March 11, 2000
STATE OF UTAH

Janet M. Scott
Janet M. Scott, Notary Public

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The meeting for which these minutes were prepared was noticed by posting 72 hours in advance and by delivery to the news media 6 days prior to the meeting.

Prepared by Cindy LoPiccolo.

Cindy LoPiccolo
Cindy LoPiccolo, Deputy City Recorder

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
AUGUST 6, 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; Lloyd Evans, Police Chief; Bob Stephens, Administrative Services Manager; Nora Shepherd, Special Projects Manager; Linda Cook, Special Projects Manager; Meg Ryan, Planner; Matt Twombly, Parks Planner/Trails Coordinator.

Planning Commission Chair Chris Larson; Planning Commissioners Bruce Erickson, Fred Jones and James Hier.

Hank Rothwell, United Park City Mines Company (UPCMC), Flagstaff Applicant

Judicial Council Request. Administrative Services Manager Stephens informed the City Council that Summit County Commissioners approved in concept the idea of the County issuing lease revenue bonds to begin construction of an additional court at the Silver Creek Justice Center contingent upon the State of Utah appropriating the funds to pay the lease to the County. On August 13th the State Court Judicial Council's Facilities Board votes on whether or not to recommend the construction to the State Legislature in the 1999 session; the Court Administrators Office feels this will be passed. Manager Stephens requested Council direction on moving the District Court from the Marsac Building to the Justice Center; Council supported Manager Stephens and the move.

1. Council questions and comments:

Mayor Olch commented on Councilmember Harlan's extraordinary motorcycle riding skills during the City Tour.

Councilmember Harlan reported he has received calls concerning the Park City Singers, recommended release of funds, Council concurred; reported he has received invitation from SLOC to serve in the area of youth under the direction of Bob Bills; reported the intermodal transportation system in Rouen, France is very sophisticated with two bus lanes, on and off accessability; thanked Public Affairs Director Rademan for outstanding City Tour.

Councilmember Sincock also commended Myles Rademan and Margie for successful and well-organized City Tour.

Councilmember Klingenstein also thanked Myles Rademan, reported he focused on down towns during the tour and returned with useful information; requested update concerning Sandridge parking project - Public Works Director Gibbs responded a report will be included in the Manager's Report the first meeting in September with budget information and bid recommendations, landscape plans are currently out for bid, staff is evaluating the wall upgrade, possible need to purchase fill, also studying possible trail to link Marsac.

Councilmember Kerr referred to letter to the Editor from Richard Cone regarding condition and design of hole #9 at the golf course, reported she provided him with information, also answered his inquiry concerning cycling of golf course fees back into the golf course operations fund; inquired regarding status of the Prothro building plat/common area issues (1944 Prospector) - Planner Ryan responded staff has been working with the architect, the project is scheduled to come before Council in two weeks; thanked Melissa Call, Public Affairs, for the great job she did with the Seniors Open and Director Gibbs for landscaping around the shop; recommended a ceremony to commemorate designation of Trappers Way.

Councilmember Daniels reported he inadvertently received e-mail concerning the skateboard park appeal, will provide copies to Councilmembers; presented Councilmember Kerr with a medium to long-range folf driver disc purchased for her on the City Tour and provided information about the popular sport of folfing in Helena, Mt.

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

Pasta Provisions LLC Lease (Racquet Club): Councilmember Harlan reported Off-Main Cafe affiliates gave Pasta Provisions good marks, wished the company success. Councilmember Daniels pointed out Section 9 should be amended to remove segments addressing clothing fixtures etc. not applicable to upper level area. Councilmember Kerr recommended a maintenance schedule provision in the contract addressing the grease trap as there was a problem concerning that with the last lessee.

Phase II Entry Way Trail Contract: Special Project Manager Cook presented staff report and selection committee recommendation to accept the low bid submitted by Spectrum Construction of Utah, LLC, in the amount of $398,500. Councilmember Daniels stated he opposes the recommendation for the reason he supports delaying the project to allow use of ISTEA funds (refer to July 9, 1998 work session notes).

Director Johnston reported staff is soliciting for a project manager, currently only Charlie Wintzer has responded noting others appear to have full work schedules through the remainder of the year, however, staff was optimistic that they will get someone soon, will provide an update.

11th Street Stairs Reconstruction Contract: Parks Planner/Trails Coordinator Twombly presented the staff report and recommendation.

Deer Valley Drive South Trail Phase II Contract: Parks Planner/Trails Coordinator Twombly requested continuance of this item. Council concurred.

Council recessed momentarily to move Work Session discussions from the Work Session Room to the Council Chambers.

Special Announcement: Police Chief Evans announced the passing away of past Park City miner George Elden 'Shorty' Sorenson, age 91, due to complications from a prior stroke; will advise Council and staff memorial service information when determined. Shorty and his wife Ella lived in Old Town for 58 years. Councilmembers commented he will be missed.

3. **Empire Canyon (Flagstaff) Annexation**: Special Projects Manager Shepard outlined tonight's staff report/memorandum, requested review and discussion of the *Points of General Agreement* and *Outline of Issues* and stressed density and configuration; reported she is in the process of drafting a working document for the Council Work Session on the 13th, which may in time become a Resolution of Intent to Annex with provisions differing from last May's Resolution in accordance with discussions currently taking place and negotiations staff has had with the Applicant to date.

Hank Rothwell, representing UPCMC (the Applicant), presented map of Empire Canyon (Flagstaff), identifying densities configurations; pointed out Deer Valley master ski plan (lighter blue runs existing and darker blue ski expansion), gondola alignment in lower Ontario Canyon in proximity of the old Ontario mill site, commented if the gondola is ultimately approved and constructed, it is the Applicant's proposal that the multi-family configuration be denser and tighter than if the gondola was not approved and part of the overall transportation mix.

Councilmember Sincock inquired if that meant units or single-family components proposed for A and B may be located more densely in B than in A. Mr. Rothwell responded they are not at that level of detail, however, if the gondola plan goes ahead it makes sense to look at the top as a village component that includes plaza with high level of pedestrian access, tighter/denser/stacked residential multi-family uses similar to Silver Lake area. Without the gondola, the design approach would be less dense than Silver Lake; with goal not to compete with Silver Lake village. Pointed out single-family detached lot areas are represented in yellow, multi-family area density increases as colors darken, the darker red circle being the Deer Valley day lodge proposed for construction next summer in the proximity of two lifts being built now and one lift in the future.

Councilmember Sincock inquired if the acres included in north side residential (D & C) has been calculated. Project Manager Shepherd explained that at this stage is large scale master planned development stage review and include determining maximum unit numbers, sizes and identifying approximate areas where those units should go. After that process each piece must come back through a small scale Master Planned Development (MPD) process where staff looks specifically at a particular site and does site specific planning. For example, the north side meadow area should be kept open and the City should define that now, also identify the maximum number of units and maximum acreage that is available for each of the development sites. Recommended Councilmembers send message to the Planning Commission advising any particularly important specific criteria issue.

Mr. Rothwell commented this was the point of detail the application was at a year ago when the Applicant had a Planning Commission approval and discussion with City Council, so the process is not much beyond that point or less either.

Project Manager Shepherd reported unit proposals in terms of the single-family component are located in north side neighborhood and denser multi-family components located in the mountain village. The mountain village proposal includes 350 multi-family units and the request is for those to be 3,000 sq. ft in average size; 240 hotel rooms or condominium bedrooms; 60 detached PUD type units much like Bellview (common open space and similar looks but actually detached structures) with request for average size to be 3,900 sq. ft., and they will be located in different areas of the mountain village; and 16 single-family homes on Prospect Ridge above the 7800 ft. elevation area with request that they be 8,000 sq. ft. average homes. There would also be a retail component, a maximum 75,000 sq. ft. and the character of that retail component may change slightly if there was a gondola but would still be primarily skier resort related services and some neighborhood services.

Councilmember Sincock inquired if that included the day lodge. Project Manager Shepherd responded it does not include the day lodge.

Project Manager Shepherd reported the proposal for the north side neighborhood which is the single-family component in the upper reaches includes 32 single-family homes in the area that used to be called Pod D, 6 single-family homes fronting the road accessing the 32 single-family homes from the mountain village. The 32 single-family homes request is for 10,000 sq. ft. maximums, and 6 single-family homes the request is for 8,000 sq. ft. maximums. The last meeting discussion included average lot sizes and limited areas of disturbance, noted the Applicant would be willing to do an open space deed restriction on areas that are not to be disturbed much like Morning Star Estates. The north side neighborhood proposal also includes a chapel component that one of the property owners has a particular interest in, which would be a small chapel with no utilities.

Councilmember Kerr inquired if it made sense to have the chapel as an element with restriction on utilities if the proposal is for 32 houses in close proximity or if it would make any difference in cuts for utilities. Mr. Rothwell responded - no. Reported one group of property owners represented on the upper portion of the mountain was very interested in having a ski to, ski away chapel for meditation, tucked in the trees and not part of a subdivision or served by roads and utilities, however, would probably be adjacent to a ski trail in the trees.

Mr. Rothwell reported in response to Councilmember Sincock's earlier inquiry about acreage in that area, it is their best guess it is approximately 95 acres. The area of disturbance in that 95 acres is proposed to be less than 20 acres. During the last meeting site plans were discussed and a 2 acre lot would include a driveway, a footprint for a home and the balance for the lot to be undisturbed with no perimeter fencing, no gazebos and a limited area of landscaped vegetation impact.

Councilmember Klingenstein noted differences in the pods depicted on the two maps and inquired if the Bonanza Mountain/Empire Canyon map was prepared for the County level, and Empire Canyon map specific for annexation with Park City. Mr. Rothwell explained the combined map reflects discussions with Park City as of a couple weeks ago, and the single Empire Canyon map reflects a more tightened plan pursuant to the last few weeks of dialog and discussion. The County application map includes larger density numbers over more area than even the combined map.

Councilmember Klingenstein inquired if the Applicant on the latest map has taken the area where the day lodge is and decreased it from what was shown before. Project Manager Shepherd displayed a map which included prior pod areas for comparison.

Councilmember Harlan requested elaboration on the 350 units in pod A and B with the sq. ft. of those, inquired if they would be 2 story structures or 3,000 sq. ft. single level structures. Mr. Rothwell responded those are multi-level structures for the most part, either a stacked apartment configuration or multi-level adjoining town house configuration, noted the City's development code allows flexibility in that configuration, but they are condominiums that have a rental potential in a variety of apartment configurations. Project Manager Shepherd noted 3,000 sq. ft. is the average, some units will be smaller than that and some larger similar to Deer Valley which had the unit equivalence and could change the configurations. The small scale MPD process determines the appearance and exact configuration. The maximum building height in this area would be 28 ft. or 33 ft. to the top of the ridge, height exceptions have not been discussed.

Mr. Rothwell commented a request may be made during small scale MPD for Planning Commission consideration of some minor height variation if there is a benefit from additional clustering offset by additional open space. Stated once a decision is made concerning the gondola, the Applicant will begin working with the Planning Commission and staff through the small scale MPD on individual sites, open space, pedestrian plazas and that level of detail; stated they have had a lot of discussion with citizen groups about those types of concerns but have been to some extent frustrated that they do not have that higher level of detail at this time, however, know certain decisions must be made before development and anticipate working through that process with the Planning Commission.

Mr. Rothwell stated density discussed as part of this negotiation would be the maximum density forever in that site. If the gondola is approved, additional density would be clustered around the gondola for purpose of traffic mitigation and transportation link, density pulled out of other areas or tightened as there would be advantage to walk to the gondola or be shuttled to the gondola by a project van. To be able to use this concept as it works elsewhere is the only reason to pursue gondola alignment in our opinion.

Councilmember Klingenstein inquired concerning the location of the private road accessing Bonanza flats. Mr. Rothwell referred to the map and identified the current Guardsman Road (dotted line) and the proposed private road that would connect (solid black line), noted all access occurs off that private road and subsequently connect into Wasatch County. Project Manager Shepherd commented all of the units would be accessed from the private road.

Councilmember Sincock inquired about timing, if the road development and unit construction would begin prior to Bonanza Flats, if so, by how long, or occur concurrently and how would they relate to each other. Mr. Rothwell stated the phasing schedule must be reviewed with staff and the Planning Commission for sewer, water, infrastructure, road access in the Flagstaff project, and recreation components which are part of the Bonanza Flats plan; stated the Applicant does not anticipate building out Flagstaff prior to doing any development in Wasatch County, noting the last thing the Applicant wants to do is overwhelm the market's ability to absorb the property, they are concerned with a market response and impacts of other markets.

Councilmember Harlan inquired if a study has been taken that gives the Applicant and the City an indication of how much density is needed for the gondola plan to serve its purpose. Mr. Rothwell responded two mass transit studies were performed - one by the Applicant and one by the City sixteen months ago, both of them basically said the concern was economics. The Applicant agreed to fund construction of a gondola or alternatively fund van connection to town as traffic mitigation. The real issue is the long term operation, maintenance, and cost participation by determining who benefits e.g. Main St. merchants, the City from other tax revenue generated, Flagstaff from added value/convenience, Deer Valley because of access to the mountain. The other important gondola issue is hours and dates of operation which will effect the viability and amount of use. Until there is a cost benefit analysis or ratio of the operation there are no answers to these questions.

Councilmember Klingenstein commented in order for a mass transportation system to work, as much density as possible should be hooked up and maps demonstrate a large amount of density at the Silver Lake area; suggested possible linkage to Silver Lake and that there may be opportunities to come into the edge of Silver Lake.

Councilmember Kerr commented it was her understanding the problem with hooking into Silver Lake is the Stein Ericksen expansion, as Stein Ericksen's is the most logical place for a connection; suggested looking at a higher alignment above Steins and closer to Homeward Bound. Mr. Rothwell stated the issue has not been studied in great depth, Bob Wells has spent some time looking at it, the real problem is achieving walking access or the gondola will not be utilized.

Councilmember Kerr referred to The Canyons discussions noting they are not intending to have full-time residents and planning deed restricted units, no mail delivery etc.; and one concern with the Flagstaff project is the City would like bed base; inquired if the Applicant is willing to try similar restrictions to enable the units to better remain rental properties as opposed to full-time residency.

Mr. Rothwell responded he understands the issue, explained the market differentiation between Snowpark and on-mountain Deer Valley, a tax roll evaluation has been done showing approximately 91% of those on-mountain Deer Valley owners paying taxes as second homeowners, although there is belief there may be inaccuracy with some owners claiming first home actually residing outside the state; contrarily lower Deer Valley began primarily second home but has shifted to a much higher proportion of first home. Explained that Canyons has a high level of motivation to restrict their units as the County does not count second homes as a unit. As for restricting Flagstaff so it can never become first home, the Applicant will commit to making first home use as unattractive as possible by restricted access and mail, no school bus service, marketing as a second home, but because of the expense of the Flagstaff properties as opposed to the relative affordability of the Canyons units, they have determined it would be poor marketing to do a deed restriction so that somebody cannot live there for a year.

Project Manager Shepherd stated if Councilmembers have concerns about unit sizes or size of the homes this is the time to talk about those things before moving to all the issues on the density and configuration.

Planning Commissioner Jones inquired with the success of the time share units at Telluride and Deer Valley Club if there was thought to having a shared ownership project within the condominium or hotel type structures. Mr. Rothwell responded it was his understanding of the Land Management Code there is nothing to restrict interval ownership. Commissioner Jones stated he was not necessarily against it, it appears to be a profitable type of ownership, is in favor of what Councilmember Kerr was trying to achieve. Mr. Rothwell stated if product in our market place is priced and marketed at $400, $600 and $1000 a sq. ft., interval ownership becomes about the only way that much of the market can afford to buy anything, and it is their belief that given the marketplace of today we are going to see a significant interest in the future in interval ownership; stated the Franz Klammer Lodge (Telluride) and Deer Valley Club are two excellent examples of interval ownership similar to what may be planned at Flagstaff; noted the Klammer Lodge includes a pedestrian plaza with access to the gondola making that stacked density work there for that project.

Project Manager Shepherd stated staff does not anticipate restricting interval ownership at all unless told otherwise.

Commissioner Jones inquired if any unit equivalent calculations have been done for this proposal. Project Manager Shepherd responded staff has talked a little about how to do that; stated Mr. Rothwell has suggested definition of a new unit equivalence based upon the average unit size, however, this needs to be discussed as she is uncomfortable about creating yet another formula; stated Mr. Rothwell is proposing having a unit size for purposes of Flagstaff/Bonanza as 3,000 sq. ft. as opposed to 2,000 sq. ft. but that needs to be evaluated. Councilmember Kerr stated she would discourage a different formula. Mr. Rothwell commented the reasoning is the average unit size in Silver Lake is closer to 3,000 sq. ft. than 2,000 sq. ft in multi- family and if we're talking about front doors and traffic impacts a unit is a unit. Project Manager Shepherd stated more discussions are needed and come back to Council, concur with concern about creating yet another formula, however, it depends on what kind of impact implied by that unit equivalency formula.

Mr. Rothwell stated in answer to Commissioner Jones' question a presentation was made to Council a couple weeks ago that included review of the Applicant's submittal to both Summit and Wasatch Counties; stated those counties do not use a unit equivalency formula which was like a 1120 residential unit and compared that to dialog we're having today again not in 2,000 unit equivalents but in front doors and that number is 784 residential units - which does not respond to volumetrics but believes more accurately responds to traffic questions.

Commissioner Jones stated the purpose of his question was to understand how this proposal relates to what was reviewed a year ago, that it appears at first glance if you incorporate both Bonanza Flats and Flagstaff there is considerably more volume now than what was reviewed last time.

Councilmember Kerr commented in regard to size of the 10,000 sq. ft. structures in the upper regions, these are the areas the most concern has been about all along and that sq. footage seems like it will be difficult to hide - not sure about the size proposed for those units if one of the objectives is to try to make them relatively invisible in a very sensitive area.

Project Manager Shepherd responded Prospect Ridge houses in terms of visibility from town those being 8,000 sq. ft. are going to be very visible; reported at the last meeting the Applicant brought in drawings of a lot and tried to design that pod so that the houses are not in the meadow areas, are in the trees and away from the ski runs as much as possible, with the understanding you know you are not going to nestle a 10,000 sq. ft. house in the trees but hopefully by site design can put them in some locations that are less visible by the public. Stated she believes there may be 10,000 sq. ft. houses in Bald Eagle.

