PARK CITY
1884

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

AGENDA

Work Session - City Council Work Session Room - Main Level

5:15 p.m. City Council questions and comments
5:30 p.m. Grant request - Park City Arts Council
5:45 p.m. Review of regular meeting

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 MEETING OF JUNE 18, 1998

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

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

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

VIII ADJOURNMENT

Joint Work Session with Planning Commission- City Council Chambers - Lower Level

6:15 p.m. Empire Canyon

Posted: 7/13/98

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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

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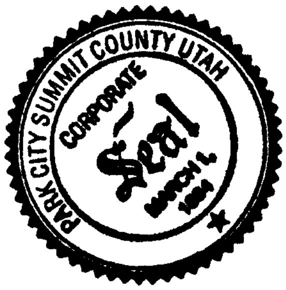
The meeting for which these minutes were prepared as noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott



Janet M. Scott

Janet M. Scott, City Recorder

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PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
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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 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

COUNCIL AGENDA REPORT

DATE: July 16, 1998
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly, Finance Manager TB
TITLE: Grant Requests
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The City Council should approve the following Grant Subcommittee recommendation concerning the disbursement of grant funds:

1) Approve the recommendations made by the Park City Arts Council for the disbursement of FY 1998-99 grant funds for arts, culture and humanities.

DESCRIPTION:

A. Topic: Grant Disbursement

B. Background:

In May of 1996, the City Council adopted a new policy that governs the disbursement of grant funds. This policy was subsequently amended in May of 1998 (attached). In addition to establishing criteria for determining grant recipients, the policy also established categories in which organizations receiving grants were placed. Each category then gets a portion of the total funds appropriated for grants. The total amount of funds available for grants is a percentage (2.25%) of the General Fund budget for each year.

During May of 1997, City Council formed a Grants Subcommittee to review the additional grant requests and make a recommendation to the City Council. The Grants Subcommittee consists of Council member Daniels, Council member Harlan, and a City staff representative (Tom Bakaly).

C. Analysis:

1) Disbursement of FY 1998-99 grant funds for Arts, Culture and Humanities

One category established by the Grants Policy was Arts, Culture and Humanities. Per the policy, the Park City Arts Council was designated as the representative organization for the purpose of planning how grant funds will be distributed for arts. The Arts Council has completed their grant review process and their FY 1998-99 recommendations are attached. The budget for this category for FY 1998-99 is $40,928. Representatives from the Arts Council will be available at the City Council meeting to answer specific questions.

Grant Subcommittee Recommendation: Approve the disbursement of FY 1998-99 grant funds for Arts, Culture and Humanities as recommended by the Arts Council.

D. Department Review:

This request has been reviewed by the Finance Division, and the City Manager

ALTERNATIVES:

1) Approve the general grant disbursement recommendation from the Arts Council. This is the recommended action from the Grants Subcommittee.

2) Deny the request (in total or partially): This action relating to the disbursement of Arts, Culture and Humanity grants would most likely necessitate further City Council direction concerning the grants policy and its implementation.

3) Continue the Item: The needs of several of the grant recipients are time sensitive to the next couple of weeks. Delaying the requests for more than a few weeks could cause some problems for some of the recipients.

4) Do Nothing: Same as Continuing the item.

SIGNIFICANT IMPACTS:

Implements the City's grants policy which to do date has worked well. Funds for the recommended action are in the grants budget.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The City Council would need to provide further direction and perhaps make modifications to the Grants policy.

RECOMMENDATION:

Approve the recommendation of the Grants Subcommittee concerning the use of grant funds.

Park City Arts Council

From: Park City Arts Council Grant Committee
To: Park City City Council Members
Re: 1998-1999 Cultural Grant Submittals
Date: July 10, 1998

The following is a summary of FY 1998-199 Submittals:

TOTAL AMOUNT REQUESTED: $78,500.00
# of grant applications received: 16

TOTAL AMOUNT FROM PCMC: $40,928.00
-Amount for PC Arts Council: - <u>$14,500.00</u>
AMOUNT TO GRANT: $26,428.00

Please note: The Cultural Grant Committee, upon reviewing all of the grant applications, recommends funding a total of $28,000.00. The difference between the available amount & the committee recommendation will come from Arts Council monies. Therefore, the $14,500.00for the Arts Council, will be $12,928.00. This has already been approved by Park City Arts Council Board of Directors.

<u>1. Randy Barton amount requested: $2,000.00 amount recommended: $2,000.00</u>
Complete project which received partial funding last year:
1. History of Park City 2. Rembrandt
Both projects are interactive live theatrical presentations in which Randy Barton becomes many characters while slide projector is simultaneously showing images pertaining to Rembrandt's work; & historical slides of Park City. These are two separate projects. Performances will be in schools during curriculum hours.

Cultural Grant Committee recognizes that additional funds are needed this year to complete project, but that artist must understand that funding is not on-going. A project evaluation will be sent out for completion so that committee has follow-up & closure to this request.

<u>2. Peg Bodell amount requested: $3,000.00 amount recommended: $2,500.00</u>
Peg will participate in an art residency program that provides 4-8 week long retreat to produce 10-20 paintings to be included in women's exhibition at Kimball Art Center July, 1999. Once residency is completed, program information will be shared in order to establish an art residency program in Park City. Ms. Bodell has already obtained funding commitment from Kimball Art Center, Utah Arts Council, Park City Professional Artists Association & Right Angle Framing.

Cultural Grant Committee supports concept of a project that helps an individual artist while the artist is simlutaneously learning how to establish an art residency program that will benefit both Park City & local artists.

<u>3. The Counseling Center amount requested: $5,500.00 amount recommended: -0-</u>
Project plans to identify at-risk children & develop an after school "art-based" program targeted population according to grant application, is 9-12 children.

Cultural Grant Committee's criteria requires impacting large number of Park City taxpayers. Also, no other means for project support were identified -ie no matching funds were solicited.

Post Office Box 4455
Park City, Utah
84060
801-647-9747

4. Mike Hamill-amount requested: $4,000.00 amount recommended: -0-
Applicant requests funds for smoke & lighting equipment in order to bring a theatrical poetry performance into the schools.

Cultural Grant Committee criteria does not support funding of equipment. Committee wasn't sure that performances have been secured at schools. Performances were at night not during curriculum. Committee felt attendance expectations of grant applicant were unrealistic.

5. Russell Harlow-**amount requested: $8,500.00 amount recommended: -0-**
Applicant is requesting funds to aid in purchasing equipment needed for live recording to accompany the silent Charlie Chaplin film THE GOLD RUSH.

The Cultural Grant Committee supports the concept of this project & would like to see it come to fruition, grant committee criteria does not support funding of artists' equipment.

6. Institute at Deer Valley-**amount requested: $2,000.00 amount recommended: $1,000.00**
Project support for four different professional dance companies: RDT, Riric Woodbury, Brolly Arts Choreographers Lab, Utah Contemporary Dance Theatre.
Public is invited free of charge to attend dance workshops, lectures, & demonstrations.
School credit is available for workshops toward dance education.

Cultural Grant Committee supports projects that are available to everyone in the community free -of-charge.

7. Mountainlands Housing-amount requested: $4,000.00 amount recommended: $3,500.00
Unity in Diversity: A ten minute documentary exporing cultural diversity in Park City. This proposal is a joint effort between Mountainlands Community Housing & Conexion Amigo. Matching funds have already been committed by St. Mary's Catholic Church, U.S. Bank, U.S. West Foundation & other sources.

Cultural Grant Committee strongly supports this project, aware that the making of the film as well as the final end result will help people to better understand & appreciate one another's heritage. This project impacts everyone in the community.

8. PC Chamber Bureau "Millenium Committee"-amount requested: $2,000.00 amount recommended: -0-
Grant application is for general support to help produce a New Year's Eve Celebration in Park City.

Cultural Grant Committee feels that this is a special event in the purvue of the Chamber Bureau. It would be more appropriate to get feedback from city. If they support this request then applicant should request funding from Contingency Fund. Also, application needs further project definition pertaining to the "arts component."

9. PC Intl. Music Festival-amount requested: $10,000.00 amount recommended: $3,000.00
Grant request is to allow free public orchestra & chamber music concerts this summer, curing the24-concert run of the Park City International Music Festival & Student Program, discussions with contemporary composers, workshops & master classes by renown musicians.
Cultural Grant Committee feels that applicant needs to give a proposal indicating specifics needs of the Park City population. Does the Music Festival do a postal patron mailing to all locals? Committee values the Music Festival, appreciates their caliber of excellence, the impact they have on the cultural climate of Park City particularly in promoting Cultural Tourism.

10. PC Performances (Egyptian Theatre)**-amount requested: $10,000.00 amount recommended: $6,500.00**
Requested project is financial support toward Youth Theatre program which is offered in conjunction with Park City School District. Purpose is to unlock the world of theatre & performing arts to local youth in positive & educational atmosphere.

Cultural Grant Committee strongly supports this program. Numbers of children served ar clearly identified & are increasing. Other benefit of this program is that while there may be 75-150 students studying theatre, over 800 students attended special matinee performances & thus, an enormous percent of our youth population is served.

11. PC Performing Arts Foundation-amount requested: $6,500.00 amount recommended: $5,000.00
Project request is to bring Missoula Children's Theatre traveling production of THE WIZARD OF OZ to Park City, & encourage spanish-speaking children to audition, recognizing that a shared cultural experience is often the most effective way to bridge gaps in culture & language barriers.
(In 1192 The Park City Arts Council brought Missoula Children's Theatre's WIZARD OF OZ to Park City. At that point in time, 200 children auditioned. 50 were selected, & 400 attended the two productions. Missoula Children's Theatre casts all locals, & puts on a performance within 1 week. The theatre company is also trained to work with Hispanic Youth & consider this to be an ESL program.

Cultural Grant Committe feels this is an excellent opportunity, excellent concept & use of public monies & wants to make sure that the date has been confirmed.

12. PC Professional Artists Association-amount requested: $5,000.00 amount recommended: -0-
Grant requests funding for a cooperative web-site to promote local artists to those seeking internet access to Park City artists.