Mr. Rothwell pointed out at Deer Crest the section adjoining the area the City looking at to annex is 8,000 to 12,000 sq. ft. in size.

Councilmember Klingenstein expressed interest in picking a point similar to what is used for ridgeline protection with each lot going through a site by site analysis, it may be determined one lot can handle up to 10,000 sq. ft. but another only 5,000 sq. ft. Councilmember Kerr stated she was trying to get at some ball park rules that could be lived with, if in fact the rest of Council approves some houses there; noted she will not approve any houses no matter what the sq. footage is.

Councilmember Klingenstein inquired if the language should be 'up to 10,000 sq. ft.' Mayor Olch suggested 'not to exceed'. Project Manager Shepherd requested Council advise specific concerns and language for guidance.

Councilmember Harlan inquired what height is proposed in regard to the 240 unit hotel. Project Manager Shepherd responded it would be hotel or condominium rooms, the Applicant has not requested a specific height exception, there is a provision in the LMC allowing for height exception, believes the Applicant wants to keep that option open but there have been no detailed discussions concerning it. Mr. Rothwell commented he believes there may be times when Planning Commission and/ or Council may find it mutually beneficial to consider some minor height exception. Project Manager Shepherd noted on the other hand if Council or the Planning Commission feel at this stage that the average height should be for example 28' or 30', guidelines like that should be set forth at this point in time, otherwise the Applicant's proposal would be subject to LMC provisions like anyone else is.

Commissioner Kerr noted Council learned what certain heights look like when the line is held firmly and that height variations should be at least entertained, with the understanding this hotel will be located in the valley area and if design dictates Council should be open to looking at a variation in height that may be needed to obtain more density.

Councilmember Klingenstein inquired if 784 is the total number of units for everything in Bonanza Flats. Mr. Rothwell responded not in a unit equivalency formula as per the 2,000 sq. ft. but per residential units front doors.

Mayor Olch inquired how the hotel rooms are being counted. Mr. Rothwell responded hotel rooms were counted 4 to a unit.

Councilmember Klingenstein confirmed that the number on Bonanza Flats is 784, and 604 in Empire Canyon. Mr. Rothwell noted the number that was in last week's packet was 260 additional units in Wasatch County. Project Manager Shepherd reported of which 160 units were proposed to be single-family, and 100 units unspecified multi-family assumed would average 3,000 sq. ft.

Councilmember Sincock inquired if the parking requirement at the base in Old Town has been discussed or estimated in the event the gondola idea is pursued and surface parking requirements are decreased to encourage non-vehicular transportation. Mr. Rothwell responded there have been general discussions, someone in the meeting two weeks ago talked about the Telluride gondola working very well for riding down and taking trips off the road because people were riding it down to work, however, to the extent of it handling skiers riding up in the morning and back in the afternoon the concern was it is obviously compounding an already tight parking situation in old town; that is the reason if the gondola is pursued it needs to interconnect with the City's mass transit/bus system, however, it may still be difficult to prove a gondola rider didn't drive or park in someone elses parking for the day.

Councilmember Sincock commented there will still be some people using the base area as a parking lot to get on the mountain easily. Mr. Rothwell stated the Applicant has not tried to answer that because the gondola was not looked at as a transportation vehicle to put skiers on the mountain. Project Manager Shepherd stated in the course of public process all those issues must be explored, it was discussed at the task force meeting the way the gondola is envisioned to be tied into the Deer Valley skiing system, however, noted it may not conveniently tie into a main ski node unless that is desired, then down town parking availability and charges would need to reviewed.

Councilmember Klingenstein inquired if it would be of interest to make the connections complete and hook into Bonanza Flats; also inquired what caused the decision to drop off the Bonanza Flats multi-family and hotel units and increase the single-family units so significantly. Mr. Rothwell responded there were concerns about traffic and Hwy 224 carrying capacity concerns, and a desire to get to a number that had relevance to discussions held a year and a half ago; agreed the number of single-family units has increased and number of multi-family units has decreased from 350 to 50, so the Applicant has not envisioned a gondola connection into Wasatch County; there is a number where it becomes very viable, however, prior history with this discussion was that the number that would make it economically viable went beyond the numbers that were acceptable.

Mr. Rothwell stated multi-family units were decreased by 300 and single-family increased by 90, resulting in a net decrease of 200 units and substantial decrease of traffic generation numbers and impact to Park City; stated the 10X trip traffic generation number was for both multi-family and single-family units.

Commissioner Jones stated he does not see any equivalency between this current proposal relative to the one put forth a year ago; the one proposed today encompasses almost everything the Planning Commission was trying to avoid, namely single-family subdivisions spread from Prospect Ridge to Bonanza Flats, sprawl of all kinds of units across the site, urban creep over the hill, no break between Park City and whatever is going to happen beyond, no city buffer, there is unit equivalence substantially greater than anything discussed before, and the plan will require roads and infrastructure; stated compromises were reached last time in the process of trying to avoid or mitigate those concerns and it is important to remember that the process for the prior proposal went through two and a half years of public input process and boiling down to fairly specific plans which were ultimately not accepted by the proponent; expressed pleasure that the Applicant is back talking to the City, feels there is opportunity to structure a plan that works for both sides, however, it should be ensured it gets exposure and people understand what is proposed because this proposal is not at all what people responded to last time around, expressed doubt many people are aware what is being proposed this time; stated there are potential new elements to this plan, the gondola may be one of those and everyone is interested in exploring that concept, however, expressed opinion if an expedited plan is desired, the process should begin where it stopped at the last process and it be determined if some tweaking can be done, otherwise, believes it will be a longer process; expressed opinion the City's strongest card is the City can grant an approval of something sooner than the County will, however, would hate to see the City turn end up with the density initially discussed in the area of Pods A and B, a good share of the density or any development on Pods C and D, in addition to the density proposed on Bonanza Flats; stated he believes if the Applicant went through the same process today to show what factors got them to various densities as they did during the initial proposal this result would not have been reached; stated if that same process cannot be done or there is a reason the Applicant does not want to go through it that needs to be explained and understood; suggested the public may possibly be interested in purchasing Pods C and D, not sure what the answers are, however, believes the current proposal is a long way from what the public input was received on and strongly recommends if an expedited process is to proceed there should be a revisit of the point the process got to last time and understanding of reasons for alteration.

Mayor Olch thanked Commissioner Jones for his comments; recessed the Work Session at 6:00 p.m. to convene the Regular Meeting.

The Work Session reconvened immediately following the regular meeting.

Planning Commission Chair Chris Larson concurred with the comments made by Commissioner Jones, commented Pod C area should be left as critical undisturbed viewshed; noted total density approved as 750 high/600 low pursuant to Chapter 10 of the Land Management Code site planning; suggested using same language so the Commission can work with MPD; skeptical about the use of the gondola but it may provide clustering; noted development maximum was initially 7,800 ft. elevation, now 7,900 ft; Richardson Flats/Iron Mountain not opportunity to transfer density; need compromise regarding limited access/gated community to allow limited local recreational benefit; recommended City Council representative meet with the Planning Commission.

Project Manager Shepherd reported General Plan recommends open space buffer, preferably undeveloped; development of ski pod eliminates significant back-country access and pressure to connect with Big Cottonwood Canyon; reported 86% of the subject area will be open space, zoned recreational open space; area below Pod A could be dedicated to City or perpetual easement;.

Project Manager Shepherd reported 10% employee housing required of annexations; the Applicant proposes to meet the requirements by providing 60 employee/affordable units and agrees to put 25% of these on-site. Balance of units would be provided at the discretion of the City by either developing employee housing on the 20 acre "corner parcel", or donating the corner parcel to the City, or donating the corner parcel to the City and constructing the units on an alternate parcel provided by the City. Additionally, the Applicant agrees to provide employee/affordable housing units equal to at least 10% of the residential units eventually approved by Wasatch County. Noted Mountainlands Community Housing Trust to review options before next meeting.

Project Manager Shepherd stated in regard to parking reduced by 25% that it be shared parking, not assigned spaces, if the gondola goes forward and there is a pedestrian oriented plan; parking should be fully enclosed as much as possible, service spaces available but majority enclosed; numbers and configuration would be looked at the small scale MPD for each area.

City Manager Ross reported preliminary discussions have been held with the Applicant about how Park City could cooperate with the Applicant for consolidating, reallocating, exchanging water rights, also providing necessary well sites, easements etc.for developing a water source; noted some time ago the City entered into an agreement with the Applicant, that UPCMC would not have an obligation to deliver water rights but pay impact fees, however, the Applicant has agreed to cooperate in all respects with the water rights, allocate shared rights; at this point discussions have not concluded but will be relatively soon.

Council discussed water rights and relationship to development in that area; possible agreement to restrict sale, use, lease etc. within an area of concern to Park City.

Mayor Olch thanked Mr. Rothwell and staff; announced Council will continue review of issues at the regular work session on August 13. The Work Session adjourned at 7:33 p.m.

Prepared by Cindy LoPiccolo

PARK CITY
1884

CITY COUNCIL REPORT

DATE: August 6, 1998
DEPARTMENT: Community Development Department
AUTHOR: Nora Shepard/Toby Ross
TITLE: Flagstaff Request for Reconsideration
TYPE OF ITEM: Annexation

SUMMARY RECOMMENDATIONS:

Review issues related to development and annexation of Flagstaff.

DESCRIPTION:

A. Topic:

United Park City Mines Company (UPCMC) has requested that the Park City Council reconsider annexation of Flagstaff and development of Bonanza.

B. Background:

The City Council approved a *Resolution of Intent to Annex Flagstaff under certain Development Parameters* on May 8, 1997. This resolution was the result of more than 2 years of extensive public input and discussion. The annexation request was modified several times in response to input from the public, Planning Commission and City Council.

Based upon the applicant's proposals, the Council concluded that development could be accommodated, and the impact of development could be adequately mitigated if development occurred on the lower mountain.

There were substantial mitigation measures required of the developer including improvements to the mine road, restriction of through access and extension of the water system and the dedication of 1500 acres in Bonanza Flats as open space, not to exclude winter and summer recreational uses including golf.

The annexation was never completed due to the mutual inability of the City and UPCMC to agree upon the development parameters of the Master Plan approval and Annexation. UPCMC chose to pursue applications for development with Wasatch and Summit Counties.

COUNTY APPLICATIONS CURRENTLY ON FILE

Land Use	Summit County	Wasatch County
Multi-Family	480	350
Hotel Rooms	50	75
Single Family	100	65
TOTAL	630	490
TOTAL COMBINED	1120	

At this time, UPCMC is willing to consider new elements including additional traffic mitigation, open space and/or recreational restrictions in Richardson Flats and a negotiated density cap on eventual build out for the Bonanza Mountain Resort Project. This a continuation of the previous discussions and negotiation on the Annexation. The City Council met on July 16 and 23 to review the proposed annexation. The Planning Commission and public were invited to attend and participate in both sessions.

C. Analysis:

During the meetings in July, the City Council heard about and commented on many issues. The next sections presents (1) a list of points on which there seems to be general agreement; (2) an outline of issues raised from various sources; and (3) issues related to the annexation; comments on alternatives that have been explored or may be considered; and presents the current status of discussions.

1. Points of General Agreement

- All things being equal, Empire Canyon should be developed in Park City rather than the counties
- Park City should meet with Wasatch County to discuss Bonanza
- Access should be limited to reduce impacts to avoid inducing development
- Utilities to serve Bonanza should come from Park City to avoid inducing growth
- Good construction mitigation is necessary
- Recreation and open uses on Richardson Flat is desirable
- Golf and recreation facilities are appropriate for Richardson Flats if environmental issues can be resolved
- The public should be able to use recreation facilities on Richardson Flats
- Further exploration of a gondola is appropriate
- Protecting Iron Mountain open space is desirable
- Gas fireplaces instead of wood are appropriate
- Easements to protect open space should be required
- Trails are important public amenities
- The Real Estate Transfer Fee is an important public benefit
- The fiscal benefits of the proposed development are substantial

- The fiscal benefits are enhanced are more significant if the project is annexed
- Examples of the mining heritage should be protected

2.Outline of Issues

A. Review Process

B. Flagstaff Development Proposal
   1) Development in Upper Area
   2) Overall configuration of development
   3) Employee housing
   4) Open space protection
   5) Construction mitigation
   6) Phasing
   7) Parking and traffic mitigation
   8) Water service
   9) Addressing mining hazards
   10) Private chapel
   11) Historic protection
   12) Project design; road widths

C. Bonanza
   1) Density and configuration
   2) Linkages to Wastach County
   3) Annexation
   4) Wasatch County coordination
   5) Phasing/relationship with county process
   6) Open space buffer
   7) State/UPCMC parcel
   8) Construction access

D. Richardson Flats
   1) Annexation
   2) Which recreational uses
   3) EPA issues
   4) Public access to golf and recreation facilities
   5) Acquisition of adjacent property

E. Gondola
   1) Review process
   2) Operation and maintenance
   3) Hours of operation
   4) Connector systems
   5) Alternate traffic mitigation
   6) Effect on development density and configuration

F. Fiscal Impact (see attached table)
   1) Revenues

2) Costs for public services
3) Impacts on schools and other jurisdictions

3. Discussion of selected issues

A. Process

The proposal to develop Flagstaff has been involved in some form of public review since 1995. Following numerous public meetings, the City Council approved a Resolution of Intent to Annex Flagstaff on May 8, 1997. The annexation was never completed due to the mutual inability of the City and UPCMC to agree upon the development parameters of the Master Plan approval and Annexation. UPCMC chose to pursue applications for development with Wasatch and Summit Counties.

At this time, UPCMC is willing to consider new elements including additional traffic mitigation, open space and/or recreational restrictions in Richardson Flats and a negotiated density cap on eventual build out for the Bonanza Mountain Resort Project. This a continuation of the previous discussions and negotiation on the Annexation. Timely review is the principal reason cited by the applicant for returning to the City for discussions; the applicant is unwilling to start the process over.

The City Council met on July 16 and 23 to review the proposed annexation. The Planning Commission and public were invited to attend and participate in both sessions. Additionally, the applicant recently held an open house to explain the project to the public that was attended by about 40 people.

Several components of review remain:
1) Annexation resolution and large scale master plan development (MPD)
2) A development agreement
3) Small scale MPD's for each phase of the development
4) Wasatch County review and approval process
5) Technical plans. Prior to any construction and prior to or concurrent with the first small scale MPD approval, the following must be reviewed and approved:
   - Design Guidelines
   - Detailed Construction Mitigation Plan
   - Mine/Soil Hazard Mitigation Plan
   - Phasing Plans
   - Specific transit plan
   - Specific design of roads and public improvements
   - Access limitation procedures
   - Trail locations, specifications and phasing
   - Detailed Open Space Management Plan
   - Historic Preservation Plan
   - Emergency Response Plan
   - Timing and details of water system development
   - Sewer alignment

The City Council expects to continue the public review process in conjunction with planning commissioners and public who wish to participate until the issues have been addressed to the Council's satisfaction. Eventually, the Council expects to take action on items 1 and 2 from the list above. I f the Council takes an action acceptable to the applicant, then the remaining items will be reviewed by the Planning Commission, CDD staff or Wasatch County, as appropriate.

B. Flagstaff Development Proposal

Development in upper areas of Empire Canyon remains one of the most controversial aspects of the annexation proposal. The exclusion of development from Pods C and D was a major factor in UPCMC's decision not to proceed with the Council's earlier approval. A variety of densities and configurations has been explored with the applicant. To this point the applicant believes that a number lots for large detached homes is necessary for the success of the project. The current proposal is 32 single family homes (10,000 sq. ft. maximum) in Pod D and 6 single family homes (8,000 sq. ft. maximum) along the private road in the vicinity of Pod C.

The overall configuration of development in Empire Canyon and specifically the ratio of attached to detached residential units remains an issue. Generally, tight clusters of relatively high density development has been encouraged over a more dispersed product. A development pattern that supports public transportation and minimally intrudes on the ski experience has been favored. The applicant has concentrated residential and commercial development on a relatively small portion of the property. Still, UPCMC argues that some detached product is necessary to pay for the considerable requirements for investment in infrastructure and public amenities. The current proposal for development in Empire Canyon in addition to the upper areas is 16 single family homes (8,000sq. ft. maximum) on Prospect Ridge, above the 7800 foot elevation; 60 detached, PUD type units averaging 3900 sq. ft. in Pods A and B; 350 multifamily units in Pods A and B (average size 3,000 sq ft); 240 Hotel Rooms or condominium bedrooms in Pod A and B; and a maximum of 75,000 sq. ft. of resort related commercial uses in Pods A and B.

Employee housing is required of annexations. In 1993 and 1995, the City Council adopted policy resolutions regarding employee/affordable housing (see attached Resolutions). The applicant proposes to meet (or exceed) the requirements of Resolution 8-93 by providing 60 employee/affordable housing units as defined by Resolution 8-93 in connection with development in Empire Canyon. UPCMC agrees to put 25% of these units on-site. The balance of the obligation would be provided in one of three ways, at the discretion of the City, by :

1. developing employee housing on the 20 acre "corner parcel"; or
2. donating the corner parcel to the City; or
3. donating the corner parcel to the City and constructing the units on an alternate parcel provided by the City

Additionally, the applicant agrees to provide employee/affordable housing units equal to at least 10% of the residential units eventually approved by Wasatch County.

Recommendation

The staff requests the Planning Commission and City Council to review and discuss the *Points of General Agreement* and the *Outline of Issues* progressing as far as possible during the approximately two hours that are expected to be available on August 6. The discussion is expected to start before the regular session and continue for about an hour after the regular session. Discussions would continue on August 13.

SUMMARY OF IMPACTS TO PARK CITY

	Park City Property Tax Revenues	Sales Tax Revenues	Resort Tax Revenues	Transit Tax Revenues	Franchise Tax Revenues	Business Licenses	Bldg. Permit Fees	Total Revenues	Estimated Leisure Services Cost (1998$)	Estimated Public Safety Cost (1998$)	Building Dept. Costs	Total Annual Costs	Annual Net Revenues
1998	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	16,548	0	0	0	0	0	0	16,548	0	0	0	0	16,548
2000	115,990	16,706	22,275	5,569	20,850	0	208,779	390,169	(45,771)	(61,192)	(208,779)	(315,742)	74,427
2001	236,885	65,498	87,331	21,833	22,935	1,572	293,968	730,022	(50,348)	(67,311)	(293,968)	(411,628)	318,394
2002	357,779	114,290	152,387	38,097	22,935	3,144	293,968	982,601	(50,348)	(67,311)	(293,968)	(411,628)	570,973
2003	484,615	163,083	217,443	54,361	22,935	4,716	298,869	1,246,022	(50,348)	(67,311)	(298,869)	(416,528)	829,493
2004	609,120	211,875	282,499	70,625	22,935	6,288	303,769	1,507,111	(50,348)	(67,311)	(303,769)	(421,429)	1,085,682
2005	726,404	260,667	347,556	86,889	22,935	7,860	284,167	1,736,477	(50,348)	(67,311)	(284,167)	(401,827)	1,334,651
2006	830,693	277,373	369,831	92,458	22,935	7,860	257,734	1,858,883	(50,348)	(67,311)	(257,734)	(375,394)	1,483,489
2007	934,981	294,079	392,106	98,026	22,935	7,860	257,734	2,007,721	(50,348)	(67,311)	(257,734)	(375,394)	1,632,327
2008	1,028,927	310,785	414,381	103,595	22,935	7,860	257,734	2,146,217	(50,348)	(67,311)	(257,734)	(375,394)	1,770,823
2009	1,098,740	327,492	436,656	109,164	18,765	7,860	120,619	2,119,295	(41,194)	(55,073)	(120,619)	(216,886)	1,902,409
2010	1,098,740	327,492	436,656	109,164	0	7,860	0	1,979,911	0	0	0	0	1,979,911
Total	7,539,421	2,369,340	3,159,120	789,780	223,095	62,880	2,577,341	16,720,977	(489,753)	(654,755)	(2,577,341)	(3,721,850)	12,999,126

10

Other Non-Phased Revenues and Expenses

	Revenues	Expenses	Net Impacts
Impact Fees			
Parks	1,925,050	(1,925,050)	0
Police	254,450	(254,450)	0
Roads	202,075	(202,075)	0
Water	922,915	(922,915)	0
Planning	273,750	(273,750)	0
Engineering	1,430,000	(1,430,000)	0
Total	5,008,240	(5,008,240)	0

PARK CITY MUNICIPAL CORPORATION

PARK CITY

1884

CITY COUNCIL HOUSING RESOLUTIONS

ESTABLISHING GUIDELINES AND STANDARDS

Resolution No. 8-95

A RESOLUTION DIRECTING STAFF TO IMPLEMENT A HOUSING ACTION PLAN FOR PARK CITY, UTAH

WHEREAS, the City Council has determined that affordable housing is an important objective of the community; and

WHEREAS, the City Council has determined to strengthen existing affordable housing programs and funding guidelines to provide and encourage the construction of a diverse range of housing units throughout the community; and

WHEREAS, the City Council acknowledges the year long work and dedication of the Housing Advisory Task Force and has incorporated its recommendations on housing strategies for Park City, and;

WHEREAS, the City Council will encourage and facilitate the production of affordable housing units throughout the community but will not directly build affordable housing; and

WHEREAS, the City Council acknowledges that various aspects of the Housing Action Plat may be modified due to fiscal or legal constraints;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City that the following Housing Action Plan be adopted as follows:

SECTION 1. CURRENT IMPLEMENTATION.

- CONTINUE TO OFFER UP TO $5,000 IN FEE WAIVERS AND GRANTS
- MAKE A CONTINUED COMMITMENT TO ALLOCATE AN ANNUAL BUDGET FOR HOUSING
- CONTINUE TO WORK WITH PRIVATE DEVELOPERS AND APPLY FOR STATE AND FEDERAL FUNDS
- SUPPORT SUMMIT COUNTY IN ADOPTING A HOUSING ELEMENT THAT INCLUDES A BROAD CROSS SECTION OF PARTICIPATION AND ALLOWS FOR AFFORDABLE HOUSING RESERVE ZONING DISTRICTS
- UTILIZE EXISTING HOUSING BUDGETS TO:

1. Acquire affordable units for municipal employees for rental, lease, to purchase, or acquisition.

2. Provide municipal employees with mortgage down-payment assistance in the form of low interest equity loans. Promote program to private employers as an example.

3. Develop capacity of non-profit and local low income housing consortiums. Help to create a one-stop housing resource center with rental assistance, tenants' rights and housing market information for use by the community. Possible locations at Miner's Hospital or Library and Education Center.

SECTION 2. DEFINITION. The primary goal of the Housing Action Plan (HAP) is to increase the supply of housing that is affordable to people who live or work in Park City. The HAP outlines a set of goals and describes programs that are designed to meet those goals.

The HAP sets the direction for future work and exploration in the area of affordable housing and in itself does not have any force of law. Each legislative action item will require City Council review and approval prior to its implementation.

The goals have been generally grouped by Council priority but priorities have not been established within groups. Programs will be explored in a sequence to be determined by staff or the City Council. The programs that have the highest probability of producing the greatest results with minimal impact on staff resources will receive preference in implementation.

SECTION 3. HOUSING ACTION PLAN.

NEAR-TERM

1. GOAL: Explore the creation of an Affordable Housing Standard for new commercial development in the City and the existing ski resorts.

2. GOAL: Reactivate the Housing Authority and meet quarterly to review progress and direction of programs and policies. Restructure the Housing Authority as an appointed board instead of the City council and include representation of a Summit County official. Encourage Summit County to adopt a housing element.

3. GOAL: Research and propose for Council review increasing the requirements to provide affordable housing in annexations.

4. GOAL: Consult, cooperate, or contract with non-profit organizations to provide housing services and to enhance their capacity in achieving affordable housing goals.

5. GOAL: Actively involve the other entities suggested by the Task Force (County, ski resorts, etc.) in taking responsibility for affordable housing. Assist the resorts in creating seasonal rental opportunities by encouraging off-season partnerships with the University, Chamber/Bureau, and seasonal municipal employees.

6. GOAL: Research and return to the Council with a plan that would create an affordable housing standard for master planned developments, Chapter 10 and conditional use permits (per Resolution No. 37-91).

7. GOAL: Acquire sites or dedicate City-owned sites for affordable housing projects in cooperation with private developers.

8. GOAL: Explore mechanisms for the financing the acquisition of land for affordable housing sites. Engage public in the process.

9. GOAL: Consider revision to Land Management Code Chapters 10 and 11 to allow the Planning Commission flexibility in reviewing affordable housing projects to consider reductions in open space and parking requirements for resort properties, projects in close proximity to an employment source or other such criteria as specified by the City Council.

LONG-TERM

10. GOAL: Purchase in fee, purchase an interest, or facilitate the purchase of older restricted affordable units and place a deed restriction on utilize housing inventory matrix to track expiration dates on such projects.

11. GOAL: Research and develop a program that would commit additional funds to the Historic District Grant Program earmarked to securing deed restrictions and/or affordability requirements on City assisted rehabilitated units. Expand parameters of current $5,000 per residential unit subsidy to include City-wide rehabilitation projects.

12. GOAL: Explore the creation of an affordable housing standard for all new subdivisions within the City. This standard could be an encouragement of accessory apartments, caretakers' units, deed restrictions, land donation or by producing a like product on site.

13. GOAL: Research how to include new developments that are not in a subdivision, annexation, master planned development, or commercial project into affordable housing solutions. This alternative would more equitably share the costs of providing housing across the entire community.

14. GOAL: Research, pursue, and support new dedicated funding sources for housing at the legislative level like the real estate transfer tax and the restaurant tax. Encourage the

legislature to dedicate permanent funds, not surplus, or discretionary one-time funding for affordable housing programs.

15. GOAL: Educate and disseminate information to the public by conducting an annual housing symposium or in conjunction with a community education program.

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective upon ratification.

PASSED AND ADOPTED this 16th day of March, 1995.

RATIFIED this 30th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Resolution No. 7-95

RESOLUTION REPEALING RESOLUTION NO. 8-93 AND ADOPTING AFFORDABLE HOUSING GUIDELINES AND STANDARDS FOR PARK CITY, UTAH

WHEREAS, the City Council has identified affordable housing as an action target in its work program for 1995 through 1996; and

WHEREAS, the City Council adopted Resolution No. 37-91 on December 5, 1991 which establishes policies to support and increase affordable housing in Park City; and

WHEREAS, it is the determination of this Council that it is in the best interest of the community to formulate guidelines and standards so that there are consistent and established criteria for review of project applications, annexation petitions, resort or ski area expansions, and other development actions where affordable housing is an issue; and

WHEREAS, the Council has considered standards in other resort communities, housing studies conducted for Park City, Housing and Urban Development Standards, and input from the Affordable Housing Task Force;

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

SECTION 1. ADOPTED HOUSING STANDARDS AND GUIDELINES. Resolution No. No. 8-93 is hereby repealed and the adopted housing standards and guidelines shall be as follows:

These standards shall apply to all new and outstanding housing obligations as notified per Resolution No. 6-94. Prior agreements on density or configuration shall take precedence over these standards but all rental rate guidelines and time limitations as described below shall apply:

1. Minimum Unit Size Standards:

Studio	400 square feet
1 bedroom	550 square feet
2 bedroom	700 square feet
3 bedroom	850 square feet
4 bedroom	1,000 square feet

2. Maximum Rent Guidelines:

Studio	$425
1 bedroom	525
2 bedroom	675
3 bedroom	825
4 bedroom	975

Modifications to the maximum rent guidelines and minimum unit standards may be made based upon such factors as housing configuration (detached) provisions of public benefits, such as shared common living areas, or additional project amenities.

The maximum rent guidelines will be adjusted annually in consideration of the Consumer Price Index (CPI) and Park City Rental Surveys.

3. Maximum City Assistance Standard. $5,000 regardless of unit size or configuration.

4. Limitation Period. 40 years minimum regardless of unit size. First right of refusal and/or option to purchase shall be granted to the City. The City shall have 90 days to respond or assign the above-described rights.

This limitation period may be reduced based upon the provision of additional public benefits such as preservation of historic structures as negotiated by the City Council.

5. Requirements for Annexations. Ten percent (10%) of the total project unit equivalent shall be provided as a minimum affordable housing contribution. A two bedroom unit size shall be the minimum standard that will satisfy this requirement. Land donation, or acquisition of off-site, deed-restricted units that meet the minimum standard unit size, shall also satisfy this requirement. The developer may request satisfaction o this obligation through a housing payment that is equivalent to the market cost of construction of a unit.

The strategy for meeting the housing obligation must be specified prior to issuance of final plat approval. Phasing and satisfaction of this obligation shall be described in the annexation agreement for each project. The intent of this Resolution is to ensure that the affordable housing requirement is satisfied in direct proportion to the original sale of lots within the project.

6. Unit Equivalents for Affordable Housing Obligations (Land Management Code, Section 10):

Studio	.50
1 bedroom	.75

2 bedroom	1.00
3 bedroom	1.25
4 bedroom	1.50

7. Guidelines for Affordable Housing Obligations:

Studio	$ 44,000
1 bedroom	55,000
2 bedroom	71,500
3 bedroom	88,000
4 bedroom	104,500

These figures were derived from a recent estimate of the cost of providing a two bedroom unit of affordable housing. These estimates include financing and title costs, land costs, construction costs, and contingency costs. The City Council will reevaluate these figures as market changes occur.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon ratification by the City Council.

PASSED AND ADOPTED this 16th day of March, 1995.

RATIFIED this 30th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

MINUTES

PARK CITY 1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 16, 1998

Present: Mayor Brad Olch; Council members Roger Harlan; Shauna Kerr; Chuck Klingenstein; and Paul Sincock

Toby Ross, City Manager; Mark Harrington, Deputy City Attorney; Tom Bakaly, Finance Manager; and Hope Bleecker, Transportation Director

Joanna Charnes, Arts Council Director

Absent: Hugh Daniels

1. **Council questions and comments.** Roger Harlan commented on the effectiveness of the green pedestrian signs on Bonanza Drive. Paul Sincock pointed out two intersections in Park Meadows where visibility is poor because of weeds on vacant lots. Mark Harrington explained the noxious weed ordinance which is handled on a complaint basis. Mr. Sincock reported on a skateboard facility in Steamboat Springs which is about 100 feet x 200 feet and described the design of the ramps and half pipes. When the facility is not supervised the ramps are chained; it is free and safety equipment is required. This was a simple project accomplished by the City, the Chamber/Bureau and volunteers. He suggested that this may be a good project for the south end of City Park. Ms. Kerr stated that she received call from Carol Frankenberger and agreed with her about the conflicts of turning the shuffle board court into a skateboard area as it would be too close to the playground. She encouraged the Council to participate in the City's golf tournaments and suggested inviting all board and commission members. Ms. Kerr discussed the new green pedestrian signs and noted that the improved visibility at night is dramatic. The hanging baskets and gardens throughout town look great. She added that she received requests to name a portion of 5th Street between Park Avenue to Main Street, "Trapper Way" in memory of Harold "Trapper" Horan. Myles Rademan invited Council to a luncheon with delegates from Japan next Thursday. He reported on the Leadership 2000 program.

2. **Grant requests - Park City Arts Council.** Tom Bakaly referred to the recommendation from the Arts Council Grant Committee for disbursement of funds. The Council subcommittee met forwards a positive recommendation. Roger Harlan, subcommittee member, mentioned that a couple questions have surfaced about the Park City Singers that need to be investigated. He encouraged Council to approve all other grants. Joanna Charnes explained that there are nine members on their grants committee. Council members expressed their appreciation of the efforts of the grants committee. Ms. Charnes noted that the mandate of every committee member is to consider highest and best use for the cultural arts from taxpayers dollars. Chuck

Klingenstein referred to leveraging funding between the public and private sectors and Ms. Charnes stated that the Arts Council is funded equally between the County, the City, and private donations.

3. Review of regular meeting:

Contract - Leigh, Scott and Cleary. Chuck Klingenstein asked if there would be a transportation element/circulation analysis or is it strictly transit operation systems. Hope Bleecker responded that a transportation element was prepared for the General Plan. She discussed receiving drawings from Frederic Harris. In response to a question from Roger Harlan regarding a completion date, Ms. Bleecker explained that it is largely dependent on her review of all of the text documents from Harris. A final draft will probably be available in six to eight weeks.

Empire Canyon. Paul Sincock hoped that comments would focus on the changes from the annexation approval and the current proposal, rather than general comments of being for or against the project. Ms. Seltenrich stated she will identify key issues for discussion.

See regular meeting minutes.

Prepared by Janet M. Scott

PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 16, 1998

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, July 16, 1998. Members in attendance were Brad Olch, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Hugh Daniels was excused. Staff present were Toby Ross, City Manager; and Derek Satchell, Planner

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Nora Seltenrich pointed out that there will be a joint meeting with the Planning Commission and Historic District Commission to discuss downtown transit alternatives with Scott, Leigh & Cleary. She also encouraged the public to attend a mapping workshop sponsored by Envision Utah on Monday, July 27 at the high school.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 18, 1998

Chuck Klingenstein disclosed that he was not in attendance and will be abstaining from voting. The Mayor requested a motion to approve. Shauna Kerr, "I so move". Paul Sincock seconded. Motion carried.

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

V PUBLIC HEARING

Ordinance approving the 334 Woodside Avenue Replat, a plat amendment to the Park City Survey Lots 22, 23 and the south half of Lot 21 in Block 3 of the Park City Survey located at 334 Woodside Avenue, Park City, Utah - Derek Satchell explained that this application is to combine two and a half lots into two parcels to accommodate two future single family homes. The Planning Commission reviewed the plat amendment and forwards a positive recommendation to the City Council as does staff. With no questions or comments from the Council or the public, the public hearing was closed.

VI CONSENT AGENDA

Ordinance approving the 334 Woodside Avenue Replat, a plat amendment to the Park City Survey Lots 22, 23 and the south half of Lot 21 in Block 3 of the Park City Survey located at 334 Woodside Avenue, Park City, Utah - See staff report and public hearing. The Mayor requested a motion to approve. Shauna Kerr, "I so move". Chuck Klingenstein seconded. Motion carried.

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

VII NEW BUSINESS

Authorization to staff to enter into a contract with Leigh, Scott, and Cleary, Inc. to provide transportation planning services in an amount not to exceed $75,000 - See staff report and work session notes. Chuck Klingenstein discussed the importance of the consultant providing a transportation element and this will be accomplished to accommodate the next phase of the General Plan. Chuck Klingenstein, "I move to authorize the staff to enter into a contract with Leigh, Scott and Cleary to provide transportation planning services in an amount not to exceed $75,000". Roger Harlan seconded. Motion carried.

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

VIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a joint work session with the Planning Commission on Empire Canyon convened..

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

Prepared by Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY
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PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 16, 1998

JOINT WORK SESSION WITH PLANNING COMMISSION

Present: Mayor Brad Olch; Council members Roger Harlan; Shauna Kerr; Chuck Klingenstein; and Paul Sincock

Planning Commission members Chris Larson, Fred Jones, Karri Hays, Jim Hier; and Michael O'Hara

Toby Ross, City Manager; Nora Shepard, Special Project Manager

Hank Rothwell, United Park City Mines (UPCM)

Absent: City Councilman Hugh Daniels; Planning Commissioners Bruce Erickson and Diane Zimney

EMPIRE CANYON ANNEXATION

The Mayor announced that there will be a public input session and everyone will have an opportunity to speak. Ms. Shepard described the order of tonight's presentations. She stated that she will compare the features of each application; Mr. Rothwell will make a presentation, and questions from the Council and the Planning Commission will be solicited. There will be an opportunity for public input and it is hoped that the Commission and Council will provide direction to staff.

Ms. Shepard explained that the petition for annexation occurred in June 1994. The Planning Commission held numerous work sessions and there were a number of public hearings. The application was substantially revised in June 1995 and there were a series of public hearings that were very well attended. The applicant also held informational meetings. On March 26, 1997, the Planning Commission made a recommendation to the City Council. The City Council held work sessions, a well attended public hearing, and adopted a resolution of intent to annex on May 10, 1997. This set forth conditions under which they would consider annexation of the Flagstaff development. Ms. Shepard continued that UPCM then chose not to move forward with the annexation with the City and pursued applications already on file with both Summit and Wasatch Counties. On July 8, 1998, UPCM requested reconsideration.