Cultural Grant Committee supports concept of helping local artists to promote themselves & recommends that they work directly with the Park City Arts Council. Grant as submitted did not provide comparative web-site development bids nor did the application demonstrate other ways to market the local artists. Since the PC Arts Council is working on promoting Cultural Tourism, local artists should be incorporated into Arts Council's plan & Arts Council can provide marketing expertise to help artists.

13. PC Singers-amount requested: $5,000.00 amount recommended: $2,000.00
Request is for general project support. Park City Singers is comprised of 50 Park City area amateur singers who perform seasonally to the public. Each concert is standing-room-only.

The Cultural Grant Committee is delighted to see that a volunteer-based choir comprised of locals singing for the local population is so popular & that it is growing & hopefully increasing its numbers of concerts. However, the grant as written is vague & if they apply in the future their request must specify what the money is used for.

14. Eric Schultz Photographer-amount requested: $3,000.00 amount recommended: -0-
Grant request is to fund the production of the photographer's prints to be sold around the country.

Cultural Grant Committee cannot support a commercial artist's venture that does not directly impact the community. There was an insufficient project description.

15. Utah Music Festival-amount requested: $5,000.00 amount recommended: -0-
Grant request is general support for this chamber music festival.

Cultural Grant Committee is confused that there is another chamber music festival based in Park City. While the committee recognizes the value of world-class musicians who live in the Park City area, the Utah Music Festival application does not demonstrate enough benefit to Park City, a lack of Park City identity & presence. The application does not indicate the number of Park City performances planned to take place.

16. Utah Symphony-amount requested: $3,000.00 amount recommended: $2,500.00
Grant request is for marketing support to promote the outdoor Utah Symphony concerts at Deer Valley Resort to the local population.

Cultural Grant Committee appreciates how many locals go to outdoor concerts at Deer Valley, & how the symphony concerts positively contribute to the cultural package of summer venues in Park City. The grant committee asked the Symphony to specifically send a direct-mail marketing brochure to the Park City area & they were eagar to do so.

1998-1999 CULTURAL ART GRANT SUBMITTALS

	Amount Requested	Total Project	% of Project	Rating
*1. Randy Barton	$2,000	$10,000	20%	$2,000
2. Peg Bodell	$3,000	$6,000	50%	$2,500
3. Counseling Institute	$5,500	$5,500	100%	-
4. Mike Hamill	$4,000	$6,438	62%	-
5. Russell Harlow	$8,500	$69,986	12%	-
6. Institute Deer Valley	$2,000	$32,951	6%	$1,000
7. Mountainlands	$4,000	$17,500	22%	$3,500
8. PC Chamber Bureau	$2,000	$15,000	13%	-
*9. PC Intnatl Music Fest.	$10,000	$309,245	3%	$3,000
*10. PC Performance	$10,000	$62,000	16%	$6,500
11. PC Arts Foundation	$6,500	$12,475	52%	$5,000
12. PC Professional Artists	$5,000	$8,250	60%	-
13. PC Singers (expand on what they want to use the money for)	$5,000	$12,200	40%	$2,000
14. Eric Schultz	$3,000	$9,000	33%	-
15. Utah Music Festival	$5,000	$50,000	10%	-
*16. Utah Symphony	$3,000	$760,000	1 3%	$2,500

$ 78,500 requested	**$40,928**	**Available**
(5 Individual artists submitted grant applications)	**- $14,500**	**Arts Council**
***=previously funded**	**$26,428**	**Available to Grant**
	+ $1,572	**From P.C.A.C**
	$28,000	

(Create Evaluation Form)

Example

CULTURAL ARTS GRANT REVIEW GRID

APPLICANT NAME________________________________

AMOUNT REQUESTED $______________

CRITERIA	LOW	AVG	HIGH	TOTAL
1A) QUALITY OF PROJECT/ CONCEPT DOES IT STAND ON ITS OWN?				
1B) IMPORTANCE OF PROJECT TO THOSE SERVED				
2) RANGE OF INFLUENCE (WHO AFFECTED, HOW MANY)				
3) MANAGEMENT COMPETENCE				
4) QUALIFICATIONS				
5) MEASURE OF SUCCESS ATTENDANCE, VOLUNTEERS				
6A) FINANCIAL SUPPORT FROM OTHER SOURCES				
6B) % REQUESTED/BUDGET				
7) COMMUNITY COMPONENT				

AMOUNT RECOMMENDED $______________

GRANTS POLICY - Amended 5/14/98

As part of the budget process, the City Council appropriates funds to organizations and endeavors whose missions are consistent with those of the City. Depending upon the type of grant category, grants may take the form of cash contributions, one-time capital project donations, forgone fees or rent relating to City property. The use of the grant funds will be for specific services rendered, special projects, or organizational "seed" money.

Grant Distribution Criteria: Organizations or projects must meet the following criteria in order to be eligible for a grant: 1) Accountability and Sustainability of Organization; 2) Program Need and General Public Benefit and; 3) Fiscal Stability and other Financial Support.

Criterion #1 - Accountability and Sustainability of Organization or Endeavor: The organization or endeavor must have: 1) Quantifiable goals and objectives; 2) Non-discrimination in providing programs or services; 3) Cooperation with existing related programs and community service; 4) Compliance with the City contract and 5) Not-for-profit Status.

Criterion #2 - Program Need and General Public Benefit: The organization or endeavor must have: 1) A clear demonstration of public benefit and provision of direct services to City residents and; 2) A demonstrated need for the program or activity.

Criterion #3 - Fiscal Stability and other Financial Support: The organization or endeavor must have: 1) A clear description of how public funds will be used and accounted for; 2) Other funding sources that can be used to leverage resources; 3) A sound financial plan that demonstrates managerial and fiscal competence; and 4) A history of performing in a financially competent manner.

Total Grant Appropriations: The City appropriates a total of 2.25% of its annual General Fund budget year for grants in categories 1 - 5 as described below. In addition, the City appropriates specific dollar amounts from other funds specifically related to categories 6 - 7 as described below. The General Fund budget is defined as the sub-total of the General Fund operating budget, less interfund transactions.

Grant Categories and Percentage Allocations: For the purpose of distributing grant funds, grants are placed into the following categories: 1) Special Services; 2) Arts, Culture, Humanities; 3) Youth; 4) Rent Contribution; 5) Grant Contingency 6) Housing and; 7) Historic Preservation. A percentage of the General Fund budget (whose sum does not exceed 2.25 %) is allocated to each of the first five individual categories by the City Council. A specific dollar amount is allocated to categories 6 and 7.

The General Fund category percentage allocation does not vary from year-to-year. However, as the City's budget fluctuates (up or down) due to economic conditions, the dollar amounts applied to each category will fluctuate proportionally. In the case of categories 2, 3, and 5 (Arts, Youth and Contingency), unspent grant balances from a prior fiscal year are reappropriated on a one-time basis to the upcoming fiscal year. The unspent prior year balance is added to the new grant amount for the upcoming fiscal year.

1) Special Services: An amount not to exceed 1.06 % of the General Fund budget will be designated for grants relating to services that would otherwise be provided by the City. Special services that fall into this category would include; but not be limited to; sustain economic development, historical preservation, marketing/sales, public safety, and recycling.

To the extent that is possible, individual special services will be delineated in the budget. Any amount not specifically designated in the budget for special services will be placed in the Grant Contingency Category. Each special service grant will have a special service contract with a term of one year. If a special service grant recipient wishes to increase their budgeted grant amount, they must justify why a change is needed. Funds used to increase individual special service contracts must come from within the Special Services Category or the Grant Contingency Category.

2) Arts, Culture, Humanities: .29% of the total General Fund budget will be designated for a grant to a representative organization of the arts, culture, and humanities community. The representative organization will propose a plan by June 1st of each year of how the grant funds will be distributed to organizations in the arts, culture, and humanities community.

The proposal must be consistent with the criteria listed in this policy. In particular, criterion 1-3: (cooperation with existing related programs and community services) will be closely monitored. Failure to comply with this criteria may result in loss of representative organization status.

Upon being designated by the City Council as the representative organization, the representative organization will enter into a contract prior to July 1st with the City for the distribution of grant funds for a one year period. If a representative organization is not identified by City Council, the grant funds will be held in a City trust fund until a representative organization is identified.

3) Youth: .24% of the total General Fund budget will be designated for a grant to a representative organization for youth services. All of the policies relating to category #2 also apply to the youth category.

4) Rent Contribution: An amount not to exceed .47% of the General Fund budget will be used as a rent contribution for organizations occupying City owned property. To the extent that is possible, individual rent contributions will be delineated in the budget. Any amount not specifically designated in the budget will be placed in the Grant Contingency Category.

The City is required to make lease contributions to the Park City Building Authority for buildings that it occupies. Organizations may enter into a lease with the City to occupy City space at a reduced rental rate. The difference between the reduced rental rate and the rate paid to the Park City Building Authority will be funded by the rent contribution amount. The City Council may make long-term lease commitments for reduced rental rates under this policy. Please note that this policy only applies when a reduced rental rate is being offered. This policy does not apply to lease arrangements at "market" rates.

5) Grant Contingency: .19% of the General Fund budget will be designated as a grant contingency reserve for organizations, programs, or endeavors that arise throughout the year. Use of the grant contingency fund requires City Council approval. The policies stated above will be applied to requests from the Grant Contingency Category. City Council will review contingency fund balance every two years and make decisions for appropriations based upon recommendations from the Grants Committee.

6) Housing: Each year, the City Council will appropriate a specific dollar amount relating to housing issues. The City Council will designate the funding for these expenditures during the annual budget process. In instances where another organization is involved, a contract delineating the services will be required.

7) Historic Preservation: Each year, the City Council will appropriate a specific dollar amount relating to historic preservation. The City Council will designate the funding for these expenditures during the annual budget process. In instances where another organization is involved, a contract delineating the services will be required.

It is at the discretion of the City Council as to which categories individual organizations or endeavors are placed. Any percentage changes to the General Fund categories described above must be approved by the City Council. All final decisions relating to grant funding are at the discretion of the City Council.