Nora Shepard stated there are a number of common elements in the development applications which include road and transit improvements, construction mitigation, extensive trails and open space plans, ski expansion, and a 10% employee housing requirements. The Planning Commission approved 600 to 750 unit equivalents, up to 100 single family dwellings in Pod D, and the balance of the development would have to occur in Pods A and B. The Planning Commission also recommended that a real estate transfer fee be included and restricted access and utilities so that year-round access to Wasatch County and Brighton was not a part of the application. They also recommended no residential development in the Bonanza Flats area.

The City Council approved 750 unit equivalents only in Pods A and B, no development in Pod D, and up to 20% single family. She explained that the City Council also redefined a unit equivalent to translate to 2,000 square feet as one unit equivalent. The City Council believed that no residential in Bonanza Flats is appropriate; supported restricted access and utilities, and the real estate transfer fee.

Ms. Shepard clarified that there is an application with Wasatch County for Bonanza Flats and an application with Summit County for Empire Canyon. Current applications total 1,120 units, 460 of which are in the Bonanza Flats area. There are no limitations on limiting access and Wasatch County would require road access there to be improved and paved. New sewer and water would have to be developed in Wasatch County and there would be no real estate development fee. Neither of the Counties have a unit equivalent formula or limitation on unit size, which may result in more units being built. She explained that the Richardson Flats amenities were being discussed with Summit County as part their current development permit process.

Hank Rothwell, UPCM, stated that during the past year they have listened to a lot of input and suggestions. They heard the City say that it was a mistake to break off negotiations and watch the Counties deal with the Canyons application and Jordanelle Master Plan. They have met with CARG over planning and process issues, and have listened to Summit County who has asked them to make one last attempt to resolve the application with the City. He added that they have listened to Park City's concerns over the growth inducing impacts of the Bonanza Mountain Resort development plans. The Wasatch County development would supply sewer and year-round access to over 500 potential home sites on adjoining property. He continued that they have listened to the Counties about potential positive impacts on the Counties and potentially the City. They have listened to repeated requests to adopt European solutions for traffic mitigation. His shareholders ask when this process is going to be resolved and he added that the City's ability to respond quickly is the "carrot" for the applicant.

Mr. Rothwell pointed out that incentives for the City include the ability to control future impact from development on the City's southern boundary. There is also the ability to guarantee the quality of their development and benefit financially from the project. He explained that the recreation open space currently being offered to others include 85% of 3,500 acres as permanent recreational open space. This is 3,000 acres where there will be no future housing. There is over 100 acres on Iron Mountain which is highly visible in the entry corridor and over one square mile on the other entry corridor that will be forever open. Public access to golf is anticipated at the intersection of SR224 and US40. There is a proposed gondola link which was a City request. As a response to input from CARG, they have dropped requested densities by over 30% and are committing to over 3,750 acres of recreational open space with third party deed restrictions. Mr. Rothwell relayed that discussions with City staff have been strained and difficult. This is not a United Park proposal, but the result of hours of negotiation with staff who has invested years in the process. He urged Council to give this negotiation the attention it deserves.

Ms. Shepard discussed focusing on the issues and staff obtaining direction from the Planning Commission and City Council. She explained that if the application went through the Counties, access would be on improved on SR224 as well as Pine Creek Canyon Road down to Midway. Wasatch County has requested that this road be a paved year-round road. The City has always been concerned about this as it would serve the Bonanza Flats area and other existing properties in the area and hasten development. In addition, it would increase the potential for through traffic. If this project goes forward with an annexation, the access to the Bonanza development would be a private road with limited access from the City only. She stated that most of the existing SR224 and Pine Creek Canyon Road would remain unimproved. There would be emergency access in the summer and seasonal use, not winter use. Ms. Shepard felt this is key in controlling our future. If this project were to develop separately in Wasatch and Summit Counties, it is likely that a new water and sewer system would be developed and sized to serve other developments on adjacent parcels. This would induce growth in those areas who would have access to Park City with no tax benefit, but impacts. She continued that as a part of our annexation negotiations, the City would require water serve from the City and sewer service to the Snyderville Basin SID, which would require an annexation to the District.

Previously, the City Council indicated that development on the lower mountain in Pods A and B is acceptable, and no development in Pod D. There is no residential development proposed in the Bonanza Flats area. As a proposed now, there are 35 single family lots proposed in Pod D and 260 in the Bonanza Flats area. Ms. Shepard added that the application with Wasatch County is about 460 lots. The Planning Commission and Council should discuss whether these densities are acceptable in these locations and in consideration of the trade-offs, including recreation amenities in Richardson Flats and the gondola. The Summit County development code is fairly new and processing this application there is an unknown; it has processed only a portion of the Canyon's application. Wasatch County is interested in the tax base of second homes. With regard to open space, the ski area expansion has always been a part of this application and this will be deed restricted. She explained that a new proposal is recreational amenities at Richardson Flats. This is a large piece of property at one of the City's entry corridors and could accommodate a number of recreation opportunities. Ms. Shepard stated it could be playing fields, golf courses, or special event area. Whether this land is annexed to the City and becomes part of the City's programs or occurs within the Snyderville Basin Recreation District is not critical; the City still feels these are important amenities to the community as a whole. She explained that the gondola was the City's idea to look

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at alternate forms of transportation. UPCM completed a mass transit study with various alternatives three years ago and it looked like it would be a costly $10 million. The technology has changed enough that it is more affordable to install a gondola. She emphasized that whether the gondola will reduce vehicle trips to actually mitigate traffic needs to be considered. Ms. Shepard referred to a letter from Historic District Commissioner Jim Petrie raising concerns about the appropriateness of a gondola operating from Old Town. She illustrated several designs of gondola terminals and invited questions from the Commission and the Council.

Planning Commissioner Karri Hays asked if UPCM is involved in litigation with Summit County over water and if the application in Wasatch has been approved. Ms. Shepard indicated that she doesn't know anything about a lawsuit, and understood that UPCM's plans have not been approved but are under review. There was discussion about the status of the Canyons and adjacent property owner's applications. Roger Harlan asked if there are examples in North America of transporting people to a resort by gondola. The Mayor referred to Telluride's gondola and added gondolas are prevalent in Europe. Ms. Shepard stated that if there is a gondola, some sort of support shuttle system between Silver Lake Village and the other areas of Empire would be critical, otherwise it wouldn't work. She questioned the effectiveness of a gondola with single family home owners. Another component of concern is the way the gondola would work as it would go to Pod A where there is a ski lift, but it is not a major ski node. Paul Sincock suggested restricting traffic above to induce using the gondola. Ms. Kerr interjected that the Mine Road would be problematic because it is a state road, but there could be limited access on a private road. Paul Sincock believes that SR224 will eventually be a City road. Commissioner Larson responded that it is contingent on our control of SR224. Nora Shepard clarified that much of SR224 will remain unimproved and the development would be served by a private road that would probably be gated. Although the City is not particularly in favor of gated communities, the advantage is limiting access which reduces vehicle trips. This is harder to do with single family and detached condo units than with a lodge. She emphasized that even if the City takes over SR224, it doesn't necessarily mean it could be closed because of historic use. Ms. Kerr discussed the importance of marketing the gondola and suggested decreasing the parking requirements for the project so there isn't a place for a car. Ms. Shepard felt this is a good point; it works well for a multi-family lodge type projects, but it doesn't work for single family or detached PUD units with garages.

Commissioner Fred Jones understood that with this revised proposal, Bonanza Flats remains in Wasatch County and won't be annexed. Ms. Shepard stated that annexation of that area is not being discussed; this area would be serviced by a private road with no through connection. He asked how this would be serviced by Wasatch County. Nora Shepard expressed that she doesn't know at this point, but hopes that whether or not Bonanza is annexed into the City, Wasatch and the City would be able to negotiate service arrangements that would practically serve people. In response to a question from Commissioner Hays, Ms. Shepard explained that a portion of the Richardson Flats site has been considered as a nomination for a Superfund site. UPCM and EPA are negotiating a remediation plan; there is also a portion that is wetlands. There would be a condition that UPCM and EPA agree on a mediation and reclamation plan and UPCM would be responsible for this. Ms. Hays felt that it may be premature to use density numbers from the Counties when there haven't been any approvals. Ms. Shepard explained that the numbers are what Mr. Rothwell has applied for.

Jim Hier disclosed that the firm where he was previously employed performed some work for UPCM. He is no longer with this firm and doesn't consider it a conflict of interest. He felt that the letter from Jim Petrie brings import to the gondola issue and consideration of its location is critical to its success. Putting it in Swede Alley may exacerbate some of the problems in Swede Alley while putting it in Snow Park where there is parking may be a good idea. In response to a question from Mr. Hier about Bonanza Flats, Ms. Shepard explained the application in Wasatch is for 350 multi-family, 75 hotel rooms, and 65 single family, for a total of 490 units. During the City's negotiations, UPCM has agreed to reduce that number to about 260 units of which 160 would be single family and the balance would be multi-family and hotel rooms. Chuck Klingenstein discussed the Wasatch County application which would include paving Pine Creek Canyon Road and discussed the unit configuration for a golf and ski village concept which would take up about 120 acres of the Bonanza Flats area. Nora Shepard explained that if Empire Canyon is developed in Park City because of an annexation, Bonanza Flats would be served year-round by a private road that would serve the development in Bonanza Flats, not by the improvement of SR224. If this development is processed in the Counties, Pine Creek Canyon Road would be improved for year-round access. Mr. Klingenstein discussed the creation of special service districts for services. Ms. Shepard stated that Pine Creek Canyon Road could eventually be improved in the future, but it should not be a part of this approval now. It was explained that UPCM would be responsible for the improvements to Pine Creek Canyon Road. Ms. Shepard pointed out that construction access would be addressed in a construction mitigation plan. Chuck Klingenstein expressed his concern that adjacent property owners would be afforded the potential for development, and described UPCM as the "proverbial 800 lb. gorilla". Road access is a concern of his as it has been projected that 75% of all of the traffic impacts from Bonanza Flats will come into Park City; 25% will go into Midway and Wasatch County.

In response to a question from Mayor Olch, Ms. Shepard explained that if the City proceeds with the annexation of Empire Canyon, then limited access to Bonanza Flats via a private road and not improving Pine Creek Canyon Road occurs. She added that when the traffic studies were performed for Flagstaff, the level of densities were about the same. Mr. Harlan discussed a moratorium in place in Brighton because of sewer problems. Ms. Shepard explained that the proposal would not necessarily solve their problems. Paul Sincock stated that if Park City gets all of the impacts, the City should seriously consider annexing that area. As UPCM develops its property, there will be pressure on other land owners to develop their properties and this is the only realistic way to control access to Park City. Ms. Kerr agreed this is a real concern, but unless the City Council can meet with the Wasatch County Commissioners, she doesn't want to discuss this. Ms. Shepard pointed out the negotiations with the City and Wasatch County on Deer Crest, and added that the reason the City would propose annexing is not to "land grab", but to deal with impacts of development.

The Mayor stated that the Council is interested in hearing how the public feels about the changes from last year's proposal and asked that comments focus on new information. (Many comments could not be deciphered on the tape because of a deficiency with the podium microphone*. Some speakers could be heard more clearly than others.)

Bill Coleman, resident, thanked the Council for reconsidering this annexation and felt there is a window of opportunity here. There will be impacts but also benefits and this proposal is far superior. Pod D drops by 2/3rds and this is a huge benefit. He felt details can be solved.

*Dana Williams, resident and CARG member, stated that a smaller private road would definitely minimize impacts. If the day lodge is built in Pod D, the gondola should be routed there.

*Liz Hoey, resident and CARG member, urged Council not to rush through the process. With the information available, there should be sufficient time to make a good decision. The public would like time to comment on the proposal. She questioned if the open space is a good trade off for density and many questions need to be answered.

Dave Stahley, resident and CARG member, stated that this decision will be the legacy of this Council. He added that the public's input is based on principles which are based on values which reflect the values of the community. The City should incorporate some features from Summit County's General Plan and the matrix used last year for Flagstaff was a useful tool. He felt that the City Council did a good job of finding a compromise. Smaller is generally better. He questioned the need for bed base in Daly (Empire) Canyon as there are expansions at Park City Mountain Resort and Deer Valley, the Canyons and other condo projects. CARG estimated that 2,000 units are approved but unbuilt at this point. The need for bed base should be closely examined and should the bed base be built in one of our most pristine canyons. Clustering development results in less impacts. He emphasized that just because a development is not seen, doesn't mean it has no impacts. Mitigating traffic should be required; the gondola needs to be effective. He reiterated that the guidelines of the Summit County General Plan and the Sensitive Lands Ordinance should be used; the City should maintain a strong stance on open space, trail access, revegetation, and wildlife protection.

Cheryl Fox, CARG member and resident, stated that last year's approvals for Pods A and B were fairly dense but the road would not go past Pod B. Bonanza Flats would remain undeveloped. The 750 units were based on the following conditions: 250 units for no development in Bonanza Flats, 100 units for restricting access to Bonanza Flats to the unannexed areas; and 210 for confining all development to the lower parts of the mountain. The current proposal meets none of these requirements, therefore the City could begin density considerations at about 190 units. The City should clarify what it wants. UPCM has told them that the multi-family in Pods A and B are there because the City wants them, but the citizens want as little as possible in Empire Canyon. She suggested that the developer chose between single family or multi-family. If UPCM needs single family to make the project work, the City should find places where it can go without the unacceptable impacts in Pod D. Ms. Fox continued that the City should articulate better its fear of improvements to the road. Any density in Bonanza should come out of the density that would have been approved for Empire Canyon. The City did not want development in Pod D. It didn't conform with the community's values last year and those principles have not changed. She suggested that single family go in Pods A and B or around the golf course. In return for deed restricting the majority of land on Bonanza Flats, some additional density could be considered. Minimal additional density could be considered in order to limit access to the rest of Bonanza Flats but there is a benefit to the developer by not having to construct an $8 million road. She added that everyone wants this development to occur in the City limits. She criticized the process last year, where there wasn't enough time for them to have discussions with the developer. We cannot sacrifice our principles out of fear. Last year, we were afraid that Summit County would approve a vast development and leave Park City to deal with the impacts. The City Council held to its principles and those fears were proven unfounded. Now, there is the fear of the mass of people driving over from Wasatch County. She questioned if that is really a bad thing. Planning out of fear does not create positive legacies. She would love to have UPCM outline their principles in the form of a proposal; if UPCM continues to plan without the community's values then it will never fit in the City limits.

*Brian Burr emphasized that Park City is a resort community and felt that improved infrastructure and a gondola will help the community. He urged the City Council to work with UPCM so all issues can be resolved. He stated that CARG members have referred to representing the community's interests, but they are CARG's interests.

*Mac MacQuoid, resident and member of the Historic District Commission, stated that Summit County is the fastest growing county in the country. Growth is impacting the School District, and this project is a great opportunity for the City to work with UPCM. Pod D is really not that visible. He referred to the tax dollars received from the second home development which would benefit the School District without adverse impacts. He noted that the letter from Commissioner Jim Petrie represents his personal views and not those of the HDC. The HDC has not made a formal recommendation regarding the gondola.

*George Hansen, Midway citizen, emphasized that Council's action will result in a legacy. Everything should be done in perpetuity so that it is binding on everyone's successors. Mr. Hansen believed the agricultural uses in Midway will change and properties will be developed. He warned against ancillary development. Brighton Estates has 400 lots, Midway Reservoir has 600 acres which could be developed as campgrounds, there are 20 different land owners disbursed throughout the Basin, a large parcel to the east toward Deer Valley, and Salt Lake County. None of these areas can develop without the UPCM project. Wasatch County wants to use this "atomic bomb" to solve their problems in Brighton Estates.

De Fisher, resident, feared that UPCM offering open space may result in too much density, especially in consideration of Richardson Flats being a Superfund site. She felt Council should not consider this unless it is in the "driver's seat" for the entire project, including Bonanza Flats and other adjacent properties. Wasatch, Summit, and Salt Lake Counties may change their minds. The only way this will work is if all approvals are granted at one time and everything is under the auspices of Park City.

*John Roberts relayed that the process could go on forever. This is a significant opportunity for the town. There are economic interests and there will be less impact to this town if the City has control. This will benefit the School District . The proposed land swap has great potential for recreational use and revenue to the City.

Carol Agle, resident, noted that she has hiked and biked on the property for years. The land is so beautiful that that is why this is an emotional issue. She believes that people are accepting now that development is going to happen there and the land is going to change. We would feel better if it is done in partnership with UPCM and the City and not with the Counties. She wants as much open space as possible and urged the Council to minimize pavement. Some of the worst travesties has been caused because of City requirements for huge amounts of pavement. There could be private roads that don't have to conform with DOT standards to keep the roads minimized and keep as much open space as possible.

Ann MacQuoid, resident, stated that she has not seen the annexation proposal for Deer Crest, but it is interesting that it received all of its approvals in Wasatch County and is now asking to be annexed. She understood that it is not good policy to annex property that is already developed, to ensure control of the development. It was easier for Deer Crest to gain approvals in Wasatch County; the process interesting and she fully understands why Deer Crest now would like to be annexed into the City. She urged the City to annex Empire Canyon now, rather than later. She liked Ms. Agle's narrow road suggestion and the gondola but is not supportive of a round-about, because they are so confusing.

*Ed Brophy, resident, understood that you can't quantify or put a dollar amount on the beauty of our mountains or open space. He would like to know the economics associated with these various things, and asked if an analysis would be performed. Chuck Klingenstein clarified that UPCM has performed a fiscal impact analysis and marketing study which are available to the public in the Planning Department.

Will Lange, resident, stated that the development of Flagstaff and Bonanza Flats is inevitable. The City will have control if it annexes it and there will be an economic benefit.

Steve Hooker, Main Street Association, explained that the issues members are concerned about with relation to the gondola is parking and that it be free like the bus system. They are curious about hours of operation. It would be desirable to have this a part of the transit center. This is a resort community and this annexation probably should have taken place two years ago.

Patrick Patterson, resident of Summit County, would like lower taxes but would prefer that the City benefit from tax revenues because of its control of development. He cautioned the City to move carefully. The developer would like the process to move quickly. The Canyons has been a good example in Summit County by being open to resident input and willing to meet with people during the negotiation process. He urged Council to continue to work with Mr. Rothwell.