PARK CITY
1884

CITY COUNCIL REPORT

DATE: July 16, 1998
DEPARTMENT: Planning Department
AUTHOR: Alison Kuhlow AK
TITLE: 334 Woodside Avenue Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Conduct a public hearing and approve the Plat Amendment to combine Lot 22, 23, and the south half of Lot 21 in Block 3 of the Park City Survey into two (2) lots.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS
Project Name: 334 Woodside Avenue Plat Amendment
Owner: Trent Timmons
Location: 334 Woodside Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential

B. Background.

The owner of Lots 22, 23 and the south half of Lot 21, submitted an application to combine the three lots into two (2) 2346 square foot lots for single family development. Lots 22 and 23 are each a standard 25' x 75' old town lots and Lot 21 is 12.5' x 75'. A remnant of an old foundation wall currently exists in the center of the property along with a significant size tree. The foundation wall is made of cement and stone and has no significance. The lots are currently vacant with significant vegetation.

The Planning Commission reviewed the Plat Amendment and forwarded a positive recommendation to the City Council. One item that was discussed in detail was the condition requiring a variation in front yard setbacks between the two structures. The Planning Commission preferred a larger variation, but determined that the preservation of the poplar tree was a greater benefit to the site. Exhibit C includes a letter from a certified arborist stating that the structures should not encroach any further into the rear yard if the tree is to be preserved.

The applicant has submitted an application to the Historic District for design review of the two single family structures. These structures will need to conform with the Historic District Design Guidelines and Land Management Code Requirements. The Historic District Commission will review the design at their July 27, 1998 Meeting.

C. Analysis

This request is to combine two and a half (2½) lots to create two (2) new 2346 square foot parcels that will have one single family residence on each lot. The size of the structure located on the parcel will be limited by the setback, and height requirements of the Land Management Code for the HR-1 District and checked at time of building permit issuance for compliance.

		Lot A		Lot B	
Lot Size		2346 square feet		2346 square feet	
Setbacks					
	• Front	10 feet	total 30 feet	10 feet	total 30 feet
	• Rear	10 feet		10 feet	
	• Side	3 feet, total 10 feet		3 feet, total 10 feet	
Height		27 feet		27 feet	
F.A.R.		1968 s.f.		1968 s.f.	

Two of the three (3) of the applicants' lots are originally platted lots, which allows them the option of developing a total of two single family homes. The applicants wish to combine the two and a half (2½) lots to accommodate two single family homes, which neither increases nor decreases the potential density of the area. The proposed lot sizes are compatible with the current ownership pattern along Woodside Avenue. Structures in the neighborhood are typically single family historic and new homes.

Staff has added as a condition of approval that the existing significant White Poplar tree, located in the center of the newly created lot line, shall be preserved and protected during future construction upon either lot.

The Historic District Design Guidelines specify that buildings should have a variety of building setbacks between 10' to 20' to maintain the historical character of the neighborhood. Since the two proposed parcels are under separate ownership, Staff suggests adding as a Conditional of Approval that Lot A's and Lot B's front yard setbacks differ by a minimum of four (4) feet. This will ensure compliance with the Historic District Guidelines.

D. Notice

Notice of the Planning Commission public hearing was sent to property owners within 300' on June 8, 1998. No formal comments have been filed at the time of this report.

E. Department Review.

The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on May 5, 1998, where representatives from the local utilities and City Staff were in attendance and found it to be in conformance with all current requisite City development codes of which we are currently aware.

ALTERNATIVES

A. Approval of the proposed subdivision plat amendment combining Lot 22 and the north half of Lot 23 and Lot 24 and the south half of Lot 22, Block 9 Snyder's Addition and thereby allowing for the parcels to accommodate two single family homes.

B. Deny the subdivision plat amendment and retain the original lot configuration which may allow for the individual development of each lot.

C. Continue the item and request further evaluation from the Staff.

SIGNIFICANT IMPACTS:

The proposed amendment will result in two (2) lots which meet the minimum lot requirement for the HR-1 District. The plat amendment will reduce the potential density of the developed units on the lots. Given the required setbacks, the historic district height restrictions, and the predominant ownership pattern and house size in the area, the lot combination results in proposed structures which are compatible in mass and scale with the immediate neighborhood.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is not approved as proposed, the applicant can construct two (2) single family structures with smaller side yard setbacks, thana what would be required if the Plat Amendment is approved. There is also the possibility of losing the tree during construction.

RECOMMENDATION:

Staff recommends that the City Council conducts a public hearing, consider public input and consider Staff's recommendation to adopt the attached ordinance combining Lot 22, 23, and the south half of Lot 21 in Block 3 of the Park City Survey into two (2) lots:

Findings of Fact:

1. The property is located in the HR-1 District.

2. The site is currently vacant.

3. The proposed Plat Amendment will combine two and a half (2½) lots to allow for the construction of two single family residences.

4. The proposed lots contain significant vegetation. Specifically a large White Poplar tree on Lot 22.

5. Dedication of a ten (10) foot non-exclusive snow storage easement along Woodside Avenue is necessary to provide adequate snow removal services.

6. Staggered front yard setbacks for the future single family residences comply with the Historic District Design Guidelines.

7. The applicant agrees with the conditions of approval.

Conclusions of Law:

1. There is good cause for the amendment as increased setbacks are provided and overall density is reduced.

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2. Neither the public nor any person will be materially injured by the proposed plat amendment.

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

<u>Conditions of Approval:</u>

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. A ten (10) foot non-exclusive snow storage easement along Woodside Avenue shall be dedicated to the City on the plat.

3. The structures at 334 and 340 Woodside Avenue shall have a minimum difference of two (2) feet between front yard setback lengths, upon reciept from an arborist certifying the root base of the tree.

4. The existing significant White Poplar tree, located in the center of the newly created lot line, shall be preserved and protected during future construction upon either lot. A note should be placed on the plat designating this condition.

5. Design of the proposed homes require review and approval by the Historic District Commission in compliance with the Historic District Design Guidelines. The front facade shall be designed to minimize the appearance of the single car garage and emphasize the front entry and porch elements.

7. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

8. Building Permits for Lot A and Lot B may not be issued until the plat is recorded.

9. All Standard Project Conditions shall apply (Please see Exhibit E - Standard Project Conditions).

<u>EXHIBITS:</u>

Attachment A - Ordinance
Exhibit A - Location Map
Exhibit B - Proposed Plat
Exhibit C - Letter from a Certified Arborist
Exhibit D - Memo from Staff regarding White Poplar tree
Exhibit E - Standard Project Conditions

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Ordinance No. 98-

AN 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

WHEREAS, the owners of the property known as Park City Survey Lots 22, 23 and the south half of Lot 21 in Block 3 of the Park City Survey have petitioned the City Council for approval of a revision to the final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on June 24, 1998, to receive input on the proposed condominium plat;

WHEREAS, the Planning Commission, on June 24, 1998, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 16, 1998, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the HR-1 District.
2. The site is currently vacant.
3. The proposed Plat Amendment will combine two and a half (2½) lots to allow for the construction of two single family residences.
4. The proposed lots contain significant vegetation. Specifically a large White Poplar tree on Lot 22.
5. Dedication of a ten (10) foot non-exclusive snow storage easement along Woodside Avenue is necessary to provide adequate snow removal services.

6. Staggered front yard setbacks for the future single family residences comply with the Historic District Design Guidelines.

7. The applicant agrees with the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey for Lots 22, 23 and the south half of Lot 21, Block 3 of the Park City Survey, to be known as the 334 Woodside Avenue Replat, is approved as shown on Exhibit A, with the following conditions:

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. A ten (10) foot non-exclusive snow storage easement along Woodside Avenue shall be dedicated to the City on the plat.

3. The structures at 334 and 340 Woodside Avenue shall have a minimum difference of two (2) feet between front yard setback lengths, upon receipt from an arborist certifying the root base of the tree.

4. The existing significant White Poplar tree, located in the center of the newly created lot line, shall be preserved and protected during future construction upon either lot. A note should be placed on the plat designating this condition.

5. Design of the proposed homes require review and approval by the Historic District Commission in compliance with the Historic District Design Guidelines. The front facade shall be designed to minimize the appearance of the single car garage and emphasize the front entry and porch elements.

7. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

8. Building Permits for Lot A and Lot B may not be issued until the plat is recorded.

9. All Standard Project Conditions shall apply (Please see Exhibit E - Standard Project Conditions).

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

PASSED AND ADOPTED this 16th day of July, 1998.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

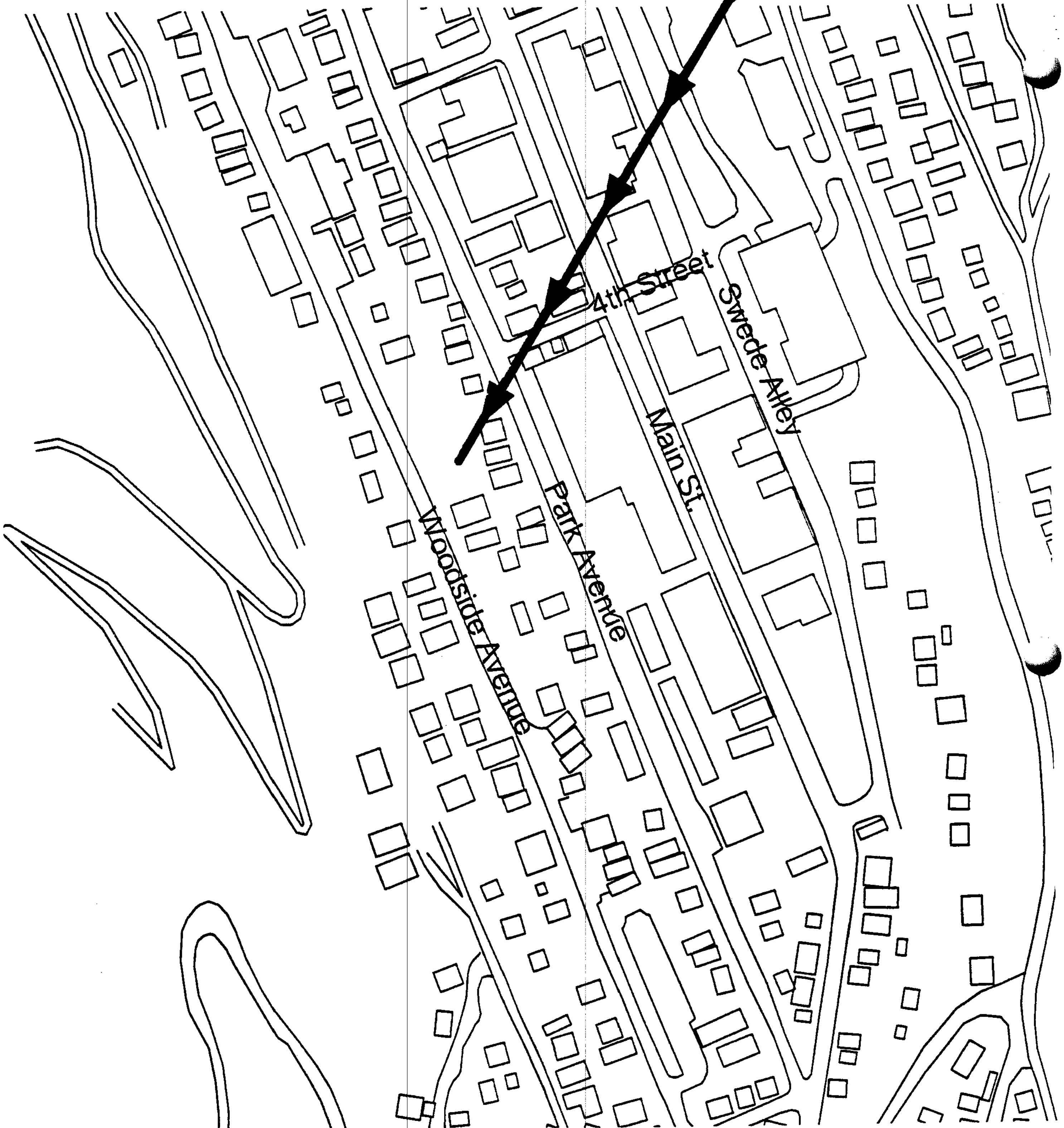
Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney

336 Woodside Ave.



PARK CITY
1884

Exhibit A
Location Map

N

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163831, as prescribed by the laws of the State of Utah, and that this Lot Line Amendment Plat was prepared under my direction in accordance with the requirements of Summit County. I further certify that this plat accurately represents the surveyed property.

______________________ John Demkowicz ______________ Date

LEGAL DESCRIPTION

SOUTH ONE-HALF OF LOT 21, AND ALL OF LOTS 22 AND 23, BLOCK 3, PARK CITY SURVEY, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as the 334 WOODSIDE REPLAT, do hereby certify that I have caused this Lot Line Amendment Plat to be prepared, and I, Trent Timmons, hereby consent to the recordation of this Lot Line Amendment Plat.

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

In witness whereof, the undersigned set his hand this ______ day of ______________ 1998.

____
Trent Timmons
Owner

ACKNOWLEDGEMENT

State of Utah:
County of Summit:

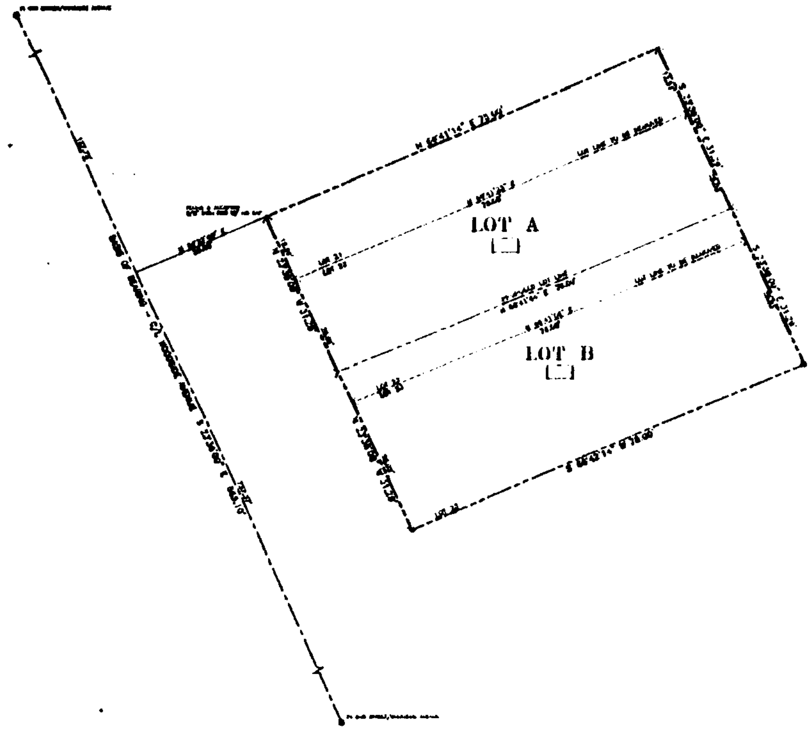
On this ____ day of ______________________, 1998, personally the undersigned Notary Public, in and for said state and , being duly sworn, acknowledged to me that he is the [illegible] tract of land and that he signed the above Owner's [illegible] to Record freely and voluntarily.

____

at ______________

NOTES

1 B-________, SUMMIT COUNTY UTAH FOR RECORD OF SURVEY PLAT.



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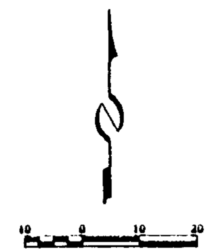
PLANNING DEPT.



LEGEND

LOT LINE AMENDMENT PLAT

3 3 4 W O O D S I D E R E P L A T

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 of 1

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ____ DAY OF ______, 1998 A.D. BY ______ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF ______ 1998 A.D. BY ______ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ______ 1998 A.D. BY ______ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ______, 1998 A.D. BY ______ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY ______ 1998 A.D. BY ______ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ______ 1998 A.D. BY ______ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______ DATE ____ TIME ____ BOOK ____ PAGE ____ FEE ____ RECORDER

Exhibit B
Proposed Plat

White Poplar Preservation

This report gives advice and prescribes treatments that are helpful in maintaining the health of an existing tree in a construction area. With living organisms as complex as a tree there are no guarantees, but hopefully these will be effective.

White Poplars, like most poplars, are susceptible to many insects and diseases. They are generally a short-lived tree. Currently, the tree in question was injured from wire and cables that were attached to the trees trunk. This metal has been incorporated into the trunk of the tree, and does not seem to be a major health issue. The metal should be cut off next to the bark.

Some major deadwood in the crown would indicate past disease problems. The tree seems to have contained the spread of the disease for now. The affected wood should be pruned out of the tree to reduce the future spread of the disease.

After reviewing the building plans, I believe that the damage done to the tree can be minimal. However, if the plans are changed and the building is moved closer to the tree, more root damage will occur. This will reduce the tree's chance of survival. These steps should be taken before construction begins to reduce the chance of damage:

1. A fence around the drip line of the tree will reduce root damage and soil compaction.
2. Soil grade changes are a slow killer of trees and changes of three inches more of less can be detrimental.
3. Chemicals such as cleaners, solvents, mortar mix and anything other then clean water must be avoided.
4. Supplemental water must also be provided to help with root loss. Water must be spread out over the entire root area.

I believe if these treatments are implemented, the White Poplar will survive the construction and thrive for many years to come while adding value to the property.

Brian H. Getzelman,
Arborist

Exhibit C
Letter from Certified Arborist

Brian H. Getzelman
1440 E. 4165 S.
Salt Lake City, UT 84124
(801)272-6825

Education:

1982	B.S. in Forestry, Michigan Technological University. Minor in Soil Science and member of MTU Soil Judging Team.

Seminars:

1996	Drip Irrigation Design.
1993	Tree Appraisal Workshop
1991	Alex Shigo; Modern Tree Biology.
1989	Tate; Tree Valuation ISA Convention.
1986	Master Gardener from USU extension.

Experience:

1985-Present	**Arborist, Owner** ArborCare 3268 W. 900 S. SLC, UT *Tree Service, pruning. *Tree & Shrub spraying. *Consulting
1983-1985	**Tree & Shrub Specialist** Chemlawn Tree & Shrub Division; SLC, UT.
1982	**Arborist** The Tree Company; Barrington, Illinois.

Memberships:

1986	*International Society of Aboriculture *Certified Arborist #RM-0121. *Past President of the Utah Commuity Forestry Council

Awards:

*Arborist of the Year for 1993
*1998 Rocky Mountain Tree Climbing Champion

PARK CITY
1884

Memorandum
July 6, 1998

TO: Derek Satchell & Alison Kuhlow

FROM: Brooks T. Robinson, Landscape Architect, Arborist, Planner & Tree Hugger

SUBJECT: 334 Woodside Avenue. White Poplar

I have inspected the large white poplar tree at 334/6 Woodside Avenue and reviewed the arborist report prepared by Brian Getzelman and the site plans for the project. I concur with the report by Mr. Getzelman as to the health and viability of the tree. Due to the location of the tree at the rear of the property and straddling the side property line, it is uniquely located for preservation. The following recommendations will help preserve the tree:

- In order to provide maximum protection, the houses proposed should be located at the front setback.
- All construction activity, including grading, footings for decks, and backfilling should be kept as far away from the tree as possible.
- A detailed grading plan will show how proposed grades tie into the existing grade.
- A sturdy fence, possibly a temporary chain link fence, should be constructed at the approved limits of disturbance.
- Small signs (8.5 x 11 inches) placed on the fence that say "Valuable Tree, Please Help Protect" or words to that effect should be posted to be visible to all construction personnel.

I will review any further site plans for impacts to the tree, if requested.