Ann Critchfield, CARG member and resident, stated that she doesn't not see the benefit of a golf course. Second homes turn into single family residences which impact schools. The process has gone on a long time because there has been no compromise on UPCM's part. She suggested that another public hearing be held.

Bob Powers, resident, emphasized that this property will be developed and described the process as the "1999 world champion development poker game". Development is going to happen and it is better that we do it, have control, and receive the revenue.

*Joe Morgan, Midway resident, raised concerns about the traffic impacts on Royal Street and Marsac Avenue and questioned the effectiveness of the gondola.

The Mayor thanked the public for attending, and UPCM for coming back to the City as there is another opportunity to look at the project. As people have mentioned, this is going to be developed, and the real question is who is going to control the development. Last year he felt and still feels that the development should occur in Park City. Today, there are no easy decisions and the City Council takes its job seriously. The County Commissioners are honorable people and they want to do what is right, but they don't know this town like the City Council. He asked Hank Rothwell to take another look at the density or reconfiguration of density in Bonanza.

Chuck Klingenstein thanked the residents of Park City, Midway, CARG, and UPCM. The boundaries of Park City are private property and the City has worked with owners to buy property, or allowing development to occur to meet City objectives. Hopefully, when the Salt Lake Metropolitan Region develops within the next 20 years, Park City will still be distinct. He feels this parcel of land clearly defines Park City's southern boundary and is glad this application is back. Mr. Klingenstein felt there are too many single family lots. UPCM has an undivided interest with State Parks in a parcel of land which fits well in the state parks so that it is not part of a future development. There are 600 acres for active recreation in Richardson Flats; 100 acres of which require remediation. He pointed out that under federal law, the responsibility of contaminated soil belongs to the property owners and not the political jurisdiction. He has a great desire to see a public golf course on the site and suggested using Restaurant Tax grant money so that tee times could be blocked out for the public using this money. He is interested in looking at the annexation of that total area so it ties into Park City's open space goals and objectives. The third party deed restrictions on all open spaces are a good assurance and the 100 acres on Iron Mountain ties into the open space work concerning White Pine Canyon. He supports the gondola as an alternate transportation system; it may not work entirely in the first year but it took 50 years to get dependent on automobiles, and it may take a while to change. There should be an analysis of how the gondola would fit in Old Town. The Telluride system comes in on the edge of town and it links density and for the gondola just to go to Pod A doesn't seem efficient. There should be more linking of the density in Pods A, B and Silver Lake. He relayed that Deer Valley is interested in participating with the operation of a gondola. There may be merit to narrower roads, but there may be legal requirements. With regard to Bonanza Flats, he would like to have discussions with Wasatch County. The road is an issue for him and he discussed the legal battle over historic Heber Avenue, which was worth fighting for. Two roads into Park City work quite well and he does not support a third entry corridor.

Fred Jones feels that the annexation belongs in the City. He felt it necessary to explain the Planning Commission recommendation which was forwarded last year as he didn't feel it was clearly understood. The Planning Commission had a different outlook than CARG or others in the City and one of the driving forces of that plan was to preclude a transportation link into Wasatch County for many reasons discussed tonight. He still feels that is an extremely important element of what happens here. Mr. Jones stated that he is concerned about the traffic, which was debated at length and not solved. The Planning Commission trade-off was for single family on the upper mountain, which he believes is still reasonable. This new proposal is vastly different as now there are 214 single family residences being proposed in the upper areas where they started with 100. He would have a hard time understanding how CARG could support that increase, but does support concentration of development in the lower portions of Flagstaff and less above. Regardless of the talk of private roads, if there are 490 residences there, sooner not later, Pine Creek Canyon will be developed. He is unsure how the gondola fits in Old Town, but to be valid it has to take people where they want to go and that is in the heart of Old Town somewhere.

Shauna Kerr thanked the UPCM team for being back at the table and appreciated the tone of the meeting. The open space at Richardson Flats is significant and it could accommodate golf courses, equestrian center, and/or fields which are needed. Although the gondola may seem silly in 1998 it may be viewed as brilliant in 2010 and beyond as futuristic methods of transportation in a mountain environment need to be used rather than relying on vehicles. She appreciated Ms. Agle's comments about diminished road standards which was a concern of hers with Pod D. She is concerned about the number of single family residences in this application versus multi-family. If the gondola has any opportunity for success, the development needs to be clustered and more multi-family and it is easier to market the gondola with these types of properties. She still does not support any density in Pod D as it is not an appropriate location for development. She is encouraged with the meeting today; the additions to the proposal are significant and it is important to develop this in the City. It is important to limit roads and utilities, particularly in the areas of Bonanza and Pod D.

The Mayor asked about the time frame of the process. Hank Rothwell responded that he is reluctant to set an arbitrary date, but at the same time he would like the opportunity to work with staff to resolve outstanding issues and bring those recommendation back to Council. Ms. Shepard relayed that the next available meeting City Council can discuss this is August 6.

Karri Hays believes something like the gondola in Telluride could work and could be attractive. She is concerned about the Richardson Flats area and its remediation and didn't view a private golf course as a benefit to the community. She pointed out that 60 affordable housing units is less than the 10% requirement. Nora Shepard explained that UPCM has always agreed to 10%. The numbers are not yet firm and this was one way of calculating unit equivalents. Wasatch County has a similar requirement. Ms. Hays emphasized that comments relating to tax revenue benefits to the School District are inaccurate. Property taxes go into an equalization fund which is spread out throughout the state, and they don't necessarily go to Park City School District. She cautioned people not to expect that these huge homes are going to create tax dollars for our schools. Wasatch County needs to be involved in this process. She was concerned about the new trails in Empire Canyon which all lead into large construction sites. The trails need to be detoured for safety reasons, and this should be addressed in the construction mitigation plan. Ms. Hays understood that UPCM is giving the ski run property to Deer Valley and requested that legal staff review the documents so that future development by Deer Valley Resort is clearly precluded. She read excerpts from the General Plan regarding community character and the joint policies planning elements encouraging a range of housing opportunities in annexations. She questioned if this project meets that criteria; there is discussion of closing roads and this is looking like a gated community. This area is really only accessible to a small percentage of the nation and she questioned if it provides a good mix of housing.

Commissioner Chris Larson thanked the City Council and UPCM for this meeting. Everyone is aware of how the impacts from Bonanza Flats and Empire Canyon accrue to Park City and we need to have control over that. If the Council wants to have Planning Commission involvement, there needs to be clear direction on what that would be and buy-in on the Commission's level is important as it will take action on the subsequent MPD. He felt the gondola is a great concept but didn't believe that it will contribute much to traffic mitigation and it won't mitigate construction traffic at all, which is a far bigger issue. There should be collaborative evidence that we're not wasting the applicant's money. The density should be something between the City Council approval and the Planning Commission approval after being corrected for the transfer from Bonanza Flats. There is an appearance on the surface that the applicant is sort of "double-dipping" Bonanza Flats. The density is contingent on access limitations and there should be assurances that this doesn't turn into a corridor into Wasatch County or Brighton and there be as tight a boundary around this as possible. Mr. Larson continued that he didn't view Iron Mountain as an important consideration at this point in time. If it is annexed to the City, it would be subject to the Sensitive Lands Ordinance and if it is in the County, the City has no control over it. Richardson Flats is a positive community benefit, both from a recreation perspective and from an employee housing perspective, and agreed with Ms. Hays that a significant portion of the employee housing is on site and 10% is minimum. Single-family is going to be an issue, and he liked the mix the City Council approved earlier; single-family is not appropriate for this development. However, there can be a case made for the single-family in Pod D recommended by the Planning Commission last year from a visibility perspective and if Bonanza Flats is part of this mix, then it is a contiguous corridor. Mr. Larson stated that he has been vehemently opposed to Pod C and remains so.

Michael O'Hara stated there is consensus regarding reconsideration of the annexation. The Planning Commission started with about 750 units maximum on density, but weren't looking at the additional open space which needs to be studied. He still feels Pod D is an appropriate place for some single family homes; the development will not be seen, although there will be impacts from roads and utilities. The gondola is an interesting idea and agreed with Ms. Kerr that over time, it will be a landmark in Park City. He is concerned about the parking associated with Main Street and Swede Alley. Another issue is if it is free. He strongly agreed with Commissioner Jones that we don't want any kind of linkage between Bonanza and growth into the Wasatch County area. Mr. O'Hara understood that the deeds would not be transferred to the ownership of the City for Richardson Flats. The City would not have any liability financially or environmentally for any kind of remediation.

Commissioner Jim Hier stated that he has spent a lot of time in Telluride and the purpose of the gondola there is to bring people from the mountain village to the town not to get people up to the mountain village. There is no significant parking around the gondola and it is designed to get people to come to town to shop, and the Telluride gondola is not a good comparison. He assumed that the third party restriction on development would be handled by an agency like Utah Open Lands and not an independent party. He supports this and the annexation as the City should be able to control its growth. He agreed with Mr. Jones about not opening the corridor to Wasatch County because of the traffic impacts on Marsac Avenue. The construction traffic is going to be far worse, which needs to be seriously addressed with a strong plan.

Paul Sincock believes that this process is just a continuation of the one a year ago. He believes the City can conclude on this faster than the Counties because of three years of knowledge on the project. Cities are different than counties in that cities grant more density and provide more services and the idea of using a county matrix is interesting and useful. The total density has not bothered him, but rather the total square footage of construction and traffic impacts. He is confident that an effective construction mitigation plan can be formulated. Bonanza Flats is a big concern and he doesn't know the phasing of the development which may be several years and there should be discussions with Wasatch County about annexation to the City. The City is in the process of negotiating services and property taxes with Wasatch County regarding Deer Crest. Mr. Sincock added that this is a resort area between two ski areas, allowing the potential to connect them.

Resort bed base would be the highest and best use. He doesn't mind some single family but has concerns about the density in Bonanza Flats. No development on Pod D was a "deal breaker" last year. He discussed the marketability of large lots like the Colony, and would like UPCM to consider fewer units on larger properties in the area. He pointed out the success of gondolas in Europe and in the future this gondola may work as an alternative transportation system. The day will come when people will arrive in Salt Lake and meet their bags in the lobby of their hotel rooms. This is being done is some cities and Park City needs to be on the forefront. He is not quite sure what is on the table for Richardson Flats, and would like to see at least one public golf course there. He doesn't care as much if it is annexed, as long as it is done right as an amenity to the community.

Roger Harlan felt that the reconsideration of the annexation is a good thing because the City Council, Planning Commission and public realize that the City should participate in the value that would naturally accrue to the City as opposed to it remaining outside of our boundaries. The addition of density in Bonanza is coupled with an interesting idea. He discussed the potential of using a gondola as a transit system rather than just moving skiers on the mountain, and appreciates the challenge of exploring this as best we can. As a member of the Parks and Recreation Board, he relayed that a recent survey indicated the popularity of golf and the demand for fields. Mr. Harlan felt the City should move ahead expeditiously, but not too fast, and there has to be a balance. Lastly, he didn't believe that it will be a good experience in Pod D when a skier skis past homes similar to those he left in Beverly Hills. All of a sudden, you're skiing past Rodeo Drive, which doesn't enhance the skiing experience.

With no further comments, the Mayor asked if staff has sufficient direction to proceed. Nora Shepard stated that staff will meet with Mr. Rothwell next week as there are a number of issues to resolve and bring back to this group. The Mayor thanked the Planning Commission for attending and its input and emphasized the importance of the inclusion of Commission members in all work session and meetings.

Prepared by Janet M. Scott

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 23, 1998

Present: Council members Hugh Daniels Roger Harlan; Shauna Kerr; Chuck Klingenstein; and Paul Sincock

Toby Ross, City Manager; Myles Rademan, Public Affairs Director; Nora Shepard, Special Projects Manager; Hope Bleecker, Transportation Director

Liz Josephson, planner for UPCM; Hank Rothwell, UPCM; Stan Christensen and Dana Williams, CARG; Gordon Shaw, Leigh, Scott & Cleary; Don Ensin, Design Workshop; Melanie Werling, Mac MacQuoid, and Linda McReynolds, Historic District Commission

Absent: Mayor Brad Olch

1. **Council questions and comments.** Hugh Daniels discussed a challenge grant with KPCW; Council decided to participate again. Taste of Park City went well, but some side streets in Old Town were impacted with parked cars. He suggested that the Council take a tour of the golf course. Roger Harlan complimented the Leadership 2000 program and Chuck Klingenstein suggested sending a letter from Council thanking supporters of the program which has truly become an asset to the community. Roger Harlan reported that City employees served as volunteers and participants in the Habi-Tri fundraiser. Mark Harrington took first place in the triathlon in his age division and Kirsten Whetstone took first place in the biathlon. He continued to report on highway reconstruction work in Summit County which will take place in 2000. Mr. Harlan felt that Council will receive further communications from attorney Tom Howard and urged members to keep these letters on file. Paul Sincock thanked Myles Rademan and the Chamber for the Leadership 2000 picnic. The Council had lunch with delegates of Matsumoto, Japan which is the sister-city of Salt Lake City. He appreciated employee Brian Anderson's attendance who could speak fluent Japanese. Shauna Kerr stated that she received an Olympic pin from the Mayor of Matsumoto and felt it appropriate to add it towards a City Olympic collection.

Ms. Kerr noted that she was contacted by Shauna Carpenter in the Human Resources Department, about the Christmas Party. There are many seasonal, part-time, and temporary employees and about 120 full-time employees. It has been suggested to down-size the party from a sit down dinner and dance so invitations to could be extended to all employees rather than just full-time. Staff asked for feedback from the Council before the concept goes to the Personnel Advisory Committee and if there is a change, the sooner the better so employees know what to expect. The Council was interested in looking at a budget and options.

Shauna Kerr reported that she has been appointed to the Surface Water Assessment Committee who is charged with formulating guidelines by February 6, 1999. She also agreed to serve as a member of the Nominating Committee and staff will follow up on appointing a member of the State Parks Trail Committee. The Cancer Wellness Center had a great turn-out. Chuck Klingenstein reported that they raised $30,000 and he is anxious to hear how staff evaluates the waiver of the noise ordinance. Shauna Kerr reported on the People Make the City event.

2. **Vest pocket park update.** Myles Rademan explained that 11 years ago, the City created a pocket park program on undeveloped private property on Main Street. It was understood that as economics improved, the parks would disappear. The City attempted to purchase every one of them but was only successful with the Miners Park. The remaining parks are in danger of disappearing including Arts Plaza and the City has received notice to vacate it. Mr. Rademan reported that the City was approached by Grappa Restaurant at 151 Main Street, who owns a lot and a half to the south, and has offered to develop a vest pocket park with the City. The City issued an RFP for a design-build and received three bids. A committee from parks and planning decided on a design which is in keeping with downtown. If this is approved, the park can be completed within 90 days. Mr. Rademan added that the park will not be very visible as it is on upper Main Street, but would create a nice terminus. There will also be a water feature. The pocket could be removed at any time by the owner or the successors and assigns but during the first five years, there would be penalties in the form of amortizing the park's $30,000 cost. If the owner provided three months notice and obtained an approved set of building plans, the penalty after a year would be $24,000. The City is amortizing $6,000 a year over five years. In addition, there have been discussions about the owner contributing a minimum of $5,000 in cash or in-kind and the City having the first right of refusal. The parcel is about 6,000 square feet. He continued that there are ADA requirements that have to be met. The $30,000 estimate is based on "normal" conditions with no problems, and staff is recommending that this project proceeds. In response to a question from Paul Sincock, the City Manager explained that the lease would allow the public to enjoy the property. Ms. Kerr emphasized that the park not increase Grappa's outdoor dining. Mr. Rademan again explained the terms of the lease and stated that it is on the agenda for action. The funding source is from the RDA for improvements to Main Street. This plan was well received by the Main Street task force and the Planning Commission. Hugh Daniels stated that he can support up to $30,000 but no more. Myles Rademan felt that if there are potential problems, they would be discovered during excavation.

3. **Empire Canyon discussion.** Nora Shepard felt that it would be helpful to better understand the configurations in Pod D and Bonanza Flats. There are many other issues raised last week and she is in the process of addressing those and is also in the process of drafting terms of intent for annexation. The next meeting on this will be on August 6 and again on August 13. Regardless of this process, a separate public process will occur if Council decides to move forward including consideration of the gondola option and what happens in Richardson Flats. The public process could occur in the next 60 days; the applicant is anxious to get some kind of intent statement on an annexation.

Hank Rothwell stated that they want to discuss proposed siting locations for development. There are a number of planning principles involved and there have been discussions with a number of citizen groups over the last few weeks and there are areas where there is significant agreement at a conceptual level. Agreement goes to the issues of clustering, buffering the City from impacts as well as neighborhoods, maintaining vegetative character of the area, ridge line protection, and green design principles. Of course, there are areas of disagreement. Mr. Rothwell reported that there will be an advertised public open house on July 28 from 5 p.m. to 7 p.m.; all meeting materials will be there in an informal session at the Silver Mine Adventure.

Through illustration of a map, Liz Josephson discussed the Bonanza area. The property consists of about 1,850 acres within the Bonanza watershed in Wasatch County. She pointed out the tri-county peak and noted that the area contains alpine lakes and meadows. She emphasized the importance of the vegetation canopy and they have tremendous ability to tuck development into the mountain terrain and wooded areas. The multi-family area occurs on a bench below Blood Lake and above the frog pond. She discussed the ski lift connections. There are 220 acres within the pod and an estimated hard surface acreage of road at a maximum of 25 acres with a maximum net percentage of open space of 86.7%, not including them mandatory 60% within pods. If that portion is added there is upwards of 96% to 98% of open space in both projects. Ms. Josephson explained that the golf course would be located at the central hotel facility and pointed out the configuration of the course. They are also looking at a ski connection from a lower elevation to the top of the Y Lift. Hank Rothwell discussed accessing either the Deer Valley Resort or Park City Resort from this location. The smallest size lot in Bonanza would be 3/4ths of an acre which would be golf course frontage. Mr. Rothwell explained that there are 160 single family units, 50 multi-family condominium sites, and 50 unit equivalent hotel rooms, for a total of 260 unit equivalents as opposed to the application in Wasatch County which is currently 490 units. Liz Josephson explained that the larger lots are about two to ten acres, located by the lakes.

In response to a question from Paul Sincock, Hank Rothwell explained that one of the initial problems staff identified is how to create a hard edge to the south City boundary and how Bonanza could be part of that solution rather than the problem if it is an unrestricted County application. Part of the discussion has been private access so that there is no through winter access from any of the neighboring property owners. Sewer service and City water would only be provided to this site so it returns in a closed loop system back into Weber Basin. The alternative in the County application is the project developing a sewer outfall line that is sized for others as well as a County water system. With regard to emergency services, assuming it stays in unincorporated Wasatch County, Mr. Rothwell explained that they have asked for a county service area which has its own mill levy so that it would have the ability to contract with the Park City Fire District and Park City Police Department or a private security agency. He explained that this would be formed by the County Commission and could not be restructured without County Commission approval. Roger Harlan asked if this would allow Brighton Estates to develop. Hank Rothwell clarified that their sewer outfall line could serve neighboring properties and it would be their intent to create a water district that would be a County operated water improvement district. They will not provide enough water for uses other than their own, but it would not be a private water company that UPCM would control. This is why in negotiating with staff, that UPCM is looking at City water and SBSID services, in keeping with the concept is that those services would not be extended to others. Chuck Klingenstein stressed that annexation of Wasatch County lands is not a part of this discussion at this time, but rather the annexation of Empire Canyon, and asking the developer to look at what happens in Bonanza Flats. Paul Sincock relayed that if Empire Canyon is not annexed into the City, then the option of controlling utilities diminishes dramatically.

Ms. Josephson displayed a map of Flagstaff, illustrating the north side skiing as well as Red Cloud and Quincy. She discussed the plan originally submitted where the size of the lots were considerably smaller. The new proposed road was described in Pod D and a narrower road was depicted, as discussed last week. Ms. Josephson stated that this could be a private one-way loop. UPCM is proposing six total lots in the basin which separates the north side from the new proposed X, Y and Z Pods. These ski-in/ski-out lots would start at an acre and a half and go up to about three and a half acres or more. There would also be three lots to the south of the north side. She discussed the dense tree mix in the area and development will not be very visible to the skier or people passing by the project. Five lots are proposed around the meadow which are tucked into the trees, with a road on the outside of the meadow, leaving the meadow in tact. There would be a small cul-de-sac off the end of this looping road serving about four acre and a half lots. Ms. Josephson relayed that she visited the site with CARG member Cheryl Fox who explained the importance of an area called *The Enchanted Forest.* UPCM would look at providing an acre plus for continued use as *The Enchanted Forest* for the skiers which would work with their plan. There are a couple more large lots that are pulled back so they are not gapping over a ridge. None of these areas can be viewed by the Park City vantage points. She described three lots where Ontario Canyon splits. Pod D has dropped dramatically in density from the initial plan of 200 lots plus, to a total of 38 lots, plus *The Enchanted Forest.* Hank Rothwell added that from a design principle used on the last two projects built by UPCM in Park City, CC&Rs would prohibit perimeter fencing, and gazebos. There would be limited areas of disturbance, leaving the balance of the sites in a natural forested condition. Individual lots provide permanent open space. Liz Josephson pointed out that there is a tremendous amount of space between houses. Mr. Sincock asked how many acres relate to the development of these 38 homes. Ms. Josephson noted that she will get that information to Council. Chuck Klingenstein stated that the presentation is helpful but would like to see what Pods A and B look like. In order for the gondola to be successful, it needs to have a certain amount of density at the terminus location. He suggested decreasing the density here and transferring it to Pods A and B. Mr. Rothwell hoped that the gondola public review process be completed in a timely manner because it would significantly change the configuration of the single family and hotel components. With an anchor to Old Town, UPCM would look at something more tight and dense in and around pedestrian corridors to that gondola station; a plaza feel would work well with that anchor. Short of that, they are looking at funding rubber-tired transit. However, he is concerned about this link to Old Town competing with Silver Lake businesses, who have struggled.

It was clarified that the 38 units include Pods C and D. Hank Rothwell explained that although there was dialog about dropping Pod C altogether, the sewer, water, and roads are going through this location anyway to provide access into Wasatch County. Whether it is private or public, seasonal, restricted, or year-round, these are home sites that are not visible other than from a lift being installed now. Chuck Klingenstein reiterated if there was a way to configure this so if the gondola occurs, that the density can be reduced in this area and transferred to Pods A and B. Pod C didn't exist in previous discussions. Mr. Rothwell indicated they would look at this.

Hugh Daniels asked what the plan is for the road in Bonanza. Hank Rothwell explained that from a conceptual standpoint, they are looking at the Guardsman Pass road as it is today. The access to Flagstaff and Bonanza would be through a private road system, restricted so that there be no through traffic on a year-round basis, other than for property owners and guests. Liz Josephson added that a private road could come over the top of the County line and intersect with Pine Creek Canyon Road. Neither of these roads in discussions with Park City, would be improved to meet capacity requirements. Roads within Bonanza would be paved to acceptable standards, looping around the golf course serving single family, then up to the alpine village, and then to some of the less dense single family. There is the ability for emergency access via gravel roads. Mr. Rothwell continued that access would be restricted by a gate and electronic devices were discussed. Hugh Daniels understood that there would be roads running parallel with the current alignment. Mr. Rothwell recognized that it is inefficient but access will be protected; there is a public prescriptive right to that access. In response to a question from Roger Harlan, Mr. Rothwell explained that they would not be offering the golf product outside of the Deer Valley community. Their goal is not to generate more traffic into that site. Flagstaff and Empire Canyon would have some access to the golf course and whether or not existing Deer Valley property owners would be offered that opportunity is unknown now.

Chuck Klingenstein invited questions from the public. Stan Christensen, CARG member asked if the configuration of Pods A and B have been changed from last week. Hank Rothwell responded that it has not changed, but if the gondola decision is favorable, density in Pod B may be significantly reduced by putting a good deal of that in Pod A. Pod A would be more pedestrian oriented and could support slightly higher density with an anchor to historic Old Town.

Ms. Kerr understood that the gondola would be a separate public process and asked if some determination is made in this process with regard to conditioning it. Hank Rothwell believed that the overall scope of the combined projects would be discussed and as the public process occurs on the gondola, a design process would be concurrently reviewed for Pods A and B, based on the gondola decision. UPCM would not have the ability to actually finalize a design on Pods A and B. This is all subject to small scale MPD review by the Planning Commission. Dana Williams, CARG member, pointed out that roads in Wasatch County would be 41 to 42 feet wide. He pointed out that the road cuts for Deer Crest are staggering. Hank Rothwell responded that this is an issue the City Council can approach Wasatch County. He noted that this is the County's public road standard and their argument would be that they are private roads, but it is his understanding that the roads in Deer Crest are also private roads. Wasatch County is not sympathetic to narrower roads but this is a discussion that UPCM would welcome.

4. Transportation plan update - Leigh, Scott & Cleary (LSC). Hope Bleecker reported that the Transportation Department has been in the process of developing a Park City transportation enhancement program since March 1997. This comprehensive transportation development program includes the production of long-range operational development for the transit buses as well as capital facility passenger amenity recommendations to accommodate existing operations and future growth of Park City's transit system. She continued that in mid-1997, an environmental assessment was conducted to determine which sites were available for construction of a passenger transit facility in Old Town. That process took approximately six months and narrowed down the present site, which is located at the intersection of SR224, Swede Alley, and Heber Avenue. It is hoped to gain input from the Council and HDC members in attendance on the site planning. She explained that Gordon Shaw of LSC has been involved in the project since its inception in 1997. The transit center has been significantly down-scaled and the site plan includes a footprint of a future parking facility.

Gordon Shaw explained that they are trying to provide a facility that reflects the growth in the transit system. A year ago, a work shop was held and the community relayed that it wanted an improved transit system. Part of that is a center for buses so that passengers can conveniently change from one bus to another in one location with amenities and close to pedestrian activities. The first graphic illustrated the relationship of the site with the building massing on Main Street. The site at lower Swede Alley is a very convenient location for employees going to and from Old Town which is a key element for pedestrians, solving traffic and parking problems in this area.

Amenities at the facility include a comfortable waiting space, restrooms, information booth, and operational space, totaling about 2,500 square feet of building. There will be about 3,000 square feet of canopied space. It is felt that three bays for the core service is needed, one bay for the Silver Lake bus, and one bay reserved for neighborhood or shopping shuttles, Canyon Resort service in the future, or a commuter bus, totaling five bays. Roger Harlan insisted that five buses will not be there at the same time. Hugh Daniels pointed out that he has seen four buses at the same time at Heber Avenue and Main Street and one more is reasonable. Mr. Shaw pointed out that some buses need to lay over at a bay to remain on schedule. Chuck Klingenstein added that this is also planning for transit needs in the future.

Gordon Shaw explained that he has been working with staff for about a year on how to solve the traffic problem at the intersection and they have looked at a number of options, including traffic signals and a massive traffic circle. He felt they have arrived at a workable plan that avoids the need for traffic signals which are not compatible with the Historic District and may require adding three or four lanes across. He described a modern round-about, which has solved problems in Vail, to be located at the intersection of Deer Valley Drive and Marsac and some channelization on the Deer Valley Drive and Swede Alley intersection. One of the real benefits of round-abouts is the ability to keep the access road narrow. Redesigning intersections for through, left, and right turn movements increases the number of lanes; there would have to be a 30 foot increase on Deer Valley Drive. If instead, there is a round-about, only an additional ten feet is required which is a lot less impact, will work better, and avoid the need for massive standards for lights. For the benefit of Shauna Kerr, Mr. Shaw described how the round-about would work with different traffic streams, but with a traffic signal there, the access to the transit center would be negatively impacted. The preferred access point works very well with pulling buses into Swede Alley.

There have been three meeting with the Downtown Revitalization Task Force where seven alternatives were presented. There are traffic problems and some can be solved with intersection improvements. Gordon Shaw explained a plan that has a bus-only roadway in two directions, keeping the buses off of Swede Alley. It could be signed as buses only at both ends and if there is a cut through problem, an automatic gate could be installed. This is common in other transit centers where there isn't usually a cut-through problem. This layout provides a lot of flexibility; there is an opportunity to build a parking structure and cars accessing the area won't impact the local streets. A three level structure would provide about 330 spaces. Chuck Klingenstein asked if this could be done in phases as there is no plan at this point that supports a parking garage. Mr. Shaw stated that funding for the transit center is more assured than funding for the parking structure and described the first phase of the transit center and the reconfiguration of the parking where there will be a net increase of one parking space. They have worked diligently to hide the parking lot from the view from Deer Valley Drive. He described a proposed pedestrian pathway depending upon the purchase of property. In addition to planning for space for a parking garage, there is space for a gondola terminal. Paul Sincock pointed out that the top level of the parking structure could be used as an extension of Marsac or a park. Mr. Shaw displayed elevations of the site plan.

Don Ensin, Design Workshop, displayed a rendering and encouraged the planting of trees on the site so there is a green entry to town from Deer Valley Drive. The parking lot is screened with landscaping and the building will have the brick element. Assuming the parking structure is built, Mr. Ensin pointed out a space in front of City Hall for a vest pocket park. Mr. Ensin discussed possible locations for the gondola. Mr. Sincock requested some design studies for the gondola. Chuck Klingenstein invited comments from HDC members.

Commissioner Melanie Werling asked if there were any more detailed perspectives. Gordon Shaw explained that they didn't have a photograph to use, but would be happy to do that. Don Ensin added that there hasn't been any architectural design done at this point, only conceptual work on massing and scale. Mr. Shaw explained that this is the result of a two day charette and the purpose of this meeting is to gather input and bring a package back to the HDC, Planning Commission and City Council for the plan, not for the architectural detailing, which would be the final step. Commissioner Mac MacQuoid felt it would be helpful for the HDC to have an actual street scape of structures directly adjacent to the project and/or a scale model. Linda McReynolds stated that she needs to be convinced that the round-about. parking structure and bus terminal in the middle of the most congested intersection in town is a good idea. She felt that the site at the bottom of lower Main Street should be considered. This two acre parcel is very fragile and she is concerned about the density and questioned the scope of the transit center. She warned against chasing federal funds and overbuilding a fragile area.

Shauna Kerr stated that she is also concerned about the congestion at that intersection. To build more parking and not have cars able to get in and out doesn't make sense. She isn't persuaded that the round-about will solve the "numbers game". Roger Harlan believes that round-abouts work in Europe but was unsure of they work here as people are unfamiliar with them. He also needs to be convinced about the need for an additional parking structure. Mr. Shaw explained that the project to be reviewed is the transit center, not really the parking structure. He emphasized that round-abouts work here and referred to the success in Vail. Hugh Daniels stated that he has had the benefit of also seeing the six other alternatives and number seven is not a big surprise to him. He has not made a decision but this is a viable opportunity and concurred that he is not convinced that we need a large parking structure. Through paid parking and other things, the need and details for a structure will be more clear. Mr. Daniels added that we should be planning for future needs so the transit center doesn't have to be redesigned. If and when there is an architectural design stage, he hoped the drawings would be realistic. He felt that not addressing transit in Old Town is foolish and didn't feel the federal money is driving this and if the City can benefit from it, that would be great. What we have now, doesn't work and the City needs to use its experts wisely and come up with methods to improve our community both for the visitor and the local. We are moving in the right direction. Paul Sincock stated that this is a good plan and if the round-about is considered the best alternative from a traffic engineering standpoint, he has no problem with it. He also liked the flexibility of the plan, especially in consideration of the parking structure, although he would like to see a public gathering space. There needs to be graphics so people can visualize this better which may result in less resistance. Chuck Klingenstein stated that it has taken a long time to get to this point. It took 50 years to get into this mess and will take a good 15 to 20 years to get out of it. He is quite familiar with round-abouts in the east and the ones that are failing have been impacted by interstates. Americans have dealt with round-abouts. He doesn't like the other alternatives and this plan allows for the option of a parking structure if the need is demonstrated and it is incredible that no surface parking is lost. He hoped that the public process offers alternatives to the automobile. Mr. Klingenstein thanked everyone for being here tonight.

Prepared by Janet M. Scott

PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 23, 1998

I ROLL CALL

Mayor Pro Tem Chuck Klingenstein called the regular meeting of the City Council to order at approximately 6:30 p.m. at the Marsac Municipal Building on Thursday, July 23, 1998. Members in attendance were Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Mayor Brad Olch was excused. Staff present were Toby Ross, City Manager; Alison Kuhlow, Planner; Pat Putt, Planning and Zoning Administrator; and Eric DeHaan, City Engineer.

II PUBLIC INPUT

The Mayor Pro Tem invited the public to comment on any matter of City business; hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JULY 9, 1998

Hugh Daniels corrected Page 3 of the Work Session Notes to clarify that the majority of the Council support funding the trail. Chuck Klingenstein requested a motion to approve, as corrected. Roger Harlan, "I so move, as amended". Shauna Kerr seconded. Motion carried unanimously,

V PUBLIC HEARING

1. Ordinance approving the amendment to the Anchor Development Plat, a plat amendment to the Millsite Reservation Subdivision No. 1 located at 81 King Road, Park City, Utah - Alison Kuhlow, Planner, stated that this is a plat amendment and vacation request. The applicants are Mike Watts and Rudy Riet. In 1996, the City Council adopted an ordinance approving the Anchor Development plat amending the Millsite Reservation Subdivision No. 1. and Lots 1 and 2 were created. The applicants are requesting to amend the Anchor Development Plat to add two more lots, Lots 3 and 4, and also requesting vacation of portions of Ridge Avenue. One area is 1,300

square feet and would be dedicated to Lot 1; another portion is approximately 1,500 square feet and would be dedicated to Lot 3; and finally 264 square feet would be dedicated to Lot 4. Staff has worked with the applicants to mitigate design aspects. On Lot 3, staff has drafted volumetrics which modifies the above-ground square footage, the setbacks, height and length of the wall. Staff has considered this as compensation for neighborhood compatibility for the right-of-way. Ms. Kuhlow continued that lots will be combined on Lot 4, owned by Rudy Riet, on which an historic house is located. In return for the 264 square feet of right-of-way, he is giving the City a facade easement. Through illustration of a map, Ms. Kuhlow described accesses to property, and discussion ensued about the Scipione property. Patrick Putt indicated that there was no public input from adjoining property owners who were notified about this application. Mike Watts described the new driveways which would accommodate visitor parking. Roger Harlan requested valuations of the City properties involved.

Alison Kuhlow stated that staff, with the help of an appraiser, looked at 16 listings in Old Town and calculated the average price per square foot which calculates to be $48.17. Open space, as opposed to developable property, has a ratio of 10% to 16% of the average price per acre. The total area of right-of-way for Mike Watts equates to 2,827 square feet and calculated with the ratio, the price ranges from $13,600 to $21,800. That is for both the right-of-way for Lot 3 and Lot 1. Roger Harlan stressed that the vacation benefits the home owner, and felt in fairness that there should be a benefit to citizens. In response to a question from Hugh Daniels about development in the right-of-way on Lot 3, Alison Kuhlow explained that staff has suggested that the area be used, but stepping the building up the hill will minimize visual impacts for neighbors. Hugh Daniels pointed out that this is not open space but buildable space, and asked about Lot 1. The setbacks on Lot 1 push the building outside of the vacated area. Shauna Kerr stated that on Lot 3, there is a substitution of buildable space. Pat Putt noted that the applicant has agreed not to use the square footage of the area vacated toward the floor area ratio. Hugh Daniels commented that a vacation makes it a much more saleable and buildable lot, as the current access from Ridge Avenue would be extremely costly to construct. Mike Watts responded that the lower lot of the parking area could be used and a variance could be obtained. Hugh Daniels explained that that would entail an encroachment permit which would need to be approved by Council. Shauna Kerr expressed that after walking the lot, the benefit of the vacation was that the house would have more of a relationship to the street scape rather than being located on a knoll. Mike Watts pointed out the stepping back of the house and the benefits of the setbacks.