Exhibit D
Memo from Staff

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes; the Park City Design Standards, Construction Specifications, and Standard Drawings; and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
2. All modifications to plans as specified by conditions, and all final design details, such as material and color samples, shall be submitted to and approved by the Community Development Department prior to issuance of any building permits.
3. The applicant is responsible for compliance with all conditions of project approval.
4. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
5. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof.
6. Construction staging areas shall also be clearly defined and approved by the Community Development Department, and shall be placed so as to minimize site disturbance. The landscape plans shall include plans for revegetation of all areas disturbed during construction.
7. Final grading, drainage, utility, erosion control and revegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
8. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
9. All construction shall be completed according to the approved plans on which building permits are issued. The approved plans include all site improvements shown on the site plan. "Site improvements" shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grades, walls, landscaping, lighting, planting, paving, paths, and trails, and similar improvements, as shown on the set of plans on which final approval and building permits are based.
10. Any desired modifications to approved plans, after the issuance of a building permit, must be specifically requested and approved in writing prior to execution.
11. Plans shall conform to all design standards for persons with disabilities as required by any applicable federal, state and local laws.
12. Access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
13. The required utility easements along street frontages shall include language to allow for these areas to be used for snow storage. Typically, a 10-foot snow storage easement is required above Deer Valley Drive (approximate elevation of 7,200 feet). A five feet easement is necessary below this elevation.
14. Lockout units are not permitted unless specifically approved.
15. The infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or termination of the permit as specifically conditioned.
17. The name of a master planned development, plat, record of survey, subdivision, condominium project, or other approved project may not be changed without review and approval by the Community Development Department, said approval is not to be unreasonably withheld. The Community Development Department's review shall be limited to prevent confusion of the project with others in terms of emergency and delivery services and project identification

Exhibit E
Standard Project Conditions

PARK CITY
1884

DATE: July 16, 1998
DEPARTMENT: Public Works
AUTHOR: Hope E. Bleecker, Transportation Director
Jerry Gibbs, Public Works Director
TITLE: Paid Parking Evaluation
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Hire Leigh, Scott, and Cleary to complete preparation of a transit plan, complete site facility analysis and develop a preliminary design for the Park City Transit Center for an amount not to exceed $75,000.

DESCRIPTION:

A. Topic. Contract with Leigh, Scott, and Cleary, Inc.

B. Background. In March, 1997, the City hired Frederic R. Harris, Inc. to perform a transportation analysis Harris performed a number of tasks under the contract scope which included design of a long-range transportation plan and analysis of several transfer facility sites. They completed much of the scope of that project plus several tasks that had not been previously anticipated. However, they didn't complete the final transit plan document or the preliminary design and circulation plan for the Park City Transit Center proposed for Old Town.

In April, the City reevaluated activities necessary to achieve funding and approvals for the Old Town transit facility. Specific milestones for the transit center approval process were outlined following a joint meeting between the HDC and the Planning Commission. The City entered into a negotiation process with Frederic R. Harris staff to complete the required tasks for the amount of money authorized by the City Council which was less than the total contract amount. Ultimately, Harris and the City determined that it was in our mutual interest to terminate the contract and for the City to seek an alternate approach to completing the work.. The separation process started in early May and was finalized on July 9, 1998.

C. Analysis. Pursuant to the initial discussions of separation, staff solicited a revised proposal from Leigh, Scott, and Cleary Inc. (LSC). LSC proposed to do the work for a lower price according to the attached scope. The City viewed Leigh, Scott and Cleary, Inc. as a viable candidate to perform the work based on their experience as a subcontractor on the project.

In addition, LSC and their design team came in second to Harris on the original Request for Proposal (RFP) for this project. It is important to note that this contract is to complete the transportation plan and preliminary design work. The City will conduct a separate RFP process for the bulk of the design work and construction supervision if the project goes forward.

D. Department Review. This proposal has been reviewed by the Executive, Legal, Planning, and Finance Departments. All agree that LSC is the logical choice to complete the desired work in a short time frame.

ALTERNATIVES:

1. **Hire Leigh, Scott, and Cleary to perform the remaining work on the transportation planning and facility design contract for an amount not to exceed $75,000.**

2. **Conduct a new Request for Proposal process for the remainder of the project.**

3. **Do Nothing**

SIGNIFICANT IMPACTS:

The significant impact of alternative 1 is that the work originally ordered will be performed within a timely manner for a lower price. Hiring LSC is in compliance with the City's purchasing policies due to their participation in the original RFP process for this project. When added to the amount paid so far to Harris for this contract, the $75,000 is still within the amount authorized by City Council for this project on April 30, 1998.

Alternative 2 would possibly cause a delay in the project. Staff is not certain that a new RFP with the this scope would result in a different outcome. This is due to the specific transit nature of the work to be performed and the requirements of the FTA.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Not taking the recommended action will not achieve proposed project deadlines, or grant funding for completion of the project.

RECOMMENDATION: Hire Leigh, Scott, and Cleary to produce the transportation plan and perform recommended analysis for an amount not to exceed $75,000. They would be charged with gaining approval from the Downtown Action Task Force and in carrying the project through first reviews of the concept before the Planning Commission and the HDC.

LEIGH, SCOTT & CLEARY, INC.
TRANSPORTATION PLANNING
& TRAFFIC ENGINEERING CONSULTANTS

2690 Lake Forest Road
P.O. Box 5875
Tahoe City, California 96145
(530) 583-4053 FAX: (530) 583-5966
lsctahoe@sierra.net

June 22, 1998

Ms. Hope Bleeker, Transportation Director
Park City Municipal Corporation
PO Box 1480
1053 Ironhorse Drive
Park City, UT 84060-1480

RE: Completing the Park City Old Town Intermodal Facility Planning/Preliminary Design, and Transit Plan

Dear Ms. Bleeker:

With this letter and attached proposal, Leigh, Scott & Cleary, Inc. of Tahoe City, California would like to present our proposal to complete a facility site analysis and develop a preliminary design for the Park City Intermodal Center, as well as to complete the preparation of a Transit Plan for the City. We believe that our extensive experience in Park City over the last few years, as well as our transit planning and design skills gained through work in many similar settings, provide us with a unique ability to bring this planning process to a successful completion.

As you know, Leigh, Scott & Cleary, Inc. is an established, California- and Colorado-based transportation planning firm that has been in business for over 23 years. Our firm has extensive experience in transit and transportation planning in rural settings and resort communities throughout the western and mid-western United States. Moreover, within the past ten years, we have completed FTA-sponsored transit studies in more than 24 cities and 18 rural areas, and have designed transit centers in Tahoe City and Eureka, California; Logan, Utah; as well as Aspen and Frisco, Colorado.

To date, we have contacted Design Workshop, Inc. and discussed their potential participation in the study team. With offices in Salt Lake City as well as Aspen, Denver, and Tempe, the firm has designed and implemented similar facilities in South Lake Tahoe, California; Snowmass, Colorado; Banff, Alberta; Mesa, Arizona; and Aspen, Colorado. As Design Workshop and LSC have worked together on numerous previous projects, the study team can start work on the project quickly (an important consideration for this project). I believe that Design Workshop's professional strengths are well-suited for the issues to be considered on the Swede Alley site (including impacts on the historic qualities of the area), and I have a high regard for their qualifications to meet the needs of the study.

PROPOSED WORK APPROACH

Transit Plan Completion

To date, Multisystems, Inc. has provided a series of individual working papers that describe various "pieces" of a comprehensive transit plan. To provide Park City with a completed and adopted Transit Plan, it will be necessary to undertake the following tasks:

1. Development of transit ridership projections for each proposed service.
2. Develop an implementation schedule for service improvements
3. Refine the financial plan to reflect changes to the service, capital and implementation plans, and to incorporate staff comments.
4. Prepare a draft Transit Plan that combines, coordinates, and updates the pertinent portions of the Multisystems memos, including supporting graphics.
5. Present this draft Plan to staff and City decisionmakers.
6. Make any necessary modifications in response to client comments, and prepare Final Plan.

We presently have the following documents from Multisystems, Inc. in our office:

- Memo dated November 1, 1997 re: possible changes to 1997-98 Silver Lake Service
- Memo dated October 14, 1997 re: park City goals, objectives and standards (update of a draft memo dated October 6, 1997)
- Memo dated October 29, 1997 re: existing Park City transit services
- Memo dated November 2, 1997 regarding shuttle bus service options between City Park and Main Street, labeled "Possible Changes to 1997-98 Silver Lake Service" on the re: line.
- Memo dated November 11, 1997 re: Traffic Obstacles to Transit in Park City.
- Memo dated November 20, 1997 re: Catalogue of Park City Service Options
- Memo dated January 21, 1998 re: Preferred Scenario Choices for Park City
- Memo dated January 30, 1998 re: Special Events and Peak Seasonal Demand
- Memo dated January 30, 1998 re: Draft Management Plan
- Memo dated February 27, 1998 re: Marketing Concepts for Park City Transit
- Memo dated March 24, 1998 re: Transit Plan Recommendations. (Figures referenced in document are not provided.)

One element that is lacking from all of these documents is any sort of graphics. At a minimum, the following graphics should be included in a plan document:

- Existing transit routes
- Ridership per hour -- winter
- Ridership per hour -- summer
- Ridership by day of week -- peak winter
- Ridership by day of week -- peak summer

- Ridership by year over last 5-10 years
- Examples of new marketing materials
- Recommended transit plan (which may require detailed graphics depicting the Old Town area). This may also be more understandable if presented in separate "summer," "winter," and "offseason" plan graphics.

Other elements that are needed consist of the following:

- Text discussion of the recommended service plan. The memo of March 24 provides the service plan in a table format, but not in a text format.

- An evaluation of the ridership generated by each of the final service plan elements.

- An implementation plan, identifying the schedule for implementation of plan elements (by quarter), and responsible parties.

- Refinement of the financial plan.

Filling in these missing elements, the series of memos present the information necessary to compile a Transit Plan document. It would be a substantial task, however, to actually prepare the document. As the memoranda were prepared over the course of the planning process, some of the information included in the earlier documents is superceded. A knowledgeable editor would need to compile the text into a single word processing file, and then start searching for overlapping or contradictory information. There may also be information in these memos that shouldn't be part of the plan, such as discussions of Silver Lake modifications that have already been implemented. Tables and figures would then need to be finalized, and the complete document formatted.

TRANSIT CENTER CONCEPT COMPLETION

As with the transit planning process, previous work has provided a substantial basis on which to develop a final Transit Center plan in the Swede Alley area, including base mapping and a completed Environmental Assessment. We would propose the following work tasks to complete this planning project.

Development of Revised Building Program

The first step that needs to be undertaken is to take a step back from the previous work to reassess the "program" for the site -- the uses to be accommodated within the building program, and their physical requirements. We believe that one lesson that can be drawn from the planning process to date is that the sensitivity of the site indicates that the program should be kept as small as possible, while still serving those transit uses that can only be addressed in the Old Town area. We would propose an initial meeting with City staff and the Downtown Action Plan Task Force, in order to develop a working draft list of uses to be accommodated in the building program, and to present a series of sketch plans that match various program alternatives. It will be important to gain the Task Force's consensus on this draft program, prior to commencing the design process, as there will not be study resources available to re-design the project if there are major changes in the program late in the planning process.