Roger Harlan asked if Mr. Watts has considered compensation for the vacation. Mike Watts explained that when he first approached staff, he suggested paying for the property and proceeding with a plat amendment but was informed that he was required to go through this process. He emphasized that there is a reduction of the FARs, increased setbacks, reduction in height, and stepping back of the structure and considers this compensation in consideration of compatibility with the neighborhood. The FAR on Lot 3 could be increased to 452 square feet according to the Land Management Code; on Lot 1 the FAR would allow for a 318 square foot larger home. A realtor informed him that the cost for a home in Old Town starts at about $180,000. When using this number for 452 and 318, there are respective values of $81,360 and $57,240. By reducing the mass and volume of the houses, the actual loss totals $138,600. He believed losing square footage is compensation; there was discussion about public benefit. Hugh Daniels felt that this proposal offers a better architectural product and a much better access, and pointed out that Mr. Watts is not guaranteed an encroachment permit. Mike Watts asked about the other considerations. Hugh Daniels felt that a facade easement is good, but the City is also protected with the Preservation Ordinance and Historic District Guidelines; the situation on Lot 4 is somewhat different.

Toby Ross reminded Council that Ms. Kuhlow suggested offering an open space value for the land not a development figure. If Council is considering a development figure, Mr. Watts comments are well taken. Open space prices are considerable less, and there is also a range in open space figures. Mike Watts pointed out that for Lots 1 and 3, the open space range would be $13,600 to $21,800, and asked if that is a justifiable price for open space, and insisted that his concessions have significant value. Ms. Kerr acknowledged that there may be items that he is giving, but without some hard cash compensation, she is not willing to vacate a public asset, enhance his property values and lessen his development costs. She stated that she would lean toward the $21,800 number, because it adds at least that much value to his property and saves at least that much money in construction costs. Paul Sincock felt there is a value in increased open space and smaller structures and didn't personally feel that cash compensation is as big an issue as it is to other Council members and he can support the proposal as recommended. Chuck Klingenstein stated that the facade easement has value to him. There is house size reduction, reduced heights, increased setbacks and stepping but once the homes go on the market, there is going to be an enhanced value and construction costs will be significantly reduced. Mr. Watts suggested that 16% be used for compensation on Lot 3; 10% on Lot 1; and the facade easement on Lot 4. The Mayor Pro Tem suggested pulling this off the Consent Agenda and placing it under New Business. There was discussion about continuing this item to provide adequate time to deliberate on a fair price.

Applicant Rudy Riet stated that he is the owner of Lot 4 and has no stake in Lots 2, 3 or 1; he is not a developer and has owned the property for more than 30 years. What has been proposed has been good for the City and the neighbors. He and his neighbor have unscrambled the "mess" on Lot 4, which the City created with platted property lines versus City property lines versus deed descriptions. They have cleaned up encroachments that kept both of them from doing anything. By consolidating several lots to one lot, he is guaranteeing his neighbors that he is not building three houses there which has occurred up the street. Mr. Riet understood that Ridge Road was created by a survey company in St. Louis who never had the knowledge of the lay of the land; there could never be a road there. A portion of Ridge Road that abuts Lot 4 has been vacated. He views what he is doing for the neighborhood and for the City as a plus in consideration of his legal hassles and costs. Mr. Klingenstein felt these are good points, but in the interest of arriving at a good sound decision, believed that the applicants should again meet with staff. Mr. Riet indicated that he will be moving in the near future, and would appreciate a decision sooner than later. There was discussion about scheduling this matter as soon as possible.

With no further comments, the public hearing was closed.

2. Ordinance approving a final subdivision plat for 1420 Park Avenue, Park City, Utah - Kirsten Whetstone explained that this is a final subdivision plat for three lots. The parcel is currently unplatted and about 17,000 square feet, located in the RM zoning district. The preliminary and sketch plat have been through the Planning Commission on several occasions and the Planning Commission has forwarded a positive recommendation with conditions of approval. Roger Harlan appreciated that access is off of Park Avenue rather than Sullivan Road. With no questions or comments from the Council or the public, the public hearing was closed.

VI CONSENT AGENDA

Roger Harlan, "I move that we remove Item No. 1 from the Consent Agenda to a time uncertain, but in the near future". Hugh Daniels seconded. Motion unanimously carried. Shauna Kerr, "I move approval of Consent Agenda Items 2, 3, and 4". Hugh Daniels seconded. In response to a question from Hugh Daniels, Rex Ausburn, Snyderville Basin Sewer Improvement District Manager, explained that 40 feet is required because the UDOT right-of-way is on a curve and the sewer line is straight. If it were a "straight shot", only 20 feet would be required; ten feet on either side. In response to a question from Roger Harlan, City Engineer Eric DeHaan indicated that this does not preclude the construction of a trail on the easement. Construction on the sewer line will occur the day after Arts Festival. Mr. DeHaan added that the language in the easement has been modified to clarify revegetation requirements. Motion unanimously carried.

1. Ordinance approving the amendment to the Anchor Development Plat, a plat amendment to the Millsite Reserve ration Subdivision No. 1 located at 81 King Road, Park City, Utah - See work session notes, public hearing, and staff report.

2. Ordinance approving a final subdivision plat for 1420 Park Avenue, Park City, Utah - See public hearing and staff report.

3. Authorization to Mayor Pro Tem to execute a grant of easement to Snyderville Basin Sewer Improvement District for the East Canyon Relief Sewer - See comments above and staff report.

4. Authorization to staff to enter into a design-build contract not to exceed $30,000 for vest pocket park located at 151 Main Street - See work session notes and staff report.

VII ADJOURNMENT

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

* * * * * * * *

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

Prepared by Janet M. Scott

Janet M. Scott, City Recorder

MEETING RECOMMENDATIONS

PARK CITY
1884

Council Agenda Report

DATE: August 3, 1998
DEPARTMENT: Recreation
AUTHOR: Kathy Kelly, Recreation Services Manager
TITLE: **Lease for Restaurant Space at the Racquet Club**
TYPE OF ITEM: Lease approval

SUMMARY RECOMMENDATIONS:

Approve the lease for Pasta Provisions, LLC, for operation of a restaurant at the Racquet Club.

DESCRIPTION:

A. Topic:

Lease approval.

B. Background:

In June 1998, nine Requests for Proposal were sent by request to parties interested in leasing the restaurant space at the Racquet Club.

Bob Murphy submitted the only proposal.

An ad hoc committee of Racquet Club staff, Bob Johnston, and two members of the Tennis Advisory Committee met with Bob Murphy to review his proposal. The committee recommended a few changes to Bob, but overall was pleased with his concept.

Mr. Murphy has been in the restaurant industry for more than 20 years, with his involvement running the gamut from waiter and sous chef, to manager and owner of various restaurants here and on the East Coast.

His vision for the restaurant at the Racquet Club is to serve healthy, fresh food , based around custom filled and flavored pastas, made at the restaurant. He would also serve burgers (beef, turkey and vegetable), salads, and specials. The pricing will be for family clientele. Teens will be able to order a burger, fries and a shake for under $5. The bar will serve only bottled beers, wines by the glass, fresh squeezed juices and sodas. The facility will be smoke free. Meals to go will also be available.

C. **Analysis:**

The lease would run for an initial period of 18 months. During this time, the monthly rent would be $1,200 per month, plus 5% of gross revenues. The previous lease had a monthly rent of $2,500, for a yearly total of $30,000.

At $1,200 per month, the base rent per year would be $14,400. Sales projections show yearly revenues at $296,000 (or about $24,600 per month). This would mean an additional $14,800 in rent per year, bringing the total to about $29,200.

This rental arrangement would allow Mr. Murphy some flexibility in getting through the first months. The restaurant has now been closed for seven months, and it is anticipated that some time will be needed to build clientele.

During the second 18 months of the lease, the City will have the option of continuing with the revenue sharing arrangement or charging a base monthly rent of $2,700.

Should the lease be renewed for a third period, Mr. Murphy understands that it would contain a provision for possible use of the restaurant in connection with the Olympics.

Mr. Murphy would use the equipment and furnishings that the City purchased from Courtside. In lieu of a monthly rental fee for this use, Mr. Murphy would instead repair and maintain the equipment. This is fair to the City as a good portion of the refrigeration and other kitchen equipment is in need of maintenance now.

D. Review:

This lease proposal has been reviewed by the Director of Leisure Services, the Finance Manager, the Legal Department and the City Manager.

ALTERNATIVES:

A. **Approve the lease.**

B. . Repeat the RFP process.

C. Alternate use of the space.

SIGNIFICANT IMPACTS:

A. Approval of the lease will allow Bob Murphy to open a restaurant by Labor Day. The Recreation Fund will begin receiving revenues again for the space.

B. Repeating the RFP process will mean that the space remains a non-revenue producer for several more months.

C. Alternate use of the space has not been considered as a viable option, due to the assets purchased and the expense associated with renovating the space. However the assets could be sold.

LEASE AGREEMENT

This lease agreement is made by and between **PARK CITY MUNICIPAL CORPORATION** ("Landlord") and **PASTA PROVISIONS**, a Utah corporation qualified to do business in Utah ("Tenant") to set forth the terms and conditions under which Tenant will lease certain property owned by Landlord in Park City, Utah. The parties agree as follows:

1. <u>Property</u>. The property affected by this Lease is the second floor restaurant space and office located in the Park City Racquet Club, 1200 Little Kate Road, Park City, Utah (the "Premises"). The space contains 2,900 square feet of restaurant space, plus an office, decks, and restrooms.

2. <u>Rent Commencement Date</u>. This Lease shall commence on September 1, 1998, and the term of the Lease shall begin on that date. However, the Tenant is granted use of the facility rent-free from August 10 to August 31 for the purposes of cleaning and set-up only.

3. <u>Term</u>. This Lease shall have a term of eighteen (18) months from the rent commencement date stated above. This lease shall automatically renew for one successive eighteen (18) month term unless Tenant notifies Landlord in writing by December 31, 1999 of its intention not to renew. The property being leased is currently surplus municipal space, but may be required for municipal or other purposes by Landlord at the conclusion of the Lease term.

4. <u>Rent</u>. The rent for the first term of the lease shall consist of a guaranteed monthly rental of $1,200, plus five percent (5%) of all gross sales for each month. The guaranteed monthly rental shall become due on the first of each month and paid by the fifth. The five percent (5%) shall be paid quarterly. At its discretion, Landlord may charge Tenant a late fee of $25.00 for every five days the rent is late. Tenant shall also be responsible for all utilities pursuant to Paragraph 6 herein. If the Lease is renewed for a second term, Landlord in its sole discretion may change the guaranteed monthly rental to $2,700 per month, in lieu of the five percent (5%) gross sales payment.

5. <u>Deposit</u>. Tenant shall pay Landlord first and last month's guaranteed monthly rental prior to August 10, 1998.

6. <u>Payment of Taxes and Other Assessments</u>. The property is presently not subject to property taxes because of the municipal ownership. In the event the property becomes subject to property tax assessment by virtue of the non-governmental use by Tenant, Tenant agrees to pay, in addition to the rent, the amount of property taxes assessed against the property, as apportioned to Tenant's space. Tenant shall have the right to contest any such levy at Tenant's expense, provided that the taxes are first timely paid. Additional rent items will be billed to Tenant when and if they come due.

Tenant shall pay all real estate and personal property taxes and other related assessments for taxes on the Premises during the term of this Lease. Tenant shall pay all fees and sales or other taxes assessed on the operation of its retail sales business.

7. Utility Services. Tenant shall be responsible to pay for all utilities including, but not limited to, natural gas, electricity, telephone and water for the leased space. Tenant will establish an account with each utility in Tenant's own name. If any utility is not separately metered then Tenant shall continue to be responsible for payment for the utility and will pay the portion of the utilities which are reasonably related to the utility usage for the leased space as determined by Landlord. Utility payments are deemed a part of the rental due and failure to pay for utility service is a default in the payment of rent.

8. Use of Premises. The Premises shall be used only for the purpose of a restaurant and catering business. Tenant shall not pursue other lines of retail trade, food service, or any other use without the specific advanced written consent of the Landlord.

9. Care and Repair of Premises by Tenant. Tenant has inspected the Premises and accepts it "as is" and as acceptable for the purposes of this Lease. The Tenant will not commit any waste on the Premises nor shall it use or permit the use of the Premises in violation of any state law or county or municipal ordinance or regulation applicable thereto. Tenant may, with consent of Landlord but at Tenant's own cost and expense and in a good workmanlike manner, make such alterations and repairs to the portion of the Premises as Tenant may require for the conduct of its business without, however, materially altering the basic character of this historic structure or improvements or weakening the structure of the Premises. Any permanent alterations or improvements to the Premises shall become the property of the Landlord upon expiration or termination of this Lease except for trade fixtures commonly used and removed in the retail clothing business such as display racks, mirrors and similar items. Track lighting supplied by Tenant may be removed by Tenant upon the expiration or termination of this Lease. Tenant shall have sole responsibility for maintaining all restaurant and kitchen equipment and facilities, including all stoves, freezers, ovens and refrigerators.

10. Damage or Destruction. If the Premises or any part thereof shall be damaged or destroyed by fire or other casualty, Landlord shall promptly repair all such damage and restore the Premises without expense to the Tenant subject to delays due to adjustment in insurance claims, strikes and other causes beyond the Landlord's control. If such damage or destruction shall render the Premises uninhabitable in whole or in part, the rent shall be abated wholly or proportionately until the damage shall be repaired and the Premises restored. If the damage or destruction shall be so extensive as to require the substantial rebuilding, the effect of which may require removal of Tenant's operations from the Premises, either Landlord or Tenant may elect to terminate this Lease by written notice to the other within 30 (thirty) days after occurrence of such damage or destruction.

11. Liens. Tenant shall not permit any liens to attach to the property, including but not limited to those for utility bills, for work or services done at Tenant's request or for Tenant's benefit. In the event that Tenant allows a lien to attach to the property, Landlord may, by written notice to Tenant, demand that Tenant either discharge the lien within three (3) days, or quit the premises within five (5) days, or post funds sufficient to satisfy the lien during any period of good faith contest of the lien by Tenant. In the event Landlord feels its title to the

property is in jeopardy because of any lien Tenant has elected to attach to the property, Landlord may discharge the lien and collect the amount paid from the Tenant, and may pursue any or all of the applicable remedies outlined in Paragraph 15 below. Tenant agrees to pay all reasonable costs incurred by Landlord in the defense or discharge of any liens on the property, including attorney fees.

12. Insurance. Landlord does not have, and is not obligated to provide, insurance on the contents of Tenant's space, nor insurance that would protect Tenant against public liability from injuries to patrons on the premises. Tenant shall, at Tenant's expense, carry a policy of general liability insurance in an amount of at least $2,000,000 (Two Million Dollars) per person and $1,000,000 (One Million Dollars) per incident or occurrence. Landlord shall be named as an additional insured on the policy. A certificate of insurance requiring that a 30 (thirty) day cancellation notice be given to the Landlord in writing shall be provided to Landlord on or before the lease commencement date, and maintained continuously during the term of this Lease. Said certificate of insurance shall state that Tenant's coverage is primary with Landlord's as secondary. Tenant may carry whatever contents insurance and other insurance Tenant deems appropriate. Tenant's sole remedy due to business interruption from any cause shall be its own insurance and Tenant will have no action against Landlord.

13. Indemnity. Tenant covenants and agrees to indemnify, hold harmless and defend the Landlord, its agents and employees from all fines, suits, claims, demands and actions of any kind and nature, and to reimburse for all fines, expenses, and fees, including attorney's fees, incurred by reason of any and all of its operations hereunder, including those related to the sale of alcoholic beverages. Tenant further covenants and agrees to assume all the risk in the operation of its business hereunder and to be solely responsible and answerable in damages for any and all accidents or injuries to person or property arising out of or by reason of any of its agents' or employees' acts or omissions hereunder, or the operation of Tenant's business, including those related to all alcoholic beverage sales..

14. Signs. Tenant shall be entitled to install a sign at a location approved by the Landlord. The sign shall conform to the Park City sign regulations in effect on the date the sign is installed. Because Landlord vigorously regulates signs throughout the City, Landlord reserves the right to specifically review and approve or reject proposed signs on the building. Landlord's approval for signs will not be unreasonably withheld so long as the proposed signs are consistent with Park City codes, and with the architectural detailing of the building. Signs shall be removed at the Tenant's expense at the termination of the lease.

15. Assignment/Sublease. This Lease may not be assigned or the Premises sublet without the prior written consent of Landlord. Landlord's consent to assignment or sublease will be granted on the basis of Landlord's determination of the financial reliability of the assignee or sublessee and the business to be operated by the assignee or sublessee in order to insure a tenant that is compatible with the historic nature of the Premises and the public ownership of the building. No assignment or sublease to a tavern, liquor club, or bar will be approved. Landlord's consent will not be unreasonably withheld.

S.S.

16. Remedies. In the event Tenant fails to pay monthly installment payments when due, or fails to pay additional rent as billed for, or violates or breaches any other term or condition of this Lease, Landlord shall have the right to exercise the following remedies, and any other remedies contained in other provisions of this Lease or available at law or in equity:

(a) Landlord may, by written notice to Tenant, demand that Tenant either pay rental installments and additional rent due or otherwise cure the default within three (3) days, or quit the premises within five (5) days;

(b) Landlord may permit the Tenant to remain in possession and sue for the installments and additional rent that are past due;

(c) Landlord may re-let the premises for Tenant's account at the rate and on such terms as are commercially reasonable at the time and under the circumstances, and charge Tenant for any difference in the rental received and the rental agreed to here, provided that any reletting shall be done in good faith under the circumstances;

(d) Landlord may agree to receive a payment of damages in such amount as the parties then agree, and release the Tenant from the obligations under this Lease entirely.

Unless Landlord has released Tenant's continued performance under this Lease, Tenant is deemed to be in possession of the Premises, and any re-letting by Landlord is on Tenant's account. Tenant is responsible for all payments and obligations under ***this*** Lease until Landlord releases Tenant.

In the event that Tenant is in violation of some provision of this Lease, other than the payment of base rent or additional rent as described above, Landlord shall be entitled to maintain an action for specific performance or injunctive relief, or upon written notice, to give Tenant thirty (30) days in which to cure the violation or breach of performance, or to pursue any other remedy specified in this Agreement. If the breach continues after the expiration of the thirty (30) day notice period, Landlord may exercise any and all remedies available at law or equity, including re-entry and taking possession of the premises, or re-letting the premises for Tenant's account.

17. Notice Provision. Any and all notices required by this Lease shall be in writing and delivered personally to the party to whom the notice is to be given, or mailed by certified mail, postage prepaid, and addressed as follows:

Landlord:	Tenant:
City Recorder	
Park City Municipal Corporation	
P. O. Box 1480	

Park City, Utah 84060

If either party should have a change in mailing address, that party shall promptly notify the other party and the new address shall be substituted for that party's above address.

18. Increased Insurance Risk. Tenant will not permit the Premises to be used for any purpose which would render the fire insurance on the building or on the Premises void or cause cancellation thereof or increase the insurance risk or increase the insurance premium in effect at the time of the initiating of that prohibited purpose. Tenant will not keep, use or sell, or allow to be kept, used or sold in or about the Premises any article or materials which are prohibited by law or by standard fire insurance policies of the kind customarily in force with respect to the premises of the same general type as those covered by this Lease.

19. Surrender of Premises. Tenant agrees to surrender the Premises at the expiration or sooner termination of this Lease or any extension thereof in the same condition or as altered pursuant to the provisions of this Lease; ordinary wear, tear and damage by the elements or other acts of God excepted.

20. Holdover. Should Tenant holdover the Premises or any part thereof after the expiration of the term of this Lease unless otherwise agreed in writing, such holding over shall constitute a tenancy from month to month only, and Tenant shall pay as monthly rental the same monthly rental provided for herein.

21. Covenant of Quiet Possession. Landlord covenants with Tenant that Landlord is the owner of the Premises and that, except for below, Tenant's possession will not be disturbed by acts or omissions of the Landlord so long as Tenant faithfully performs the Tenant's obligations of this Lease. Tenant hereby acknowledges that the Premises are a public recreation facility that often has special events and tournaments. These special events often result in the filling of the parking lot for the Premises and other traffic, access and noise impacts. Tenant hereby acknowledges that such impacts from operation of the recreation facility shall not constitute a breach of Landlord's covenant of quiet possession, and that such events shall be scheduled at the sole discretion of the Landlord. Landlord shall use reasonable efforts to provide the Tenant with advanced notice of said events.

22. Maintenance. Landlord shall be responsible for all structural maintenance of the Premises, including the roof, foundation, structural members, and exterior wall surfaces. Tenant shall be responsible for all interior maintenance, including mechanical and electrical fixtures, lighting fixtures, janitorial service resulting from Tenant's use, and glass maintenance (both cleaning and replacement in the event of damage) which is within the Premises or solely serves the Premises. Landlord shall be responsible for mechanical systems which serve portions of the building other than, or in addition to Tenant's space as reasonably necessary to maintain the structure and to service common utility facilities.

23. Access to other space. Tenant shall not interfere with the access to other spaces within the building or obstruct the entrances to those other spaces in any way. Landlord shall have such access through Tenant's space as reasonably necessary to maintain the structure and to service common utility facilities. Landlord shall have the right to inspect the leased space at anytime, with or without notice.

24. Force Majeure. This Lease shall automatically terminate upon any holding, interpretation or determination by a court, legislative, or administrative body, that Landlord may not lease to a retail establishment or that the bonds issued by Park City Municipal Corporation or Municipal Building Authority of Park City will not qualify as tax exempt if the property is leased to a private entity or monies are received for so leasing, or that Landlord may not lease to a private entity, either under existing state and federal law regulation or future state and federal law regulation.

25. Nondiscrimination. Tenant agrees not to discriminate against anyone on the basis of race, color, national origin, age, sex or handicap in its hiring practices, provision of services or operation of its business hereunder.

26. Landlord Liable only for Negligence. Except where caused by Landlord's negligence, Landlord shall not be liable for any failure of water supply, natural gas supply or electrical supply; or for any injury or damage to persons or property caused by gasoline, oil, steam, gas or electricity; or hurricane, tornado, flood, wind or similar storms or disturbances; or water, rain or snow which may leak or flow from the street, sewer, gas mains or any subsurface area or from any part of the building or buildings or for an interference with natural light.

27. Garbage Disposal. Tenant will provide and use suitable covered receptacles for all garbage, trash, and other refuse on or in connection with Tenant's occupation of the Premises. Tenant shall not allow the Piling of boxes, cartons, barrels or other similar items in an unsightly or unsafe manner on or about the Premises, and shall remove such items daily to a designated dumpster.

28. Rights of Successors and Assigns. The covenants and agreements contained within this Lease shall be binding upon the Landlord and Tenant and inure to the benefit of their respective legal representatives, successors, and assigns, except as expressly otherwise provided herein.

29. Costs and Attorney's fees. The Landlord and Tenant each agree that in the event of any dispute or litigation involving this Lease , or the enforcement of any right or duties contained therein, or the recovery of the Premises , the prevailing party shall be entitled to recover from the other party all costs of suit, including reasonable attorney's fees.

30. Waiver of Covenants. the waiver of any of the covenants of this Lease by either party shall be limited to the particular instance and shall not be deemed to waive either

parties' right of enforcement upon any subsequent breaches of such covenants or any other provisions herein contained.

31. Entire Agreement. This agreement constitutes the entire and only agreement between parties and it supersedes all prior agreements with respect to the lease of the Premises. This agreement cannot be altered, modified, or assigned except by written instrument, signed by both parties.

32. Governing Law and Choice of Venue. This Lease shall be governed by and construed in accordance with the laws of the State of Utah. Disputes arising under this Lease that cannot be resolved between the parties shall be decided in the Third Judicial District Court, Summit County, State of Utah.

33. Severability. If any provision of this Lease shall be deemed to be invalid, illegal, or unenforceable, the validity, legality or enforceability of the remaining provisions contained in this Lease shall not in any way be effected or impaired.

34. Headings. Headings in this Lease are for convenience only and shall not be used to interpret or construe its provisions.

DATED THIS ____ day of __________, 199_.

PARK CITY MUNICIPAL CORPORATION

____
Bradley A. Olch, Mayor

Attest:

____
Jan Scott, City Recorder

Approved as to form:

____
Mark Harrington, Deputy City Attorney

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PASTA PROVISIONS, TENANT

____
By: Robert Murphy,

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this ______ day of _________________, 19____, personally appeared before me Robert Murphy, whose identity is personally known to me (or proved to me on the basis of satisfactory evidence) and who by me duly sworn (or affirmed), did say that he is the _________________________ (title or office) of PASTA PROVISIONS, and said Robert Murphy acknowledged to me that said corporation executed the same.

____
Notary Public

PARK CITY
1884

DATE: July 28, 1998
DEPARTMENT: Executive
AUTHOR: Linda Cook
TITLE: Entryway Trail Construction, Phase II - Payday Dr. to the McPolin Farm
TYPE OF ITEM: Award of Contract

SUMMARY RECOMMENDATIONS: Staff requests that City Council give authorization to award and execute a construction contract for the Entryway Trail - Phase II, based on three bids received and review by a City selection team.

DESCRIPTION:

Phase II of the Entryway Plan includes a 12' wide paved and soft surface pedestrian/bicycle trail from Payday Dr. to the northwest corner of the McPolin barn. The proposed trail crosses environmentally sensitive wetlands, requiring intense scrutiny, design study and regulatory permits. This phase of the Entryway Trail was originally to be constructed with ISTEA Enhancement funds. Based on the timing of the UDOT review process, staff has pursued an opportunity to construct the trail as a design-build project using CIP funds, with completion by October 31, 1998.

A. **Background**: On July 8, staff received permission from the City Council to proceed with Phase II using City funds if the design-build proposal using federal funds was ultimately rejected. Staff's permit application to the Federal Highway Administration received a great deal of comment and discussion. UDOT and FHWA notified staff on July 30th that neither entity is prepared to administer a design-build contract with the limited guidelines and experience for design-build projects. Both are currently struggling with the process for I-15 and the West Davis Legacy Highway, while defining the guidelines as these large projects progress. Design-build is considered highly experimental in Utah for projects like Park City's. UDOT and FHWA suggest that we apply for a rollover of our award for 1999 and perhaps design-build will be an option for future enhancement projects.

B. **Analysis:** Staff proceeded with a formal bid package concurrent with our proposal to FHWA. We received three bids ranging from $398,500 to $572,047. A staff selection team will be interviewing the three firms on Monday, August 3rd, and will be prepared to recommend the most reasonable and reliable bid for the Council meeting on August 6th. Staff's previous estimate for the project was $515,000.

C. **Department Review**: Executive
Public Affairs
Parks
City Engineer

ALTERNATIVES:

Option 1: Authorize staff to award and execute a construction contract for Phase II based on the most reasonable and reliable bid received, as recommended by the staff selection committee for the August 6th Council meeting.

Option 2: Reject the bids and continue with the UDOT review process to secure the original ISTEA award. The project would then be re-bid as a UDOT contract with trail construction beginning in late summer of 1999, due to the wetlands nature of the site.

Option 3: Continue the item - Time is of the essence to allow the successful contractor to begin construction with an anticipated completion date of October 31, 1998. If Council authorizes an award of contract, construction should begin by the second week of August.

SIGNIFICANT IMPACTS: Timing is an issue with any of the options. Staff would like to have the trail totally constructed in 1998 to coincide with the renovation of buildings at the farm, the schedule for Phase III, and the ultimate connection of the farm trails with the County's Millennium Trail project at Whitepine Canyon Rd. in 2000.

Trail construction was estimated at $515,000. Staff identified the Entryway CIP account 31-42061 and the Trails Master Plan account 31-42077 as sufficient to cover the project if City funds were necessary. The bids received are consistent with that estimate, though the bid recommended by staff may be significantly lower.

RECOMMENDATION: Staff recommends Option 1, authorizing staff to award and execute a design-build construction contract using City funds. The staff selection committee will have a recommendation to present to Council on August 6th for the most reasonable and reliable bid. Staff will request that the ISTEA award be applied to Phase III for 1999. Preliminary conversations with UDOT representatives indicate that there is no penalty for abandoning current year funding, especially since we have indicated future interest in ISTEA projects. The trail from Payday Dr. to the barn is a crucial segment that needs to be constructed this year.

PARK CITY

DATE:
DEPARTMENT: Public Affairs
AUTHOR: Matt Twombly MAT
TITLE: Eleventh Street Stairs Reconstruction
TYPE OF ITEM: Award of Construction Contract

SUMMARY RECOMMENDATIONS: Staff requests direction to proceed with the reconstruction of the Eleventh Street Stairs. Staff recommends that Council accept a reasonable construction bid, and direct staff to proceed with award of contract and the tentative construction schedule.

DESCRIPTION: Staff and Alliance Engineering have proceeded with the design and production of construction documents to reconstruct the Eleventh Street Stairs between Woodside Avenue and Norfolk Avenue. The project completion date is October 15, 1998. The advertisement to bidders was legally noticed on July 2 and 3, 1998 and the sealed bids were opened on July 28, 1998. The only bid is for $56,478 by Theide Construction Corporation and an additive alternate for the sanitary sewer upgrade for $12,543 to be paid by the Snyderville Basin Sewer Improvement District through an agreement with the City.

A. Analysis: The only bid for $56,478 by Theide Construction is $6,645 below the Engineers estimate. A bid bond was required of the bidders for this project unlike the Fourth Street Stairs Reconstruction project which may be the cause for the receipt of only one bid. Theide Construction was awarded the contract for the Fourth Street Stair Reconstruction and has performed professionally, at the highest standards and on schedule.

B. Department Review:
Building Department and Building Inspector
Planning and Engineering
Public Works and Building Maintenance
Legal

ALTERNATIVES:

A. Approve the Request: Award the construction contract to Theide Construction for $56,478 and direct staff to proceed with the reconstruction of the Eleventh Street Stairs consistent with prior instructions, and enter into an agreement with the Snyderville Basin Sewer Improvement District and award the Sanitary Sewer Upgrade Additive Alternate to Theide Construction for $12,543.

B. Deny the Request: This alternative appears to be an option if construction bids are unreasonably high as determined by the Council. Should Council decide not to award a contract to reconstruct the Eleventh Street Stairs, the present stairway will remain in its present condition which is potentially hazardous to the public that they service.

C. Continue the Item: The bids may require more extensive analysis than time allows in the August 6, 1998 meeting. If this is the case, there is no set time before the bids expire. The consequence of continuance may impact the present construction schedule.

SIGNIFICANT IMPACTS:

Fiscal

There is currently a total of approximately $56,500 available in applicable Old Town Stairs accounts: $5,500 in the Old Town Stairs MBA; $12,750 in the Old Town Stairs Lower Park Avenue RDA; $37,250 in the Old Town Stairs CIP and $1,000 from the Trails Master Plan Implementation CIP.

Other

The existing stairs would not be usable until completion, which is set for October 15, 1998. There are new stairs on 13th Street and older concrete stairs on 10th Street which would provide adequate temporary access.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: In the event that Council determines the bids to be unreasonably high then the design and bid process would need to begin anew and greatly impact the construction schedule.

If Council decides not to pursue the project, the existing stairway would remain in their present and potentially hazardous condition.

RECOMMENDATION: Staff requests that Council review the reasonableness of the bid and consider awarding the contract, so that the tentative construction schedule can be met. Staff recommends that a reasonable bid be approved, with direction to proceed with award of contract.

PARK CITY

DATE:
DEPARTMENT: Public Affairs MT
AUTHOR: Matt Twombly
TITLE: Deer Valley Drive South Trail Phase II
TYPE OF ITEM: Award of Construction Contract

SUMMARY RECOMMENDATIONS: Staff requests direction to proceed with the construction of the Deer Valley Drive South Trail Phase II. Staff recommends that Council accept a reasonable construction bid, and direct staff to proceed with award of contract and the tentative construction schedule.

DESCRIPTION: Staff has proceeded with the design and production of construction documents to construct the Deer Valley Drive South Trail Phase II between the existing concrete trail at the stone bridge and existing concrete trail at 'In the Trees' leading to the Snow Park Lodge. The project completion date is September 4, 1998. The advertisement to bidders was legally noticed on July 2, July 3, and July 8, 1998 and the sealed bids were opened on July 22, 1998. The apparent low bid is for $68,305 for the Basic Bid and Alternate Item #6 by Concrete Concepts, Inc. The second low bid for Basic Bid and Item #6 is from DRD Paving for $80,374.

A. Analysis: The apparent low bid for $68,305 was rejected due to the contractors' failure to comply with the required general contract for all work. The contractor holds a concrete subcontractor's license, not a general contractors license, as required. The responsible low bid is from DRD Paving for $80,374. Staff's estimate for the project is $92,395.

B. Department Review:
Engineering
Public Works
Legal

ALTERNATIVES:

A. Approve the Request: Award the construction contract to DRD Paving for $80,374, and direct staff to proceed with the construction of the Deer Valley Drive South Trail Phase II consistent with prior instructions.

B. Deny the Request: This alternative appears to be an option if construction bids are unreasonably high as determined by the Council. Should Council decide not to award a contract to construct the Deer Valley Drive Trail Phase II, the present condition where there is no trail adjacent to Deer Valley Drive would remain, causing pedestrians to use the road creating possible conflicts with automobiles.

C. **Continue the Item:** The bids may require more extensive analysis than time allows in the August 9 meeting. If this is the case, the bids do not expire until August 21, 1998. The consequence of continuance may impact the present construction schedule.

SIGNIFICANT IMPACTS:

Fiscal

There is currently a total of approximately $289,000 available in the Trails Master Plan Implementation CIP account.

Other

There may be traffic impacts due to possible one lane closures of Deer Valley Drive South during construction.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: In the event that Council determines the bids to be unreasonably high then the design and bid process would need to begin anew and greatly impact the construction schedule.

If Council decides not to pursue the project, the existing conditions of having no trail would remain, causing pedestrians to use the road creating possible conflicts with automobiles.

RECOMMENDATION: Staff requests that Council review the reasonableness of the bids and consider awarding the contract, so that the tentative construction schedule can be met. Staff recommends that a reasonable bid be approved, with direction to proceed with award of a contract.

PARK CITY
1884

To: **Honorable Mayor/Members of City Council**

From: **City Manager's Office**

MANAGER'S REPORT -August 6, 1998

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cc:	**Rick Lewis**	**Bob Stephens**	**Frank Bell**
	Myles Rademan	**Jerry Gibbs**	**Bob Johnston**
	Tom Bakaly	**Mark Harrington**	**Lloyd Evans**
	Jodi Hoffman	**Park Record**	**KPCW**
	The Journal		

Park Meadows Senior Tour: The event lasted from Monday to Sunday. The event was a success except a few minor parking/ traffic complications Thursday. Thursday spectator parking exceeded event planners estimates and overflow parking was moved to Deer Valley. This change in parking forced Public Works to change an overlay project near Deer Valley to be moved to the intersection on 248 and Monitor Dr. creating minor traffic congestion for about four hours.

Attachments:

- Fax from John and Dianne Roberts complimenting the design of the Old Town Transit Center.
- Thank you letter from Steve Hooker President of Historic Main Street Association.

MESSAGE

Stopped by to see the plans for the new Old Town transportation center...
Couldn't make the 5 pm public meeting-
Looks great, we like the idea that the design has been reduced to "only what is needed", and are glad that some heated enclosed space as well as bathrooms are part of the plan.
The turnabout does seem like a good idea and fits in the design nicely!
John & Dianne Roberts
961 Norfolk

, Phone: 435-647-9210, Fax: 435-658-3228		
To: Park City Town Council	Fax Number : 6154901	
From : John C Roberts	Pages: 1	Date: 7/23/98

HISTORIC
MAIN STREET
ASSOCIATION

RECEIVED
JUL 23 1998
PARK CITY MUNICIPAL CORP.

July 17, 1998

The Mayor and City Council
Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah 84060

Dear Mayor and City Council:

re **The Taste of Park City on Lower Main Street**

At our recent Historic Main Street Association we all voted to write to you all and thank you for approving the above event.

We feel that the event was extremely well run, with a very nice flow, and it brought many visitors to Park City. The clean up was quick and efficient.

The association is definitely in favor of more events such as this, however, at the same time we would like to point out that we are just referring to the closure of lower Main Street and not the upper Main Street. Also there is a definite distinction between events and filming.

Again, with many thanks.

Sincerely,

Steve Hooker
President

P. O. BOX 3135, Park City, Utah 84060

WORK SESSION