After the working draft building program has been developed, LSC will revise the traffic analysis originally presented in the Environmental Assessment. This analysis will be conducted to identify the feasible options for ingress and egress of the site, in light of the revised building program and the planned modifications along Deer Valley Drive. This analysis should be conducted prior to design work on the Center, in order to avoid staff time on design options that are unworkable from a traffic perspective.

Design Charette/Development of Preliminary Plans

Once the program has been finalized, a two-day design charette is proposed at this point in the study to focus study resources and community interest in developing a preliminary plan for the Intermodal Facility. We have found through similar planning efforts that the charette process is an efficient way of using consultant and local staff resources, and results in a higher level of interest on the part of the community. LSC and Design Workshop staff would be on-site to develop preliminary plans for the various sites, gather public input, and present preliminary findings. A draft schedule for this charette is as follows:

- **Day One** -- Morning meeting with local staff, as well as other interested public officials and citizens, in order to gather information regarding the issues involved in the study, and to provide direction to the Study Team. The afternoon will be devoted to a walking tour of the site and the start of the design work.

- **Day Two** -- The Study Team will continue the design work in an office space open to the public. The public will be invited to drop by to review the work in progress, and to provide one-on-one input with the Study Team. In the late afternoon, a workshop will be held with the Task Force at which the preliminary plans are presented, followed by additional discussion. Following, a final meeting would be held between the Study Team and local staff to review the results of the workshop, and to provide final direction.

Throughout this process, City staff and others at your discretion will be provided the opportunity to contribute to the design efforts. Based upon the information and rough plans generated through the Design Charette, the Study Team will prepare draft site plans. These plans will include the following:

- An analysis of critical adjacencies between various uses.

- A recommended space program for the site, including the number of square feet of building floor space to be allocated to each use.

- Site design, including conceptual building footprint, building character, and design of access drives and parking facilities.

- Assessment of the visual impact of the development plan on the Swede Alley site context.

- An inventory of permitting requirements for the project, including associated costs and schedule requirements.

- An analysis of development costs, including:
  - architectural/engineering design costs;
  - permitting costs;
  - site acquisition costs;
  - construction management and inspection costs;
  - utility relocation/modification costs (with assistance from city staff);
  - construction costs;
  - mitigation costs; and
  - ongoing maintenance and operational costs.

The products of this task will consist of both a graphic display of the conceptual plan and written documentation of the conceptual development plan. The color site plan graphics will be produced as a wall graphic, as well as a size suitable for inclusion in a report.

Review and Generation of Final Development Plan

After development of the draft plans, the Study Team will participate in a process of review and revision with the Task Force and city staff. Based upon input received in the design charrette, modifications to the program and site design will be made, and presented to the Task Force. We would propose to conduct up to two of these rounds of review and revision following the design charrette under this project scope. As part of these trips, focused presentations will also be made to individual groups, at the discretion of the client.

Based upon these input processes, the preliminary development plan will be modified to develop a detailed final development plan. Two rendering will be produced of the facility in its urban design context, including both exterior driveways, bus loading areas, parking areas, and pedestrian/bicycle facilities, as well as diagrams of interior space. The final site development plans will provide details regarding site layout, access, building footprint, building height and massing, and context within the topography and adjacent site building context. While general building finish and architectural detailing will be conceptually illustrated, these plans will not identify specific building materials (as these details are better left for final architectural design).

We would propose that public input into this planning process be provided as part of the Task Force meetings; no separate public meetings would be held. Once the development plans have been approved by the Task Force, Study Team members will make presentations to the Historic District Commission, Planning Commission, and City Council. Input received through these presentations will be used to make any final modifications to the plans.

Approach to Fee

The LSC Team would propose to conduct this work on a "lump sum" basis, with a not-to-exceed contract maximum of $70,000, including all overhead direct costs. We would propose to prepare monthly invoices for work completed over the previous month, and submit these invoices along with a statement of work tasks completed over the period, and overall progress on the study.

In order to undertake this work on a "lump sum" basis, some limitations on the scope of the contract are necessary. Specifically, we would be willing to undertake this work, with the following criteria:

- We will attend a maximum of four meetings with the Task Force under the terms of this contract. We believe that this number of meetings should be adequate to develop a satisfactory work product. While we will do our professional best to address concerns and comments of Committee members, we need to limit our responsibilities if disagreements within the Committee or outside factors preclude the resolution of site program and design issues within four meetings. Any additional meetings that you would like team members to attend would be billed at our standard hourly rates plus direct expenses. The total cost associated with additional trips would depend upon the number of team-members required, and the length of time necessary both in preparation and on-site; this total cost could range from a low of $1,100 for attendance or presentation by one team-member at a single meeting that does not require special preparation to a high of $2,500 or more if additional staff or time is required.

- Similarly, we will make up to three additional trips to Park City as part of the review and approval process. These trips could include meetings or presentations with more than one group over the course of a few days. Again, any additional trips that you would like team members to make would be billed at our standard hourly rates plus direct expenses.

- Graphic products for the final recommended site plan would be limited to the following:

  - One site plan, including all floor plans
  - One site area plan, describing the urban context for the site
  - Two perspectives
  - Three building context and urban design elevations
  - One cross-section

These products will be produced both at a scale suitable for inclusion in a document, as well as a scale suitable for public presentations.

- The final product for the Transportation Plan will consist of 20 copies of the Plan document, and an unbound original that you can use to make additional copies. In addition, we would be willing to prepare a separate Executive Summary (including 20 copies and an unbound original). Up to five color graphics will be prepared as part of these documents; the remaining graphics will be black-and-white.

Proposed Schedule

We are prepared to begin this study immediately upon approval and the signing of a contract. The Transit Plan can be finalized by the end of August, per your schedule. For the completion of the Transit Center Concept Plan, we could begin "up-front" work by the Study Team staff immediately, including the initial "building program" meeting with the Task Force in June. The design charette would be planned for July 15 and 16. Depending upon the level of revisions required by the review process, final presentations could be made in late August or early September. If, for any reason, local requirements dictate a different schedule for completion, we would be pleased to discuss these needs.

▲ ▲ ▲

We look forward to assisting the Park City community in bringing these important planning processes to completion. We would be happy to provide additional information regarding our past work and qualifications. In addition, we would be happy to consider modifications to our approach and work scope that can best make use of study resources. Thank you for the opportunity to present our proposal.

Respectfully Submitted,

LEIGH, SCOTT & CLEARY, INC.

by _______________ VP
Gordon Shaw, PE, AICP, Vice President

PCFinalPROP2.WPD

PARK CITY
1884

CITY COUNCIL REPORT

DATE: July 13, 1998
DEPARTMENT: Community Development Department
AUTHOR: Nora Shepard
TITLE: Empire Canyon Request for Reconsideration
TYPE OF ITEM: Annexation

SUMMARY RECOMMENDATIONS:

Provide staff with direction on requested revisions to the Flagstaff Annexation Resolution.

DESCRIPTION:

A. Topic:

United Park City Mines Company (UPCMC) has submitted a request that the Park City Council reconsider annexation of Empire Canyon. A formal letter of request is attached for your information. UPCMC also has active applications with both Summit and Wasatch Counties.

B. Background:

The City Council approved a Resolution of Intent to Annex Flagstaff Annexation under certain Development Parameters on May 8, 1997. This resolution was the result of more than 2 years of discussion and extensive public input. The Annexation request was modified several times in response to input by the public, Planing Commission and City Council. The May 8, 1997 Resolution of Intent is attached for your review.

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. They also concluded that the single family component being requested by the applicant was undesirable in the proposed location. The maximum development potential supported by the City Council included 700-750 revised residential unit equivalents, support commercial, affordable housing, a skier day lodge and ski area improvements. The residential and commercial components were confined to the lower mountain area.

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.

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. Many of these items would be available only with annexation. As indicated in the letter for reconsideration, UPCMC considers this a continuation of the previous discussions and negotiation on the Annexation. The possibility of more timely consideration of the project is the principal motivation for discussions with the City at this time.

C. <u>Analysis</u>:

Density and Configuration

COUNTY APPLICATIONS

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

REVISED RESOLUTION 10-97

Multi-Family	410	50
Hotel Rooms	60	50
Single Family	54	160
TOTAL	524	260
REVISED RESOLUTION	**784**	

NOTE: Residential Density in Park City Unit Equivalents

Additional Traffic Mitigation
Gondola - Based upon a request by the Planning Commission and City Council, UPCMC explored the possibility of a Gondola or people mover from the Swede Alley area to development in Empire Canyon and determined that it was not financially feasible. UPCMC has done additional research and is now willing to discuss the possibility further.

Restricted Access - The applicant continues to be willing to limit access and utilities so that there is no improved public connection to Wasatch or Salt Lake Counties. This limitation appears unlikely if the project were not annexed.

Open Space/Recreation Opportunities
Richardson Flats - UPCMC has expressed a willingness to donate land for recreational uses in Richardson Flats. The area could be used for active recreation such as playing fields, or golf course uses.

Iron Mountain - UPCMC owns 106 acres on Iron Mountain which they would be willing to deed restrict or transfer to the City or a suitable third party.

Real Estate Transfer Fee - UPCMC continues to offer a 1% real estate transfer fee which would be used by the Owners and the City to assist in funding transit and open space. This is one of several financial mitigations that is available only with annexation.

Affordable/Employee Housing - UPCMC agrees to provide 60 affordable housing units, of which 15 would be on-site.

Issues for Discussion

The staff is requesting that the Planning Commission and City council review and discuss the conceptual modifications being requested by the applicant at this time and direct staff whether or not to proceed with project review, and under what conditions. Possible issues for discussion include:

- The proposed modification in density configuration and location
- The offer to limit access and utilities
- The public benefit of the additional open space/recreational opportunities
- The appropriateness of a Gondola from the Historic District and its effectiveness as traffic mitigation
- Potential unmitigated impacts to Park City if this project proceeds in the Counties

Resolution 10-97

RESOLUTION OF COUNCIL INTENT TO ANNEX FLAGSTAFF ANNEXATION AREA UNDER CERTAIN DEVELOPMENT PARAMETERS

WHEREAS, on May 17, 1994 United Park City Mines Corp. (UPCMC) filed an application for annexation to Park City of certain UPCMC holdings within the Ontario and Daly Canyons, along with property held by several other mining companies and/or families;

WHEREAS, on June 17, 1994 UPCMC delivered a description of its development plan for the annexation area and, in conjunction with its annexation application, requested an (eighth) amendment of the Deer Valley Master Plan to allow construction, over a 20 year construction schedule, of 598 unit equivalents (2000 square feet) of multi-family development within development "pods" eventually known as A, B and C, 207 single family homes (of unlimited size) located on Prospect Ridge and within pods B, C, D, and E, a Deer Valley Day Skier Lodge within pod D, ten (10) percent support commercial within pods A, B, and C, 10% affordable housing, 10 ski lifts and over 40 ski runs throughout the annexation areas;

WHEREAS, the Community Development staff reviewed the annexation application and proposed amendment to the Deer Valley Master Plan and concluded that, as proposed, the annexation raised significant concerns of unmitigated impacts associated with:

- Traffic on Marsac Avenue, Old Town surface streets, Deer Valley Drive and critical intersections;
- The potential for additional growth and development in and around the annexation area (Summit and Wasatch Counties) that would be encouraged by the infrastructure proposed for the annexation area;
- Significant need for additional intergovernmental coordination;
- Water supply (source, storage and rights) and demand;
- Sewer collection and treatment capacity;
- Emergency access and fire suppression;
- Public facilities;
- Public access to open space;
- Wildlife habitat and migration corridors;
- Environmental quality (such as construction within mining reclamation sites, water quality, slope stability and storm water runoff);

WHEREAS, as a result of staff concerns, the applicant prepared an analysis of potential land uses on adjacent properties (including UPCMC holdings in Bonanza Flats), traffic impacts associated with the total potential development, and wildlife impacts;

WHEREAS, the Planning Commission reviewed the proposal on August 8, 1994, November 10, 1994, January 11, 1995, February 22, 1995, May 19 and 24, 1995, and June 8 and 28, 1995;

WHEREAS, based on Planning Commission feedback, the applicant submitted a revised annexation plan on June 14, 1995 for 670 unit equivalents (2000 square feet) of multi-family development within development "pods" A, B and C, 131 single family homes (of unlimited size) located on Prospect Ridge and within pods B, C, D, and E, a Deer Valley Day Skier Lodge within pod D, ten (10) percent support commercial within pods A, B, and C, 10% affordable housing, 8 ski lifts and 40 ski runs (177 acres) throughout the annexation areas;

WHEREAS, the Planning Commission and a special Flagstaff Task Force held several meetings on the revised plan throughout the remainder of 1995 and the balance of 1996;

WHEREAS, the Planning Commission held public hearings on the revised plan on October 25, 1995 and November 13, 1996;

WHEREAS, the revised plan spawned numerous written comments from the public and record-setting attendance at public meetings which focused heavily on issues related to traffic impacts, open space preservation, growth management, and siting;

WHEREAS, simultaneous with the annexation review process, Park City was engaging the public and the surrounding jurisdictions in an effort to revise the 1985 Comprehensive Plan and to define its vision for the City;

WHEREAS, the applicant's June 14, 1995 revised plan was inconsistent with the 1985 Comprehensive Plan for a variety of reasons, including the fact that it proposed single family development in pod D, at an elevation that was not envisioned by the plan;

WHEREAS, on September 25, 1996 the Planning Commission recommended, and on March 20, 1997 the City Council adopted Phase I of the 1997 General Plan, an integral component of which is a vision that the City should have managed growth and multi-modal transportation opportunities, within an urban core that is enveloped at its perimeter by visually-significant open space;

WHEREAS, the 1997 General Plan envisions multifamily unit bed-base and support commercial development within pods A and B and limited ski area expansion throughout the Flagstaff area;

WHEREAS, throughout the Flagstaff annexation review process, the public, staff and Planning Commission expressed concern that the applicant's revised plan was inconsistent with the 1985 and 1997 General Plans because it created unmitigated traffic impacts, was growth inducing, provided too much single family detached housing, and did not provide a firm, open edge to the limits of the City;

WHEREAS, on February 21, 1997, based on all of the public input, the 1985 Comprehensive Plan, and the proposed 1997 General Plan, staff recommended annexation of the Flagstaff area, with a revision to the Deer Valley Master Plan to add 310 unit equivalents on the lower mountain (pods A and B) if the Bonanza Flats area were not preserved as recreation open space and 460 unit equivalents if the 1500 acre Bonanza Flats area were preserved;

WHEREAS, in response to the February 21, 1997 staff recommendation, the applicant indicated that the staff proposal was unacceptable and proposed additional density within Flagstaff in conjunction with an offer to dedicate a preservation easement on Bonanza Flats;

WHEREAS, on March 26, 1997, on a split vote, the Planning Commission recommended annexation of the 1550 acre Flagstaff project and perpetual deed restrictions on the 1500 acre Bonanza Flats open space parcel, with up to 100 single family homes considered in a revised pod D and 500-650 unit equivalents (including up to 30 Single Family Dwellings at a size to be determined at MPD Stage), a Day Skier Lodge of about 35,000 square feet, 5% support commercial in pods A and B, with an affordable housing obligation of 10% of the residential units;

WHEREAS, the Council began its consideration of the Flagstaff project on April 17, 1997 and continued to take staff, applicant, and public input on April 25, 28 and 29, 1997 and May 1, 6, and 8, 1997;

WHEREAS, representatives from Park City met with the Wasatch County Board of County Commissioners to discuss the Bonanza Flats area, at which time the parties agreed to begin discussions about how Park City could mitigate financial or service impacts of its decision on the Flagstaff Annexation;

WHEREAS, on April 24, 1997 the Council opened a public hearing for over 350 attendees, and took testimony from 46 participants. The public sentiment revealed support for the lower mountain (multifamily and commercial) portions of the plan but substantial opposition to single family residential development on the upper mountain (pod D);

WHEREAS, the City mailed and published notice of the proposed annexation and annexation policy declaration to all affected entities and received no protest to the annexation;

WHEREAS, upon notice of Park City's intent to amend its annexation policy declaration, the Weber Basin Water Conservancy District requested the applicant to annex to the Conservancy District as a condition of development and the Wasatch County Commission requested an interlocal agreement with Park City to assure that Wasatch County would not be adversely affected by the applicant's offer of permanent open space within Wasatch County;

WHEREAS, the Council would like to assure both jurisdictions of its intent to cooperate fully with their operational objectives;

WHEREAS, on May 2, 1997 the applicant filed an annexation plat for the Flagstaff area, and an additional 20 acres in the vicinity of US 40 and SR 248;

WHEREAS, U.C.A. §10-1-104(2)(a) requires the annexation plat to include only "continuous and uninterrupted" land within the proposed annexation area. As such, the additional 20 acre site will be excluded from consideration of the Flagstaff annexation plat;

WHEREAS, throughout Council review of the Flagstaff annexation, the applicant offered enhanced transportation, utility improvements, open space and site management measures, construction management, and public open space and trail dedications as inducements for the Council to allow uses and densities that the applicant desired within the project;

WHEREAS, based on the applicant's proposals, the Council concluded that development could be accommodated, and the impacts of development could be adequately mitigated if development occurred on the lower mountain, the ski terrain were slightly modified, and the density and location of land uses followed a matrix which, if acceptable to the applicant, would form the basis for an annexation agreement and annexation of the Flagstaff area;

WHEREAS, the Council has concluded that while single family development may be an important component to the applicant's product mix, it is also largely undesirable in this location because it diminishes the potential bed base for the area, maximizes site disturbance, decreases the effectiveness of transit, and provides the potential for use of the structures as primary residences at an inappropriate elevation.

WHEREAS, various upper mountain property owners have interests that may not coincide with those of UPCMC and have, at times, indicated that they may withdraw from the annexation plan;

WHEREAS, the Council desires to provide incentives for all owners within the annexation area to benefit from the annexation;

WHEREAS, pursuant to the following, the Council concludes that the Flagstaff area is appropriate for annexation;

NOW, THEREFORE BE IT RESOLVED that the City Council of Park City is willing to approve an annexation for Flagstaff consistent with the following criteria and entitlements:

SECTION 1. Development Configuration, Limitations and Maximum Density

A. The maximum development potential in the Flagstaff annexation shall be:

1. 700-750 revised residential unit equivalents based on a density allocation described in Exhibit A (the range stems from item 6, *Complete Annexation*, in Exhibit A).
2. 10 percent maximum support commercial;
3. 10 percent maximum employee/affordable housing, at least 25 percent of which would be developed within the project; and
4. A skier day lodge of about 35,000 square feet with no public road access.

B. Residential and commercial development in the Flagstaff annexation shall be confined to the lower mountain in the area of Pods A and B as they are depicted on the Flagstaff Land Use Presentation Map on file in the Community Development Department.

C. No more than 20 percent of the development potential may be used for detached single-family dwellings. For example, if the development potential of 750 units is achieved, 150 units could be used for single family dwellings. If those dwellings are 6,000 square feet in size, then a total of 50 homes could be built. In Pod A, no development shall be placed below the 7800 foot elevation. The applicant shall limit the height of single-family development in Pod A north of the proposed road with the precise limitation to be established at the MPD stage based on a visual analysis.

D. Prior to issuing any permit for the construction of residential or commercial development in the Flagstaff annexation, the applicant must perpetually restrict the use of the approximately 1500 acre area of Bonanza Flats to open space uses by offering to Park City and a third party trustee an open-space conservation easement or other instrument acceptable to the City. If the applicant is unable to restrict the land to open space uses in a manner acceptable to Park City because of the actions of a third party and through no fault of its own, then the maximum density of the development will be reduced by 250 units and the applicant will be relieved of this obligation.

E. Prior to issuing any permit for the construction of residential or commercial development in the Flagstaff annexation, the applicant must restrict access and extension of water and sewer service by dedicating to Park City a fee-simple parcel along the perimeter of the annexation that is adjacent to any unincorporated land or other instrument acceptable to the City.

F. Enhancements described in Exhibit C shall be incorporated in the project through the Master Plan Development Process.

SECTION 2. Other Development Parameters and Obligations

A. **Baseline Assumptions.** The City Council intends that the project include the baseline assumptions as follows:

Transportation and Traffic Mitigation. The developer has agreed to provide the following to reduce the traffic generated by the project:

Provide a base level of van and shuttle service including, but not limited to, circulator service between Pods A and B and a designated City transit connection; airport shuttles; employee shuttles to remote employee parking; and guest shuttles to key destinations such as Main Street, Silver Lake and recreational trail heads.
Construct road and intersection improvements to increase the capacity of Highway 224 and the intersection of Marsac and Deer Valley Drive.

Open Space and Trails. As a part of the Flagstaff Annexation application, the applicant agreed to:

Construct and maintain trails interconnecting Pods A and B and connecting those areas to Old Town provided that the City provides a suitable alignment on the lower portions of Prospect Ridge (the property owned by PCMC).
Construct and maintain summer trails throughout the property for biking and hiking.
Zone all areas not developed as Recreation Open Space.
Prohibit development in significant wetland and wildlife areas such as the Lady Morgan Springs area.

Ski Expansion. Deer Valley will be allowed to expand skiing consistent with the Flagstaff proposal, subject to the normal review procedures, except that Pod Z shall be allowed only to contain 2 graded runs. Limited vegetation removal may be considered in the balance of the pod.

Construction Mitigation. The developer is willing to provide measures to mitigate the impact of construction. These measures will be reflected in CC&R's of each development parcel. The conditional use review for each development parcel will specify site and development specific mitigation measures. The applicant agrees to:

Limits of Disturbance and Vegetation Protection for the construction of public improvements.
Reuse of on-site materials to include a batch plant.
Provision of a construction staging and stockpile area at the Daly West site.
Construction traffic routing restrictions.
Dust and soil monitoring and control as required by a Phase 2 environmental assessment.

Developers of individual sites will be required to:
Provide secure storage for tools and equipment on-site.
Limits of Disturbance and Vegetation Protection.
Traffic routing restrictions.

Employee Housing

The applicant agrees to provide 10% employee/affordable housing as required by the City's Annexation Policy.
The applicant agrees to further explore placing employee housing at the Judge Tunnel site.
No in-lieu fees will be accepted to fulfill this obligation.

Unit Equivalents . For purposes of this annexation, a Unit Equivalent shall as defined in the Park City Land Management Code except that single family structures are subject to the same formula as multifamily units (1UE = 2000 square feet which means that an 8,000 square foot home would require 4 Unit Equivalents).

Design Guidelines. The applicant intends to formulate and incorporate detailed design guidelines for the development. Appropriate guidelines shall be incorporated as a part of the Large Scale MPD. It is the intent that the Flagstaff development have a strong common architectural theme.

Mining/Soils Hazards. Site specific analysis will be required. All mining and soils hazards shall be addressed and mitigated as determined by the City.

Water Rights and System Development. The applicant has proposed to develop a source of water and a delivery system to serve Flagstaff. Water rights obligations will also be satisfied.

Emergency Access. The applicant acknowledges that a seasonal secondary access will be required to be provided and maintained. In addition, a comprehensive emergency response plan shall be required. The proposal includes a public safety facility site. The final public safety and emergency access plan will be determined during the MPD review.

Historic Structures. There are some significant historic mine structures on the site which the applicant has agreed to preserve.

Wood Burning Limitation - The applicant agrees to limit wood-burning to one fireplace or wood-burning device per single family unit. The multifamily units will not be allowed to have wood-burning devices.

Chapel. A Chapel will be allowed under the following conditions:
No utility extension will be allowed (power may be allowed if it is readily accessible).

The Chapel will not be accessed by an improved road.
The siting and construction will comply with the provisions of the Sensitive Lands Ordinance.

B. MPD Requirements

The annexation documents for this project would set forth general development parameters and entitlements. The more specific review generally occurs at the time of Master Planned Development. Many of the details and specifics of the items listed above as assumptions will be decided at the time of Master Plan approval. The Planning Commission review and approval of the Master Plan shall include, but not be limited to:

Design Guidelines
Construction Mitigation Plan
Mine/Soil Hazard Mitigation Plan
Specific Parking Requirements
Detailed review and approval of the proposed ski expansion
Site specific design, building locations, limits of disturbance
Phasing Plans
Size and configuration of the protection strip
Specific transit plan
Specific design of roads and public improvements
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

SECTION 3. Document Preparation

If the applicant concurs with this resolution of intent by June 1, 1997, the City Council directs staff to complete review and notice under current Annexation Law and to draft the necessary documents, including an Annexation Agreement, Annexation Resolution and Zoning Ordinance, consistent with this resolution. The Council intends that the documents will be completed and acted upon within 60 days of certification of the Annexation Petition for Flagstaff.

SECTION 4. Effective Date

This Resolution shall be come effective upon adoption.

PASSED AND ADOPTED this 8th day of May, 1997.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Jodi F. Hoffman, City Attorney

Exhibit A ...Flagstaff Resolution of Intent

Development Configuration Enhancements and Amenities (1)	**Density Allocation**
1. "Rural" density	50
2. Confining all development to lower mountain and providing all baseline components of the project	210
3. Bonanza open space conservation easement	250
4. Restricting access and services to unannexed property and Bonanza	100
5. Enhancements (2)	100
6. Complete Annexation(3)	40
Total	**750**

Notes:

1. All units are the revised unit equivalent (SFD=2000 square feet).

2. Enhancements include the following issues which are more completely described in Exhibit C of this resolution:

   Transfer fee for public recreation, open space and public mass transportation;
   Enhanced mass transportation and traffic mitigation;
   Enhanced open space and trails;
   Enhanced construction mitigation;
   Limitations on single family dwellings
   On-site employee housing

3. If the annexation includes all properties, then the applicant would be entitled to a density bonus of 40 units. If all enhancements are provided, and bonuses achieved, the total would be 750 units. If the annexation includes none of the properties associated with proposed upper mountain development, then the applicant would not be entitled to a density bonus and would have 10 units deducted from the total development potential leaving 700 units. If the annexation includes some, but not all, of the properties associated with proposed upper mountain development, then the applicant would be entitled to proportional additions to the 700 unit base according to table shown in Exhibit B.

Exhibit B ...Flagstaff Resolution of Intent

DENSITY ASSIGNMENTS

Property	**Assigned Units**	**Notes**
New Quincy/Lucky Bill	13	
Park City Star/Burns	2	
Brandsford	3	
Mayflower	6	
Mayflower/UPCMC	0	Split between Mayflower and UPCMC
UPCMC and Deer Valley	26	
Total	**50**	

Exhibit C...Flagstaff Resolution of Intent

Enhancements

1. Transportation and Traffic Mitigation

Reduce the traffic exiting Pods A and B by one-third as compared to similar uses in Silver Lake Village. A baseline study would be conducted in Winter of 1998 which would be used to monitor performance. Service levels would be adjusted to assure that this goal is achieved. The applicant would pay capital and operating costs of enhanced service. If the service is ever provided by the City, contributions could be used to improve service to Silver Lake provided that a proportional reduction of traffic is achieved on Guardsman Pass/Marsac Road entering Old Town.

Reduce the parking provided in the project by at least 25% as compared to the requirement in the Land Management Code.

Charge a fee for parking for all commercial and short-term residential uses.

Provide remote parking with shuttle service for employees.

Provide shared parking in all commercial, short-term residential and mixed use buildings (assigned or reserved spaces prohibited).

The majority of parking will be fully enclosed. The precise requirement will be determined at the MPD stage.

2. Open Space and Trails

Provide and regulate trail heads for public access to back country skiing in Wasatch County. Parking at the trail head would be regulated by a permit system. Free shuttle service would be provided to the trail heads.

Dedicate the area below (north of) Pod A to the City as an addition to the City's open space on Prospect Ridge.

Dedicate an open space easement for land not designated for commercial and residential development to assure that the land is permanently open. Different sections of this land would have different provisions in the open space easement (i.e. ski terrain, wildlife habitat, sensitive lands).

Construct and maintain a year-round trail system interconnecting Pods A and B and connecting those areas to Old Town.

3. Construction Mitigation

The applicant agrees to:

Provide remote parking for construction workers.

Further study limiting deliveries and heavy equipment traffic to off-peak hours on weekdays.

Provide on-site waste separation and work with Park City Recycling Center and Recycle Utah to recycle construction material.

4. **Real Estate Transfer Fee**

The Real Estate Transfer Fee of 1% is considered an enhancement and will be used as follows:
50% to the Master Property Owners Association to assist in funding Transit and Open Space maintenance.
50% to Park City Municipal Corporation to assist in funding Transit and Open Space Acquisition.

5. **Employee Housing**

The applicant agrees that 25% of that 10% requirement be on site in the form of manager's units, efficiency units or dormitory-style units.
The applicant agrees to provide a mix of employee and affordable housing units in reasonable proximity to Park City.

United Park City Mines Company

HANK ROTHWELL
PRESIDENT

July 8, 1998

Mayor Brad Olch
Park City Municipal Corporation
Park City, Utah 84060

Mayor

Last year, as you will recall, the Park City Council adopted Resolution 10-97 approving the Annexation of United Park City Mines Company property in Empire Canyon. This Annexation was never completed because of our mutual inability to agree upon the development parameters of the Master Plan Approval.

Please consider this to be our formal request for reconsideration. United Park City Mines Company requests that Park City Council review the terms and parameters of the City's Resolution 10-97. You have indicated the City's ability, because, of it's prior experience and the lengthy public process surrounding this project, to make a quick response. It is understood that this dialogue will be a continuation of the efforts already expended by the City and the Applicant. We appreciate the City scheduling the upcoming Joint Work session on July 16th. It is our understanding that the City is willing to commit the Staff and Council time to resolve this discussion as soon as possible.

As I indicated to you, we are willing to consider new elements to this ongoing negotiation to aid in a rapid resolution. We are willing to consider:

1) Additional traffic mitigation measures because of the potential impact of our Wasatch County Bonanza Mountain Resort project, which may include people mover connection to Old Town and restrictions on "through" traffic.
2) Additional open space restrictions on other United Park property; Iron Mountain/Warren Claims acreage, and/or Richardson Flats.
3) A negotiated density cap on eventual build-out of our Bonanza Mountain Resort project .

Thank you in advance for your consideration.

Sincerely

Hank R.

P.O. Box 1450, Park City, Utah 84060, (435) 649-8011, Fax (435) 649-8035